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The Center for Food Safety (CFS) is a national non-profit membership organization working to protect human health and the environment by curbing the proliferation of harmful food production technologies and by promoting organic and other forms of sustainable agriculture.

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SPRING 2012

Food Safety Now!

USDA Receives Over 370,000 Public
Comments Opposing Approval Of 2,4-D-
Resistant, Genetically Engineered Corn



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**154 Farm, Fisheries, Public Health, Consumer,
and Environmental Groups Send Secretary
Vilsack Joint-Letter on Potential Threats to
Human Health and American Farms**



OVER 150 GROUPS AND MORE THAN 370,000 CITIZENS from across the country are urging the U.S. Department of Agriculture (USDA) to reject a Dow Chemical application seeking approval of a controversial genetically engineered (GE) corn that is resistant to the hazardous herbicide 2,4-D. In addition to the public comments, 154 farm, environmental, health, fisheries groups and companies submitted a letter to USDA Secretary Tom Vilsack expressing their overwhelming opposition to this crop.

“American agriculture stands at a crossroads. One path leads to more intensive use of old and toxic pesticides, litigious disputes in farm country over drift-related crop injury, less crop diversity, increasingly intractable weeds, and sharply rising farmer production costs,” said Andrew Kimbrell, Executive Director of the Center for Food Safety. “This is the path American agriculture will take with approval of Dow’s 2,4-D resistant corn, soybeans and the host of other new herbicide-resistant crops in the pipeline. Another path is possible, but embarking upon it will take enlightened leadership from USDA.”

According to agricultural scientist Dr. Charles Benbrook, widespread planting of 2,4-D resistant corn could trigger as much as a 30-fold increase in 2,4-D use on corn by the end of the decade, given 2,4-D’s limited use on corn at present. 2,4-D soybeans and cotton would boost usage still more. Yet USDA has provided no analysis of the serious harm to human health, the environment or neighboring farms that would result.

In addition, 48 medical and public health professionals signed a letter to USDA warning of the severe health harms that would likely accompany the massive increase in 2,4-D use. Many studies show that 2,4 D exposure is associated with various forms of cancer, Parkinson’s Disease, nerve damage, hormone disruption and birth defects.



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Andrew Kimbrell—Executive Director of the Center for Food Safety

USDA’s decision in court, as this novel GE crop provides no public benefit and will only cause serious harm to human health, the environment, and threaten American farms.

The groups submitting public comments to USDA include the Center for Food Safety, Pesticide Action Network, Food & Water Watch, Food Democracy Now, the National Family Farm Coalition, Organic Farming Research Foundation, the Organic Consumers Association, SumOfUs.org, the Sierra Club, and the Natural Resources Defense Council.

American farmers are also rightly concerned that the introduction of 2,4-D resistant corn will threaten their crops. 2,4-D drift is responsible for more episodes of crop injury than any other herbicide. Last month, a coalition representing more than 2,000 farmers and groups filed petitions with the USDA and the Environmental Protection Agency (EPA) They asked USDA to conduct a thorough environmental review before making a decision on approving 2,4-D resistant corn and requested that EPA convene an advisory panel to examine impacts from increased application of the herbicides.

“Farmers are on the front lines of this potential chemical disaster,” said Iowa conventional corn and soybean farmer George Naylor. “Conventional farmers stand to lose crops while organic farmers will lose both crops and certification, resulting in an economic unraveling of already-stressed rural communities. I’m also very concerned about the further pollution of the air and water in my community.”

2,4-D drift and runoff also pose serious risk for environmental harm. The EPA and the National Marine Fisheries Service have found that 2,4-D is likely having adverse impacts on several endangered species, including the California red-legged frog, the Alameda whipsnake and Pacific salmon, via impacts on their habitats and prey.

If approved, the Center for Food Safety has vowed to challenge



Beekeepers & Environmental Groups to EPA: Pesticide Approval is “Irresponsible” & “Damaging”

Over 1 million urge EPA to suspend use of pesticide harmful to bees, fix broken regulatory system

IN MARCH, the Center for Food Safety joined commercial beekeepers and environmental organizations to file an urgent legal petition with the U.S. Environmental Protection Agency (EPA) to suspend further use of a pesticide the agency knows poses harm to honey bees, and adopt safeguards to ensure similar future pesticides aren’t approved by the agency. The legal petition is supported by over one million citizen petitions also submitted to date calling out one pesticide in particular—clothianidin—for its harmful impacts on honey bees. “EPA has an obligation to protect pollinators from the threat of pesticides,” said Jeff Anderson of California Minnesota Honey Farms, a co-petitioner. “The Agency has failed to adequately regulate pesticides harmful to pollinators despite scientific and on-the-ground evidence presented by academics and beekeepers.”

Over two dozen beekeepers and beekeeper organizations from across the country, from California and Minnesota to Kansas and New York, filed the legal petition with the EPA. Many of these family-owned beekeeping operations are migratory, with beekeepers traveling the country from state-to-state during different months of the year providing pollination services and harvesting honey and wax. They are concerned about the continued impacts on bees and their beekeeping operations, which are already in jeopardy.

Nine years ago, scientists within the EPA required a field study examining the potential harms of clothianidin to non-target insects—specifically honey bees—because they had reason to believe the pesticide may harm pollinators. In the years since EPA first required this study, a substantial body of scientific



In fact, three new studies released in April add to the growing body of evidence that implicate pesticides, specifically neonicotinoids—a class of pesticides used as a seed treatment in crops—as one of the most critical factors contributing to Colony Collapse Disorder (CCD).

bees, causing an 85% reduction in the number of queens produced. Harvard researchers found that 94% of the hives had died after exposure to a neonicotinoid pesticide called *imidacloprid* at levels hypothesized by the study team to have been present in high fructose corn syrup since the introduction of neonicotinoids into corn seed treatments in 2004-2005. The Harvard study will

evidence has confirmed that the use of clothianidin presents substantial risks to honey bees and other insects that are in or near recently sown fields.

“EPA ignored its own requirements and failed to study the impacts of clothianidin on honey bees,” said Peter Jenkins, an attorney for the Center for Food Safety. “The body of evidence against the chemical continues to grow, yet the agency has refused to take action.”

In fact, three new studies released in April add to the growing body of evidence that implicate pesticides, specifically *neonicotinoids*—a class of pesticides used as a seed treatment in crops—as one of the most critical factors contributing to Colony Collapse Disorder (CCD).

“These studies show, once again, that these pesticides have a role to play in CCD and must be addressed,” said Jenkins. “While pesticide manufacturers and government agencies argue over the state of the science, honey bees are being lost to CCD at an alarming rate.”

One of the new studies—released in *Science* magazine—shows that sub-lethal neonicotinoid exposure disrupts honeybees’ foraging and homing abilities. Another study shows that neonicotinoid exposure reduces queen fitness in bumble-

A decline in bee populations, health and productivity can have especially large impacts on agriculture, the food system and rural economies. Honey bees are the most economically important pollinators in the world, according to a recent United Nations report on the global decline of pollinator populations.



be published in the forthcoming issue of the *Bulletin of Insectology*.

These studies are just the latest in a string of studies over the past year making a critical connection between these pesticides and CCD.

The recent legal petition points to the fact that EPA failed to follow its own regulations. EPA granted a conditional, or temporary, registration to clothianidin in 2003 without a required field study establishing that the pesticide would have no “unreasonable adverse effects” on pollinators. Granting conditional registration was contingent upon the subsequent submission of an acceptable field study, but this requirement has not been met. EPA continues to allow the use of clothianidin nine years after acknowledging that it had an insufficient legal basis for allowing its use to begin with. Additionally, the product labels on pesticides containing clothianidin are inadequate to prevent excessive damage to non-target organisms—a second violation of the requirements for using a pesticide and further warrants removing all such mislabeled pesticides from use.

Over 1.25 million people, including many hobbyist beekeepers, submitted comments in partnership with the

Take action to protect honey bees!

Honey bees pollinate one in every three bites of our food, but commercial beekeepers lost an average of 36% of their hives last year according to U.S.D.A. Bees and other pollinators are indicator species—as they go, so goes the environment, and with it, us. Right now, the Center for Food Safety has two important actions you can take.

- Sign the petition to EPA urging them to take emergency action to protect honey bees by suspending the registration of the toxic pesticide clothianidin
- Send an email to Congress urging them to step up to the plate. Congress has the authority to exercise oversight over federal agencies like the EPA. EPA has failed to take action to date, and Congress should press them to take swift action to protect bees.

Visit our website at www.centerforfoodsafety.org and take action today!

organizations Avaaz, Change.org, Credo, Pesticide Action Network, Beyond Pesticides and Neals Yard Remedies/Care2.com, calling on EPA to take action on clothianidin. Petitioners point to the agency’s demonstrated delay in analyzing potentially harmful products and then taking them off the market. EPA is concurrently conducting a review of clothianidin’s registration, which it projects completing in 2018.

Beekeepers estimate the real value of their operations at \$50 billion, based on retail value of food and crop grown from seed that relies upon bee pollination. Bees in particular are responsible for pollinating many high-value crops, including pumpkins, cherries, cranberries, almonds, apples, watermelons, and blueberries. A decline in bee populations, health and productivity can have especially large impacts on agriculture, the food system and rural economies. Honey bees are the most economically important pollinators in the world, according to a recent United Nations report on the global decline of pollinator populations.

As a result of the petition, EPA may choose to suspend the use of clothianidin, or open a public comment process to evaluate the concerns voiced by beekeepers and environmental organizations.

Record-Breaking One Million Public Comments Demand FDA Label Genetically Engineered Foods



LAST MONTH CENTER FOR FOOD SAFETY (CFS) and our allies in the *Just Label It Campaign* submitted a record-breaking one million public comments to the

Food and Drug Administration (FDA) calling on the agency to require the labeling of genetically engineered foods. CFS filed the legal petition in October of 2011. More than 450 organizations, businesses and associations came together to support the CFS legal action in the *Just Label It Campaign*.

At issue is the fundamental right consumers have to make informed choices about the food they eat. FDA currently requires over 3,000 other ingredients, additives and processes to be labeled, but not transgenic ingredients. “The public has spoken, loud and clear. FDA should require the labeling of genetically engineered foods,” said Andrew Kimbrell, Executive Director of the CFS. “Providing basic information doesn’t confuse people, it empowers them to make informed choices. Absent labeling, Americans are left in the dark, unable to choose for themselves whether to purchase GE foods.”

In the U.S. there is overwhelming public demand—consistently near 95%—for the labeling of GE foods. The U.S. policy of not requiring GE labeling makes it a stark outlier among developed and developing nations. Nearly 50 countries have mandatory labeling policies for GE foods including South Korea, Japan, the United Kingdom, Brazil, China, Australia, New Zealand and the entire European Union. In the last year, 36 bills dealing with the labeling of genetically engineered foods have been introduced in Alaska, California, Connecticut, Hawaii, Illinois, Iowa, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Oregon, Rhode Island, Tennessee, Vermont, Washington and West Virginia.

Although there are very few engineered fruits and vegetables, transgenic varieties predominate in commodity crops. Currently, the great majority of U.S. corn is genetically engineered, as is high percentages of soybeans, cotton, and sugar beets. Approximately 70 percent of processed foods on supermarket shelves—from soda to soup, crackers to condiments—contain GE ingredients.

The FDA, USDA and EPA have never done any long-term human health nor environmental impact studies of GE foods or crops, despite the fact that FDA’s own scientists have concluded that these foods could pose serious risks. Laboratory and field evidence shows that GE crops can harm beneficial insects, transfer GE genes to neighboring crops or wild relatives and increase

herbicide use, thereby generating intractable herbicide-resistant weeds. Many of the public comments focused on these health and environmental impacts.

CFS’s legal petition explains a myriad of scientific and legal grounds supporting the labeling of GE foods. The current lack of any labeling makes GE foods misleading, in violation of FDA’s duties. GE foods’ differences from conventional foods are underscored by the fact that they are patented for their novelty, yet they remain unlabeled. GE crops have also shown they carry with them significant novel environmental harms, such as transgenic contamination of non-GE and wild crops, and massive increases in pesticide use. Finally, the public’s underlying fundamental right to know what they eat and feed their families supports labeling.

In a 1992 policy statement, FDA allowed GE foods to be marketed without labeling on the basis that they were not “materially” different from other foods. In so doing the agency severely limited what it considered “material,” targeting only changes in food that could be recognized by taste, smell, or other senses. This outdated standard—applying 19th century oversight to 21st century food—has no statutory basis and was created by FDA despite a lack of scientific studies or data to support the assumption that GE foods are not materially different from conventional foods.

“Consumers are being misled about the foods they are purchasing,” said Andrew Kimbrell, Executive Director of the Center for Food Safety. “FDA’s two-decade old decision is bad policy based on outdated science and must be revoked. The American consumer deserves the same fundamental freedoms and choices of other nations’ citizens.”

Earlier this month CFS’s legal petition got some support from another important source—the U.S. Congress. On March 12, 2012, a bicameral letter signed by 55 Members of Congress was sent to FDA Commissioner Margaret Hamburg calling on the agency to require the labeling of GE foods. The bipartisan letter was led by Senator Barbara Boxer (D-CA) and Congressman Peter DeFazio (D-OR) and was supported by more than 70 businesses and organizations, including Stonyfield Farm, the National Cooperative Grocers Association, the National Organic Coalition, Beanitos, Inc., Consumers Union, Organic Valley, PCC Natural Markets, the Organic Farming Research Foundation and a number of farming and fishing associations.

Comments to FDA are still being collected on CFS’s website at www.centerforfoodsafety.org

CANADIAN HOG INDUSTRY ABANDONS GENETICALLY ENGINEERED PIG

THE UNIVERSITY OF GUELPH, the Canadian university that developed the genetically engineered (GE) "EnviroPig," is reportedly closing down its research on the misguided GE pig. For years CFS has criticized the developers of the "EnviroPig" for engineering an animal specifically to fit into large-scale and highly polluting concentrated animal feeding operations (CAFOs). CFS has also criticized the genetically engineered "AquAdvantage" salmon developed by AquaBounty, Inc.—also under review by the FDA—which was similarly engineered to grow better in the confined tanks of industrial fish farming operations.

The "EnviroPig" was engineered using genetic material from a mouse and an E. coli bacterium to reduce phosphorus in the pig's feces. The University of Guelph began its GE pig research in 1995 and requested food safety approval from regulatory authorities in Canada and the U.S. in 2009. While Canada approved reproduction of the GE pigs in February 2010, no government has approved the "EnviroPig" for human consumption and no GE pigs have been sold commercially.

The announcement comes after years of mounting rejection by farmers, pork producers and consumers. CFS is now calling on the U.S. Food and Drug Administration to stop any work on approving the GE pig.



FDA ANNOUNCES ANTIBIOTIC REDUCTION PLAN

Three year phase-out a win for consumers, food safety advocates and medical community; continued oversight needed

THE U.S. FOOD AND DRUG ADMINISTRATION (FDA) issued long-awaited industry guidance limiting the use of antibiotics in food-producing animals in April. Antibiotics are essential tools in both human and animal medicine, but mounting evidence has linked persistent use of these drugs in animal production to the development and spread of antibiotic-resistant organisms.

FDA said its actions would result in a "sea change" from decades of widespread antibiotic use. The FDA's plan includes encouraging industry to voluntarily eliminate non-therapeutic antibiotic use within three years, to include veterinary oversight or consul-

tation for administration of antibiotics to food-producing animals and to implement "judicial use" principles.

In human medicine, antibiotic use is generally confined to treatment of illness. Yet, on many industrial livestock farms in the U.S., antibiotics and other antimicrobials (drugs that kill microorganisms like bacteria) are routinely administered to healthy animals. In fact, 80 percent of all antibiotics produced in the U.S. are given to animals, not humans. One result of this unregulated overuse has been a significant increase in antibiotic-resistant "superbugs" which can dangerously jeopardize the use and effectiveness of medically important antibiotics for humans.

GE CROPS ON SOUTHEASTERN WILDLIFE REFUGES HIT A SNAG

U.S. Fish & Wildlife Service Admits Need for Deeper Environmental Review

IN AN EFFORT to deflect a pending federal lawsuit filed by the Center for Food Safety (CFS), Public Employees for Environmental Responsibility (PEER) and Beyond Pesticides, the U.S. Fish & Wildlife Service (FWS) told the court in March that it will suspend planting genetically engineered (GE) crops in all national wildlife refuges located in the Southeast. The government quietly conceded the merits of the lawsuit brought by conservation and public health groups, but now claims that the suit is moot because FWS vows to start complying with the law in future planting seasons before allowing GE crops back on refuge lands.

Filed last August in the U.S. District Court for the District of Columbia, the suit charges that the FWS unlawfully entered into cooperative farming agreements for GE crops on 25 refuges across eight states (AL, AR, GA, KY, LA, NC, SC and TN) without the environmental review required by the National Environmental Policy Act (NEPA) and in violation of laws governing refuge management.

This is the third in a series of four lawsuits filed by CFS and PEER challenging FWS's practice of permitting GE crops on wildlife refuges. Previous suits resulted in ending GE planting in the entire 12-state Northeastern region. A fourth suit is challenging GE cultivation on Midwestern refuges.



what's new at CFS?

Thanks to the generous support of our members and funders, CFS is growing! We have brought on new staff members, expanded our work on food safety and factory farming, and reinvigorated our Cool Foods Campaign.

To broaden our legal and campaign work on Confined Animal Feeding Operations (CAFOs) and factory farming, CFS is pleased to announce that we have hired a new Staff Attorney, Elisabeth ("Eli") Holmes. Eli holds a LL.M. in Environmental and Natural Resources Law from the University of Oregon, a J.D. from Boston University School of Law, a M.A. in French from Middlebury College and a B.A. from Mount Holyoke College.

CFS is also re-launching our Cool Foods Campaign with the help of our new Cool Foods Campaign Director, Diana Donlon. Diana brings nearly two decades of experience in philanthropy and grassroots environmental activism to the Cool Foods campaign. As a program executive at the Goldman Environmental Prize, she helped to elevate the critical and often unrecognized causes of environmental activists around the world.

We have also welcomed Steve Masar as our new Communications Director in our San Francisco office. Over the course of a dozen years in the public relations/public affairs agency world, Steve's experience covers the communications gamut from issue management and consumer media campaigns to crisis work, consumer and opinion writing, national product launches, social media/community building and organization rebranding. Steve is a graduate of the University of California at Berkeley with an honors degree in Social Science and Communications.

CFS is also expanding our work on food safety with the help of Michele Simon, who is now blogging regularly for CFS. Michele is a public health lawyer who has been researching and writing about the food industry and food politics since 1996 and is the author of *Appetite for Profit: How the Food Industry Undermines Our Health and How to Fight Back*. Check out her pieces on food safety on our website!

Finally, we are pleased to announce the opening of our new Pacific Northwest office in Portland, Oregon!

member spotlight

CFS MEMBERS DO MORE than sign petitions and call Congress. They are parents, teachers, community leaders, fearless fighters of GMOs and passionate promoters of sustainable agriculture. This issue's Member Spotlight features a member who is helping bring the sustainable food message to people across the country ...in a box truck!

CFS member Britten Chroman is the Director of the David Lynch Foundation Women's Initiatives (<http://www.davidlynchfoundation.org/women.html>). Britten also works with her friends, Nick Runkle and Justin Cutter, on a project called Compass Green, a fully functional greenhouse built in the back of a box truck that grows vegetables and herbs and is powered by waste vegetable oil. Compass Green teaches practical farming tools and raises awareness on sustainability through presentations, workshops and greenhouse tours at schools, camps, organizations and communities.

Compass Green inspires people across the country to be creative and utilize any and all space they can to grow food. If you or



Nick Runkle and Justin Cutter with their mobile greenhouse

anyone you know are interested in hosting Compass Green at a school, summer camp, farmers market or event please contact them at: info@compassgreenproject.org, and check out their work at www.compassgreenproject.org