

FOOD FIGHTS IN CALIFORNIA

County GMO Ordinances

GrowGmoFree.ORG

Paid for by The Committee for Humboldt Green Genes (#1264406) (707)826-1031 (707)442-3481 (707)923-1116 PO Box 4841, Arcata, CA 95518



Peggy G.
Lemaux
UC Berkeley



IT ALL STARTED IN
MENDOCINO
COUNTY

March 2004 MENDOCINO

MEASURE H -2,579 signatures obtained

- **“unlawful for any person, firm, or corporation to propagate, cultivate, raise, or grow genetically modified organisms in Mendocino County (excludes microorganisms)**
- **“DNA or deoxyribonucleic acid means a complex protein that is present in every cell of an organism...”**
- **The ban does not pertain to properties within city limits, or lands managed by State, Tribal and Federal agencies.**
- **At election time, no GE organisms were known to be in production in Mendocino County.**

...s from our readers
...ist argument
...crous
...to the Editor:
...the emphasis in the article regarding the
...is or retention of organic certification of
...an organic crop is contaminated with GMO
...pollen is ludicrous! If an organic crop is
...contaminated with GMO pollen, it
...becomes altered. I don't want to eat GMO
...food. That is my right. If I buy something
...certified organic, per the CCOF, it should
...be organic and that does not include a veg-
...etable or fruit that has been pollinated by
...GMO pollen. Heck, my own organic toma-
...toes from last year
...lost from last year
...organic if exposed
...to pollen. Add to add
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We endorse
Measure H!



CRAIG BELL

YES
on

Mendocino considers ban of genetically
NORTH CO
The Associated Press
...the county of the nation's
...California county in a
...Mendocino County
...to ban genetically
...modified crops
...the 2011-12 fall
...the 2011-12 fall
...the 2011-12 fall

Letters to the Editor, Flyers,
Mailings Were Everywhere...

GM
by GLENDA
The Daily Journal
County supervisors
voted to place
that would prohibit
modified organisms
the initiative as
further study
the ballot.
The initiative
ing Company was
Mendocino Organic
an effort to protect
genetically modified
has happened in
organic farmers
as organic, Cooper



TONY CRAVER

Protect our health!

What were they writing about?

To the Editor:
Recently the Daily Journal
the lawsuit filed against
the ballot initiative
H, the voter initiative
plants in Mendocino
The lawsuit was
Association - the
ough, after all, who
of this group

on GMOs
by MARK HEDGES
The Daily Journal
When it comes to the
of Measure H there
be a divide not in
community of organic
At a lecture on Friday
afternoon at the
meeting of the
County, Peggy O.
University of
Cooperative from
Specialist in Plant
Department of Plant
Microbial Biology
overview of biotechnology
plants as it pertained
to Measure H.
It pleased by the voters
March, Measure H would
the use of genetically
modified organisms in
if organic
contaminated
...What "might come
along"... "strawberries
resistant to molds,
tomatoes not attacked
by nematodes, grapes
resistant to Pierce's
disease, drought-
tolerant lettuce, and
"peppers resistant to
bacterial diseases," to
name a few.
- Peggy Lemaux
UC Extension specialist



TONY CRAVER

- Protect our environment!
- Protect our private property!

Keep Mendocino County
GMO FREE!

Join us!

...the organizations that
of Mendocino Organic
port the GMO petition
noorganicnetwork.com)
Second, the petition
birds, animals, fish,
plants, soils, cattle
wines, apple juice,
wish to purchase
foods available in
are free to do so.
prohibit is the grow
modified organisms
other means can
crops and destroy
uncontrolled health
disrupt the local
and exempt

The discourse on both sides of the issue was often driven by alarming assertions and facts that were not derived from, nor supported by science

“Measure H should be rescinded...on the basis that multitudinous GMOs have always been in Mendocino County and would be impossible to eliminate because:

1. Birds and bees are impossible to prevent from invasion.
2. Animals such as deer, bear, racoons, etc. are impossible to exclude.
3. Fire retardants for fighting forest fires cannot be abolished...
4. ...in order to remove present GMOs all soil would have to be plowed under or removed...
5. Any leather goods or imported footwear, clothing..would have to be inspected at checkpoints on every road coming into the county...
6. Anyone visiting another county or coming in on a plane, train, or boat would have to have a security check.

All of the above I have thoroughly investigated through pertinent organizations...”

Marie White, Ukiah Daily Journal
November 16, 2012

The discourse on both sides of the issue was often driven by alarming assertions and facts not derived from science nor supported by science

“When my son was 6 month (sic) old and receiving chemotherapy for leukemia, he was also receiving soy lipids intravenously because he had lost the ability to eat or drink. The longer he received the lipids, the higher the dose of chemo. When I asked why, I was told that the soybeans used were genetically modified to be “Round Ready,” they were putting food into my son’s veins that could withstand the chemicals they were using to kill the leukemia blood cells, making the chemo less effective. In order to keep my son alive nutritionally, the higher dose of chemo almost took him away ”

Jenny Shattuck-Hale, Ukiah Daily Journal, 2/20/04

**All of these conflicting messages
from both sides led the voter to be...**

“Still Confused

I appreciate your response to my letter...asking you to clarify what a “yes” vote means on Measure H and what a “no” vote means.

Apparently I am not the only one confused about this, judging from all the words being written, questions still being asked and the confusing publications”

Dolores Shannon

Ukiah Daily Journal, Feb. 25, 2004

And when university scientists tried to provide information on the scientific questions...

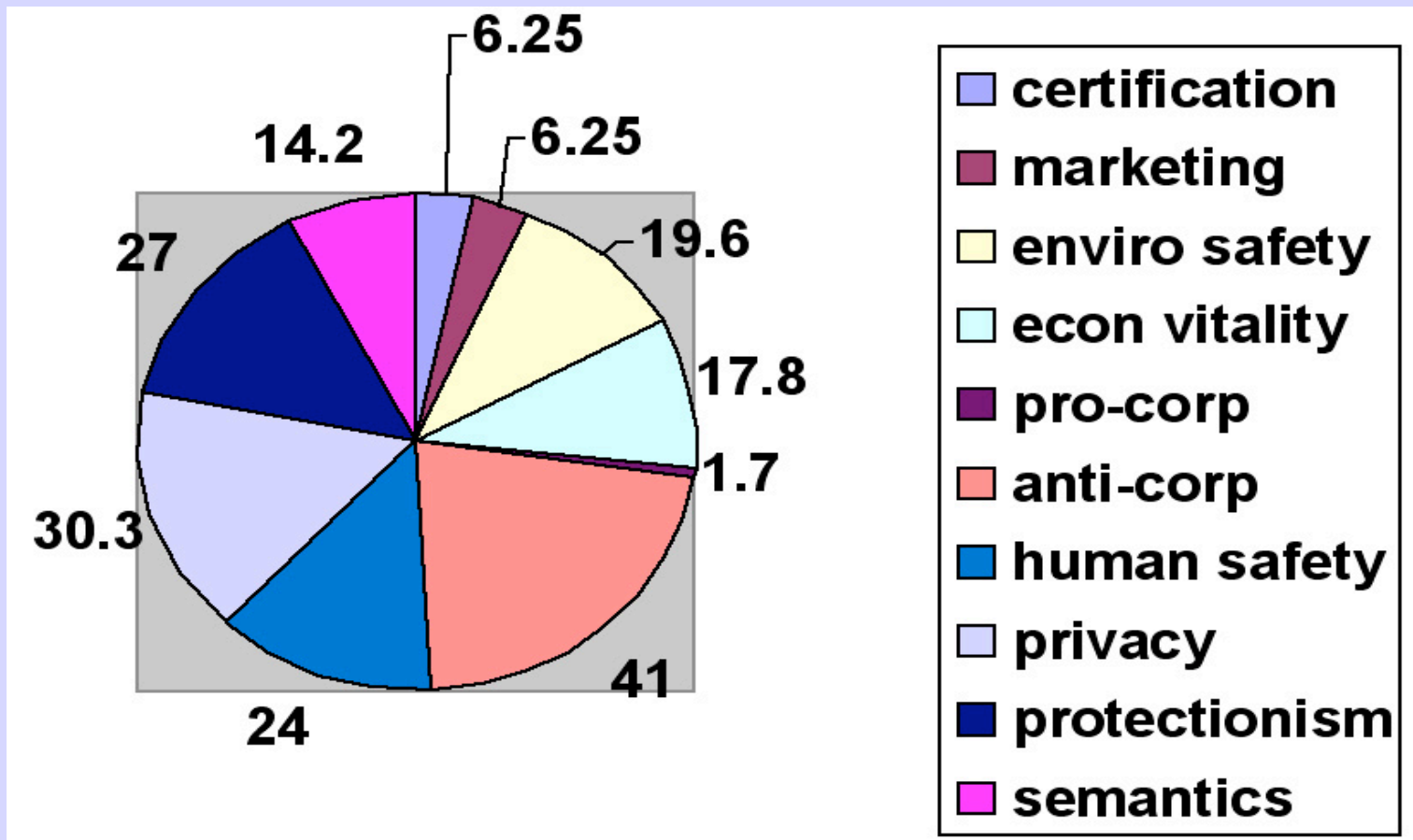
Letter to the editor refers to a forum on Measure H, moderated by the Ukiah Daily Journal on Feb. 12., 2004

“Prior to the beginning, reference was made to a (someone)...who had been invited to participate...(and) might have offered testimony of a scientific nature...Apparently (this person) was in the audience but denied inclusion in the forum by the delegation speaking in favor of Measure H...I did not have a prejudice regarding Measure H but personally was very disappointed that the audience was denied access to information...which might have helped clarify a complex issue.”

Jim Plumb

Ukiah Daily Journal, Feb. 26, 2004

CHARACTERIZATION OF MEASURE H ELECTION RELATED MATERIALS IN MENDOCINO COUNTY





**DISCOURSE MOVED TO
OTHER COUNTIES**

**... THAT ARE MORE
AGRICULTURAL
ORIENTED**



November 2004, Butte
Ballot initiative – 9,649 signatures

“Nothing in this Ordinance shall make it unlawful for (1) a fully accredited college or university to engage in scientific research or education using genetically engineered organisms under secure, enclosed laboratory conditions, taking precautions to prevent contamination of the outside environment, or (2) any licensed health care practitioner provide any diagnosis, care or treatment to any patient”

contamination of the outside environment, or (2) any licensed health care practitioner

“ ‘Genetic engineering’ means altering or amending DNA using recombinant DNA technology...and includes cell fusion, microencapsulation, macroencapsulation, gene splicing and other similar processes. Genetic engineering does not include traditional selective breeding, conjugation, fermentation, hybridization, *in vitro* fertilization or tissue culture.”

result from the violation.”

**EXCERPTS FROM ORGANIC CONSUMERS ASSOCIATION
LETTER DISSEMINATED BEFORE NOV. 2 ELECTION**

Dear Friends,

While the rest of the country focuses on one presidential candidate or another, Measure D represents Biodemocracy in action. Rarely do we have the opportunity to change the

Contamination is spreading so quickly that we have little time to waste before our entire food supply is lost forever...

statewide ban on GE crops. California's future is organic!

Yours in organics,

Organic Consumers Association

www.organicconsumers.org

November 2004, Humboldt
Ballot initiative – 7,000 signatures

“If the Agricultural Commissioner determines there has been a violation of this Ordinance...shall impose a monetary penalty and/or imprisonment on the person, firm, or corporation responsible for the violation...”

genetically modified organisms in Humboldt County”

- **This aspect of the ordinance was in conflict with U.S. and state constitutions, which leave the power to jail people exclusively with the court system. For this reason, backers of the Ordinance withdrew support and advised people to vote against it.**

ELECTION RESULTS

**MEASURE H
MENDOCINO**

NO 43%

YES 57%

**MEASURE B
MARIN**

NO 39%

YES 61%

**MEASURE D
BUTTE**

NO 61%

YES 39%

**MEASURE M
HUMBOLDT**

NO 65%

YES 35%

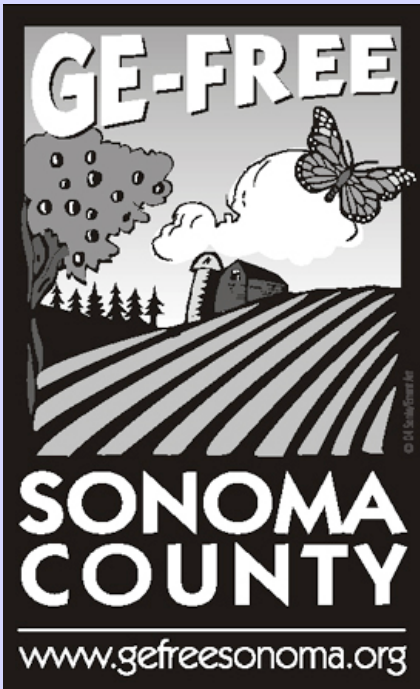
**MEASURE Q
SAN LUIS OBISPO**

NO 59%

YES 41%

WHY DO WE NEED TO PASS THIS “GE-FREE” INITIATIVE

A “GE Free Sonoma County” will be good for our farmers, good for our environment, good for business, good for public health, and good for our democracy!



We need to protect the right to farm. Those farmers who choose to farm without GE crop varieties must have the right to do so...

- We need to prevent economic losses to Sonoma County’s farms, ranches and fisheries. Those who knowingly grow, or are unwillingly contaminated by GE crops...

We need to protect our...environmental, public health and economic future...until there is public, peer-reviewed science available, with multigenerational studies on all the long-term impacts of these very new technologies, we must defend our farms, environment and food safety...

herbicides and pesticides used to kill new “super weeds” and “super bugs” create farm pests evolve resistance to GE crops.

We need to protect the public health of the people of Sonoma County... Such exposure could occur through GE pollen inhaled or plants eaten, or by increased exposure to toxic herbicides and pesticides used to kill the new “super weeds” and “super bugs”...

term impacts of these very new technologies, we must defend our farms, environment and food safety by banning the release of GE organisms in our county.



CAFF supports a moratorium on genetically engineered food and crops until certain conditions are met...

- **Objective long-term testing...**
- **Results disseminated to farmers, consumers...**
- **Farmers assured full indemnification of liability**
 - **All food containing GMOs should be labeled**
- **GMO patent holders held fully liable for adverse impacts**



COMMUNITY ALLIANCE WITH FAMILY FARMERS • WWW.CAFF.ORG



Feeding the Future

www.feedingthefuture.org

Dear Friend of California's Family Farmer,

California family farmers are among the most progressive in the U.S. and we play a vital role in providing safe and healthy food...

As farmers, we understand that some people are unsure of biotechnology and many concerns have been addressed to the farming community that have produced sound dialogue and increased understanding.

Family farms want to continue to utilize scientific expertise when making planting decisions. We...support the regulatory process that approves these crops on a case-by case basis.

A handwritten signature in black ink that reads "Bill Pauli".

BILL PAULI
President
California Farm Bureau Federation



SONOMA COUNTY ORDINANCE

Qualified for November 2005 Ballot

“Transgenic organism” means an organism whose DNA is modified through transgenic manipulation... “Transgenic manipulation” means extraction of DNA from an organism...followed by its introduction into the same or a different organism...in such a manner that the introduced DNA can be transmitted through the reproduction of the recipient organism.

Nothing in this Ordinance shall make it unlawful for state or federally licensed medical or agricultural research institutions...laboratories or manufacturing facilities in Sonoma county to conduct licensed medical or agricultural research or production involving transgenic organisms where the reproduction in the environment can be physically contained (follows USDA protocols and guidelines at BSL-3 containment level or greater).

BSL 3: Biosafety Level 3

BSL 3 is applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents which may cause serious or potentially lethal disease as a result of exposure by the inhalation route.

- Examples of microorganisms assigned to BSL 3 include **mycobacterium tuberculosis**

- Examples of microorganisms assigned to BSL 3 include **mycobacterium tuberculosis, St. Louis encephalitis virus, and Coxiella burnetii (Q fever).**

Facilities

- BSL-2 plus self-closing double door access and negative airflow

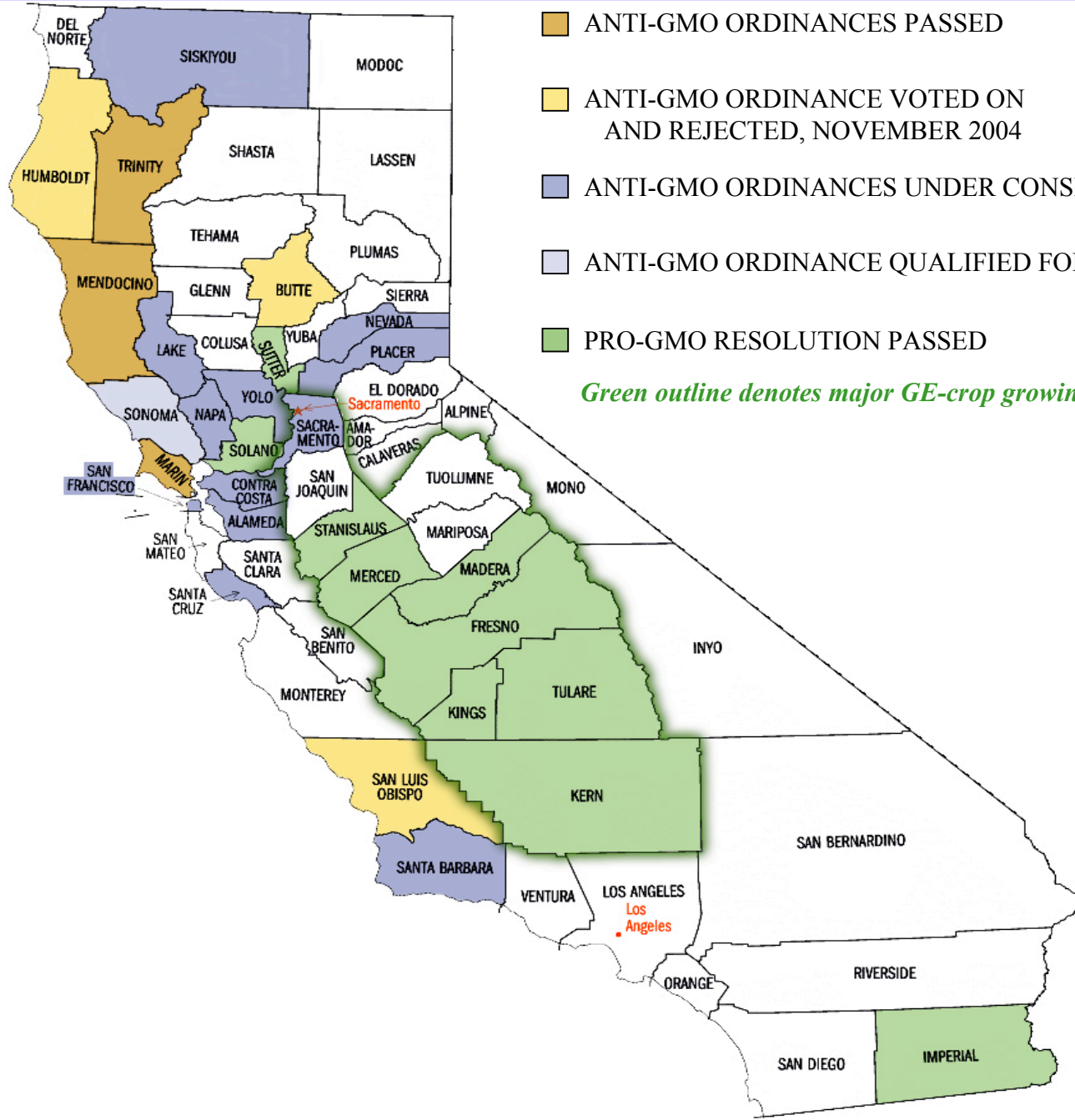
November 2004, Fresno

Passed: Board of Supervisors 5 For; 0 Against

- Whereas, biotechnology has the potential to greatly improve the health, nutrition and

County of Fresno affirms the right for farmers and ranchers to choose to utilize the widest range of technologies available to produce a safe, healthy, abundant and affordable food supply, and that the safe, federally regulated use of biotechnology is a promising component of progressive agricultural production.

and farmers to choose to utilize the widest range of technologies available to produce a safe, healthy, abundant and affordable food supply, and that the safe, federally regulated use of biotechnology is a promising component of progressive agricultural production.



- ANTI-GMO ORDINANCES PASSED
- ANTI-GMO ORDINANCE VOTED ON AND REJECTED, NOVEMBER 2004
- ANTI-GMO ORDINANCES UNDER CONSIDERATION
- ANTI-GMO ORDINANCE QUALIFIED FOR BALLOT
- PRO-GMO RESOLUTION PASSED

Green outline denotes major GE-crop growing areas

As of 9/13/05

Ordinance Governing the Planting and Cultivation of Glyphosate-Resistant Genetically-Engineered Alfalfa in Lake County:

Section 3. Findings:

For a period of thirty months, the planting of glyphosate-resistant genetically engineered alfalfa within Lake County shall be prohibited, including, but not limited to, all test and research plots.

The term “genetically engineered” shall mean the application of: *In vitro* nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) and direct injection of nucleic acid into cells or organelles as well as recombinant DNA techniques that use vector systems and techniques involving the direct introduction in the organism of hereditary materials prepared outside the organism...



PUBLICATION 8153

Roundup Ready Alfalfa: An Emerging Technology

**Peer-reviewed publication on
aspects of RR alfalfa including...**

Division of Agriculture
and Natural Resources
<http://anrcatalog.ucdavis.edu>

Cooperative Extension Farm Advisor, Fresno County; **SHANNON MUELLER**, University of California Cooperative Extension Farm Advisor, Fresno County; **LARRY TEUBER**, Professor, University of California, Davis

What it is

Herbicide efficacy and timing

Removal of RR alfalfa

Gene flow and seed purity

**Monitoring identification and
quality control**

Potential benefits

Potential problems

Food safety



**Georgia
General Assembly**

May 9, 2005 - Senate Date Signed by Governor

05

LC 25 3839

Senate Bill 87

Pre-emptive Seed Laws passed in 14 states – pending in CA

provide certain exemptions; to repeal conflicting laws; and for other purposes.

**No county...shall adopt or continue in effect
any ordinance, rule, regulation or resolution
regulating the labeling, packaging, sale,
storage, transportation, distribution,
notification of use or use of seeds...**

notification of use, or use of seeds.

(b) This Code section shall in no way prohibit or impair the legal right of any county, municipal corporation, consolidated government, or other political subdivision of this state to issue business licenses or to make zoning decisions."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

One of the most divisive issues regarding genetic engineering is the suggestion that a choice must be made between EITHER “organic agriculture” OR “GMOs”.

As long as these issues are polarized into “all is permitted” “nothing is permitted”, rational social discussion is impossible. Dualism (right versus wrong) is the enemy of compromise.

Co-existence

development of best management practices used to minimize adventitious presence of unwanted material and effectively enable different production systems to co-exist to ensure sustainability and viability of all production systems. General concept of co-existence well established in California with conventional, organic and IPM systems working together.