



UNIVERSITY OF HAWAI'I SYSTEM

TESTIMONY

S.B.#1037

RELATING TO GENETICALLY MODIFIED ORGANISMS

Testimony Presented Before the

SENATE COMMITTEE ON ENERGY, ENVIRONMENT, AND INTERNATIONAL
AFFAIRS

SENATE COMMITTEE ON WATER, LAND, AND AGRICULTURE

February 10, 2005

By

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Testimony for
Senate Bill 1037

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Senate Committee on Water, Land, and Agriculture

The Twenty-third Legislature
State of Hawai'i
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Dr. Andrew G. Hashimoto, Dean
College of Tropical Agriculture and Human Resources
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I am pleased to contribute the expertise of the College of Tropical Agriculture and Human Resources (CTAHR) to the decision-making process on Senate Bill 1037, which assigns liability for injury caused by genetically modified organisms.

Genetically engineered (GE) crops are regulated by three federal agencies: the U.S. Department of Agriculture (USDA), the Environmental Protection Agency (EPA), and the Food and Drug Administration (FDA). During the development of a GE crop, USDA regulates its interstate movement and field testing. For a GE crop to be deregulated, USDA must find that its release will not adversely affect non-target (i.e., non-pest) organisms or the environment. For GE crops that produce biological pesticides, EPA establishes the level of pesticide that is safe for the environment and for human consumption. If the GE crop is to be consumed by people or animals, FDA participates in the regulatory process, determining whether the GE crop is substantially equivalent to conventional varieties of the same crop in terms of nutritional value and toxicity.

There is no conclusive scientific evidence to indicate that the process of genetic engineering creates any greater risks for consumers or the environment than does the process of conventional breeding. By the time a genetically engineered organism is deregulated and made available for sale in the U.S., it has already been found by one or more federal agencies to pose no greater risk than conventionally bred organisms. The additional level of state regulation that SB1037 adds to these federal regulations is unnecessary.

USDA-implemented organic regulations state that organic crops that have been cross-pollinated by genetically modified pollen are still marketable as organic, providing the grower can show that attempts were made by the organic farmer to prevent cross-

pollination. By regulating the growing process rather than the fruit and its seeds, USDA benefits both organic and GE farming. The USDA's process-based organic standard is in accordance with 45+ years of organic farming rules. The USDA Final Rule states that, "The presence of a detectable residue of a product of excluded methods alone does not necessarily constitute a violation of this regulation. As long as an organic operation has not used excluded methods and takes reasonable steps to avoid contact with the products of excluded methods as detailed in their approved organic system plan, the unintentional presence of the products of excluded methods should not affect the status of an organic product or operation." To date, no organic grower has lost certification because of the adventitious presence of biotech material.

CTAHR believes that biotechnology is just one of many agricultural tools. As we try to help our farmers solve problems, we use conventional breeding techniques, integrated pest management, organic production methods, and genetic engineering. We strongly believe that conventional agriculture and biotechnology can coexist and that all approaches will play an important role in helping Hawai'i farmers in the future.

We oppose SB1037.

Thank you for the opportunity to testify.