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# "Monsanto Laws" Sweeping the Nation Take Away Community/County Rights to Ban GMOs

From: The News & Observer (Raleigh, North Carolina)  
<<http://www.newsobserver.com/opinion/columns/story/2420322p-8797890c.html>>

May 19, 2005

**A growing stake in the biotech crops debate By HOPE SHAND CARRBORO --** Goodness grows in North Carolina? Not if the General Assembly approves bills that would pre-empt local regulations on genetically modified crops and trees.

House Bill 671 and Senate Bill 631 aim to prevent towns, counties or cities from passing any ordinance, regulation or resolution to control any kind of plant or plant pest (including invasive plant species). The bills would usurp local control by making the state Department of Agriculture the only body in North Carolina with the authority to regulate plants.

These bills are not a homegrown initiative, but part of a nationwide biotech industry campaign. Similar bills, containing identical language, have cropped up in at least nine other states as part of a campaign by industry to prevent citizen initiatives like those passed in three California counties last year that prohibited cultivation of genetically modified crops.

Proponents of the seed pre-emption bills, including the Agriculture Department, are championing the interests of corporate "gene giants" such as Monsanto and Syngenta -- not citizens. Whether you're for or against genetically modified seeds, the pre-emption bills represent an anti-democratic measure to take control away from communities. Just as the corporate hog industry won legislation to prohibit local jurisdictions from keeping out supersize hog farms in North Carolina, now the gene giants are trying to muzzle debate by eliminating options for local regulation of genetically modified crops.

The issue has immediate relevance in Eastern North Carolina, where Ventria Bioscience has a permit to grow an open-air, experimental plot of rice engineered with synthetic human genes (to produce artificial human milk proteins) near the state Agriculture Department's Tidewater Research Station in Plymouth, in Washington County. Two earlier attempts by Ventria to grow its genetically modified "pharma rice" -- a crop that yields drugs for use in human and veterinary medicines -- were opposed by farmers, food companies and environmentalists in California and Missouri because of concerns that the genetically altered pharma rice could cross-pollinate with conventional rice, thus contaminating the food supply.

Last month, California-based Ventria Bioscience requested a permit from the U.S. Department of Agriculture to grow up to 70 acres of pharma rice on two additional plots in Eastern North Carolina. If the pre-emption bills pass, communities would have no authority to regulate genetically modified crops. Everyone agrees that unintended gene flow from genetically modified plants is unavoidable. The organic food market is the fastest-growing segment of the farm economy, but organic farmers risk losing organic certification, and markets, if genetically modified DNA contaminates their fields. Local governments should have the ability to protect growers who worry about contamination.

The biotech industry and federal regulators have repeatedly failed to contain and control genetically modified organisms. The science journal Nature revealed in March that Syngenta had inadvertently sold an unapproved strain of genetically modified corn to farmers for four years. During that period, 146,000 tons of the corn were marketed as animal feed and corn flour in the U.S., in Europe and in Asia. Syngenta informed federal authorities about the illegal corn in late 2004, but the public and unsuspecting farmers were in the dark until four months later. To keep out the unlicensed strain, the European Union threatened to boycott U.S. corn imports valued at \$347 million. As usual, farmers were left holding the bag. Syngenta was let off with a fine.

This was not the first time genetically modified corn has entered the food supply. In 2000, Starlink corn, approved only for use as animal feed, was found in taco shells, causing a nationwide recall of food products containing yellow corn.

Eliminating options for local authority over plants/seeds is risky business. The farm biotech business is controlled by five multinationals, the world's largest seed and agrochemical companies: Monsanto, Dupont, Syngenta, Bayer and Dow. Monsanto's genetically modified seed technology accounted for about 90 percent of the total worldwide area devoted to such crops last year. Seed industry concentration means fewer choices for farmers and consumers and unacceptable levels of control over the seed supply.

For all these reasons, North Carolina towns and communities must preserve options for local regulation of plants, and for public debate of genetically modified crops and trees. (Hope Shand is research director of the ETC Group <[www.etcgroup.org](http://www.etcgroup.org) in Carrboro, North Carolina, a non-profit focusing on socioeconomic impacts of new agricultural technologies.)

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