

How California's GM food referendum may change what America eats

The vast majority of Americans want genetically modified food labelled. If California passes November's ballot, they could get it

Richard Schiffman

guardian.co.uk, Wednesday 13 June 2012 14.00 BST



In the US, an estimated 70% of items on supermarket shelves contain GM ingredients, commonly corn, soy and canola oil products. Photograph: David Sillitoe/Guardian

Last month, nearly 1m signatures were delivered to county registrars throughout California calling for a referendum on the labeling of genetically engineered foods. If the measure, "The Right to Know Genetically Engineered Food Act", which will be on the ballot in November, passes, California will become the first state in the nation to require that GM foods be labeled as such on the package.

This is not the first time that the issue has come up in California. Several labeling laws have been drafted there, but none has made it out of legislative committee. Lawmakers in states like Vermont and Connecticut have also proposed labeling legislation, which has gone nowhere in the face of stiff industry opposition. And the US Congress has likewise seen sporadic, unsuccessful attempts to mandate GM food labeling since 1999.

What makes the referendum in California different is that, for the first time, voters and not politicians will be the ones to decide. And this has the food industry worried. Understandably so, since only one in four Americans is convinced that GMOs are "basically safe", according to a survey conducted by the Mellman Group, and a big majority wants food containing GMOs to be labeled.

This is one of the few issues in America today that enjoys broad bipartisan support: 89% of Republicans and 90% of Democrats want genetically altered foods to be labeled, as they already are in 40 nations in Europe, in Brazil, and even in China. In 2007, then candidate Obama latched onto this popular issue saying that he would push for labeling – a promise the president has yet to keep.

In Europe, only 5% of food sold contains GMOs, a figure that continues to shrink. In the US, by contrast, an estimated 70% of the products on supermarket shelves include at least traces of genetically engineered crops – mostly, corn and soy byproducts and canola oil, which are ingredients in many of America's processed foods.

Given their unpopularity with consumers, labeling "Frankenfoods" would undoubtedly hurt sales, possibly even forcing supermarkets to take them off their shelves. In one survey, just over half of those polled said they would not buy food that they knew to be genetically modified.

This makes the financial stakes for November's referendum vote huge. California is not just America's leading agricultural state, but the most populous state in the nation. If companies are made to change their labels in California, they may well do so all over the country, rather than maintain a costly two-tier packaging and distribution system.

Several hurdles will have to be overcome, however, before this happens. The ballot initiative will face fierce opposition from the food and biotech industries, which are expected to spend an estimated \$60-100m on an advertising blitz to convince Californians that labeling is unnecessary, will hurt farmers, increase their food prices, and even contribute to world hunger.

One lobbyist the corporations have hired to make this case is Tom Hiltachk, the head of the Coalition Against the Costly Food Labeling Proposition (CACFLP), whose members include the Grocery Manufacturers Association (GMA), Monsanto, BASF, Bayer, Dow and Syngenta, as well as several big food processors and supermarket chains. Hiltachk is no stranger to the shadowy world of industry front groups, according to Alexis Baden-Mayer, political director of the Organic Consumers Association. The food activist reported on Alternet that:

"With a little help from his friends at Philip Morris and RJ Reynolds, he helped organize the Californians for Smokers' Rights group to fight anti-smoking initiatives in the 1980s and 1990s."

Also working to defeat the labeling initiative, according to Baden-Mayer, is the California Citizens Against Lawsuit Abuse (CALA), which likewise receives big bucks from the tobacco industry and assorted other corporations. The consumer watchdog group Public Citizen says that CALA aims "to incite public scorn for the civil justice system, juries and judges, and to pave the way for enactment of laws immunizing corporations from liability for actions that harm consumers."

Whether lobbying groups like these will be able to convince famously independent Californians to reject the labeling initiative in November remains to be seen. But even if the referendum passes, the food industry can be expected to challenge in court the state's right to mandate its own labeling requirements – a function usually reserved for the Food and Drug Administration (FDA), at the federal level.

The FDA's position on GMOs is that they are safe and essentially equivalent nutritionally to conventionally grown food varieties. But critics counter that the FDA has no way of knowing if this is true, since crucial testing of GM foods has never been required by the agency, and indeed, has not yet been conducted. Writes Dr Suzanne Wuerthele, a toxicologist with the US Environmental Protection Agency (EPA):

"We are confronted with the most powerful technology the world has ever known, and it is being rapidly deployed with almost no thought whatsoever to its consequences."

The concern is that genetic modification alters the proteins in foods in ways that researchers do not yet fully understand. Substances that have never existed before in nature are entering our food supply untested. While researchers have not yet found a "smoking gun", which would prove that GM foods as a class are dangerous, there are troubling signs that they may be a factor in the recent epidemic of food allergies. Soon after GM soy was introduced to the UK, for example, soy allergies escalated by 50%.

Rosa Rashall, a nutritionist in Garberville, California, who took part in the petition campaign to get the labeling initiative on the ballot, told the Redwood Times:

"We are all worried for a variety of reasons, from health effects to skyrocketing food sensitivities that have started to come about in the last 20 years. There has been an incredible 400% increase in food sensitivities that coincides pretty well with the unlabeled introduction of GMO food into the marketplace."

Critics also argue that agriculture's increasing dependence on GMOs has coincided with a steep rise in toxic agrochemical use over the last decade. A variety of GM corn sold by Monsanto was developed specifically to withstand punishing doses of the company's bestselling herbicide, Roundup.

Food scientists remain divided on the larger food safety issue. Some say that there is no cause for alarm, while others cite the allergy problem and also animal studies, like one published by the International Journal of Biological Sciences, which showed high levels of kidney and liver failures (the two organs of detoxification) in rats that were fed Monsanto GM corn. Monsanto's biotech corn is designed to produce a pesticide in its cellular structure that wards off insect pests. Nobody knows what effect this toxin will have on the people who eat the flesh of livestock that are fed it.

The bottom line is that we can't be sure what the physiological effects of consuming GM foods are until rigorous human trials are conducted – which is not likely to happen anytime soon.

Californians aren't waiting until all of the scientific results are in. And what they decide at the polling station in November may change what the rest of us eat.

- Editor's note: this article originally stated that California was the "third most populous state" in the US; in fact, it is the most populous (and third largest geographically); the article was amended at 12pm ET (5pm UK) on 13 June.