

## Seeds of Tomorrow

*The Larsons moved to Illinois to farm organic produce on a tiny plot of earth. But so-called pre-emptive legislation threatens local control of their land*

**By Shera Dalin**

Kris Larson and his wife, Stacey, moved from Massachusetts to the small southern Illinois town of Godfrey in January with a dream to grow organic vegetables. They settled in Godfrey, about 30 miles northeast of St. Louis, on a four and one-half acre farm called La Vista. La Vista is actually owned by the Missionary Oblates of Mary Immaculate, an order of Roman Catholic priests. An Oblate priest started the farm a few years ago and Larson has taken it over as manager. It functions as a Community Supported Agriculture Farm, which is basically a food subscription service, where families sign up and pay ahead to receive the crops at harvest. La Vista currently produces enough vegetables to feed 140 families.

Until recently, the Larsons — who are consumed with running the farm and raising their infant son Jacob — were unaware of the impending battle that could affect the way they grow food. It's all part of the food industry's nationwide effort to limit the power of local communities to control the growth of genetically engineered foods.

"It's hard to be active and aware of everything when you are managing a farm," Larson said during a break from working in the greenhouse.

Fourteen other states have already passed this so-called "pre-emptive" legislation that prevents or limits local governments from restricting the use of biotech seeds and/or the labeling of organic produce. In effect, such laws restrict local control over what types of crops are grown where. So a county or other unit of local government would not be able to promote organic growing by outlawing genetically modified seeds. Given pollination patterns and weather factors such as wind, this restriction is of increasing concern to organic farmers. Pre-emptive legislation was introduced this year in Missouri and in Congress. It may be coming next year to Illinois, depending on what happens in Congress.

The Illinois Fertilizer and Chemical Association (IFCA) in Bloomington considered introducing a bill this year that would mirror legislation that has passed in other states, according to IFCA President Jean Payne. The bill would require all attempts by local governments to restrict biotech crops to be handled by an administrative law judge at the Illinois Department of Agriculture.

The association decided not to introduce the measure this year because House Speaker Michael Madigan restricted the number of new bills that could be introduced in this year's session, Payne said.

“But we may try next year,” she said.

### **Organic Battles in Other States**

Larson was in Oregon in 2002 when organic supporters were overwhelmed by the food industry’s drive to defeat a ballot initiative that would have required labeling of genetically modified foods. The issue was soundly defeated by voters after the biotech industry burned through millions of dollars to kill the measure, Larson said, describing the campaign as rife with misinformation.

“They spent a couple of million dollars on TV ads versus almost nothing on the side of the environmental groups,” said Larson. “Their campaigns were based on a lot of fear. For instance, they said that the price of your food was going to go up. It wasn’t true. They didn’t even talk about what the labeling was supposed to do.”

Oregon hasn’t been the only battleground for local control over organics. In 2004, environmental activists put forward a ballot measure in California’s Mendocino County that would have banned the growing of genetically engineered crops. It was the first such move anywhere in the country.

The biotech industry fought back. It spent more than \$350,000, according to California media reports, and defeated the proposal. Then the industry put the issue before the California legislature. Last year, a bill to pre-empt local statutes restricting the use of GE crops was defeated, but groups such as the Environmental Commons in Gualala, Calif., believe the fight is far from over. It is a war that the food and seed industry has advanced to five other states.

“If they win in California and other states, it will send a chill across the country,” said Ryan Zinn, national campaign coordinator for the Organic Consumers Association. “The biggest battles will be in Missouri and California. Missouri is one of the key turning points. If pre-emption passes there, it would tie their hands on genetically engineered crops.”

### **Biotech Industry Response**

The Missouri Biotechnology Association backs the legislation introduced Feb. 6 that has been advancing through the legislature in the Show Me State. The association represents several industry groups such as Monsanto Co., maker of GE Roundup Ready soybean seeds, and drug-maker Pfizer Inc.

“This legislation is in response to this patchwork of local legislation sticking its head up,” said Kelly Gillespie, executive director of the MoBio industry lobby group in Jefferson City, Mo. “The state legislation says that Missouri shall not be any stricter than the federal standards. That keeps an even playing field for Missouri farmers and seed producers.”

For Monsanto, the issue is one of simplicity for its farmer customers, said company spokesman Chris Horner in St. Louis.

“It is really to the benefit of farmers so they don’t have to wonder what to plant and what they can’t plant,” he said. “For our customers, it allows them to plant the type of seed they want to plant, to use the type of technology they want to use and the most efficient way to do (their) work.”

If the thousands of counties and municipalities in the U.S. enacted separate rules governing GE seed, farmers would be hamstrung figuring out which crops could be planted from one field to the next, the industry said. This is particularly true for farmers who plant crops in neighboring counties, they noted.

“To have some continuity is very important,” Gillespie said.

GE seed and food regulation is best left to the federal Department of Agriculture and the Food and Drug Administration, he said.

“There is a strong belief among industry players that USDA and FDA provide the gold standard for regulation of the biotech industry rather than to have a patchwork of legislation crop up. The feds require such a high degree of safety and proving it is safe, the incidence of undesired results are getting down to a minimum. Farmers have been leaders in relying on sound science and peer-reviewed research,” Gillespie said.

### **Environmentalists’ Concerns**

But some food and environmental groups question the results of the government’s testing.

“They are only testing the active ingredient in Roundup, which is glyphosate. They don’t actually test the final product, which includes surfactants and a whole host of other chemicals,” Zinn said.

“We are also finding resistance to weeds from Argentina, which is heavily planted with Roundup, all the way to the Midwest, which will necessitate farmers upping concentrations of weed killer or having to make multiple passes (over their fields to spray herbicides). So you are on a treadmill. The more you use it, the less effective it’s going to be over the long term.”

But for farmer Larson, the issue is one of democracy and self-determination.

“The beauty of democracy is that municipalities can try things. There is a beauty to towns having the freedom to pass legislation,” he said. “Ultimately, it doesn’t affect any other community, and if it works, it works. If it doesn’t, it doesn’t. I would be suspicious of anyone trying to restrict people’s ability to set their own rules.”

Zinn believes that what he calls the “sneak attack” of pre-emptive legislation goes beyond food and farming.

“It’s just flat-out anti-democracy. Counties should be able to go above and beyond to protect the health and safety of our citizens,” he said.

For more information, visit [organicconsumers.org](http://organicconsumers.org).

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