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*promoting sustainable agriculture
educating about the risks of genetic engineering*

2-W-09
3:45pm

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator J. Kalani English, Vice Chair

Tuesday, February 10, 2009

3:45 p.m.

Conference Room 225

Testimony in SUPPORT SB239

Chairs & Members of the Committees,

My name is Meleana Judd and I am the Oahu Coordinator for Hawaii SEED—a statewide nonprofit dedicated to promoting sustainable agriculture and educating the public about the risks genetic engineering pose to the health of our islands.

I have been working for the past year as a community educator and have become increasingly aware of the general public's lack of knowledge of Hawaii's reputation as number one in open field test trials, despite having the highest concentration of endangered plants and unique ecosystems in the United States. SB239 simply calls upon biotech companies to play their part in their own suggestion of communicating to at least increase the chances of successful coexistence between organic and GE farmers.

There is still much to learn about genetic engineering and its threat to our food supply and environment. We invite you to attend a presentation and question session with GMO health expert Jeffrey Smith on Tuesday 2/24 room 224 between 10AM and 1PM.

Thank you for this opportunity to testify.

Malama Pono,
Meleana Judd
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LATE



UNIVERSITY OF HAWAII SYSTEM
Legislative Testimony

2-10-09
3:45pm

Testimony Presented before the
Senate Committee on Energy and Environment
February 10, 2009 at 3:45 p.m.

by
James R Gaines
Vice-president for Research, University of Hawaii

SB 239 – RELATING TO GENETICALLY ENGINEERED PLANTS

The University of Hawaii stands in opposition to SB 239.

The University's primary concerns are the threat to field research, vandalism and destruction of research crops as has happened during the development of the transgenic papaya. The requirement of disclosure of locations of field tests and production research crops would make these plants vulnerable to those that oppose this type of research. Furthermore, on February 2, 2009 a challenge for site disclosure of certain genetically modified plants was denied by the 9th Circuit, U.S. Court of Appeals (see Center for Food Safety et al. v Mike Johanns). The court ruled that the sealing information regarding the location of field trials was justified because of risk of vandalism and the possibility that research findings would be disclosed or stolen.

This bill also mandates a burdensome reporting and notification process and allows unspecified rule-making with no apparent benefit. The reporting requirement is duplicative and unnecessary as it is already being conducted by the federal government under the Federal Plant Protection Act.

Most importantly however is the fact that genetically engineered crops do not pose a human health or safety risk. There has never been a documented case of any harm attributed to biotech crops anywhere in the world in the decades since genetically engineered crops have been introduced into the food supply. There have been no studies that indicate any greater hazards associated with the consumption of genetically engineered foods compared to conventionally or organically grown varieties. In fact, over the years as more research has been conducted, many jurisdictions have approved more crop varieties for human use and consumption. To require labeling of foods based on the process that was used to grow them would only add to consumer confusion and in the end, will provide little information that would assist consumers in making an informed decision on the healthful qualities and/or risk of using the product.

Procedures to prevent cross pollination are well known and part of standard agriculture practice. Legislation in this regard is unnecessary and superfluous.

Thank you for the opportunity to testify on this bill.

LATE 2-10-09
3:45pm

OFFICE OF INFORMATION PRACTICES

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To: Senate Committee on Energy and Environment

From: Paul T. Tsukiyama, Director

Date: Tuesday, February 10, 2009, 3:45 p.m.
State Capitol, Conference Room 225

Re: Testimony on S.B. No. 239
Relating to Genetically Engineered Plants

Thank you for the opportunity to submit testimony on S.B. No. 239.

The Office of Information Practices ("OIP") takes no position on the substance of the bill. However, OIP has concerns and seeks clarification of proposed sections 2-3 (bill pages 4-6). Under these sections information that could properly be withheld from disclosure under the Uniform Information Practices Act ("UIPA") would be public. The UIPA protects information which may frustrate "a legitimate government function" or which may be protected from disclosure by state or federal law.

OIP recommends that section 2 be modified by adding a paragraph as follows:

"§ -2 Notification requirement. (a) Any person . . . (d) information under this section shall be subject to applicable federal and state law, including but not limited to, chapter 92F, HRS."

OIP recommends that section 3 be similarly modified as followed:

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“§ -3 Public notice requirement. Information submitted to . . . posted on the department’s website[,] subject to applicable federal and state law, including but not limited to, chapter 92F, HRS.”

It is essential that these changes be made to protect the public’s right to know and participate in the decision making process.

Thank you for the opportunity to testify.