

## 08-03-05 More Than Just a Food Fight

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By Zack Pelta-Heller, AlterNet

The debate over genetically modified organisms just got a lot hotter. Last month, Democratic State Senator Dean Florez introduced an amendment that proposing, "no ordinance or regulation of any political subdivision may prohibit or in any way attempt to regulate any matter relating to the registration, labeling, sale, storage, transportation, distribution, notification of use, or use of field crops."

It seems harmless enough, couched in legalese as it is. But this controversial overhaul comes in response to three California counties that banned the raising of genetically engineered crops and livestock in their jurisdiction. Activist groups are up in arms over the proposed legislation, calling it an affront to local democracy. Since California currently does not have any GMO regulations at the state level, the proposed law will successfully eliminate the only limitations that prevent biotech giants like Monsanto and Syngenta from moving in with their patented GE seeds. Moreover, the bill, known as SB 1056, takes pre-emptive measures to preclude people from raising concerns about GMOs in the future, and in doing so deprives the public of any meaningful debate on this hot-button issue.

Unfortunately, the debate over local control of the foods we eat isn't unique to California. Britt Bailey, the director of Environmental Commons, explained that fourteen states have already passed provisions limiting local control, and North Carolina is still considering a similar measure.

Concerns over GE food safety aside, the true transgression being perpetrated by SB 1056 is that California legislators are turning a blind eye to public safety and debate in favor of biotech corporations. "By taking away the sovereign powers of communities," Mittal concludes, "legislators are rendering the elected officials in these communities basically impotent." "The interests of the family farmers are being sold off, while bigger farmers receive subsidies and are therefore more likely to support the bill."

Mary Zepernick, a coordinator at the Program on Corporations, Law & Democracy, feels a new take on this fight might be necessary. "We need to reframe these issues as rights-based struggles rather than harms-based." Similarly, Britt Bailey and the Environmental Commons want to see a constitutional challenge to the bans on local control. "If we want to secure local authority of issues related to health, safety, and welfare," Bailey argues, "we could build case law by placing the intent of a local authority to govern within the local ordinances and resolutions we develop and pass. This way, if state preemption occurs, a local government has the intent and therefore standing to challenge. We could also choose to amend the constitution."

Such a step might be the only way for farmers to keep locally grown food viable and for the dialogue over GMOs to continue.

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