

# The Defeat of Washington State Initiative 522

Steven Joseph Vananzo

The Evergreen State College

2700 Evergreen Pkwy NW, Olympia, WA 98505

### **Executive Summary**

The defeat of Initiative 522 Washington Mandatory Labeling of Genetically Engineered Foods Measure was caused by an incredible difference of campaign contributions, and of course the vote. We clearly see that less than 50% of the registered voters of Washington State decided they either didn't know about this, or simply didn't care. If the initiative had been passed it would have come with a penalty of \$1,000 dollars per day per item for violation of this initiative. It would have gone into effect on July 1<sup>st</sup>, 2015. We can, however, conclude that with as much support as the GMO labeling campaign has obtained, this debate will continue into the foreseeable future. Particularly with such products as GE salmon on the way and the many other ways in which scientists are trying to change the worlds agricultural and food industries.

### **Introduction**

A Genetically Modified Organism or GMO is an organism that has had its DNA altered in one way or another. This can be with DNA from a completely different species. On November 5<sup>th</sup>, 2013 Washington State had the opportunity to be one of the first States to require the labeling of genetically modified organisms. After the defeat of a similar measure in California proposition I-37, which would have required the labeling of GMOs, it was now Washington's turn to try and implement a similar measure. The months moving into the

## THE DEFEAT OF WASHINGTON STATE INITIATIVE 522

elections showed that the initiative had more than enough support to pass. This is part of the reason it came as such a shock to many of the supporters that the initiative was defeated. This paper shall discuss some of the reasons this initiative was not passed. We will first look to the arguments of both parties. Then we will examine the campaign contributions and from whom they were contributed. From there we will move onto the actual votes themselves and of the registered voters, who chose to vote. Once we have discussed these key points we will look at the future of GMO labeling and what labeling truly looks like worldwide. Who is this fight between? Once the veil is lifted it seems that this is an argument between organic and GE. After the studies that have been completed and continue to show that GE products are safe we are continually met with the concern of potential negative effects with lacking data that clearly points to harmful effects. Scientists have reported signs of toxicity in lab rats. They also stated that the time frame and species must be continuously studied to determine the possible toxicity for humans (Thomas, 2015).

### **Background**

Since 1994 American farmers have been using seeds that have been genetically modified. These modifications can carry out many different operations dependent upon what you are hoping to achieve. To date the most well-known modification would be Monsanto's Roundup Ready GMOs. Roundup ready crops have been altered to be resistant to Monsanto's herbicide, Roundup Ready, which contains glyphosate. The argument for labeling has grown with an ever more cautious consumer market. The World Health Organization has maintained the position that these products are safe for the consumption of humans. They have also stated

that with proper precautions, the effects on the environment will be minimal. The reasoning here is that most of these products are infertile. This applies to both the plant and animal species that have been approved for production. Also this is where the term “Terminator” seed came from (Bailey, 2013).

### **The Arguments For and Against I-522**

In this section we will take an in depth look at what is being said about GE foods. This is important to understand, both for historical reference and to understand future arguments about the GM biotechnical field. It will also allow us to try to understand the economic decisions being made here. The food industry is a mammoth organization. Right now 90% of corn, soy bean and sugar beets are GE crops (Bailey, 2013). This is a huge part of our agriculture industry. If these products are required to be labeled will the farmers still choose GE seeds? Will companies be OK with labeling and using GE products? No one can really be sure of what effect this kind of legislation could have on the American economy.

#### **Support**

In argument for I-522 we see a collection of different topics with the main point being the “Right to know”. The support claims that just like sugar and sodium levels are labeled so should GE foods. They argue it would provide transparency for shoppers allowing them to make more educated choices. They also reference 64 other countries around the globe that have some variation of GE food labeling laws or regulations, and that companies already

## THE DEFEAT OF WASHINGTON STATE INITIATIVE 522

supplying GE foods to these countries comply with these labeling laws. Because of this they argue that labeling will not increase costs for consumers or companies because changing labels is a regular part of the current food industry operations. They also make note that labels would not be a judgement call, it is simply more information for the public to assist in decision making while shopping. They acquired more than 350,000 signatures to bring Initiative 522 to the ballot. Finally they argue that the opposition only cares about profits, that if they have nothing to hide they should be fine with the labeling initiative (Kimbrell, 2013).

### **Opposition**

The argument against the labeling of GE foods is more from a business aspect. They make the observation that supplying product overseas is easier when not having to engage with regulations and laws concerning labeling. They claim that having to change their systems to cooperate with separate state guidance would become costly and not worth the work for the achieved outcome. They feel that the separate transportation, regulation and facility procedures that would need to be followed in order to obey labeling laws would put a strong financial impact on their companies and the consumers. Those in opposition claim that the proposed labeling system would confuse consumers. They also claimed it will lead to an increase in prices for consumers because companies that use GE products will try to avoid labeling by reformulating products without GMOs in order to abstain from having to label their products. They also claim that it is an anti-science campaign, referencing the statements by the FDA and WHO that GM foods are safe for consumption. The opposition also stated that the option of non-GMO products are readily available in the form of certified organic products (Bailey, 2013).

### **Campaign Contributions**

When considering the success or failure of an initiative, bill, politician or any other form of policy, looking towards the campaign contributions can provide valuable insight. It allows us to see which parties are invested and from this we can ask important questions like “why does x support y?” We can also ask how many people are in favor, and how many not opposed. This can give a greater understanding of why this initiative did not pass. It allows us to see who possessed the majority influence on the people registered to vote. There are many ways we receive information now. Through online media, television and radio. We know that each one of these mediums was used in the campaigns, but who got their message across more effectively and to the larger audience?

### **Support**

Those who supported the Yes on I-522 campaign raised a very impressive \$8,069,770.99. This included Dr. Bronners Magic Soaps, Center for Food Safety and Mercola.com Health Resources LLC. In total there were 9,719 contributions in total from donors all throughout the United States, including California who had recently seen a similar measure I-37, defeated (Public Disclosure Commission, n.d.). Most of the major contributors are either supporters of certified organic products or actual companies who sell certified organic. The main point to be made here is the support behind this side of the initiative. Although out of the

## THE DEFEAT OF WASHINGTON STATE INITIATIVE 522

9,719 separate donations some are from the same source, this still leaves a very impressive amount of support.

### **Opposition**

Washington State records were broken with the opposition raising \$22,010,091.21. This, as compared to the 9,719 contributors for, was raised by only 22 separate donations. Of these 22 donations \$20,254,570.5 was raised by Monsanto, Grocery Manufacturers Association (GMA) and DuPont Pioneer; all are known companies with GE products (Public Disclosure Commission, n.d.). This is also part of the reason Attorney General Robert Ferguson has issued a lawsuit against GMA, claiming that they broke multiple Washington State campaign contribution laws. What was argued is that Washington States 10 from 10 law, the law requiring a company to receive donations from 10 different registered voters had been broken. Later in a court case against the GMA this law was found to be unconstitutional (STATE OF WASHINGTON v. GROCERY MANUFACTURERS ASSOCIATION, 2013).

### **Voter Turnout**

On November 6<sup>th</sup>, 2013 the votes were tallied and the fate of Initiative 522 was decided. With 895,557 votes against and 857,511 for Initiative 522 was defeated. 38,046 voters made the difference. In total 1,753,086 of Washington States 3,914,786 registered voters made a decision about GMO labeling. When we look even further into the votes we see that the main voting group consisted of those age +65, who represented 33% of the vote. Those in the age group of 18-24 only held 3.60% of the vote (2013 General Election - November 5, 2013, 2013).

## THE DEFEAT OF WASHINGTON STATE INITIATIVE 522

This sends a very important message. It would appear that young registered voters either are unsure of voting or simply don't care to. This should be a lesson as young voters greatly outnumber their elder counterparts.

### **GMO Labeling Worldwide**

As stated earlier in the section describing the argument for Yes on I-522 we will look at the 64 other countries around the world that have some form of GMO labeling laws or regulations. When we look closely we actually see the slight variance in these laws and regulations. There are currently 3 countries that have an all-out ban on GE foods both imports and cultivation. There are 37 countries with GE labeling laws on products that have a threshold of 0.9-1%. Threshold meaning the actual content of GE foods per ingredient. 10 countries have GE laws for any foods with a threshold above 1%. And 15 countries have GE labeling laws that are vague and rarely enforced (Genetically Engineered Food Labeling Laws Map, 2013). The World Health Organization is committed to ensuring that GM organisms and GM foods are safe for the environment. They take a strong stand in stating that research has been and is now still being done to avoid health risks. They also ensure proper regulations are followed to keep genetically modified organisms from having an impact on the environment. This is a great concern for many environmentalists. The WHO stands by this form of biotechnology. They are certain that the future of GM foods holds fantastic opportunities to improve yield, alter nutrition, reduce allergenic potential and improve the resistance of plants to drought and disease.



### **GE Salmon**

There has been much concern recently about AquAdvantage salmon, or GE salmon. These salmon are a mix of Atlantic salmon (*Salmo salar*), with Ocean pout, a species of eel and growth hormone from Chinook salmon. A review of the GE salmon shows that the GE salmon are safe for consumption and would have an insignificant impact on the environment. Aquabounty, the company that created AquAdvantage, have stated that all the salmon are female and their eggs are sterile. This combined with the land locked systems used for their production, should greatly impede any effect on the environment. There are many containment measures for the facilities currently in use in Canada and Panama. The FDA has also provided guidance for manufacturers who wish to label, although this labeling is voluntary (Billingslea, 2015).

### **The Future of Labeling**

The first State set to have GMO labeling laws is Vermont. Signed on May 8<sup>th</sup>, 2014, Governor Peter Shumlin signed act 120 into law. Vermont's law will require labeling on GMO products even if partially produced with genetic engineering. Along with Vermont Maine and Connecticut also have GMO labeling laws, the catch here is that they require 4 neighboring states to have GMO labeling laws to take effect. This law, however, is still tied up in a lawsuit with GE titan GMA. The current argument being used here involves the First Amendment and the right to free speech or not to speak. Opponents are worried that the vague definition of

GMO will lead to the labeling of unnecessary products due to the thresholds of products which could contain small traces of GMOs. Opponents of labeling are now turning to congress. This is in hopes that congress will publish federal mandates on the subject of labeling to avoid having 50 different labeling laws and regulations for 50 different states. This would quickly turn the modern food industry on its head and make for economic variables no one is capable of predicting. Some companies such as Campbell Soup are already opting to self-label their products that contain GMOs (Spencer, 2016).

### **Conclusion**

The main issue I hope to address in this paper is the vote. It is quite troubling that so many people simply choose to exercise their right not to vote. Which, of course, is their right. What is needed is a reinvigoration on voting. On a regular interval we are receiving new data and scientists are still doing research to determine the health concerns of GMOs and their use in our food. There is a large public outcry for labeling and a force of equal measure from the companies producing and selling these products. Hopefully congress will have something to say about labeling soon. What is needed is a unified ruling from congress on the matter. If this issue continues to be fought on the state level than money will continue to be spent inappropriately and wastefully. It is evident that a decision on labeling must be made. While we wait for this, those that wish to consume non-GMO products do have a couple options. Through the certifications to obtain the organic label you can be sure that those products are GMO free. There is also the non-GMO Project. Through this program companies may obtain the right to label their products with the non-GMO Project label (Non GMO Project, n.d.).



## References

*2013 General Election - November 5, 2013*. (2013, November 5). Retrieved from Office of the

Secretary of State:

[https://wei.sos.wa.gov/agency/osos/en/press\\_and\\_research/PreviousElections/2013/General-Election/Pages/Results.aspx](https://wei.sos.wa.gov/agency/osos/en/press_and_research/PreviousElections/2013/General-Election/Pages/Results.aspx)

Bailey, P. (2013, November 4). *GMOs Are Nothing to Fear*. Retrieved from usnews.com:

<http://www.usnews.com/opinion/articles/2013/11/04/scientific-evidence-doesnt-show-gmos-are-harmful>

Billingslea, F. (2015, November 19). *FDA Has Determined That the AquAdvantage Salmon is as Safe to Eat as Non-GE Salmon*. Retrieved from fda.gov:

<http://www.fda.gov/ForConsumers/ConsumerUpdates/ucm472487.htm>

*Genetically Engineered Food Labeling Laws Map*. (2013, April 2). Retrieved from Center for Food

Safety: <http://www.centerforfoodsafety.org/reports/1413/genetically-engineered-food-labeling-laws-map>

Kimbrell, A. (2013, November 4). *The Case for Labeling GMOs*. Retrieved from usnews.com:

<http://www.usnews.com/opinion/articles/2013/11/04/dear-washington-voters-genetically-modified-food-should-be-labeled>

*Non GMO Project*. (n.d.). Retrieved from nongmoproject.org: <http://www.nongmoproject.org/>

*Public Disclosure Commission*. (n.d.). Retrieved from pdc.wa.gov:

[http://www.pdc.wa.gov/MvcQuerySystem/Committee/initiative\\_committees?year=201](http://www.pdc.wa.gov/MvcQuerySystem/Committee/initiative_committees?year=201)

## THE DEFEAT OF WASHINGTON STATE INITIATIVE 522

Spencer, J. (2016, January 25). *Food Industry Mounts Last-Ditch Effort to Block State GMO*

*Labeling Laws*. Retrieved from governing.com:

<http://www.governing.com/topics/transportation-infrastructure/tns-gmo-state-laws.html>

STATE OF WASHINGTON v. GROCERY MANUFACTURERS ASSOCIATION, 13-2-02156-8 (THURSTON COUNTY SUPERIOR COURT November 20, 2013).

Thomas, P. (2015, July 15). *Lab Rats Used in Safety Studies Eat Feeds Laced with Pesticides,*

*Herbicides and GMOs*. Retrieved from cornucopia.org:

<http://www.cornucopia.org/2015/07/lab-rats-used-in-safety-studies-eat-feeds-laced-with-pesticides-herbicides-and-gmos/>