

# Thanks Senate, But this GMO Labeling Bill Isn't Needed



By Hank Campbell — July 8, 2016

On Thursday, as a private citizen who embraces free-market solutions over government regulation whenever possible, I [signed a letter](#) <sup>[1]</sup> thanking the United States Senate for its work negating a rather onerous Vermont genetically modified organism (GMO) labeling law **(1)** while affirming that it is too flawed to protect the public from the bad science at the core of the state's decision-making, and therefore unnecessary.

The intent of the Senate is noble enough. Vermont essentially copied and pasted [a failed Proposition in California that was drafted by the litigation attorney who saddled California consumers with Prop 65 in 1986](#). <sup>[2]</sup> Prop 65 led to that nonsensical placard all over the place in California **(2)** and Prop 37, which was the foundation of Vermont's 2014 Act 120, was geared precisely to create the same "bounty hunter" lawsuits on non-organic food that California businesses have endured on things like coffee. **(3)**

Environmental activists and the dark-money-funded groups that do their bidding, such as the political attack site Sourcewatch, decided after getting a foothold in Vermont that they didn't want federal regulations, they instead felt like a giant "patchwork" of varying label rules in states and even local governments was more beneficial. The reason seems obvious; their constituents could accomplish through legislative fiat what they could not achieve in the marketplace. If you can't gain market share by making a better product or lowering your own prices, force everyone else to raise theirs.

Vermont's law was a clear attack on evidence-based science and food policy, so now that both the Senate and the House are in favor of stopping patchwork efforts that anti-science groups like Consumers Union and Friends of the Earth endorse, the federal law likely to result should be a good thing for the public, right?

No, bad policy that is nationally uniform does not suddenly become good policy. And this is bad policy, despite its good intention.

In our letter, Greg Conko of [Competitive Enterprise Institute](#) <sup>[3]</sup>, Daren Bakst of [The Heritage Foundation](#) <sup>[4]</sup>, and others, note that by necessitating this label at all it still sends the message that genetically modified foods are somehow worthy of special concern, rather than just being another voluntary process, like organic or shade-tree-grown or kosher food. [An ongoing 29-year, 100 billion animal study](#) <sup>[5]</sup> long ago proved there's nothing worrisome about GMOs, and that's without including decades of human consumption resulting in no issues.

Since the federal government confers more legitimacy than an outlier state like Vermont, that's [why environmental lobbyists spend so much money paying to be at parties with officials](#) <sup>[6]</sup> and [getting their members hired for EPA jobs](#)

[7]. By creating a new mandate that is inconsistent with science, including the government's own scientific studies for decades, the Senate turns a small problem into a larger one for public understanding of science, because they are compelling businesses to use verbiage that is misleading to consumers. Obviously some businesses are already putting the presence of GMOs on their labels. That is a choice they are making and have to justify to shareholders and consumers **(4)**. So why create new cost burdens for companies that don't even do business in Vermont?

Creating a large problem to offset a patchwork one that doesn't yet exist -- similar initiatives to Vermont's have basically failed everywhere else -- is not helping the public, but instead it's hurting us because it is certain to result in higher costs. Consumers always pay. We shouldn't have to pay to prevent shoddy activism the government knows is scientifically wrong.

## NOTES:

**(1)** Why onerous? Because it is so carefully crafted to only penalize food bought by poor people that it should be greeted with hostility by Consumers Union, Friends of the Earth, and various others if they were truly concerned about the public.

A sample of what was arbitrarily exempted:

**Cheese** -- because Vermont makes a lot of cheese and that means they use the enzyme chymosin generated using genetic engineering. Relying on natural ruminants would make their cheese prohibitively expensive.

**Milk** -- likely because Gary Hirshberg, co-founder of the organic yogurt company Stonyfield Farm, and leader of the Just Label It advocacy coalition, didn't want to penalize Vermont dairy farmers on this any more than he did cheese.

**Alcohol** -- going up against alcohol is doomed to failure. Obviously if there was any rational basis for a "right to know" or "we can't prove it's safe" argument, alcohol would not be exempted.

**Restaurants** -- going up against restaurants is also doomed to failure and it lacks the same logical basis as alcohol. That provision also exempts **baked goods**. It has long been known that [a cupcake you buy at Whole Foods is far less healthy for you](#) [8] than buying a mix in a store and baking one at home, but only the cheaper store-bought version gets a warning label.

**All animals** -- anti-science activists insist GMO food can somehow cause harm to us, yet tens of billions of cows have eaten it without issue. And they still can, while remaining completely label-free.

**(2)** WARNING: This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm.

(3) Since the International Agency for Research on Cancer is listed as an "authoritative body" for automatic inclusion on the Prop 65 hazard list, politicians taking money from anti-science groups were delighted when IARC declared glyphosate carcinogenic. But then that body also [declared sausage as hazardous as plutonium and asbestos](#) [9], so things are suddenly a little stickier under their "the science is settled" veneer.

(4) Some examples of the free market solving this that [The Consumerist \(certainly no friends of agricultural science\)](#) was able to find [10]:




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**Links**

[1] <http://www.heritage.org/research/reports/2016/07/free-market-gmo-experts-are-critical-of-gmo-bill?source=acsh.org>

[2]

[http://www.science20.com/science\\_20/prop\\_37\\_lawyer\\_claims\\_he\\_never\\_thought\\_much\\_about\\_his\\_wording-94159](http://www.science20.com/science_20/prop_37_lawyer_claims_he_never_thought_much_about_his_wording-94159)

[3] <https://cei.org/expert/gregory-conko>

[4] <http://www.heritage.org/about/staff/b/daren-bakst>

[5]

[http://www.science20.com/jon\\_entine\\_the\\_contrarian/29year\\_100\\_billion\\_animal\\_study\\_reinforces\\_safety\\_of\\_gm\\_food-146431](http://www.science20.com/jon_entine_the_contrarian/29year_100_billion_animal_study_reinforces_safety_of_gm_food-146431)

[6] <http://acsh.org/news/2016/05/04/nrdc-sues-epa-over-fracking-has-the-settlement-been-pre-arranged/>

[7]

[http://www.science20.com/science\\_20/3\\_reasons\\_epa\\_sided\\_with\\_environmentalists\\_over\\_science\\_on\\_methane-172528](http://www.science20.com/science_20/3_reasons_epa_sided_with_environmentalists_over_science_on_methane-172528)

[8] [http://www.science20.com/science\\_20/gmos\\_wont\\_kill\\_you\\_but\\_that\\_organic\\_cupcake\\_might-152942](http://www.science20.com/science_20/gmos_wont_kill_you_but_that_organic_cupcake_might-152942)

[9] <http://acsh.org/news/2015/10/26/u-n-panel-says-sausage-is-as-dangerous-as-smoking/>

[10] <https://consumerist.com/2016/07/01/vermonts-gmo-labeling-law-is-now-in-effect-here-are-the-labels-senate-is-trying-to-get-rid-of/?source=acsh.org>