Two States Ready to Fight for GMO Labeling in November While Industry Pushes Bill to Remove State Rights

(Dr. Mercola) The pesticide and junk food industries continue to cause harm, even deaths, while destroying our rights and indemnifying themselves from liability.

That's the take-home message from the September 8 article in *The Progressive*,1 which recounts the travails of residents in Cedar Valley, Oregon. It's also the take-home message of other related news. And yet there's hope…

> *A group of residents of the Cedar Valley area near Gold Beach in Curry County, Oregon say their properties were doused with pesticides by a helicopter aiming for privately-owned timberlands last October," the featured article states.*
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> *In what has been called a 'severe sanction,' the pesticide applicator and the aerial spray company he owns have been fined $10,000 each by the state and had their pesticide licenses suspended for a year for providing false information that misled investigators.*
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> *But at least one of those affected says this basically amounts to a big traffic ticket, when instead he believes the incident should be considered an act of 'criminal trespass' linked to 45 illness reports."*

'Right to Farm' Laws Protect Big Ag from Legal Action

At present, the "Farm and Forest Practices Act" prevents the residents from suing for damages. But 17 of those affected by the pesticide dousing are now challenging the

constitutionality of that law.

While originally intended to protect small farmers from frivolous nuisance lawsuits by suburban neighbors, today, many of these laws do little more than shield large corporations from being held accountable for large-scale environmental and human harm.

Small farms have been replaced with gigantic warehouse-style factory farms that produce toxic waste on a scale that is simply incomparable to a regular family-run farm.

Yet you still cannot sue them for damages as long as they're following "generally accepted" farming or foresting practices—including aerial pesticide applications, even though in this case people were doused in their own backyards!

Moreover, Oregon's Right to Farm law contains a provision stating that if you sue and lose the case, then you are responsible for paying the defendant's legal fees. This is another effective dissuasion strategy that coddles big industry while leaving regular folk to suffer without effective recourse.

Residents Exposed to Toxic Agent Orange Ingredient

Two residents reporting health problems in this case include John Burns, who is the assistant chief of the local volunteer fire department, and his neighbor, James Welsh.

According to Burns, a total of 45 people have suffered health effects from the exposure. While Burns began feeling progressively worse as the day wore on, Welsh was immediately struck will nausea and breathing problems when the chemicals rained down on him.

Welsh, who had a preexisting heart condition, rapidly deteriorated after the exposure, and died in April. That exposure, it turned out, was a mix of 2,4-D—which was a major

ingredient in Agent Orange—and triclopyr, plus an adjuvant.

One of the ingredients was applied "at a rate above the maximum allowed by the label instructions," according to the Oregon Department of Agriculture.2 As reported in the featured article:

> *The pesticide spray over Cedar Valley is certainly not the first residential exposure due to aerial pesticide application. Residents of the Triangle Lake area in Lane County say they have been exposed to aerial pesticide drift multiple times in recent years, especially in 2011, as CMD has reported.*
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> *Urine tests performed by scientists at Emory University in spring 2011 confirmed 2,4-D in 100 percent of their urine samples and the weedkiller atrazine in most."*

Cedar Valley Residents Challenge 'Right-to-Farm' Law

The law firm Craig Law Center has taken on Cedar Valley's case, challenging the "Right to Farm" law. According to the featured article:

> *Crag attorney Chris Winter said he was interested in the case because he became 'concerned that people weren't able to defend their property rights against toxic chemicals.'*
>
> *The lawsuit challenges 'right-to-farm' under the under the clause of the state constitution that guarantees that every individual will have a legal remedy for the violation of any fundamental legal right…*
>
> *Winter said, 'Because toxic chemicals and aerial application are so risky, courts have said there's a higher standard of care, more than just being reasonably prudent, but being careful that nothing gets on neighbors' property.'*
>
> *But because of the 'right-to-farm' law, citizens still can't*

sue. That means courts have 'tipped in favor of chemical companies and applicators.'

Winter says that the plaintiffs hope to change the 'Right to Farm and Forest Law,' but that additional changes are needed to address structural problems in the state's regulatory system, like 'basic standards and guidelines for how pesticides are applied.'"

Judge Declares Idaho's 'Ag-Gag' Law Potentially Unconstitutional

In related, but slightly more optimistic news, a federal judge has ruled that Idaho's Bill 13373—dubbed the "ag-gag law," as it criminalizes the secret filming of agricultural practices—may in fact be unconstitutional.

The bill was hastily signed into law in February, after footage of animal abuse occurring in a confined animal feeding operation (CAFO) was aired on TV. The law was quickly challenged by the Animal Legal Defense Fund (ALDF), alleging that politicians ignored the First Amendment simply to protect corporate interests. As reported by the Courthouse News Service:4

Gov. C.L. 'Butch' Otter and Attorney General Lawrence Wasden moved to dismiss the complaint in April… but US District Judge B. Lynn Winmill… said the opponents may have a case: First Amendment and equal protection clause.

While the protection of private property is a valid concern, it does not necessarily justify the restriction of free speech, the court found.

'The First Amendment requires more than the invocation of a significant government interest; it requires that the restriction's benefits be balanced against the burden on protected speech,' Winmill wrote. 'The state therefore must

> *justify a need to serve its interests in protecting private property through targeting protected speech.'"*

This is good news, as this law is all about protecting the status quo of industrial farming; turning it into *a crime* to *expose* the horrors, cruelties, and dangers associated with big agricultural business… Time will tell if the "ag-gag rule" will be repealed, but at least the issue will be addressed in a court of law.

Help Vermont Defend America's First No-Strings GMO Labeling Law!

Speaking of courts of law… The Grocery Manufacturers Association of America (GMA), which consists primarily of pesticide producers and junk food manufacturers, is suing Vermont in an effort to overturn H.112—the first no-strings-attached GMO labeling in the US.5, 6, 7 H. 112 was passed by an overwhelming margin,8 and Governor Peter Shumlin signed the historic bill into law on May 8 this year.

The law will require food manufacturers to label genetically engineered (GE) foods sold in Vermont, and prohibits them from labeling foods with GE ingredients as "natural" or "all natural." The GMA's lawsuit claims that their members are going to end hunger with their pesticide-laden GMOs, but we already know that the problem with hunger is not production, it's distribution. There's more than enough food to go around; it's just poorly distributed.

Besides, must Americans be kept in the dark about what we're eating in order for the chemical technology industry to be able to "save the world" with its genetically engineered grains? To help Vermont defend its GMO labeling law against these multi-national giants, please consider making a donation to the Organic Consumers Fund, which has been set up to raise funds for this purpose. The fund has also pledged to help Oregon and Colorado pass their respective GMO labeling

initiatives this November.



Beware the ‘DARK’ Act…

The GMA, whose 300-plus members include Monsanto, Coca-Cola, and General Mills, is also pushing a Congressional bill called the “Safe and Accurate Food Labeling Act of 2014.9 The bill, dubbed the “DARK” (Denying Americans the Right to Know) Act, would actually *preempt* all states from passing GMO labeling laws.10 It would also bar states from enacting laws that make it illegal for food companies to misrepresent their products by labeling GE ingredients as “natural.” Last but not least, the DARK Act would also limit the FDA’s power to force food companies to disclose GE ingredients.

Does any of this make you warm and fuzzy inside? Are these the actions of companies that have your best interest at heart? I would say no. They are trying to *HIDE* the presence of genetically engineered ingredients, and are pulling out ALL the stops to do so! Ask yourself, *why?* These companies—the very ones providing much of our food—are actually trying to *take awayindividual state’s rights*, just to ensure certain food ingredients remain hidden! Curiously enough, Monsanto is more than willing to “support” GMO labeling in other countries.

Here’s a Monsanto ad from the UK, letting British consumers know how much the company supports the mandatory labeling of their goods—even urging Britons to seek such labels out—ostensibly because Monsanto believes “you should be aware of all the facts before making a decision.” What’s the difference between British shoppers and American shoppers? Why does Monsanto support one nation’s right to know but not another? It’s time to put an end to this hypocritical charade and label foods in the US, as has been done in 64 other countries across the globe already!

American state rights were encouraged by our constitution, and the constitution was meant to prevent federal superpowers becoming corrupted and creating an authoritarian, fascist federal government. Sadly, we've watched our individual and state rights deteriorate over many decades, succumbing to these enormous industry powers, and this is probably one of the biggest, most blatant overreaches yet, proving that corporate interests are ruling the roost on Capital Hill. As stated by Marni Karlin, director of legislative and legal affairs for Organic Trade Association:11

> *Consumers, particularly the eight out of ten American families who buy organic products, want to know what is in their food. Rep. Pompeo's bill ignores this consumer demand for information. Instead, it ties the hands of state governments, the US Department of Agriculture, and the Food and Drug Administration concerning GMO labeling. It is fatally flawed."*

What Happens in Oregon and Colorado in November Could Make or Break the GMO Labeling Movement

In addition to all this legal wrangling, opponents of GMO labeling spent more than $27 million on lobbying in the first six months of this year alone. This is about three times more than they spent during all of 2013, when they shelled out $9.3 million.12 Among the biggest spenders on anti-labeling lobbying were the Grocery Manufacturers Association (GMA) and major food makers such as Coca-Cola Co and PepsiCo Inc., along with chemical industry heavyweights like Monsanto and DuPont.

Undoubtedly, they are well aware that November is going to be a crucial turning-point for the GMO labeling movement. Both Colorado and Oregon have GMO labeling on their November ballots, and it's absolutely imperative that we make a strong push to make sure these ballots succeed. So *please,* consider

making a generous donation to the Organic Consumers Fund.

I know, it's an uphill battle, but persistence pays! We cannot and will not give up now. During last year's I-522 ballot campaign to label GMOs in Washington State, the Grocery Manufacturers Association (GMA) came up with a devious, and illegal, money-laundering scheme to protect the identity of members who donated funds to the opposing campaign. Unfortunately, this illegal move helped the GMA defeat I-522 by a mere *one percent* margin—ONE PERCENT!

Fortunately, the GMA was caught, and sued by Attorney General Bob Ferguson, who accused them of intentional money laundering and violating state campaign disclosure laws. They had to resort to illegal activity to beat us by one percent the last time… With that in mind, I am firmly convinced that we CAN win in both Colorado and Oregon. But it will take effort. And money, to make sure all the voters are informed enough to make a sound decision. It's time for truth in labeling. Together, we can make it happen.

I recently named the GMA "the most evil corporation on the planet," considering the fact that it consists primarily of pesticide producers and junk food manufacturers who are going to great lengths to violate some of your most basic rights—just to ensure that subsidized, genetically engineered and chemical-dependent, highly processed junk food remains the status quo.

The insanity has gone far enough. It's time to unite and fight back, which is why I encourage you to boycott *every single product owned by members of the GMA*, including natural and organic brands. To learn more about this boycott, and the traitor brands that are included, please visit TheBoycottList.org. I also encourage you to donate to the Organic Consumers Fund. Your donation will help fight the GMA lawsuit in Vermont, and also help win the GMO labeling ballot initiative in Oregon in November.

Voting with your pocketbook, at every meal, matters. It makes a huge difference. By boycotting GMA Member Traitor Brands, you can help level the playing field, and help take back control of our food supply. And as always, continue educating yourself about genetically engineered foods, and share what you've learned with family and friends.

Recommended Supplements (These supplements help detoxify GMOs):

- Shillington's Total Nutrition Formula
- FloraMend Prime Probiotic – Thorne Research
- Fundamental Sulfur Powder (MSM Powder) – Douglas Labs
- Shillington's Intestinal Cleanse Formula
- Shillington's Intestinal Detox

Further Reading:

- *How to Avoid GMOs*
- *Foods That Are GMO*
- *The Difference Between Heirlooms, Hybrids, and GMOs*
- *The Unspoken Link Between GM-Foods and Cancer*
- *GMO-Bananas are Going Into Human Trials*