



BALLOT BRIEF

Prop 105

To: NCLA Member Organizations
From: Sandra Hagen Solin
Date: September 7, 2014
Re: Proposition 105: Mandatory Labeling of GMOs

The Board of the Northern Colorado Legislative Alliance took a unanimous position to recommend opposition to Colorado Proposition 105 regarding the mandatory labeling of food products that are genetically modified (GMOs).

The measure would require any "prepackaged, processed food or raw agricultural commodity that has been produced using genetic modification" to include the label: "Produced with genetic engineering."

The Board presents its recommended position to the Boards of Directors of our NCLA Member Organizations for ratification of such position in order for the NCLA recommended position to be the official position of the NCLA and the Member Organizations.

NCLA's Position:

NCLA opposes Proposition 105 as we believe it to be a flawed, inconsistent and misleading measure that would impose huge new costs and complicated red tape on farmers, food companies and grocery stores, force Colorado taxpayers to pay millions for more government bureaucracy, and increase grocery bills for Colorado families – and it would not give consumers reliable information about which foods are made with GMOs and which are not.¹

Proposition 105 would mandate a whole separate food labeling system in Colorado that conflicts with existing nationwide labeling standards and policies and would only exist in our state.¹

Proposition 105's complex system of requirements and exemptions would only apply to Colorado and would conflict with our existing nationwide standards for food labeling, including labels such as "organic" and "non-GMO." For example, under Proposition 105, meat and dairy products would be exempt from labeling, even if they come from animals raised and fed on genetically engineered feed or injected with GE medications. This conflicts with existing national labeling standards for "organic" and "non-GMO" labels for these products.¹

Modern GE foods are the most thoroughly tested foods ever added to our food supply, and they are deemed safe by the USDA, the FDA, the American Medical Association and major scientific and health organizations worldwide. The FDA has determined there is no nutritional or material difference between food ingredients made from GE plant varieties and their conventional counterparts. For this reason, the American Medical Association states there is no scientific justification for mandatory special labeling.¹

National Political Context

Efforts for required labeling and bans of genetically modified organisms (GMOs) have been a growing issue in American politics at the state and local level. More than a million people signed a petition to the Food and Drug Administration asking it to label GMOs, which was the most signatures of any petition in the agency's history. As of May 14, 2014, there were 84 bills in 29 states regarding the labeling of GMOs. In 2014, Vermont became the first state in the country to require labeling of GMOs. Maine and Connecticut also passed labeling measures, but those will not take effect until several neighboring states also adopt such measures.²

Two statewide ballot measures addressing the mandatory labeling of GMOs have been proposed in as many years. Both were defeated at the polls by a margin of approximately three percent, but not before millions of dollars were spent on support and opposition campaigns. In 2012, Californians turned down Proposition 37 after \$54.3 million was funneled into the measure. Washington voters defeated Initiative 522, which became the most expensive ballot measure in the state's history after more than \$30 million was spent by both sides.²

This year, voters in Colorado and Oregon will decide whether GMO labeling should be mandated in their states. If one or both of these measures are approved, it will mark the first time voters have approved this issue statewide at the ballot box.²

Proponents

Right to Know Colorado GMO

- Labeling is an issue of transparency.
 - "Our movement is built on the foundation that we have the basic right to know what is in our food and what we are feeding our families."³
- Manufacturers change their labels often and based on labeling in other countries, food costs should not be impacted.³
- Exemptions from labeling requirements for food and drink for animals; alcoholic beverages; food that is not packaged for retail sale (restaurants); food derived from an animal that has not been genetically engineered but have been fed or injected with genetically modified food or drugs are exempt; and medically prescribed foods.
- Exemption for producers who distribute products without knowledge that the food was created with GMOs
- Citizens would not be allowed to take private legal action against a distributor, manufacturer or retailer that sells or advertises food that does not conform to the labeling requirements

- Polling indicates 90% of Americans want labeling of GMOs
- 64 other countries have banned or required labeling of GMO products
- Whole Foods has decided to voluntarily require all products allowed in store to be labeled about GMO content.
- Vermont, Connecticut and Maine all require the labeling and voters in Oregon will decide this fall whether to require it as well.

Opponents

Coalition Against The Misleading Labeling Initiative

- Proposition 105 would mandate costly and misleading food labeling regulations in Colorado that do not exist in any other state. It would hurt Colorado farmers, food companies and consumers, create more state bureaucracy, increase taxpayer costs and drive up food prices for Colorado families by hundreds of dollars per year.¹
- Many agriculture groups are supporting a federal effort in the Safe and Accurate Food Labeling Act, HR 4432. The measure would create a nationwide, voluntary labeling system and standard for GMOs and other food labeling categories.¹
- The coalition includes the Colorado Farm Bureau Federation, the Rocky Mountain Food Industry Association, the Colorado Association of Wheat Growers, the Biotechnology Industry Association, and Grocery Manufacturers of America.
- The measure is a statutory amendment. In most cases this would be the preferred route, however, the desire on the part of proponents is to continually revisit the issue of GMOs legislatively and expand its scope to encompass those things that are presently exempted from the mandate.

¹ Coalition Against The Misleading Labeling Initiative, Fact Sheet

² Ballotpedia.com

³ Right to Know Colorado GMO