

COUNCIL OF THE COUNTY OF MAUI

PARKS AND AGRICULTURE COMMITTEE

April 2, 2004

Committee
Report No.

04-74

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Parks and Agriculture Committee, having met on September 18, 2003 and March 4, 2004, makes reference to County Communication No. 03-195, from Councilmember Jo Anne Johnson, relating to the matter of Genetically Modified Organisms.

Your Committee notes that Genetically Modified Organism (GMO) is a term related to the science involved in, but not limited to, the technique of genetically modifying our food sources. This technology has been pursued for a variety of reasons, for example, to make a plant resistant to pests, viruses, or fungal disease; to build plant tolerance to herbicides; to manipulate crop fertility or fruit ripening; and to improve overall product quality.

Your Committee further notes that the technique of genetic modification, particularly as it applies to agriculture, is radical and still fairly new with many unknown factors. The question remains as to whether regulatory agencies have adequately addressed environmental and human risks that may occur as a result of genetic modification. Members of the public have recently raised questions and concerns regarding potential risks associated with open field experiments in Maui County and the release of genetically engineered plants into the open environment.

Your Committee further notes that from August 11, 2003 through March 4, 2004, your Committee received correspondence from 34 members of the public expressing support for a GMO-free Maui, and from three members of the public providing information on the safety of GMOs. Your Committee received petitions with signatures from 162 individuals in support of a GMO-free Maui.

Your Committee further notes that from August 11, 2003 through March 4, 2004, your Committee received over 108 copies of press releases, books, and articles from periodicals and newspapers providing information

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regarding the risks and benefits of GMOs, and legislation proposed or enacted in other states.

At its meeting of September 18, 2003, your Committee met with a Deputy Corporation Counsel; Keith Shinozuka, United States Department of Agriculture (USDA), Maui Animal Plant Health Inspection Services Office; Neil Reimer, Plant Quarantine Branch, State Department of Agriculture; Dr. Andrew Hashimoto, Dean of the College of Tropical Agriculture and Human Resources, University of Hawaii; Dr. Ania Wieczorek, University of Hawaii; Dr. Hector Valenzuela, University of Hawaii; Dr. Cindy Goldstein, Hawaii Agricultural Research Center; Dr. Lorrin Pang, State Department of Health (DOH), Maui District Office; Warren Watanabe, Maui County Farm Bureau; Diana Dahl, Hawaii Organic Farmers Association; and Eloise Engman, GMO Free Maui.

Your Committee received testimony from 18 members of the public providing comments regarding GMOs. Twelve people testified about the risks of GMOs and six people testified in support of GMO research.

Your Committee received presentations from a panel of technical resource personnel representing the various perspectives on the issue of GMOs. The purpose of the panel discussion was to provide information on this important topic, and not to debate the safety of GMOs.

The first panelist, Dr. Wieczorek, informed your Committee that the terms "GMOs", "transgenic crops", or "genetically engineered crops" refer to crops that have been modified in the laboratory by researchers to enhance specific traits. She stated that crop modification has been done for many years by classical breeding, then crossbreeding, and now genetic engineering. Dr. Wieczorek explained that genetic engineering is the direct addition of a gene or the genes from one organism to another.

Dr. Wieczorek stated that the use of genetically modified crops in agriculture is an extremely controversial topic. Those that believe in the technology will say that it is used to increase the yield, reduce economic costs, and help produce food that is of a better quality. Some of the benefits include crops that are resistant to insects, and are tolerant to herbicides and viruses. Those concerned about the safety of GMOs will say that not enough is known, and there are potential risks, including environmental risks, where the Hawaiian

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ecosystem is polluted or non-target organisms such as beneficial insects are harmed; human risks, where there may be an increase in allergies and unknown effects on human health; and economic risks by the organic farmer who is concerned about cross-pollination between GMO crops and organic crops.

The second panelist, Mr. Reimer, provided information regarding the regulatory aspect of GMOs. He stated that three Federal agencies, the United States Department of Agriculture (USDA), the Food and Drug Administration (FDA), and the Environmental Protection Agency (EPA), have authority over various aspects of GMOs. Mr. Reimer explained the role of the Hawaii Department of Agriculture (DOA) in the regulatory process. He noted that the DOA's focus is keeping invasive species out of the State. The DOA has the opportunity to comment on USDA permit applications for research in Hawaii, but does not have any regulatory authority. The DOA is notified whenever plant-related material is brought into the State and grown here, and has the opportunity to participate in USDA inspections.

The third panelist, Mr. Shinozuka, explained the role of the Animal Plant Health Inspection Services (APHIS), the local USDA office. He stated that the USDA Biological Permits Branch (Permits Branch) in Maryland issues GMO permits. The Permits Branch approves, disapproves or adds conditions to the permit. The Permits Branch sends copies of the permits to the State DOA who can concur with the permit or add conditions. After the permit is issued, APHIS receives a copy of the permit and ensures that the research nurseries meet all of the conditions.

The fourth panelist, Dr. Valenzuela, informed your Committee that he has worked as a vegetable crop production specialist at the University of Hawaii (UH) for 12 years. His research focuses on the area of crop ecology, organic farming, and sustainable agriculture. He expressed concerns that new or novel biological organisms are being allowed to enter the State that may cause long-term, unexpected consequences on the environment or on human health. Dr. Valenzuela stated that over 1,400 permits have been issued in Hawaii for field-testing of biotech crops on four islands. He noted that the staffing levels at APHIS and DOA prevent inspection of all plantings. In addition, Dr. Valenzuela reviewed some examples of research that have been questioned at the international level.

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The fifth panelist, Dr. Goldstein, informed your Committee that her background is in plant breeding and genetics, with research experience in crop improvement using both traditional plant breeding and biotechnology methods. She explained that the Hawaii Agricultural Research Center works with crops that have economic importance in Hawaii, or that might have the potential for economic development in Hawaii. She reviewed the regulation process for testing GMOs. She stated that the process is proactive and is revised as new knowledge or understanding is gained. Dr. Goldstein explained the permit application and provided some examples of research field trials. She addressed the need to protect the location of these field sites from vandalism by individuals who oppose the testing.

The sixth panelist, Mr. Watanabe, informed your Committee that he is the President of the Maui County Farm Bureau, which is an affiliate of the Hawaii Farm Bureau and the American Farm Bureau Federation. He stated that the organizations strongly support the use of biotechnology and GMOs to increase the marketability of products, to solve environmental concerns, to improve product quality, and to increase the quantity of food for our growing population. The Farm Bureau strongly believes that approval of new products should be based on safety. He noted that a key goal of the organizations is frank and open dialogue among interested parties. Mr. Watanabe stated that the Farm Bureau opposes the establishment of separate regulations and policies by individual states or local entities.

The seventh panelist, Ms. Dahl, informed your Committee that she is an organic farmer and a board member of the Hawaii Organic Farmers Association (HOFA), an organization that believes "a sustainable economy will improve without the implementation of genetic engineering". She reviewed HOFA's goals, which include enacting a moratorium on the release of GMOs into the environment, economic protection for farmers whose crops are contaminated by GMO seeds, better labeling of food products, and implementing GMO-free organic farming.

The eighth panelist, Ms. Engman, informed your Committee that she is a concerned resident who has no economic or professional incentive to be either in favor of or against GMOs. In addition, she noted that she is involved with GMO Free Maui. She raised concerns that biotechnology bypasses nature's barriers

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and puts more herbicides into our environment. Ms. Engman reviewed some of the scientific literature for a GMO-free sustainable world.

The ninth panelist, Dr. Hashimoto, informed your Committee of the UH College of Tropical Agriculture and Human Resources' position regarding GMO crops. He stated that the focus of the College is to look at economic viability, economic sustainability, and strengthening our community. He noted that as a research institution, it is the responsibility of the UH to conduct research and provide educational outreach services. Dr. Hashimoto stated that because of the diverse opinions on GMOs, it is important to have the facts and the scientific information available, along with appropriate dialogue so that people can understand what the technology can do from both positive and negative perspectives.

The tenth panelist, Dr. Pang, informed your Committee that he was speaking as a representative of the State DOH. He provided your Committee with background information regarding his former work with the World Health Organization, and shared concerns that GMO technology is moving ahead at an exponential rate. He stated conflicting interests have always been a problem, which is why the FDA has initiated regulations for the food industry. He further noted that biotechnology projects are reviewed by the USDA when they threaten crops, by the EPA when they threaten the environment, and by the FDA when they threaten health. Dr. Pang also informed your Committee that other states have recently initiated regulatory constraints.

After a brief question and answer period, your Committee deferred the matter pending further review.

By correspondence dated February 27, 2004, your Committee's Chair transmitted a draft resolution entitled "URGING THE STATE TO ESTABLISH ADVISORY BOARDS REGARDING GENETICALLY MODIFIED ORGANISMS". The purpose of the draft resolution is to encourage the State to establish advisory boards regarding GMOs.

At its meeting of March 4, 2004, your Committee met with the County's Environmental Coordinator and a Deputy Corporation Counsel.

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Your Committee received testimony from nine members of the public expressing support of the proposed resolution, and from one member in opposition to the resolution. Testimony suggested that the proposed resolution be revised to add: (1) a restriction that voting members of the advisory boards must not be linked to the biotechnology industry; (2) that genetically modified organisms also include “genetically engineered experimental, pharmaceutical and commercial crops, and genetically engineered animals and fish”; and (3) a clause urging economic protection for farmers whose crops are contaminated by GMO seeds.

The Environmental Coordinator informed your Committee that the Administration supports the resolution. In addition, he stated that the County has many knowledgeable citizens that the State should consider for membership on the advisory boards.

Your Committee recognized that the proposed resolution does not express a position in favor of or against GMOs. The resolution provides the ability to empower our communities, through membership on county advisory boards, to review the pros and cons regarding GMOs, and provide input to the regulatory agencies. The resolution supports the counties’ recognition of the importance of home rule.

Your Committee voted to recommend adoption of the proposed resolution and filing of the communication.

Your Parks and Agriculture Committee RECOMMENDS the following:

1. That Resolution No. _____, attached hereto, entitled “URGING THE STATE TO ESTABLISH ADVISORY BOARDS REGARDING GENETICALLY MODIFIED ORGANISMS”, be ADOPTED; and
2. That County Communication No. 03-195 be FILED.

Adoption of this report is respectfully requested.

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JO ANNE JOHNSON Chair

JOSEPH PONTANILLA Member

ROBERT CARROLL Vice-Chair

CHARMAINE TAVARES Member

MICHAEL J. MOLINA Member