

POLICY COMMITTEE

Council of the County of Maui

MINUTES

September 14, 2011

Council Chamber, 8th Floor

CONVENE: 9:05 a.m.

PRESENT: VOTING MEMBERS:

Councilmember G. Riki Hokama, Chair
Councilmember Robert Carroll, Vice-Chair
Councilmember Gladys C. Baisa, Member
Councilmember Elle Cochran, Member
Councilmember Donald G. Couch, Jr., Member
Councilmember Mike White, Member

EXCUSED: Councilmember Danny A. Mateo, Member
Councilmember Joseph Pontanilla, Member
Councilmember Michael P. Victorino, Member

STAFF: Carla Nakata, Legislative Attorney
Jo-Ann Sato, Substituting Committee Secretary

ADMIN.: Michael J. Molina, Executive Assistant to the Mayor
Gary Murai, Deputy Corporation Counsel, Department of the Corporation Counsel
Scott Hanano, Deputy Corporation Counsel, Department of the Corporation Counsel
Moana Lutey, Deputy Corporation Counsel
Richard "Danny" Dods, Lieutenant, Special Response Team, Department of Police
Danny Matsuura, Assistant Chief, Department of Police

OTHERS: **Item 3(3):** Chisa-Lee Dizon
Mark Sheehan
Brian Lehmann
Simon Russell
Luna Carlisle
Shelby Hansen
Megan Brien
Ilse Menger
Bruce Oatway
Letisha Isabella
Nancy Jill Sundberg
Colette Evans
Lorrin Pang
Melanie Moorehead
Daren Mann

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

Jennifer Warren
Bruce Douglas
Loretta Hughes
Yo Kobayashi
Courtney Bruch
Nicole Brown
Adria Marin
Marta Greenleaf
Michael J. Murphy
Amy Rymal
Cynthia Groves
Brendan Moorehead
Jennifer Kennedy
Brent Fategoni
Paul Koehler
Harold Keyser
Cleo Wilson
Ben Wilson
Brian Murphy
Mary Overbay
Piliialoha Teves
Glenda Frederick
Anne Provost
Irene Bowie, Executive Director, Maui Tomorrow
Warren Watanabe, Executive Director, Maui County Farm Bureau
Nelson Waikiki, Jr., Opunui Water Company, LLC
Tonja E.U. Pe Benito
Jeremiah Naone
Cindy Naone
Vincent Mina
Amara Rochan
Federal Reserve Brown, Dioxin Investigation Network

Others (10) *(sitting in gallery)*

PRESS: *Akaku--Maui County Community Television, Inc.*

CHAIR HOKAMA: . . .*(gavel)*. . . Council's Policy Committee shall come to order. This is its regular meeting of September 14, 2011. This morning we have from the Committee, Vice-Chairman Carroll, Members Baisa, Cochran and Couch. Chair excuses Members Mateo, Victorino, White and Pontanilla. We have a very aggressive agenda, Members, so depending on time we may not be able to finish the full business of today's requirements.

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

We have a request for testimony this morning, Members, and so we shall take public testimony at this time. The rules for testimony is that when your name is called, please come forward to our podium to the left of me. Please state your name for the record. If you are representing any organization, we request that you share that information. You have three minutes to give your testimony. We will assist you with your testimony with a lighting system that when you begin your testimony the green light will go on and like any intersection when the yellow light goes on it will indicate that you have 30 seconds to conclude. When the red light goes on, means your time has ended and the Chair will stop your testimony. If you have written testimony, the Committee is also very much open to receiving your written comments, and we are happy to distribute it to all Members of the Committee. Saying that with the beginning of testimony this morning the first person is Chisa Lee Dizon. My apologies if I mispronounced your name.

...BEGIN PUBLIC TESTIMONY...

MS. DIZON: Aloha, County Council. My name is Chisa and I'm a four-year resident here on Maui. I'm originally from Kauai. Thank you this morning for listening to my testimony. I ask that you please say, yes, to labeling and I also ask for another meeting that I may better inform my peers and other people in the community so we may come and support. There's a lot more people who support labeling. We have a right to know...we have a right to know what we consume what we put in our kids bodies. We should be able to make that choice if we want to consume GMO or not. I've made the choice to switch my diet to non-GMO with exercise. I've lost over 150 pounds. Research proves fatal. GMO is associated with a number of illnesses, including birth defects, neuro-problems, infertility. It's poorly tested. It poses environmental and health risks and I don't need to stand here before you and tell you all the risks and dangers cause some activists or tree huggers, done that before. Major countries have made labeling mandatory - Japan and China to name a few. They're very health conscious, high veggies diets. Our cousins in New Zealand, Aotearoa, have made labeling mandatory. And this is interesting that Hungary is actually a felony to grow GMO anything. If you're caught growing GMO, you will be put in jail. I wonder when this great country would get on the program because the Hawaiians are down -- absolutely no GMO. Please say, yes, to labeling. Don't leave us in the dark. We can't fully say no to GMO but we can say, yes, to labeling. So I would just like to leave you with this that the government requires labeling for orange juice if it's made from concentrate. Shouldn't it also require labeling if you're genetically changing the structure of our food? Thank you so much for your time.

CHAIR HOKAMA: Thank you for your testimony. Is there any questions for the lady this morning on her testimony? If not, thank you very much. The next person this morning is Mr. Mark Sheehan. And I would ask, as part of our decorum requirements that if you do have cell phones or any other noise making devices to please either turn it off or put it on the vibration component. I will enforce decorum in this Chambers at all times. Good morning, Mr. Sheehan.

MR. SHEEHAN: Aloha, Chairman, Council members, members of the public. My name is Mark Sheehan. I'm testifying on my own behalf today regarding the labeling bill. I think the principle is that the public should have a right to know. If the ingredients on a package are labeled, it

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

would be required to know what's in, not only what's in a food substance but the order of concentration of those substances then we ought to be able to know whether it be genetically modified and that responsibility should be on the manufacturers of those things. It should not be the reverse that people are required to put in something saying GMO free. The position of Monsanto, according to their Director of Corporate Communications Phil Angel, is that Monsanto should not have to vouch for the safety of bio-tech food. Our interest is in selling as much of it as possible. That is not my interest. Our interest should be and your interest should be making sure the watching for the safety of foods that are sold to consumers in this County. It's the precautionary principle. If there should be any doubt, then we should err on the side of caution. And there's every reason why you can know a great deal about this subject. I entered dangers of Roundup into the search bar on Google and in one-tenth of a second there were eight million two hundred thousand (8,200,000) citations...eight million two hundred thousand on the dangers of Roundup. So, yes, we want labeling but we happen to be ground zero for the entire planet with the highest concentration of open air experiments of anywhere in the world. This is something that, apart from our food, we'd like to have safe air. But the issue today is labeling and I want to make sure that the woman, the previous speaker referred to the number of countries, I'd like to let you know that it's Australia, New Zealand, Brazil, China, the Czech Republic - all 15 countries of the European union - Hong Kong, Israel, Japan, Latvia, Mexico and Norway, the Philippines, Poland, the Republic of Korea, Russia, Saudi Arabia, Switzerland, Taiwan and Thailand require labeling. We should too as a way of protecting our citizens and giving them choice. So I think the issue is a public trust doctrine. Health is a public trust issue that the public relies on our guidance to make sure that they know what's in the food that they're eating. And so we should, in fact, support a resolution supporting this. Thank you very much.

CHAIR HOKAMA: Thank you, Mr. Sheehan. Members, any questions on the testimony presented by Mr. Sheehan? Thank you very much this morning. Next, we have Brian Lehman. Following Mr. Lehman will be Simon Russell.

MR. LEHMAN: Mr. Chairman.

CHAIR HOKAMA: Good morning.

MR. LEHMAN: Good morning. Mr. Chairman, Members of the Committee, I'm Brian Lehman. I reside on Maui and I rise to support mandatory . . .

CHAIR HOKAMA: Excuse me, Mr. Lehman, could you please speak into the microphone so we can capture your words clear? Thank you.

MR. LEHMAN: Is that better?

CHAIR HOKAMA: That's fine. Thank you.

MR. LEHMAN: Should I start over?

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

CHAIR HOKAMA: You can start over.

MR. LEHMAN: Good morning, I'm Brian Lehman. I reside on Maui. I rise to support mandatory labeling of GMOs because I really believe I have a right to know what's in the food, if it's not what I could customarily expect to find in nature. It is known that the FDA pollinated a disinformation policy through its revolving door with Monsanto which continues to exist. So I don't want to take their word for it that is safe for me to eat regardless of what's been done to it. GMOs are banned from USDA certified organic, non-GMOs shopping guides are available but contamination by GMOs is an inevitability. By 2009, organic canola had all but disappeared in Canada. As early as 2004, studies showed over 50 percent contamination of non-GMO papayas on the Big Island. So what freedom of choice there is could be lost. Over 80 percent of corn, cotton, and canola grown in the U.S. and over 90 percent of soy are already GMOs. But even the U.S. has now dropped international opposition of GMO labeling. Countries may now label for post-market monitoring without threat of sanctions from the WTO. What does that mean? Well, for one thing, it means that in the U.S. at least there hasn't been any post-market monitoring. So even though studies have shown risks such as organ failures, _____, and birth defects, in the U.S. they said we didn't have a right to know without proven safety. But now there could be more studies but I don't want to be a guinea pig in the meantime. Secondly, virtually everyone wants GMOs labeled. And for news polls, over 85 percent of responders to CBS and the *New York Times* and over 90 percent responding to ABC and MSNBC we're in favor of mandatory labeling. But when you compare those percentages to the percentage of GMOs being grown, there's a polarity. If there's really such high demand for GMOs than after you label it, it should maintain its market share or increase. But if market share decreases after you label it, then we're being forced fed without our knowledge. And contrary to advertising, GMOs don't increase yields or decrease pesticide use. But in the U.S., GMOs control markets without labeling. So well everybody wants it, nobody is doing anything about it. But even a relatively small fraction of consumers, if they reject GMOs, it can create a tipping point for GMOs withdrawn from the market. So we need legislation. Genetically-modified taro is illegal in Maui County so I know we can do this. And, Mr. Chairman, I submitted email testimony with links to document my assertions.

CHAIR HOKAMA: We thank you for your testimony, Mr. Lehman. Members, any questions for the gentleman this morning? Thank you for your testimony. Simon Russell. And Mr. Russell will be followed by Luna Carlisle.

MR. RUSSELL: Good morning, Council.

CHAIR HOKAMA: Good morning.

MR. RUSSELL: Aloha. Thank you for the opportunity to speak. I've submitted my testimony.

CHAIR HOKAMA: You can adjust the microphone, Mr. Russell.

MR. RUSSELL: I've submitted by testimony.

POLICY COMMITTEE MINUTES

Council of the County of Maui

September 14, 2011

CHAIR HOKAMA: Thank you.

MR. RUSSELL: I hope you get a chance to read it. I'm here to support the labeling of genetically-modified foods. My main concern being that most genetically-modified foods on our dinner tables are Roundup ready crops. And I, personally, don't enjoy the idea of eating food that's been sprayed with poison. Roundup is classified as a pesticide. Some people call it herbicides but herbicides actually are pesticides. And I've been interested in this issue for about ten years. I grew up in a farm on Kauai. I've been here for 18 years on Maui, and I have a small farm in Haiku and I grow my own food because honestly I don't trust the foods in the stores anymore because it's not labeled. We don't know if corn is organic or not because it's not labeled. And say if someone gets sick from eating GMOs we'll never know because they're not labeled. So I would really appreciate your support in this labeling bill going before the State Legislature and I hope it passes. Thank you very much.

CHAIR HOKAMA: Thank you, Mr. Russell. Any questions for Mr. Russell? Okay, thank you for your presence this morning. Luna Carlisle, and she'll be followed by Shelby Hansen.

MS. CARLISLE: Good morning. My name is Luna Carlisle. I'm a committee member, a local teacher, mother, artists. I appreciate your attention. I would ask the other Council members to actually look at the people who are testifying. Hear us. Ask us questions on what we're talking about, okay, because this is serious. Mayor Arakawa gave me some information in regards to addressing Council members. His advice was don't assume they've done their homework or they have any idea what you're talking about, okay. So I can only assume that the reason this Council has not already done or is not immediately doing the obvious right thing by mandating labeling GMO is due to ignorance. And that's okay because that puts you along with the rest of the country who has been purposely deceived and kept in the dark, who has been purposely made ignorant but that's got to change right now. Okay. The whole rest of the world knows about it. It's time to get on board. So, you might have been ignorant of the GMOs, the deliberate poisoning of our food supply, and worse of all of the government complicity in this plan. Just this morning, a County Council member called KISS FM and told the DJ not to mention GMO labeling or this hearing on the air. That is unconscionable. This County harbors and welcomes the most unethical business on the planet. We welcome them to poison us and we won't even label and talk about what's going on? Not acceptable. That is unconscionable. Okay. The only other reason for not requiring immediate GMO labeling that I can think of is apathy. And there is nothing more tragic or dangerous than apathy especially in positions of power. If a person is terminally apathetic and they choose to ingest toxic chemicals and genetic mutilations, that's their problem and their choice - key word "choice". We deserve the choice to make health a priority. We do not need to be deceived. We all deserve and have natural and constitutional rights and know what we ingest and to make that choice. And just to recap, we can't just wash around our buff. It gets into the food, it gets into your DNA, it becomes part of you. You produce pesticide in your intestines after you ingest these things and you pass it along. Do you understand how serious this is? You see that I'm trembling. This is serious. Okay. Now, reflecting on the 10th anniversary of 9-11 recently and the terror attacks, I believe that a much

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

more diabolical and all encompassing terrorism is taking place right now to every human being in this country, to every person in this County and on this island because we are purposely deceived and denied our basic right to choose help. To me, GMOs are an abomination of nature, my spirituality, ethics, everything. It is an absolute abomination and I deserve, just like everyone deserves the right to choose not to do it. Okay, if people are terminally apathetic that's their problem and their choice. We deserve a choice too. So you want to be a hero, you want to make a difference, you start out all idyllic and bright-eyed and politics you want to make a difference, now is your chance. Mandate labeling of GMOs right now. This is your chance. We have empowered you. Educate and empower yourself and do the right thing for the people of this County. I beseech you. Please, ask me a question.

CHAIR HOKAMA: Thank you, Ms. Carlisle. Members? We thank you for your testimony this morning, Ms. Carlisle. Shelby Hansen. She will be followed by . . .

AUDIENCE: *(Applause)*

CHAIR HOKAMA: . . . *(gavel)*. . . We shall maintain order. This is not an open spectrum. This is a Council Committee meeting. Ms. Hansen, we appreciate your testimony this morning.

MS. HANSEN: Thank you, Chairman. I'm a concerned resident and a business owner on this island. And I thank you for hearing this today because it is a critical, important issue. These are my step children and I don't like the word step so I call them my love children, my heart children because there isn't anything I wouldn't do . . .

CHAIR HOKAMA: Ms. Hansen, you need to direct your comments to the Chair.

MS. HANSEN: Oh, I'm sorry.

CHAIR HOKAMA: Thank you.

MS. HANSEN: There isn't I wouldn't do to see them healthy and see them thrive. But these two normal looking children are challenged every day by extreme food allergies. Allergies to certain foods that are so severe that within hours of eating these certain foods they develop rash-like symptoms on their skin that turn into ugly purple sores that last about a week. This was so foreign to me. What has happened to the food supply in their lifetime? Beginning in the 1990s new proteins were genetically-engineered into our food supplies by corporations like Monsanto solely to maximize profits for the industrial food producers. These GM products snuck into our food supply like a thief in the night. One in 17 kids under the age of 3 now have a food allergy. There's been a 265 percent increase in the rate of hospitalizations of children related to food allergies. What has been genetically modified -- cow's milk, corn, corn syrup, sweeteners, canola, wheat and soy. What are my children allergic to -- canola, wheat, soy, cow's milk. It's crazy. Through much frustration, trial and error, at home we are trying to find solutions so that they can have a normal life. We are searching for organically grown unaltered food that does not make them sick. When the U.S. introduced GMO products back in the 1990s, 27 countries in

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

Europe, that's 27 countries in Europe, Canada, Australia, Japan and New Zealand responded by not allowing unlabeled genetically modified foods onto their shelves. What is it that they know about this stuff, this genetically modified foods that we don't know? Don't fool yourself. This stuff is poison. How do I know? Because I look into their eyes, I see, I dress their wounds, I know that they have been affected and we have all been used as guinea pigs, and it has got to stop. Every time this GMO poison machine pushes through another food group that is genetically altered they steal the quality of life from my children and from you.

CHAIR HOKAMA: Ms. Hansen, we thank you for your testimony this morning.

MS. HANSEN: Thank you.

CHAIR HOKAMA: If you are reading from something that you have prepared, we are more than happy to receive your written comments.

MS. HANSEN: Okay, great.

CHAIR HOKAMA: And our Committee Staff will assist you and we'll distribute that to all the Committee members for you. Next is Megan Brien.

MS. BRIEN: Good morning.

CHAIR HOKAMA: Good morning.

MS. BRIEN: My name is Megan Brien and I am a resident of Maui County. We, the people, are entitled to know the truth about what goes into our food. This means what's inside the food we eat and the methods by which it is grown. Honesty and truth in labeling is a basic right that we deserve. Granting the people a right to know what's in our food is well worth the effort it will take to institute this legislation. Maui County and the State of Hawaii can set a good example here and lead the way to show the world that this State still has respect for its resident's rights. It is the role and the responsibility of our representatives to advocate for labeling so that companies are not allowed to veil their products and shield us from knowing what's inside. Let's not delay this process any longer. Full disclosure is the only right action here. We, the people, are asking for labels on GMO foods and we want to see this happen now. It is only right to disclose the truth and to allow we, the people, to make choices for ourselves. Please treat us with the dignity that we deserve. Hawaii should not regress into playing into the big money game, where dollars decide the outcomes of the politics and we should not let big companies and the interests of business and income streams do the deciding for us. It is the honor and responsibility of our elected representatives, in service to the public, to stand for the public in the best way possible. This opportunity for GMO labeling is one we cannot afford to miss. If you skip over this chance for honest disclosure through labeling, you are skipping out on the very reason for being in this role to serve the people. The easy, quick, and cheap solution is not the same as the best solution. And the most lucrative choice is not the same as the best choice. We want to live in a State-based in honest governance, which represents the well being of the people. Thank you for

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

approving the resolution on the table in support of GMO labeling. Please approve this legislation at any and all levels, and please encourage your peers to support GMO labeling Statewide. It is due time that genetically-engineered foods be labeled for all to see clearly. I cannot think of one good reason which would justify hiding GMO ingredients from us. Just show us what is in our food and let the market of conscious consumers decide with our dollars on a fair open market.

CHAIR HOKAMA: Thank you very much, Ms. Brien, --

MS. BRIEN: Thank you.

CHAIR HOKAMA: --for your comments this morning. Any questions for the lady on her testimony, Members? We thank you for your presence this morning.

MS. BRIEN: Thank you. Do you want my printed . . .

CHAIR HOKAMA: We'd be happy to receive it.

MS. BRIEN: Thank you.

CHAIR HOKAMA: Thank you. Next, will be Ilse Menger. I apologize if I'm mispronouncing your name. And she will be followed by Bruce Oatway.

MS. MENGER: Good morning, Council members.

CHAIR HOKAMA: Good morning.

MS. MENGER: My name is Ilse Menger; I'm a resident of Maui for about 15 years. I'm a representative of the group called Maui Mommies. It's a Facebook group, and we count like many, many mothers, many of which wanted to be here but with little kids, being little kids it's very difficult to come here at this time in the morning with kids. As Americans, all Americans have the right to know and choose what they eat. Foods containing GMOs are unsafe for consumption and only patent on seeds by giant agricultural corporations is, in my opinion, unethical. United States is the only country in the western world that has not required mandatory labeling. In Europe, GMO labeling is required. I urge you to keep the organic standards pure, which is not possible if foods don't have to be labeled if they contain GMOs. This includes the feed for a livestock. I choose organic because I care for the environment, if for our local farmers. I care for our children and fellow citizens. I do not want to consume GMO foods and I demand, on behalf of all those who could not be here this morning, that you . . . that it will be labeled, all foods that contain GMOs will be labeled. Thank you very much.

CHAIR HOKAMA: Thank you for your testimony. Any questions for the lady? If not, thank you very much for your presence. And the Chair will note the presence of Committee Member Mr. White this morning. Thank you for being here.

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

COUNCILMEMBER WHITE: Good morning, Chair.

CHAIR HOKAMA: Mr. Oatway and he will be followed by Leticia Isabella.

MR. OATWAY: Aloha!

CHAIR HOKAMA: Good morning.

MR. OATWAY: Good morning. My name is Bruce Oatway. I am a poet, musician, and a teacher on Maui. I've taught at Kamehameha, I teach English at various high schools on the island for the D.O.E. And I've also been at Seabury. I'm also 20 years ago worked as a caretaker in Malibu, California on a very large property that I had an accident on with Roundup. My face and my eyes and it's a miracle that I'm standing here before you and can somewhat see you. I talked to the head of the chemical division of Monsanto at the time, a doctor who developed Roundup, who assured me that it was perfectly safe. In 20 years, I have investigated Monsanto. And a quick look at Wikipedia Monsanto should horrify you actually. The information is there. When I requested Monsanto to help me out with maybe the doctor's bill or some UV sunglasses or something, of course I received a letterhead with 20 letters on it and a lawsuit was quite out of the question in my neck of the woods, my financial situation. So, I would like to read you what I have written on an email to you to quickly wrap this up. The issue of labeling and I am for labeling, the issue of labeling of GMO foods is about the very foundation of human freedom -- freedom of choice, the freedom to choose what we, as individuals, put into our bodies and feed to our children. These are our sacred vessels of God. And I won't have mine to file. So, let me be direct. You know who Monsanto and Syrgenta and Pioneer Seed are. A recent article came up in the *New York Times* that accentuated and when it's a detail about how the land of the pineapple that went down and the sugar cane that went down on Oahu is being taken over by them for seed propagation. It's there, the information. You are the elected representatives of we, the people, the leaders for the policy for our island. And I'm here to tell you that right now a wave is coming, a huge wave.

CHAIR HOKAMA: Mr. Oatway, your time is up. You did share that you have sent us your email.

MR. OATWAY: Thank you.

CHAIR HOKAMA: We have received that.

MR. OATWAY: I will submit this to you.

CHAIR HOKAMA: And we will be happy to receive it and, again, as I said earlier, all Members of the Committee shall receive your comments --

MR. OATWAY: Thank you.

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

CHAIR HOKAMA: --this morning. Thank you, Mr. Oatway. Letisha Isabella and she will be followed by Nancy Jill Sundberg.

MS. ISABELLA: I'm Letisha Isabella.

CHAIR HOKAMA: Good morning.

MS. ISABELLA: Good morning. And I am for GMO labeling. And I also have witnessed many of these testimonies. They're informed, concise, they're passionate. And I can't help but feel that what we are imploring from you people is falling on deaf ears. How many more people have to stand here at this Committee and plead for something that is our right? We do not want these insidious mutations shoved down our throats. I have children here, I have a grandchild here. I love this island. We came here because of the beauty and because it should be kept a pristine environment, and I see it being contaminated and this can no longer happen. So, the only conclusion I can come to, and let me tell you, I'm really at heart an artist, a poet, a mother. I have my own business, I fly back and forth to California quite often; I'm a business person. This is not my nature to come and be political in any way. But I've had to get out of my comfort zone and say, you know what, if you people are not going to be educated and see what is happening here with this company, this Monsanto taking over this pristine, beautiful environment then it's time for people like myself, my husband Bruce, my mother who is right now teaching up at Kamehameha to come and fill these seats, and to represent the people. And this is what I ask all of you, all who are in support of keeping this environment, this aina sacred to please, we have to get out of our comfort zones and feel these seats and do what's right starting here because this is a microcosm of what's going on across the world. And that's my piece. That's what I want to say.

CHAIR HOKAMA: Thank you very much for sharing your testimony with us this morning. Nancy Jill Sundberg and she'll be followed by Colette Evans.

MS. SUNDBERG: Good morning.

CHAIR HOKAMA: Good morning.

MS. SUNDBERG: My name is Nancy Sundberg. The last time I was here to testify in support for this legislation to be included in the package I was struck by the personal stories of people who have had direct experiences with GMOs. Like the woman who's child was ill until she removed GMO food from his diet. Often, we're inspired by our personal experience and convictions to make a difference so that other people may not have to bear the suffering that we have. In multiple studies involving GMO ingestion, the inability to reproduce, sterility is exhibited. As is a sharp increase in infant mortality, genes from GMO product -- Roundup ready soil have also been known to transfer to bacteria into the mouth and gut and genes. So I ask you this, you were at a party with your child, your grandchild, your niece or nephew, and you were offered two plates of nachos and the person serving them informs you that one of the nachos is made with genetically modified corn, the other is made from regular corn, oh, or better yet, organic corn. Which would

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

you choose? Which would you choose for your child? That would be up to you, wouldn't it? And wouldn't you be happy to have a choice based on that information and the opportunity to learn more? The issue of GMOs and the magnitude of its impact and potential further impact on the food industry is catastrophic to the food supply and human health. It is unfortunate that GMOs are not an issue in mainstream America or in the spotlight in Hawaii due to the political maneuvering of Monsanto and the machine that is keeping their selfish interests and greed flourishing. There's been conscious choices to keep people ignorant of GMOs. Today, you have the choice to perpetuate the ignorance that has already been created or to choose information and knowledge. To take into consideration the people of Hawaii, the public, your children, nieces, nephews, grandchildren and all future children that are to come to serve the best interest of the whole when the whole doesn't even know what's at stake. Most people are ignorant of this issue. You have an opportunity to serve them with information, I'm almost done, and potential knowledge of GMOs thereby they can make informed choices. I know today you're considering the introduction of this legislation. I'm asking you more. I'm asking you to get behind it, educate yourselves on GMOs. Today, I hope to appeal to your voice of conscience, your desire to serve public interest which I believe is why you are holding the seats of Maui County Council, and I thank you.

CHAIR HOKAMA: Thank you, Ms. Sundberg, for your testimony this morning. Next, we have Colette Evans, and following her shall be Lorrin Pang.

MS. EVANS: Good morning.

CHAIR HOKAMA: Good morning.

MS. EVANS: I would like to thank you for hearing this again today. It gave me an opportunity to look back over what I said and what I'd like to add. And I'm really thankful for this opportunity. Clearly, there's a lot of concern. If you aren't aware of books such as genetic roulette, full of studies about the health implications of GMOs or a growing concern which is protecting the food supply put out by the union of concerned scientists. I really urge you to educate yourself about why people are so passionate about this issue. I want to take up a specific issue this morning which is that there was a report put out called the *Attitude of Hawaii Consumers Toward Genetically Modified Fruit*, which was presented to government representatives this spring by the University of Hawaii. As I understand it, this report was a substantial contributor to the defeat of the bill when we asked for labeling earlier this year at the State level. It's packaged very nicely, actually I just gave it to somebody to look at so don't have it, packaged very nicely with graphs. It is followed with written testimony from people whose opinions count for more than my own because they supposedly represent associations. A troubling issue about this report other than it was sanctioned by the University which is troubling in itself is that, and I want to take up the specific point 'cause it's so important, the FDA is considered to be sufficiently regulating this issue. So I want to call to your attention that the FDA does not have our back. Per their own Federal register statement of policy they say, "ultimately it is the food producer who is responsible for assuring safety". Okay. So that's what they're saying. Now, if we go for the responsibility for our safety to bio-tech, which is a troubling issue in itself, to go to bio-tech

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

to say, is your product safe, what do they have to say about it? Well, I'm going to repeat a quote that somebody used earlier which is in the *New York Times* the Director of Corporate Communications for Monsanto was quoted as saying, "Monsanto should not have to safeguard the safety of bio-tech. Our interest is in selling as much of it as possible. Assuring the safety of it is the job of the FDA", which brings me to this report put out by the FDA. It is their scientific evaluation of their own process and how it's going within the FDA. On the first table of contents it says, the FDA cannot fulfill its mission because its science base has eroded and its scientific organizational structure is weak. Furthermore, 3.1.1, FDA does not have the capacity to ensure the safety of food for the nation. These are the people that we are trusting. These are the people we're saying need to have our back. They don't have our back, we need your help. Please, put this to the State level. Let people vote on it. Thank you for your time.

CHAIR HOKAMA: Thank you, Ms. Evans. We appreciate your testimony this morning. Lorrin Pang, and he will be followed by Melanie Moorehead.

MR. PANG: Good morning, I'm Lorrin Pang.

CHAIR HOKAMA: Good morning.

MR. PANG: I'm a Board certified physician. My day job is State District Health Officer for Maui County. I speak as a private citizen. As a private citizen, I'm a retired Army Medical Corp., I'm a consultant for the World Health Organization since 1985. I've worked with, for and against the FDA. Let me just take it right now a previous speaker told you about a little problem at the FDA. If you read the fine print, the only unit which seems to be functioning scientifically at the FDA was the Drug and Vaccine Unit. That was my unit, and yet, I'm very insulted that the rest of the FDA seems to have forgotten what science is. Today, I would like to bring up a couple issues which I've apologized. Some of you have heard this before. My position does not change. We took on kalo, taro, to prohibit its existence in Maui, GM kalo. It was supported by a group called American Academy of Environmental Medicine, very good group, very respected group, been around a long time, 300 MDs and PhDs from America and Canada. They take a position against GMOs and they are trying to counsel physicians to take a position. They specifically wrote a letter when we went against GM kalo saying kalo is one example but will you guys please get on board us with the rest of the issues. What was their position? Number one, doctors are to counsel all their patients that GMOs are untested as far as health and safety is concerned, and probably very worrisome based on the animal data so not quite tested in humans, not tested at all. We can't do post-marketing because it's not labeled. Next, they want doctors to consider GM foods the source of unusual syndromes either quantity or quality, including the allergies. Next, they want independent people to evaluate the safety and that's not the company evaluating itself. That's competent people, not the other agencies of the FDA which I do not trust. And finally, they are asking for a moratorium or labeling. That was confusing to me. I called up the president and I said, if we have a moratorium on it, what is there to label? He said, oh, sorry, sorry; oversight. Moratorium on new products coming out, new GMOs, all new products are to be considered like new drugs and vaccines not based on old things, and labeling on the existing ones. They kind of bought into the idea that some of this stuff might be beyond

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

recall so you can at least label the ones that are out there and a moratorium on the new ones. Okay. That's their position. It's a very well-respected group, very well-referenced, and as a physician I agree with them. They have responded very quickly and effectively, and they asked me to now help them in Central America and Africa. The other thing you've heard is that internationally we are allowed to label now without violating world rules. Thank you.

CHAIR HOKAMA: Dr. Pang, we thank you very much for your testimony and talks this morning. Thank you so much for being here. Any questions for Dr. Pang? Dr. Pang, we thank you again -

MR. PANG: Thank you.

CHAIR HOKAMA: --and I'm sure we'll be in touch with you. Next, is Melanie Moorehead and following Ms. Moorehead we have Daren Mann.

MS. MOOREHEAD: Good morning.

CHAIR HOKAMA: Good morning.

MS. MOOREHEAD: Thank you for this opportunity to address all of you. I am visiting my daughter here in Maui. I live in Los Angeles and I'm thinking of moving here. My son is in the process of moving here. But what I've learned about GMOs just in the past 48 hours has forever altered my perception of Maui. I have to say, and I'm very disturbed by that, that I've gone from seeing this as a beautiful, natural paradise to an outdoor genetic engineering laboratory. This is severe stuff. I didn't even know, I mean, I avoid eating GMOs myself and I want them banned but I really urge you to do this labeling law, to support this labeling law and get it passed. What I've recently learned is the genetic engineering blast gene with a promoter on it into the cell of another product. Fish into tomato, for example, if it goes well it's incorporated in the body of a tomato. If it goes poorly, we've got what's called a loose promoter out in the environment traveling the world. We have 33,000 genes in our body, 98 percent of which are turned off at any one time. When you have loose promoters looking for something to turn on, it can turn them on in your body, your children's body, your pet's body. We don't want this. We are altering life on earth at the most basic, microbial bacterial virus level. This, to me, is totally panic. I mean, I was just so upset when I really realized the extent of it. It's not just a matter of not shopping for GMO. This is a really serious alteration to life on the planet. And GMO supporters say, oh, this is just cross-breeding like Luther Burbank with his roses or take a peach tree and a plum tree and you get a nectarine. No. This is genetic engineering in the laboratory and at the genetic level we're talking about something very different from cross-breeding. So once these things are turned on, where does it go? What else will they turn on? So, we don't have long-term human studies yet but we do know that if disease starts to occur on a major level, then maybe somebody will pay attention but I urge you to take the responsibility to pay attention now because animal studies in the laboratory and I'll just summarize a few of them - rats fed GMO insecticide producing . . . (*inaudible*) . . . slowly suffered liver and kidney damage, showed alterations to their blood chemistry, and a market disturbance in their immune system. Rats fed GMO

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

tomatoes developed stomach ulcers. Their offspring died at four times the rate of normal, I mean, rats fed non-GMO food and what about the meat we eat? That GMO feed is detectable, the genes are detectable via something called horizontal transfer which the bio-tech industry told us couldn't happen but it is happening, and their offspring showed disturbances. Their _____ showed disturbances in their liver and pancreas. This is a life altering as we know it on the climate issue. We need to address it at that level. I urge you to support labeling. Thank you.

CHAIR HOKAMA: Ms. Moorehead, we thank you for your comments this morning. Daren Mann, and Mr. Mann will be followed by Jennifer Warren.

MR. MANN: Good morning.

CHAIR HOKAMA: Good morning.

MR. MANN: My name is Daren Mann. I'm a long-time resident of Maui. A lot of people have mentioned different countries around the world that are against for labeling of GMOs and restrict the import and distribution, cell utilization, food trials, and commercial plantings of GMOs. In Africa, Europe, the Middle East, Asia, South America, and here in the Pacific Islands, we have American Samoa, the Cook Islands, Fiji, Kiribati, Federal States of Micronesia, Marshall Islands, up in New Guinea, Samoa, Samoan Islands, Tonga, Vanuatu, Australia, and New Zealand. All of these governments have taken steps to protect their people, their people's health and welfare. The old saying, there is no smoke without fire runs through here, and it seems to me the smoke is pillaring across all continents. Unfortunately, big government here in the U.S. is more concerned with corporate profit than is about the well-being of its people. It seems that lobbyists are out lobbying, and some of them are in the corner offices. It comes down to local government. It comes down to you guys to protect us. More and more people are becoming educated about the GMO issue and are making very clear choices as they have in many other countries. I have no doubt in my mind that in the very near future the devastating effects of these contaminated foods will come to life. I think lead paint, think asbestos times a thousand. And when the people of Maui ask you guys, what did you do to protect us, you will be able to stand tall and say, that you did your research, you did your due diligence and found the same things that others have spoken about here today. And you did everything in your power to protect the people of Maui and Hawaii. Please give Hawaii voters the chance to vote on this labeling bill. Thank you.

CHAIR HOKAMA: Thank you very much, Mr. Mann, for your testimony this morning. Jennifer Warren . . .

COUNCILMEMBER COUCH: Mr. Chair?

CHAIR HOKAMA: Excuse me?

COUNCILMEMBER COUCH: Mr. Chair, I have a question.

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

CHAIR HOKAMA: Mr. Mann, excuse me, may I ask you to please return? There's a question from Mr. Couch for you. My apologies, Ms. Warren. Mr. Couch?

COUNCILMEMBER COUCH: Thank you, Mr. Mann, and everybody for coming out and discussing this. I just wanted some clarification on his comments about giving the people the chance to vote. What's your . . . what were you talking about there?

MR. MANN: Oh, the labeling issue?

COUNCILMEMBER COUCH: Yeah.

MR. MANN: You guys are going to pass for this legislation to go to Oahu so the people can then vote on labeling.

COUNCILMEMBER COUCH: Okay. Just so you know it's the Legislature's vote. And fortunately it's not going to come up before the general public for voting. So it would be your legislators. We'd need everybody in this room to be able to go to the Legislature and discuss it with them as well.

MR. MANN: Yeah.

COUNCILMEMBER COUCH: So, unfortunately, it's not going to go to the main populous for a vote.

MR. MANN: So the people can urge the Legislature.

COUNCILMEMBER COUCH: Exactly.

MR. MANN: Okay, so you make sure you take it to that level so that we --

COUNCILMEMBER COUCH: Yeah.

MR. MANN: --you people can take it to the legislators.

COUNCILMEMBER COUCH: Yeah.

MR. MANN: Okay. Thank you.

COUNCILMEMBER COUCH: Thank you.

CHAIR HOKAMA: Okay, thank you very much for your question. We'll ask Ms. Warren to return to the podium. And following Ms. Warren will be Bruce Douglas.

MS. WARREN: Good morning.

CHAIR HOKAMA: Good morning.

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

MS. WARREN: My name is Jennifer Warren. I'm a resident of Maui County. And as they say, past is prolog. So I wanted to start today with something that happened in the '60s that is completely relevant to today of the same industry that has now repositioned themselves to be bio-agro, their position when they were dealing with asbestos. In 1962, the gulf oil company told their workers in a training manual that the fibers of asbestos are not injurious to the respiratory organs. Working with this material does not subject one to this hazard to one's health. As they moved through and as we all know that this is a blatant lie, one of the people who served and helped bring them down on this subject is a witness in asbestos litigation summed it up the series of defenses as following. Asbestos doesn't hurt your health. Okay, okay, it does hurt your health but it doesn't cause cancer. Okay, asbestos can cause cancer but not our kind of asbestos. Okay, our kind of asbestos can cause cancer but not the kind this person got. Okay, our kind of asbestos can cause cancer but not at the dosage to which this person was exposed. Okay, asbestos does cause cancer and at this dosage but this person got his disease from something else like smoking. Okay, he was exposed to asbestos and it does cause cancer but we did not know about the danger when we exposed 'em. Okay, okay, we did know about the danger when we exposed them but the statute of limitation has run out. Okay, the statute of limitation hasn't run out but if we're guilty we'll go out of business and everyone will be worse off. Okay, we'll agree to go out of business but only if you let us keep part of our company intact and only if you limit our liability for the harms we have caused. There's no, okay, so we're at the beginning of that. We already have books, big books all over the world, independent science showing the documented health rates of genetically engineered foods. There's no question of that - there's a conflict of interest. They want to make money, we want to live. I think it's pretty straightforward. So labeling products gives us the opportunity to live. It also gives us the opportunity to put their wonderful scientific minds in other directions that could benefit the world, not destroy it. The difference with asbestos is that they could stop producing it. They can't stop this. Life is promiscuous. It gets it on a lot. So basically nobody can say, can show or stop it. Any hubristic assertion that they can is completely false to the point where I don't want to be here in 20 years reading the next volume of this book to explain how we all ignored it. And as they get their plausible deniability, I mean, I called a lie a lie. It's all over the place and it's only us trying to deny it because we have the largest economic at stake. Like all these other countries, all these other people saying, they're not behind it. We've got the huge companies. The WikiLeaks just put out how the U.S. government is trying to strong arm governments behind their back. So just simply, you guys, pass this prolog. Let's label so that we can at least track it. So we can at least find out before as they said, nieces, nephews, children, grandchildren, animals, everything. This is a much bigger problem than asbestos. And so just pass this prolog. Thank you.

CHAIR HOKAMA: Thank you, Ms. Warren. Mr. Douglas, Bruce Douglas and following him will be Loretta Hughes.

MR. DOUGLAS: I'd like to start by recognizing and thanking Elle Cochran for submitting this bill, for being our voice in the County Council, for being the person who really cares, and I hope everybody here recognizes that. And when it comes time for voting, you'll know who to

POLICY COMMITTEE MINUTES
Council of the County of Maui

September 14, 2011

support. Thank you. The American Academy Environmental Medicine was something that Lorrin Pang cited from. It's a mainstream, very mainstream organization that is highly respected. I'm going to read the part that he didn't get to. Talking about the animal studies and what they're citing from in order to say it. The safety assessments of GM foods have been based on the idea of substantial equivalence such that "if a new food is found to be substantially equivalent in composition and nutritional characteristics to an existing food, it can be recorded as safe as conventional food." However, several animal studies have indicated serious health effects associated with GM food consumption including infertility, immune degradation, accelerated aging, dysregulation of genes associated with cholesterol synthesis, insulin regulation, cell signaling, protein formation, and changes in the kidney, liver, spleen, and gastrointestinal system. It goes on to say, multiple animal studies show significant immune dysfunctions, including unregulation of cytokines associated with asthma, allergy, and inflammation. Animal studies have shown altered structure and function of liver, including altered lipid and carbohydrate metabolism as well as cellular changes that could lead to accelerated aging and possibly lead to the accumulation of reactive oxygen species or free radicals. Changes in the kidney, pancreas and spleen have also been documented. A recent 2008 study link GM corn to infertility, including significant decrease in offspring over time and significant lower litter weight in mice fed GMO corn. The study also found that over 400 genes were found to be expressed differently in mice fed GMO corn. These genes are also known to control protein synthesis and modification, cell signaling, cholesterol synthesis, and insulin regulation. Studies also shown intestinal changes in animals fed GMO foods, including proliferation cell growth and disruption of the intestinal immune systems. Therefore, because GMO foods pose serious health effects in the areas of toxicology, allergy and immune function, reproductive health, and metabolism, psychological, psychogenic and genetic health, and are without benefit the American Academy of Environmental Medicine believes there's an imperative to adopt precautionary principles. So that's what our mainstream organizations. Thank you very much.

CHAIR HOKAMA: Thank you, Mr. Douglas. Any questions for Mr. Douglas, Members? Mr. Douglas, thank you for your presence this morning. Loretta Hughes and she'll be followed by Yo Kobayashi.

MS. HUGHES: My name is Loretta Hughes. I've lived on Maui for more than 40 years. The question is if GMO producers believe their products are beneficial, why aren't they labeling them with pride? If there's any possibility GMO foods and products are harmful to anyone, isn't mandatory labeling the right choice, the right answer? Council members, you're our voice, protect our ohana. What we do here matters. Thank you. Aloha.

CHAIR HOKAMA: Thank you, Ms. Hughes, for your . . .

COUNCILMEMBER COCHRAN: Chair?

CHAIR HOKAMA: Yes, uh, Ms. Hughes.

COUNCILMEMBER COCHRAN: Ms. Hughes?