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**Testimony to the Senate Committee on Environment and Natural Resources  
Regarding SB 1037**

Dear Chair Dembrow and members of the Environment & Natural Resources Committee,

On behalf of Oregon Tilth, **I am writing to urge you to support SB 1037 and allow local communities the ability to fill the gap in current state and federal regulatory frameworks to protect farmers, processors and consumers of non-GE crops and food products.**

Genetic contamination of seed and products is a top concern in the organic and non-GE farming and food sectors, presenting formidable challenges due to the way genetically engineered crops perpetuate and spread through the environment.

**Background and context**

Oregon Tilth is a leading certifier, educator and advocate for organic agriculture and products since 1974. The organization is accredited by the USDA to offer organic certification services in accordance with the USDA National Organic Program. Our certification program currently certifies 920 farm operations throughout the United States and internationally, representing over 3,750,000 acres of certified organic land. We certify the majority of organic operations in Oregon.

In 2014, I served on the Oregon Governor's *Task Force on Genetically Engineered Seeds and Agricultural Products*. My testimony draws upon extensive experience in organic certification and the information, dialogue and perspectives exchanged during my service on the Oregon Governor's Task Force.

Nationally, the organic industry has grown from \$14 billion in 2005 to \$43.3 billion in 2015<sup>i</sup>, a 209% increase. Organic has posted double-digit growth in each of the last five years, including 11% growth in 2015<sup>i</sup>. Organic agriculture is strong and growing in Oregon. Oregon is 6<sup>th</sup> in the nation in total organic acres<sup>ii</sup>. Oregon is also 4<sup>th</sup> in the nation with organic farmgate sales valued at \$269 million, a 14% increase over 2014<sup>ii</sup>. Our data indicates much of this increase is happening as a result of currently certified farms adding new acreage into organic production – a sign of crop management success and increasing market demand. We are also witnessing a recent trend for transition to organic production practices by non-organic growers seeking new opportunities. Oregon's organic sector is hiring employees, adding acreage and increasing revenue.

While organic agriculture represents a bright spot in Oregon agriculture, it is increasingly threatened by the lack of any coherent or effective state regulations around genetically engineered (GE) food and crops, and the failure of federal oversight in this arena. **However, I want to emphasize that this issue affects more than just organic agriculture.** Other agricultural segments are also at risk and have already experienced economic loss due to GE contamination, such as producers selling crops to export markets demanding GE-free product, the specialty seed industry and identity-preserved crop producers.

### ***The case and opportunity for local control***

Recent political and legislative activity in Oregon clearly shows that the federal and state status quo is not serving Oregon's unique needs. Specific examples include:

- Controversial passage of SB 863 in 2013 by OR legislature, preempting local regulation of GE crops.
- GE crop bans passed by voters in 2014 in Jackson and Josephine counties.
- Proposed GE crop ban in Benton county in 2015.

Recent market-based incidents and disruptions in our region further highlight the adverse impact insufficient oversight of GE crops has on farmers. All of the following examples impacted non-organic farmers.

- In May 2013, the discovery of unapproved GE wheat in eastern Oregon caused Japan and South Korea to temporarily suspend soft white wheat imports from the Pacific Northwest.
- In August 2013, GE alfalfa was confirmed to have contaminated non-GE alfalfa grown in Washington State and resulted in the hay being rejected by a broker for export market. The USDA said it would not investigate the incident.
- In December 2014, the Chinese government blacklisted several hay exporters from exporting to China. Many container loads of hay shipped to China have been turned away after GE-contaminated alfalfa was detected in the loads.
- In January 2017, USDA deregulated a GE creeping bentgrass that escaped field trials in 2003 and has taken root in Malheur and Jefferson counties and part of Canyon County, ID, adversely affecting farmers and irrigation districts.

These incidents underscore the difficulty of containing GE crops and the inadequacy of current state and federal policy. ***In the absence of effective federal or statewide policy to control GE crops, the Oregon Legislature should reestablish the ability of local communities to address their unique needs.***

- The OR Dept. of Agriculture (ODA) is not currently regulating most GE crops or implementing Oregon-specific policies. ODA does not take additional steps to regulate GE crops after the federal government approves (aka "deregulates") them for commercial use, with the exception of biopharmaceuticals.
- Contamination of non-GE crops by GE crops is a significant concern because of potential economic losses, especially for organic and other markets placing high value on non-GE products (domestic and international markets included).
- Voluntary strategies to protect crops against GE contamination face significant challenges for success due to a lack of incentives for non-GE growers to actively participate. In the case of specialty seed growers, the risk of cross-contamination is shared between growers. However, in the case of GE, the risk is primarily to the non-GE grower. In this sense, risk is not "shared" and therefore an entirely voluntary system is unlikely to succeed in proactively preventing contamination.
- Cohesive and proactive action on GE crops is vital for protecting all sectors of Oregon agriculture. Since passing SB 863 three years ago, the Governor's Office, the Oregon Legislature and the ODA have all neglected to establish effective statewide policy or regulations. The current lack of initiative to proactively address GE issues at the statewide level has led to a regulatory and marketplace reality that is filled with uncertainty and offers no protection for organic and non-GE farmers.

***In the absence of a comprehensive statewide framework, voters and local governments should be able to address issues with genetically engineered crops in their communities in order to protect their local food systems, farmers, and economies, and to determine their economic and agricultural future.***

**Please support SB 1037.** Thanks in advance for your consideration.



Chris Schreiner, Executive Director

<sup>i</sup> Organic Trade Association's 2016 Organic Industry Survey

<sup>ii</sup> USDA National Agricultural Statistics Service, 2015 Certified Organic Survey