

Subject: Testimony in Support of HB 2882

Dear Chair Holvey and Members of the Committee:

My name, Scott Fernandez. I am a plant/food lover, Portland. I am writing to request your support for **HB 2882**.

"GE seed patents are now a central mechanism by which to gain control and ownership of genetic material of seeds writ large. IPR rules, particularly following the 1985 *Diamond v. Chakrabarty* decision, have expedited the adoption of GE seeds and simultaneously, GE seed technology broadens the scope of seed patenting. These schemes codify a weak and misleading definition of "invention," allowing companies to "isolate" a part of nature, or slightly modify an existing process or "product," and then patent it, as if it were novel. Yet the purported innovation is based on centuries of collective community knowledge and traditional seed breeding."

HB 2882 was written to create patent holder or manufacturer liability for genetically engineered (GE) contamination events in Oregon. Over the past decade, GE contamination events, and threats of contamination, have cost U.S. farmers **billions** of dollars—including Oregon farmers—in rejected sales, lost exports, and closed agricultural markets.

Oregon is one of the top 5 seed growing regions in the world. The specialty seed industry is valued at \$400 million and the vegetable specialty seed contained within that is worth \$50 million annually. Actual and potential GE contamination threatens this industry.

Oregon farmers lack protections from GE contamination because Oregon does not regulate GE crops. Further, with the exception of Jackson County, all Oregon counties are preempted from making decisions regarding seed cultivation in their jurisdictions, leaving a large regulatory gap.

While I ultimately want to see patent holders and manufacturers held responsible for GE pollen drift contamination so farmers aren't pitted against farmers, I support legislation that calls for the regulation of GE crops in

Oregon.

Thank you for the consideration and for your service.

Scott Fernandez

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