

the opportunity to work with BILL BARRETT over the past 4 years. He is a good friend and a great Congressman.

Mr. Speaker, over the past 10 years BILL BARRETT has served the people of the Third District of Nebraska and the people of this country with honor and distinction. The House of Representatives will miss his service.

# GENETIC ENGINEERING: A TECHNOLOGY AHEAD OF THE SCIENCE AND PUBLIC POLICY?

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2000

Mr. KUCINICH. Mr. Speaker, Federal regulatory review of biotechnology products is patchy and inadequate. Spread out over three regulatory agencies—the Food and Drug Administration (FDA), the U.S. Department of Agriculture (USDA) and the Environmental Protection Agency (EPA)—the system is characterized by huge regulatory holes that fail to safeguard human health and environmental protection. Furthermore, independent scientific advice available to the agencies is severely limited.

Despite the fact that GE food may contain new toxins or allergens, the FDA determined in 1992 that GE plants should be treated no differently from traditionally bred plants. Consequently, the FDA condones an inadequate premarket safety testing review and does not require any labeling of GE food products. The FDA has essentially abdicated these responsibilities to the very companies seeking to market and profit from the new GE products. FDA's recent proposed rule for regulating biotechnology will hardly change the present system. Although the proposal requires that companies notify the Agency before marketing new GE products, it still fails to require a comprehensive pre-market safety testing review or mandatory labeling.

The FDA's 1992 decision to treat GE food as "substantially equivalent" to conventional food (thereby exempting most GE food on the market from independent premarket safety testing or labeling) is a violation of the public's trust and an evasion of the Agency's duties to ensure a safe food supply. The concept of "substantial equivalence" has been challenged in numerous scientific journals. FDA's failure to label GE foods led a 1996 editorial in the *New England Journal of Medicine* to conclude that "FDA policy would appear to favor industry over consumer protection."

EPA's regulation of environmental hazards is equally inadequate. Under the nation's pesticide laws, EPA regulates biological pesticides produced by plants. It does not, however, regulate the plants themselves, leaving that duty to the USDA. Consequently, EPA regulates the B.t. toxin, but not the corn, cotton or potato plants exuding the toxin. EPA has allowed B.t. crops to come to the market without conducting a comprehensive environmental review. Much further research is needed on the impacts of "pest protected" crops as outlined by a National Academy of Sciences report. For plants engineered for other traits, such as herbicide tolerance or disease tolerance, EPA does no environmental review at all.

The USDA's Animal Plant and Health Protection Service (APHIS) is charged with evalu-

ating potential environmental impacts of field tests of GE crops. However, having virtually abandoned its original permit system which registered an environmental impact assessment before a field test, the Agency can no longer claim to be doing its job. APHIS has adopted a much less rigorous "notification" system which permits researchers to conduct field trials without conducting an environmental risk assessment and without submitting specific environmental impact data.

The National Academy of Sciences (NAS), the premier scientific body in our nation, has recently published a scientific assessment of GE foods. Unfortunately, many of the scientists on the NAS review committee had financial links to the biotech industry. The failure of the NAS to find an unbiased panel is problematic because their mission to supply decision makers and the public with unbiased scientific assessments cannot be achieved. This reduces the lack of independent science for our regulatory agencies to rely upon.

## POPULAR DEMAND FOR AN EVOLUTION IN POLICY REGARDING GE FOOD

A strong testament to consumers' desire for labeling and greater safety testing of GE food is the flurry of legislative activity and ballot initiatives that have taken place at the state and local levels. Over the past year, the city councils of Boston, Cleveland and Minneapolis have passed resolutions calling for a moratorium on GE food, and Austin has called for the labeling of all GE food. Boulder, CO has banned GE organisms from 15,000 acres of city-owned farmland. Bills requiring labeling of GE food were introduced in the state legislatures of New York, Minnesota, California and Michigan. The state legislature in Vermont considered legislation that would require farmers to notify the town hall if they were planting genetically engineered seeds. In California, a task force is exploring whether schools should be serving GE food, and in 1999 a petition signed by over 500,000 people demanding labeling was submitted to Congress. President Clinton and several federal agencies including the FDA.

In survey after survey, American consumers have indicated that they believe all GE food should be labeled as such. Consumers have a right to know what is in the food they eat and to make decisions based on that knowledge. While some observe strict dietary restrictions for religious, ethical or health reasons, others simply choose not to be the first time users of these largely untested foods.

The failure to label GE crops and food is short-sighted and could close off key markets for U.S. farm exports. Labeling protections have been established in Europe, Japan, South Korea, Australia and New Zealand. The Cartagena Biosafety Protocol drafted early this year allows nations to refuse imports of GE organisms.

## OTHER IMPACTS OF GE FOODS DESERVING ATTENTION

The gene revolution is being led by the agribusiness industry. These are a handful of multinational companies which own much of the world's supplies of seeds, pesticides, fertilizers, food and animal veterinary products. The result of numerous acquisitions and mergers, the agri-business conglomeration has spent millions of dollars on research and development of GE products. Given such heavy investment, it should come as no surprise that its primary goal is to recover its expenses and turn a profit.

It is to profit-seeking companies, therefore, that we are ceding the right to re-engineer the earth—our plants, our food, our fish, our animals, our trees, even our lawns. Genetic engineering in agriculture should be considered a commercial venture that includes the privatization of agriculture knowledge through the patenting system and the increasing concentration of key agricultural resources in a handful of multinational agricultural companies.

Marketed by agrichemical companies, genetic engineering in agriculture promises to perpetuate the present industrialized system of agriculture—a system characterized by large farms, single cropping, heavy machinery and dependence on chemical pesticides and fertilizers. Such a system has consolidated acres into fewer and larger farms, marginalizing small farmers and reducing the number of people living on farms and in rural communities.

With a goal of marketing GE seeds worldwide, genetic engineering will continue the trend of industrialized farming to reduce crop diversity, making our food supply increasingly vulnerable to pests and disease. The Southern Corn Leaf Blight which in 1970 destroyed 60 percent of the U.S. corn crop in one summer, clearly demonstrates that a genetically uniform crop base is a disaster waiting to happen. The linkages of genetically engineered seeds and pesticides, such as Monsanto's GE Roundup Ready Seeds will ensure continued use of agricultural chemicals.

Genetic engineering is likely to further diminish the role of the farmer. GE seeds are designed to be grown in a large scale agricultural system in which farmers become laborers or "renters" of seed technology. Desperate to increase their yields to make up for low prices, many U.S. farmers have adopted the "high-yielding" GE seeds. In doing so, they have been forced to sign contracts legally binding them to use proprietary chemicals on their transgenic crops and in some cases to permit random inspections of their fields by biotechnology company representatives who check that farmers are not saving and reusing the licensed seed. Despite the premium farmers pay for high tech seeds, they receive no warranty for the performance of these seeds as the contracts protect biotechnology seed companies in the event of seed failures.

## A PROTECTIVE REGULATORY STRUCTURE

Despite the uncertainties associated with genetic engineering, nevertheless, GE crops covered 71 million acres of U.S. farmland last year, and GE ingredients are present throughout the food supply. Ranging from ice-cream and infant formula to tortilla chips and veggie burgers, foods produced using genetic engineering line our supermarket shelves. These foods are unlabeled and have not been appropriately assessed for safety. Consumers, therefore, are unwitting subjects in a massive experiment with their food.

Our regulatory system has clearly failed to ensure the protection of human health, the environment and farmers. In response I have authored legislation in the 106th Congress that would fill the regulatory vacuum.

To ensure food safety, I have introduced a bill that requires that GE food go through the FDA's current food additive process, acknowledging that a food is fundamentally altered when a new gene is inserted into it. The review process would look at concerns unique to

GE products including allergenicity, unintended effects, toxicity, functional characteristics and nutrient levels.

To date, the public has been largely left out of the biotechnology regulatory process, and that needs to change. Consequently, I propose that the FDA conduct a public comment period of at least 30 days once a completed safety application is available to the public. All studies performed by the applicant must be made available including all data unfavorable to the petition. The FDA should also maintain a publicly available registry of the GE foods for which food additives are pending or have been approved.

When the FDA was called upon to confirm the Taco Bell taco shell contamination for a possible regulatory enforcement action, it was unable to do so because it lacked the necessary testing protocols. The FDA should correct this failure by immediately creating testing protocols for all GE foods and test for potential contamination in these foods. Until then, the FDA cannot determine the ingredients in our food supply, it is unlikely that the FDA can ensure the American public that other foods are not contaminated.

I have also introduced a bill requiring mandatory labeling of GE foods or foods containing GE ingredients so that American consumers can make informed choices about what they are eating. Packaged foods carry nutritional labels, drugs and medications come with descriptions of their contents. There is no reason that GE food should not also be labeled granting consumers their fundamental right to know what is in their food.

Clearly, environmental regulations for the release of the GE organisms need to be strengthened. Similarly, the USDA allows field trials of all GE plants that prevent adequate assessments of the environment risks posed by these plants. Though genetically engi-

neered fish are predicted to be commercialized by 2001, it is still unclear which agency will regulate them. The US Fish and Wild Life Service as well as the National Marine and Fish Service must pay a role in developing regulations for GE fish.

Finally, Congress should hold hearings on the failure of the regulatory agencies in protecting the American public.

#### CONCLUSION

The controversy surrounding genetically engineered food should not be a surprise to anyone. The mechanical manipulation of genes in the food one eats instinctively raises questions of health and safety. We instinctively trust farmers to grow and raise our food, but we must question the motivation of large corporations who want to create impure food for pure profit. When we feed our family, we don't take chances. If we are not sure how old the leftovers in the back of the fridge are, we throw them out. And as long as we are not convinced that this new technology is flawless, people should be hesitant to serve genetically engineered food to their children. New technologies always have unforeseen effects. The American consumer does not want to be a part of an experiment at their dinner table.

IN CELEBRATION OF THE 140TH  
ANNIVERSARY OF LAKESHORE  
AVENUE BAPTIST CHURCH, OAK-  
LAND, CALIFORNIA

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 2, 2000*

Ms. LEE. Mr. Speaker, I wish to celebrate the one hundred and fortieth anniversary of

the establishment of the Lakeshore Avenue Baptist Church in Oakland, California. This milestone will be commemorated on Sunday, November 12, 2000.

Lakeshore Avenue Baptist Church was founded in 1860 in Oakland, California, and is a member of the American Baptist Churches. This congregation first began as the First Baptist Church of Brooklyn, California, a community that was near Lake Merritt but is now a part of the City of Oakland, California. Once Brooklyn became a part of Oakland, the name of the church changed to the Tenth Avenue Baptist Church. Since that time, the church's structure was destroyed twice by fire, first in 1945 and again in 1955, but through the faith and dedication of the congregation, the present structure was built and dedicated in 1957 as the Lakeshore Avenue Baptist Church.

Lakeshore is one of our most diverse congregations in our community with a membership of 55% African American, 40% Caucasian and 5% Asian Americans.

Lakeshore contributes to the community in many ways. For sixty years, they have sponsored one of the oldest weekday religious radio programs. Lakeshore also worked to integrate the neighborhood surrounding the church, founded the Lakeshore Children's Center (now the Children's Peace Academy), established a Hunger Task Force which supports hunger relief programs in the Bay Area, assisted immigrants and refugees in settling in Oakland, and co-founded the Oakland Coalition of Congregations.

Lakeshore Avenue Baptist Church is a great source of civic pride and a valuable resource for the community, I proudly join the church's members, friends and neighbors in saluting and honoring the history and spirit of this landmark church.