



2014 Jackson County CIR Citizens' Statement

Measure 15-119, Jackson County

“Ordinance to Ban Growing of Some ‘Genetically – Engineered’ (defined) Plants.”

Key Findings about Measure 15-119

The Following Findings were established by a Super-majority of the Panel:

- 15-119 prohibits growing of genetically engineered crops in Jackson County. It protects family farmers from serious risk that their crops will be contaminated by genetically engineered crop pollen that is patented and controlled by large out-of-state chemical corporations.
- It is a violation of federal patent law for any farmer to save and plant or sell a seed that was produced from genetically engineered pollen, even if that pollen drifts onto the farmer's field. This undermines a farmer's ability to save seeds to use for the next year's crops or sell the seeds on the lucrative commercial seed market.
- Any seed produced from genetically engineered pollen is considered legally patented and controlled by the chemical corporation that owns the patent on that crop.
- This is a long term public policy decision with impacts for every citizen of this county.
- The Family Farms Measure 15-119 was proposed after family farmers were being forced to destroy seed crops after learning that a multinational chemical company had planted genetically engineered sugar beets near their fields.
- There's no practical way to stop genetically engineered pollen and seed from trespassing onto traditional farms since there's no way to stop the wind and other sources of pollen transport.
- 15-119 gives the County and farmers “the authority to enforce” the measure but doesn't require any minimum level of enforcement. The County has full discretion on whether it will enforce the measure. In other counties that have had similar measures in place there have been neither violations nor enforcement costs.
- The measure will be implemented by Jackson County Commission and administered and enforced by the county.
- Plaintiff will need to be able to document damages and prove conclusively that there was contamination. Sampling and testing may be required, but it would be the plaintiff's responsibility to fund such testing if needed. A Defendant may have legal costs if they contest an enforcement action; and, if they are found to have violated the Measure, they may face costs of crop destruction and lost value of sales. If a defendant challenged a County enforcement, the County could have legal costs in defending its action in the case.
- There is extensive misinformation on GMOs and their negative consequences. The large majority of mainstream science as seen in extensive literature and endorsements by major scientific and health societies and reports support the safety and value of available GMO crops and food; they do not support blanket acceptance nor rejection.

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Key Arguments in Favor of Measure 15-119

- Contamination of traditional crops by genetically engineered crops in the Rogue Valley is very likely if genetically engineered crops are grown here. Such contamination is nearly unavoidable and has negative economic impacts on family farmers. The choice is between supporting local farmers growing non-GE crops or mostly large, multinational chemical corporations growing GE crops. It appears that coexistence is not a possibility because of Jackson County’s geography and because the largest GE grower is not interested in cooperation.
- The three western counties with similar laws to 15-119 have spent zero on enforcement. Since growing GMOs requires an extensive legal contract, neither growers nor sellers would sign such a contract for a crop that is illegal to grow.
- There is little difference if you are growing an organic or non-organic seed crop. If your field is contaminated with genetically engineered pollen, then any seeds produced are considered patented and it’s illegal for a farmer to save them for planting or selling them.
- The large majority of genetically engineered crops are engineered to withstand high levels of herbicides. This offers some convenience to the farmer, but results in significant increases in herbicide use that ultimately ends up in our food, water, and children. The measure does NOT affect a homeowner’s lawn grass, carnations, or medical marijuana.
- Multinational chemical companies are the most active owners of genetically engineered crops and the largest donors to the opposition to Measure 15-119, having already donated over \$450,000 to the Measure 15-119 opposition.

Key Arguments in Opposition to Measure 15-119

- Measure 15-119 threatens farmers by empowering any citizen or special interest group seeking to enforce the ordinance to file a costly, frivolous lawsuit against a grower based solely on suspicion of non-compliance.
- There is extensive misinformation on GMO’s. The large majority of mainstream science and health societies report the health, safety, and value of benefits available from GMO crops and food. It is unwise to ban all GMO’s due to management problems for the benefit of a small minority of farmers.
- This measure produces a long term public policy that will affect every citizen in Jackson County to some degree. It would be a law that will be scrutinized and implemented by Jackson County Commission and Administration until removed by vote or court system.
- Measure 15-119 creates a new government ordinance, that may require hiring and training new staff and add to the county’s operating expenses that already exceed revenue, even while commissioners contemplate budget cuts.
- Responsible farming has always required communication between neighbors. There are many ways to prevent or reduce spread such as isolation, distance and timed pollen release. Jackson County doesn’t need a new costly and inefficient regulatory scheme to mandate common sense.

The opinions expressed in this statement are those of the members of a citizen panel and were developed through the citizen review process. A citizen panel is not a judge of the constitutionality or legality of any ballot measure, and any statements about such matters are not binding on a court of law.