

## Memorandum in Opposition

S.6625 / A.8344

### Mandatory Labeling Requirements for Seeds that Contain Genetically Modified Organisms

The New York State Biotechnology Association strongly opposes S.6625 /A.8344. This bill would require significant additional labeling for seeds of plants whose characteristics have been modified by modern genetic engineering techniques. Additional regulations regarding labeling would accomplish little except to spend scarce state resources on a wholly unnecessary regulatory program that harms New York businesses.

Critically, plants whose characteristics have been modified by modern genetic engineering techniques are already regulated by the United States Department of Agriculture, the Food and Drug Administration, and the Environmental Protection Agency. It is worth noting that the genetic characteristics of plants have been purposefully modified for centuries. Additional labeling regarding modern techniques of genetic engineering communicates nothing relevant to health, safety, or nutrition, and serves only to confuse or mislead consumers.

In fact, the labeling required by the bill would send the misleading message that one of the critical sectors of the biotechnology industry is unregulated and unsafe. The proposed bill would undercut New York's commitment to an industry that it has spent vast amounts of taxpayer money to foster.

Another troubling aspect of the bill is that it relies upon inaccurate and misleading information. One of the principal justifications set forth by the sponsor's memo implies that New York farmers would not be able to determine if seeds they were purchasing had been genetically engineered. However, most seed manufacturers require farmers to sign agreements regarding the nature and use of the genetically modified seeds that clearly spells out that the seeds being purchased have been genetically modified to contain certain agronomic traits. Moreover, such seeds are much more expensive than standard seeds. It would be highly unusual for a farmer not to know exactly what he or she was purchasing.

The sponsor's memo is also misleading because it implies that it would benefit the New York consumer. It is unclear how labeling seeds provides information to consumers about genetically modified foods. Consumers concerned about the process by which their food is grown can purchase certified organic foods.

In sum, this bill does little more than send a negative message to New York's substantial biotechnology community, deter newcomers to the state's economy, and duplicate effective processes currently in place – all without providing any public good.

For these reasons, the New York Biotechnology Association strongly opposes this legislation.

NYBA represents over 250 corporate members of New York's biotechnology community. BIO represents more than 1,000 companies, universities, research institutions, state biotechnology associations and affiliates. NYBA and BIO work closely together to represent biotechnology interests for member companies, universities, research consortia and growers and to ensure that New York realizes the economic benefits of a strong biotechnology base. If you have any questions on this or related biotechnology issues, please do not hesitate to contact me or Patrick Kelly, BIO, Director of State Government Relations, at 202-962-9503. Thank you for your consideration.

Sincerely,

Karin A. Duncker  
Executive Director