

Show Transcript
Deconstructing Dinner
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Title: Bill C-474 (Protecting Farmers from Economic Harm of GE Crops)

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Jon Steinman: Welcome to Deconstructing Dinner coming to you from the studios' of Kootenay Co-op Radio CJLY in Nelson, British Columbia. I'm Jon Steinman and for the next hour we'll be *deconstructing* the latest debate on genetically engineered food that took place in Canada's House of Commons on March 17th, 2010. Deconstructing Dinner has long been at the forefront of covering *anything* and everything to do with the presence of genetically engineered foods in our food system, also referred to as GMOs - genetically modified organisms.

The latest on the issue from Canada's *capital* is Bill C-474 - a bill introduced by Member of Parliament Alex Atamanenko, who acts as the New Democratic Party's critic on agriculture and agri-food and food security. The bill, which was debated for one-hour on March 17th, is calling for a change in the way genetically engineered seeds are approved in Canada. Back in 2009, Canada's primary market for *flax* - the European Union, blocked all shipments of Canadian flax after tests there discovered the presence of a genetically engineered variety that was *once* cultivated until it's de-registration in 2001. The proposed Bill C-474 was developed with the hope of preventing any future scenario like this unfolding again by requiring that all approvals of GE seeds go through an assessment of the potential harm to export markets in the addition to the already in place health and environmental assessments. In other words, had what this bill is proposing *been* in place in 1996 when the flax was first permitted for environmental release, this *might* have prevented the 2009 setback to Canada's flax industry from ever happening.

On today's episode we'll listen to Members of Parliament debate this issue including NDP members Alex Atamanenko and Jim Maloway, Liberal MP Francis Valeriote, and Conservative MPs David Anderson, Pierre Lemieux and Larry Miller. Deconstructing Dinner also followed *up* with Liberal MP Francis Valeriote who supports the bill being sent to committee, but nevertheless had *many* critical remarks to make that are requiring some, *deconstructing*.

Increase Music and Fade Out

Genetically engineered food has been an ongoing focus of discussion and debate here on Deconstructing Dinner. It's a subject that touches so many important issues involving

food security, food sovereignty, corporate concentration in the food system, biodiversity, human health, food politics, and the list goes on.

One of the *key* concerns that the introduction of GE crops has raised since they were *first* cultivated in 1995 has been the now clear inability to prevent the crops from crossing with *non*-genetically engineered conventional and organically grown varieties. With such strong opposition *to* the technologies around the world, concerns over contamination keep *many* countries and farmers on high alert. Just last week Bulgaria joined the rank of countries who *ban* the cultivation of GE crops. The week earlier, Switzerland extended *their* ban for another three years. And each year, the bans appear to make more and more sense, because many countries are learning the *hard* way that once the cats out of the bag, it's inevitable that *non*-GE crops *will* become contaminated with DNA from genetically engineered varieties.

In Mexico, as an example, where corn is the cultural staple, researchers there discovered in 2001 that wild varieties had been contaminated with GE varieties, (surprising, in light of the country maintaining a *ban* on GE corn). In India, as another example, organic cotton cultivated there (which represents 65% of the world's organic supply), has been found to be widely contaminated with GE cotton also grown in India.

In 2006, pharmaceutical and agricultural giant Bayer was responsible for contaminating American long-grain rice supplies with an unapproved GE variety. That event has since led to a long string of lawsuits. The latest case closing out on March 12, when according to the Arkansas Democrat Gazette, Bayer was ordered to pay more than \$1 million in damages to Lenny Joe Kyle - an Arkansas farmer whose fields were contaminated by Bayer's unapproved GE rice. That represents the third verdict against Bayer following this incident, just last month a court awarded \$1.5 million to farmers in Arkansas/Mississippi and in December 2009, \$2 million to farmers in Missouri. Three additional cases are scheduled for this year for farmers in Louisiana and Texas and a rice exporter and another 7,000 cases are in litigation.

And then there is Canada, where as we touched on a previous episode of the show, flax farmers here have been shut out of their number one market - the European Union. Back in the mid-90's Canada, followed by the United States, approved the release of a genetically engineered flax called Triffid, created by the University of Saskatchewan. From that point forward, 40 farmers had been commissioned to begin growing-out the variety to increase the supply of seed. But the Flax Council of Canada cried foul, recognizing that their number one market for flax did *not* permit any imports of genetically engineered foods, the Flax Council stepped in and successfully lobbied the Canadian government to deregister the variety thereby making it *illegal* to grow. But those efforts appear to have been too late, because by 2001, 200,000 bushels of flax had been grown, and despite much of it being destroyed, eight years later in 2009, tests in Europe discovered genetically engineered flax in Canadian shipments. The \$325 million Canadian flax industry was shut out of its number one market where 70% of Canadian flax exports end up.

And so, here in 2010, enter Member of Parliament Alex Atamanenko who represents the riding of BC Southern Interior, also the home of Deconstructing Dinner. Atamanenko is the NDP's critic on agriculture and agri-food and food security. Alex has tabled many private members bills that address GE foods, such as bills calling for mandatory labeling of GE foods or calling for a ban on terminator seed technology, a technology which renders seeds sterile come harvest. But not all bills introduced reach debate in Canada's House of Commons, but his Bill C-474 did, and was created in *direct* response to this 2009 flax contamination. The bill is calling for a revision to Canada's Seed Regulations Act, a revision that would require that an analysis of potential harm to export markets be conducted before the sale of any new genetically engineered seed is permitted. Now this seems like a pretty common sense approach, however, at this point no such analysis is in place, instead, new GE varieties *only* go through an *environmental* and *health* assessment before being approved.

Now the process of introducing a private members bill like this one involves two hours of debate in the House of Commons at which point, members can then vote on whether or not to send the bill to the Standing Committee on Agriculture and Agri-Food for further discussion. And so over the remainder of the next hour, we'll listen in *on* the first hour of that debate and deconstruct some of what was shared. You might recall an episode we aired not long ago that carried out a similar task when Bill C-517 was debated in mid-2008. That bill was calling for the mandatory labeling of foods containing genetically engineered ingredients. That debate was filled with inaccurate, misleading and highly questionable remarks that we ended up deconstructing here on the show, and this *latest* debate on C-474 from March 17th, 2010 was indeed, no different.

But before we *deconstruct* those remarks, first, here's the NDP's Alex Atamanenko, introducing his bill in Canada's House of Commons on March 17th.

Alex Atamanenko: What my bill proposes to amend the seeds regulations act to require that analysis of potential harm to export markets be conducted before the sale of any new genetically engineered seed is permitted.

It is well known that our farmers are having a difficult time as it is, without throwing more obstacles being thrown at them. The scenario goes something like this: if GE alfalfa or wheat is introduced into the environment, at some point in time, sooner or later, it will contaminate non-GM varieties. Once this happens, our international customers who are buying non-GM alfalfa and wheat will refuse to do so. This will hurt farmers. That is why we need to have a mechanism in place to assess potential harm to our export markets before this happens.

As you probably know Mr. Speaker our farmers were hit hard when they learned that an illegal genetically modified flax seed had contaminated Canadian transport and exports of flax. Europeans started to pull certain products from their shelves, and shipments of Canadian flax intended for Europe were quarantined.

At the end of 2009, 35 countries indicated that they had received contaminated flax from Canada, and thus that led to the closure of our export markets. Now, in addition to the drop in the price and the uncertainty of the markets, producers have to assume the costs of tests and the cleanup.

As we saw in the *Western Producer* on March 4 of this year, a testing protocol for flax established by Canada and the European Union is proving too onerous for Canadian exporters and shipping companies. Flax destined for Europe must now be tested for GE evidence at three stages: delivery to country elevators, loading onto rail cars and at the transfer of the contents onto ocean-bound vessels. Due to logistical pressures, tight shipping schedules and test result delays, this protocol is unworkable.

Already, the federal government has committed up to \$1.9 million to help the flax industry with testing and to build back good trading relations with Europe. This is a small indication of the costs of unexpected GE contamination that can affect trade. This \$1.9 million did not compensate farmers for the added testing costs or loss of market.

Jon Steinman: Now while Bill C-474 is in *response* to the flax incident as described, it's also being introduced to *prevent* any similar scenarios from unfolding, and in particular, to address the impacts of any *future* introduction of genetically engineered varieties of alfalfa and wheat. GE varieties of alfalfa have already been developed in cooperation with seed giant Monsanto. When those varieties were approved in the United States in 2005, farmers *did* begin planting them, but in 2007, following a successful *legal* challenge of their approval, the varieties were *deregistered*. As this show goes to air, the *reapproval* of the variety is approaching its final stages and Alex spoke to that case on March 17th in Canada's House of Commons.

Alex Atamanenko: In their submissions to the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service, the Saskatchewan Organic Directorate, as well as the National Farmers Union of Canada, expressed their strong opposition to the APHIS decision to grant non-regulated status to two GE alfalfa lines produced by Monsanto and Forage Genetics International.

This decision has no built-in protection for farmers to guard against contamination. Let us also remember that contamination does not respect international borders. Basically, if APHIS deregulates the production of GE alfalfa in the U.S., the likelihood of contamination is a virtual certainty.

What are the consequences? The ability of farmers to produce organic or conventionally grown alfalfa will steadily deteriorate. Markets for organic alfalfa will be lost, as will those for any organic production where alfalfa is used either as a natural fertilizer or feed stock. It is one of the most widely planted crops by area in Canada since it is used for a variety of functions in farm systems.

Alfalfa is the most important forage crop in Canada used in the beef and dairy industry. The Canadian Alfalfa Processing Industry, also known as the dehydration industry, ranks

in the world's top five largest exporters of alfalfa pellets and alfalfa cubes. Alfalfa is deeply integrated into the entire organic food and farming system in Canada.

The Manitoba Forage Council has already passed a resolution saying that they will hold Ottawa directly responsible for any economic loss experienced as a result of trade injury incurred due to the loss of export markets of alfalfa seed and other legume and grass seed crops related to the introduction of Roundup Ready alfalfa in Canada. To date, Canada has four GE crops: corn, soy, canola and white sugar beet. Bill C-474 should not affect them since any further introduction of GE varieties would probably not close down their markets.

We need to have a very close, objective look at what the market reality is for Canadian farmers. Flax farmers have long understood the market reality very clearly. They knew that contamination of Canadian flax with GE flax would close their European market, which represents 60 to 70% of our flax export.

In 2001, the GE flax that has now been found in Canadian flax exports was de-registered because of their efforts. The GE flax seed was made illegal to sell in Canada to prevent this exact scenario of market chaos.

We must now follow the example of flax farmers who have had the foresight to know the economic risks that GE flax posed to their export markets. The flax farmers took concrete steps within their power to prevent this but we let them down.

Jon Steinman: NDP Member of Parliament Alex Atamanenko here on Deconstructing Dinner. Alex represents the riding of BC Southern Interior and on March 17th introduced his private members Bill C-474 for debate in Canada's House of Commons.

So what do *other* Members of Parliament think about this proposed bill, and in particular, Canada's minority Conservative Government? Speaking on behalf of the government was David Anderson. Anderson is the Parliamentary Secretary to Canada's Minister of Natural Resources. He's the MP for the riding of Cypress-Hills Grassland in Saskatchewan. Anderson called the bill "anti-farmer".

David Anderson: I am very disturbed to be here today and to see this attempt to mislead farmers and Canadians.

This is not about farmers. This is about the NDP's opposition to GMOs and I think that everybody needs to understand that right off the bat. A perfect example of this is the fact that the member opposite is using the Triffid example of flax, which would not be impacted at all by this bill. I think he is doing that in order to scare the farm community. He should own up to that and admit that what is going on here because that example does not apply to his legislation.

I read the seed regulations and they are focused on seed characteristics and they are focused on science. To bring this bill into play would bring all of our seed regulations in

a completely different direction. It would no longer be based on science and farmers need to be very wary of that.

Secondly, this bill is so vague and I think was done deliberately because legal challenges to this will be totally undefined. In the past, we have seen a real desire by some groups to take these kinds of things to court. This bill leaves that so wide open that anybody would be able to go to court on any issue. The member needs to explain a little more about the consequences from that. Thirdly, it is onerous and would require an entire new bureaucracy to be built. Fourthly, it is anti-farmer.

I would like the member to explain to me what would have happened in the canola industry and the soybean industry if this had been in place. Those opportunities and those billions of dollars of income in western Canada would have been taken away from western Canadian farmers.

Jon Steinman: Conservative Member of Parliament and Parliamentary Secretary to the Minister of Natural Resources, David Anderson. Now Anderson suggested that had such a bill been in place, Canada's canola industry would have suffered with "billions of dollars taken away." In his short statement Anderson provided *no* rationale explaining *why* such a scenario would have unfolded. Also making the suggestion quite questionable is that genetically engineered canola provides *no* consumer benefits that differentiate it from *non-GE* varieties. In other words, there really is no compelling evidence nor reason to suggest that global markets for canola view *GE* canola as being any more attractive than *non-GE*. So the argument that the canola industry would have suffered appears to be quite flawed.

David Anderson also conveniently ignored how since the introduction of *GE* canola into Canada, the *organic* canola sector has all but disappeared. Because organic products do *not* permit the presence of *GE* ingredients, Canadian farmers don't see much point growing organic canola when contamination from *GE* varieties is almost inevitable. With the organic sector being the fastest growing sector in the food system, contrary *to* Anderson's comment, the *introduction* of *GE* canola has likely taken away and prevented millions if not billions of dollars being generated from a *once*-possible organic canola sector.

Deconstructing Dinner was also forwarded a letter authored *by* David Anderson that further expands on his belief that Bill C-474, had it been in place in the mid-90s would have destroyed Canada's canola industry. The letter was written in *response* to an email Anderson received from a Saskatchewan resident located in his riding asking him to *support* Atamanenko's bill. In Anderson's response, he stated that "had the bill been in place previously, there would be *no* canola industry in Canada - the \$12.2 billion that is generated annually in Western Canada would be lost." Now there's no need to mince words here on Deconstructing Dinner in saying how preposterous of an idea this is, to suggest that had *GE* canola been prevented from being introduced, the *entire* industry, which was already alive and well long before 1995, would have disappeared. Yet despite the odd statement by David Anderson, he also wrote that, "the NDP is out of touch with

policy being set by radical special interest groups." This too is a strong statement to make, because what Anderson and Canada's Conservative Government are suggesting, is that groups like the Canadian Federation of Agriculture (the CFA) are somehow a radical special interest group. The CFA has in fact endorsed this bill suggesting that it should indeed go to committee for further discussion and with the organization representing 200,000 farmers (keeping in mind there are 225,000 farms in Canada), calling groups like the CFA a "radical special interest group" seems to be grasping. Another farmer organization who supports the bill going to committee is Canada's National Farmers Union.

soundbite

Now often what might *prevent* any bill like C-474 from being adopted is the possible *absence* of a similar regulation elsewhere in the world. But in this case, there *is* a country who assesses the potential harm to export markets of GE crops *before* they're approved, Argentina. And here again, the NDP's Alex Atamanenko.

Alex Atamanenko: The Government of Argentina understands this and has already set the precedent. Argentina has historically been unwilling to authorize GM crops prior to European approval. The likely impact of the GM crop on exports is actually a consideration in its approvals process.

In addition to the environmental and food safety assessment, the Government of Argentina includes an assessment of the absence of negative impacts on their exports. They describe, "A key part of the GMO regulatory process consists of verifying that the commercial approval will not have a negative impact on our foreign trade."

Jon Steinman: While an analysis of the potential economic harm caused by introducing new GE crops is *part* of the regulatory process in Argentina, in countries like the United States, where it is *not*, there is, nevertheless a few recent legal cases where the economic harm *caused* by introducing GMOs has come up as part of some important decisions.

In the case of Alfalfa, as introduced earlier, the United States Department of Agriculture (the USDA), permitted the introduction of Monsanto's genetically engineered Alfalfa in 2005, but in 2006, the Center for Food Safety (a U.S. based non-governmental organization) challenged the approval and filed a lawsuit on behalf of farmers and not-for-profits. The Center for Food Safety won the case, after arguing, among other things, that the approval of the alfalfa ignored any *economic* risk assessment. In their defense, the USDA argued that they were not required to assess economic risks which, is true. Yet as part of that 2007 ruling by U.S. District Court Judge Charles Breyer of the Northern District of California, the court stated that, "Economic effects *are* relevant when they are 'interrelated' with 'natural or physical environmental effects.' Here, the economic effects on the organic and conventional farmers of the government's deregulation decision are interrelated with, and, indeed, a direct result of, the effect on the physical environment."

And yet another, and similar ruling was also delivered *last* year, 2009, when the Center for Food Safety, High Mowing Organic Seeds, the Organic Seed Alliance and the Sierra Club challenged the USDA's approval of genetically engineered *sugar beet*, arguing that the USDA's environmental and economic assessments were *inadequate*. Again, those groups were victorious and in the ruling, those same statements, that the economic effects are indeed relevant.

soundbite

This is Deconstructing Dinner a syndicated weekly radio show and podcast produced in Nelson, British Columbia at Kootenay Co-op Radio CJLY. I'm Jon Steinman. Today's episode is archived on our web site at deconstructingdinner.ca.

Today we're *deconstructing* the March 17th debate in Canada's House of Commons when NDP Member of Parliament Alex Atamanenko introduced Bill C-474 - calling for a change to the country's Seeds Regulations Act that would require an analysis of potential harm to export markets from the introduction of genetically engineered seeds prior to their approval. The bill comes on the heels of last year's incident when the European Union closed its borders to shipments of Canadian flax after discovering the presence of genetically engineered flax in those shipments. In the mid-90's the University of Saskatchewan developed a GE flax variety which was later then cultivated until the Flax Council of Canada successfully lobbied the government to deregister it in 2001. Bill C-474 is intended to prevent any *future* scenarios like this from occurring again. And on March 17th, the bill was debated for one hour, leaving another hour up for debate on April 1st. Following that one hour debate, in April, if members vote in *favour* of the bill, it would get sent to committee where Members of Parliament would further discuss the bill and then provide a recommendation on how to proceed.

But as heard earlier, Canada's Conservative Government opposes this bill from even *going* to committee, and in addition to MP David Anderson who we heard earlier, also speaking in opposition to the bill was Canada's Parliamentary Secretary to the Minister of Agriculture, Pierre Lemieux. Lemieux represents the Ontario riding of Glengarry-Prescott-Russell and he launched his comments with a similar argument that we've heard here on the show before. You might recall back in 2009 we aired part 2 of our Primer on Pesticide Propaganda series, in which we examined the ongoing efforts by the pesticide industry to continually refer to *science* as being the most important part of regulating chemicals. And despite the science on GMOs being very young and always changing (as scientific positions always do), Pierre Lemieux's March 17th statements echoed those science-centric arguments put forward by industry, that regulation should *only* be based on *science*.

Pierre Lemieux: This bill, Bill C-474 raises a complex and important issue that affects farmers and the agricultural sector.

Let me start by saying that the Government of Canada considers issues of safety to be the highest priority for all agricultural production. Canada's regulatory system requires that

new agricultural products undergo science-based safety assessments before they can be cultivated by a grower, used in livestock feed, or made available to consumers. Safety comes first with all foods, including those derived through biotechnology.

Canada's science-based approval process would not permit any genetically engineered seed to pose a threat to health or the environment to be grown in Canada. Canada has one of the most stringent and rigorous regulatory systems in the world.

The subject matter of this bill certainly raises questions concerning how best to manage the market impacts of genetically engineered products. However, our government, along with the vast majority of farmers and industry leaders, support a safety approval process based solely on sound science. For example, in an article in *The Western Producer*, dated January 21, 2010, Rick White, General Manager of the Canadian Canola Growers Association, said he feared that this bill would make Canada's regularly approval system for genetically modified crops look more like Europe's. He said: "we strongly encourage Canada to stick to our guns on science based regulatory processes. Keep the politics out of it".

Mr. White added that growers could lose the agronomic and economic benefits GM crops have delivered to the canola industry if Canada moves from a science-based system to one based on an assessment of potential economic harm. He said that crop developers would be wary of spending money and time on developing new crops.

Contrary to what is stated in the bill, Parliament cannot instruct the governor-in-council to make a regulation. Furthermore, a regulation to include the analysis of potential market harm cannot be made unless Section 4.1 of the Seeds Act is revised to authorize the establishment of such a regulation.

Sound science is the foundation of Canada's position regarding trade disputes. Sound science must be the starting point of any discussion. Science-based arguments have been very effective for Canada in past cases that we have brought before the World Trade Organization, including cases won against the European Union.

Jon Steinman: Conservative Member of Parliament Pierre Lemieux speaking in opposition to Bill C-474 - a bill that if enacted would require that all genetically engineered seeds wishing to be introduced into Canada, undergo an analysis of potential harm to export markets - a step that today is not required.

Lemieux, who opposes the bill, introduced another argument that was also echoed throughout the one-hour debate. He suggested that introducing an analysis of potential harm to export markets into Canada's regulations would discourage companies from investing into the development of new genetically engineered crops. Lemieux's Conservative colleague David Anderson *also* used this argument in the email correspondence we referred to earlier between him and one of his constituents. Despite Anderson's constituent requesting that he *support* the bill, Anderson refused. Similar to

Lemieux but stated in a rather Orwellian tone, Anderson wrote "The bill will clearly restrict technology and science. New technology holds the key to future prosperity."

Anderson further insisted that the proposed bill would "impose an impossible burden, requesting an *unscientific* analysis that must be based on *future prophecies* and *projections* rather than on issues of food safety and health." Now we don't need to go too far to deconstruct this rather contradictory statement because while Anderson does *not* believe assessments of GMOs should be based on "projections", the very scientific analysis that he's *promoting* is already (at least we can only hope) *heavily* based on projections. In fact that is the job of the Canadian Food Inspection Agency when approving a new food, to "project" the potential harm to the consumer, and the environment. But the contradictory nature of that statement doesn't end there. Because in the very next sentence following Anderson denouncing regulations that assess "projections", he wrote this, "The bill also ignores producers - failing to ask for an analysis of the possible benefits of new varieties to our producers". Well, aren't those "possible benefits" not also a projection? And if Anderson is suggesting that possible "benefits" should also be assessed, then should possible "harm" not *also* be assessed?

In our efforts to contact Conservative members who spoke against the bill, we did speak with Pierre Lemieux's Office in Ottawa with the hope of following up on some of his statements. His staff indicated that they would call back to set up a time for Lemieux to speak with Deconstructing Dinner, but no one called back.

soundbite

As Conservative Member of Parliament Pierre Lemieux continued with his March 17th remarks in the House of Commons, he shifted his opposition to Bill C-474 to the issue of contamination itself... the movement of genetically engineered seed and DNA into fields of *non-GE* crops. This of course is at the heart of what this proposed bill is addressing, yet *despite* the widespread issues of contamination around the world that have shut entire industries out of global markets, Lemieux argued that *industry*, not government, should be left to manage the outcomes of co-mingling.

Pierre Lemieux: In the past, industry has taken the lead on assessing market risks and opportunities of GM products. Decisions have been made on a crop by crop basis, with producers and processors charting the best path forward, depending on market conditions. Let me give the House a few examples of this.

The Canadian canola industry dealt with the potential market impacts caused by exporting GM canola to key export markets by choosing to segregate GM canola. The segregation process was developed by the industry and involved all members of the value chain, product developers, seed suppliers, grain handlers, processors and end-users.

The Canola Council of Canada and grower organizations had a strong relationship with customers in Japan and the European Union, which increased their confidence in the

segregation system. When Japan approved the GM varieties in 1997, the segregation system was discontinued.

Jon Steinman: Again, the example used there is also in need of some deconstructing, because while Lemieux extols the "segregation" system developed by industry in the mid-90s, genetically engineered canola had only just been introduced, and as he stated, that system was discontinued in 1997, leaving only two years to test out the system. And so was the system as Lemieux suggests, really discontinued because Japan began allowing imports of GE canola. Well not exactly, and despite Lemieux commending the Canola Council of Canada for introducing this short-lived "segregation system" that *supposedly*, according to Lemieux worked, it was actually the Canola Council of Canada very own manager at the time Dale Adolphe, who in 1999 was quoted as saying, "the canola industry has found segregation doesn't work."

And since then, comingling between genetically engineered canola and non-GE canola have become widespread across Canada. Rene Van Acker is a Professor at the University of Guelph's Department of Plant Agriculture and as he states, "Canola is possibly the *worst* candidate crop species for practical segregation of GE and non-GE because it is inherently promiscuous." He went on to say that 90% of certified Canadian canola seed samples contain *unintended* transgenes.

And let's further deconstruct Pierre Lemieux's remarks, here again is a clip from that last segment we heard.

Pierre Lemieux: The Canola Council of Canada and grower organizations had a strong relationship with customers in Japan and the European Union, which increased their confidence in the segregation system.

Jon Steinman: Lemieux pointed to Canada's canola industry as having been *able* to satisfy their European customers with this segregation system. Well nothing could be farther from the truth and European Countries have *never* received any notable exports of canola from Canada since GE canola was first introduced. In fact since 2005, *no* exports of canola seed have been sent to Europe and since 2007, no canola oil. Only a small amount of canola meal appears to be shipped from Canada to Ireland.

Again, Deconstructing Dinner contacted Pierre Lemieux to ask him where he acquired his information, but after we spoke with one of his staff members and were told they would contact us to set up a time, no one called back.

soundbite

This is Deconstructing Dinner. Now up until now we've heard from members of parliament from both the NDP and the Conservative Party. But in order for Bill C-474 to receive enough support for it go to committee, both Liberal and Bloc Quebecois members *also* need to be in support of the bill. The bill is calling for changes to Canada's seed regulations that would require that all genetically engineered seeds seeking approval

for release be analyzed for their possible harm to Canada's export markets (many of whom do *not* accept genetically engineered foods). One of the *Liberal* members who spoke to the bill was Francis Valeriote, the Member of Parliament for the Ontario riding of Guelph - which happens to also be the major research hub in Canada for genetically engineered technologies. While Valeriote commended the intention of the bill, his remarks were very *critical* of it. But his introductory statements raised a few eyebrows after he suggested that the proposed bill would have *not* prevented the 2009 flax contamination incident from occurring.

Francis Valeriote: The intent of the bill is to amend the seeds regulations act in order to, "require that an analysis of potential harm to export markets be conducted before the sale of any new genetically engineered seed is permitted."

The wording in the bill is very simple. In reality however, its content and potential ramifications are tremendously complex. If enacted as it is currently worded, the bill risks wide-ranging, unintended and undesirable consequences. The member who tabled the bill stated that it is required in order to prevent potential damage to Canadian export markets by genetically modified organisms. He stated in this House and elsewhere that he developed the bill largely as a reaction to an incident that occurred last year concerning Canada's flax exports to the European Union and to prevent similar incidents from occurring in the future.

Specifically, the member referred to a case in Europe that arose in July 2009 when it was discovered that Canadian flax exports were unintentionally co-mingled with the GM flax known as Triffid. The presence of Triffid flax was found first in Germany in cereal and bakery products, and its subsequent tracing to Canadian shipments resulted in severe consequences for our flax producers. The EU, the market accounting for approximately 70% of Canada's flax exports, has a zero tolerance policy toward non-approved GM products and closed its borders to Canadian flax in September and October 2009.

The first question arises directly from the incident this bill is attempting to address and that is, if this bill had been the law at the time and a study of the potential harm to export markets by Triffid flax seed had been conducted, as is suggested by this bill, for future GM seeds in Canada, would the knowledge gained from that study have prohibited Triffid's exportation to the European Union and hence prevented the resulting market disruptions for flax producers in Canada?

The Triffid flax that was found recently in Canadian flax shipments to the European Union was never approved for sale in Canada though developed a decade before the incident, and as such, any export market harm study as recommended in the bill, regardless of outcome, would not have prevented the comingling of Triffid GM flax with non-GM flax seed. This is a critical flaw in the bill that must be considered by this House, that it would not have prevented the very incident it wishes to address.

Jon Steinman: Liberal Member of Parliament Francis Valeriote. Valeriote believes that Alex Atamanenko's Bill C-474 is flawed because, as he suggests, *had* such a bill been in

place *prior* to the contamination of Canada's flax supply, the incident would *not* have been prevented by this bill. Valeriote's *reason* is that the flax was, "never approved for sale in Canada". But by all accounts from what we've come across here at Deconstructing Dinner, that GE seed was very *much* approved for sale. It was first approved by the Canadian Food Inspection Agency (CFIA) for environmental release. Forty farmers *grew* 200,000 bushels of that variety with intent of increasing the seed supply. The University of Saskatchewan (the developer of the seed) granted exclusive distribution rights to Saskatchewan seed company Quality Assured Seeds. The only reason the GE flax was never grown for *commercial* sale, is because the Flax Council of Canada successfully lobbied the CFIA to deregister it. And so Valeriote's comments in the House of Commons *appear* to be inaccurate, and so Deconstructing Dinner followed up with him to inquire into that comment. He spoke to us from his office in Ottawa and here's a clip from that exchange.

Frank Valeriote: If you look at the case and you probably have, you'll discover that Triffid in fact was never permitted for sale. In fact, it had been developed some ten years earlier and was pulled by their developers and not allowed, it wasn't allowed for sale. So had this law been in affect at the time, it wouldn't have resulted in the Triffid not co-mingling with the non-GMO product. So it would not have addressed the problem, the Triffid still would have gotten into the system.

Jon Steinman: I wanted to bring that up. I know when you first posed that question using this flax impetus for the bill as an example, would this bill have affected the introduction of this flax? I thought that was a really good question, certainly probably *the* question to have asked. As far as our understanding of the case, what we've come across is as that yes it indeed had been approved by the CFIA. I know we have here a document from 1996, a decision document stating that, "the unconfined release into the environment and livestock feed use of CDC Triffid is therefore authorized." We're also aware that from that point on, by 2001, before it was deregistered that 200,000 bushels of Triffid flax had been cultivated by 40 farmers and it had been authorized by the University of Saskatchewan who had authorized quality assured seeds to sell it, they've been given the license to sell this product. So from our viewpoint it appears it had been approved. Can you maybe clarify what you were referring to? What information you were relying on there?"

Francis Valeriote: I'm referring to that information, that it was pulled as you acknowledged and no longer permitted for sale but it had entered the system. I guess the question is, is sale really the right point in time that the analysis should be undertaken because the issue here is, when might it enter the system? When might it co-mingle and is it only at the point of sale? I understand to that some of these products get out sometimes into the system even before, not necessarily for sale purposes and by distributors but can get into the system.

Jon Steinman: Now this might start to sound a bit confusing, I know it started to get a bit a confusing on our end. And what Valeriote appears to be referring to is an issue of semantics. The intention of the bill is to change the process of approving GE seeds for

release in Canada. That's not in question, but because the bill suggests an analysis be conducted prior to the "sale" of any new GE seeds is permitted, Valeriote believes the bill, as worded wouldn't result in an analysis of potential harm at the point of registration, which nevertheless, is the intention of the bill.

Here again is Liberal Member of Parliament Francis Valeriote sharing another concern he has with the bill on March 17th in the House of Commons. His concern echoes that we heard earlier of Conservative member Pierre Lemieux.

Francis Valeriote: It must be noted that the bill, as it is currently worded, may actually present serious barriers to this burgeoning Canadian industry and potentially risks our competitive advantage in this cutting edge field of research and development.

Jon Steinman: A similar comment was also made by Valeriote's Liberal colleague, MP Scott Simms. But the concern that the bill would stifle research and development in the sector ignores the many *other* types of research and development in Canada's food system, most notably among farmers and non-GE seed developers. The introduction of GE canola has itself stifled research and development in the organic sector by effectively eliminating the existence of organic canola in Canada. Because of the inevitable risk of organic canola becoming contaminated with GE canola, farmers don't see much point growing an organic variety using organic principles, and as a result, out goes any point of researching and developing canola varieties that are suited *for* organic production. So this research and development argument that kept coming up throughout the March 17th debate is far from complete without a more holistic view of what research and development means across *all* sectors. I brought this argument up as part of my follow-up conversation with Francis Valeriote asking him if he believed that this *other* side of the equation is an important part of the dialogue. He mostly agreed, and doesn't believe that any technology should be permitted within the food system if it harms the presence of other sectors.

Frank Valeriote: It's a concern I don't know that it's an argument necessarily as it is a concern. Do we concern ourselves that genetically modified crops will overtake and expel the others from being grown at all. I think for those who want to grow organically or conventionally they ought to be able to. The extent to which you put restrictions on genetically modified crops is something that will need to be looked at if it's deemed that in a particularly set of circumstances it may overtake and completely expel the other's from the food chain."

Jon Steinman: This argument suggesting that Bill C-474 will stifle research and development is also in need of some more scrutiny because recent history has demonstrated that regulations and market conditions have not seemed to do much to prevent companies from investing in GE research. One case in point, was Monsanto's development of RoundUp Ready GE Wheat. Even though there appeared to be no market for the product and strong opposition to it, the company nevertheless researched it, invested in it, developed it, got it approved for release, and in 2004, following strong opposition to its possible introduction, the company dropped its efforts to get the product

to market. And *another* case in point, Bayer CropScience, another major player in the industry, who, as mentioned at the top of the hour, had been developing varieties of genetically engineered rice, even though no market for such a product had been established. In fact, by all accounts, it appears to be the actual strategy of the entire biotechnology sector, develop the product first and push it through the regulatory system later.

Member of Parliament Alex Atamanenko of the NDP introduced this Bill C-474, and let's come back to a comment that he made during the bill's first hour of debate that also responded to these concerns suggested by critics of the bill, that if enacted the bill would stifle research and development.

Alex Atamanenko: That is a very real question. We have to decide whom we want to help: the biotech industry or farmers. We have shown that we have canola and it has worked.

What if GE alfalfa is introduced into the environment and non-GE alfalfa becomes contaminated? That's the question I want this house to think about. What will happen to our export wheat markets if contamination is found in a good quality wheat that we export to other countries? That is the assessment that we have to do. If we do not do it, we are not doing any service to our farmers whatsoever.

Jon Steinman: The NDP's Alex Atamanenko, this is Deconstructing Dinner. If you've missed any of today's episode it is archived on-line at deconstructingdinner.ca and posted under the March 25, 2010 episode. The page also includes a wealth of additional information on today's topic including additional audio not heard here. Today's full one-hour episode has been deconstructing the first hour of debate on Bill C-474 that took place on March 17th in Canada's House of Commons. The bill which was introduced by the NDP's Alex Atamanenko is in response to last year's incident involving Canadian flax.

The \$320 million industry was hit hard when a now unapproved variety of genetically engineered flax was discovered in shipments to the European Union, by the far the largest market for Canadian flax. European countries do not permit the import of GE foods and despite the variety in question having been deregistered in 2001 over the very fears that this incident would occur, the flax was cultivated in the years prior thereby having entered into the system to only reappear eight years later. Bill C-474 is intended to prevent this scenario from ever happening again, and in particular, to prevent it happening to alfalfa and wheat farmers. While GE flax and alfalfa are *not* cultivated in Canada, there are efforts to introduce GE varieties of both in the near and distant future.

The bill is therefore calling for changes to Canada's regulatory regime that currently approves new GE crops based on an environmental and health assessment. The change would introduce in addition to those two assessments, an analysis of potential harm to export markets. One of the arguments that came up earlier on the show from Conservative members who spoke in *opposition* to the proposed bill was the fear of

Canada's regulatory system departing from one based on science to one based on politics. Liberal MP Francis Valeriote *also* expressed a similar concern, suggesting that an approval of new seeds needs to be based on "sound science" and not on "subjective fluid economic factors."

Francis Valeriote: The next question that arises when considering this bill is what the potential consequences are for Canada's existing regulatory framework and agricultural industry, whether intended or unintended, should it become law.

It must be noted that the bill, as currently worded, actually holds the potential for a drastic departure from our current regulatory regime. The Canadian regulatory system that protects our health, safety and environment is one of the best, most comprehensive and respected systems in the world. It is important to point out that its regulations are based on sound science, not the more subjective and fluid economic factors the bill proposes.

Jon Steinman: Now this statement too as we did earlier on the show is in need of some careful scrutiny, because while economic factors can indeed often be "fluid", so too is science. Also catching our attention here at Deconstructing Dinner was Valeriote's opposition to the bill because of the "subjective" economic factors it's intended to address. But how "subjective" were some of those economic factors that led to the mid-90s approval of the GE flax variety in question. Both then and now, European countries prohibit the import of GE foods, and that seems to be quite an "*objective*" circumstance. We raised this very concern in our conversation with Francis Valeriote.

Frank Valeriote: That's a good question, it takes me to the definition of export markets, which is really not clearly defined and the definition of potential harm. What happens if there is a certain market that does not accept and has a zero tolerance for GMOs but there is another large or emerging market that does? Do you shut down an entire industry because a certain part of the market has a zero tolerance? Who is going to decide the yes or no? Who is going to decide the percentages? Who is going to decide what is really harmful and what is not really harmful and how do you explain that to the farmer or the developer of a seed whose losing access to a market, it become very problematic.

Jon Steinman: Certainly an issue in need of addressing, and one that *if* the bill passes, would then receive time in Committee to discuss. And with NDP members clearly supporting that the bill be sent to Committee and Conservative members clearly *opposing* it, Liberal and Bloc Quebecois members would need to *both* vote in favour of the bill going to Committee for it to stay alive. The Bloc's Andre Bellavance spoke in debate and in *favour* of the bill, and surprisingly, despite the many reservations held by Francis Valeriote towards the proposed bill, he did suggest that Liberal members *will* vote to send it to Committee. As you'll hear in this clip, Conservative members were less than pleased when Valeriote concluded his remarks.

Francis Valeriote: Our reading of the bill as currently worded is that though it is well intended, it has the potential to create far more difficulties than the problems it attempts to resolve.

We will support sending the bill to Committee so there is the opportunity to more fully scrutinize the issues and make a well-informed decision on whether or not the bill should go any further and report back to the House with recommendations.

Jon Steinman: Liberal MP for the riding of Guelph, Francis Valeriote. Valeriote sits on Canada's Standing Committee on Agriculture and Agrifood, and you can hear his thoughts on how he believes this bill will be discussed in Committee *if* it receives enough support in the House. Those remarks are archived on our web site at deconstructingdinner.ca where other additional audio for today's topic is also located.

And as we near the end of today's episode, let's quickly jump back to the aggressive opposition that Conservative members expressed towards Bill C-474 as heard by their jeering in the background there.

Spoken of earlier on the show was *support* for the intention of this bill by the Canadian Federation of Agriculture (the CFA), they represent 200,000 Canadian farmers. And with Canada's largest farmer organization supporting the bill it left the NDP's Jim Maloway with some strong suggestions to share towards the end of the one-hour debate. Maloway represents the Manitoba riding of Elmwood-Transcona.

Jim Maloway: If all of these organizations are in support of this bill, who is against it? As usual, we do not have to look too far to find out that the agribusiness people, the big money people, and the corporate farm people are pulling the strings behind the scenes. Members know that. The Conservatives know what is really going on behind the scenes here, but they are basically tied. I guess it is easier for them to take their marching orders from agribusiness and think that everything is going to be okay.

The world has developed that way, but there is a strong resistance against that approach. We are seeing that in the markets. We are seeing that in Europe. We are seeing people in European markets resisting and I predict it is going to happen in other markets as well.

Jon Steinman: The NDP's Jim Maloway. Also speaking to some of the more underlying concerns that seek to explain just *why* there would be MPs not supporting economic harm analyses of the introduction of new seeds, was the NDP's Alex Atamanenko.

Alex Atamanenko: In the *Toronto Star*, January 9, 2001, Don Westfall, bio-tech industry consultant and vice-president of Promar International, was quoted as saying, "The hope of the industry is that over time the market is so flooded with GMOs that there's nothing you can do about it, you just sort of surrender."

What if the European Union does not surrender any time soon? Are our wheat farmers to surrender their export markets instead, or our alfalfa processors? After all this time

there is no sign of surrender and no amount of wishful thinking on the part of the industry will change that fact. The market may be flooded but resistance in our export markets is relentless and growing.

Jon Steinman: And as we approach the close of today's deconstructing of Bill C-474 here on Deconstructing Dinner, the last member to speak in debate on March 17th was Conservative member Larry Miller. Miller is the Chair of the Standing Committee on Agriculture and AgriFood and represents the Ontario riding of Bruce Grey-Owen Sound. Miller's comments reflect the common 'hands-off' approach to regulation among Canada's Conservative government. Because of the one-hour time limit of the debate Miller only had a few minutes to comment, but his last remark was yet another example (as has been documented here on the show on so many occasions) of how out of touch Conservative members are with *what* genetically engineered foods are.

Larry Miller: We need to be very cautious of any move to introduce a subjective, non-scientific element to the discussion. I am referring to socio-economic considerations such as consumers' attitudes in other countries to genetically engineered foods. These matters are very important, but they are best resolved by the industry and the marketplace, not governments.

Genetically modified seeds have been around for fifty years and they are very important to agriculture.

Jon Steinman: While Conservative MP Larry Miller believes GMOs have been around for fifty years, in fact they were only introduced in 1995. Miller will be speaking in the House of Commons again as part of the continuation of this debate on April 1st, and we'll wait and see if he corrects his statement.

Also to note, we'll be keeping you up to date on this bill as it unfolds, and in the meantime, you can as just mentioned a moment ago check out our web site for some bonus audio including an exclusive twenty minute recording from the March 15th press conference when this bill was first introduced by Alex Atamanenko. Speaking at the press conference was Lucy Sharratt of the Canadian Biotechnology Action Network, Maureen Bostock of the National Farmers Union and the NDP's Deputy Critic on Food Security and Agriculture Malcolm Allen.

And in closing out today's broadcast and further capturing the hypocrisy of much of what we seem to find takes place in Ottawa on this subject of GE food, is a clip we've extracted here from the House of Commons in October 2009. It was then that the NDP's Alex Atamanenko *first* introduced his concern with the contamination of Canada's flax with a now unapproved GE variety. Responding to the concern was Canada's Minister of Agriculture Gerry Ritz. His response achieved two things, the first a seeming admission that the approval of GE flax by the Canadian Government in the mid-90s was "taking a walk on the wild side," which despite Ritz's agreement that approving the flax was a mistake, his Conservative colleagues do *not* agree that any changes to Canada's approvals

of GE seeds should change. And the second thing Ritz's response achieves is a complete digression away from the issue with the introduction of another.

Alex Atamanenko: 15,000 Canadian flax farmers are facing a crisis of potentially staggering proportions. The entire European market has been closed to their crop because it had been widely contaminated by genetically modified flax that had been illegal to sell as seed in Canada. We need a full investigation into this disaster. The source of this contamination must be found and before approving field testing and environmental release of new GM crops such as alfalfa and wheat. We need regulations that consider their economic impact. Will the minister commit to supporting our farmers and protecting our food?

Gerry Ritz: This gives me the opportunity to say that Canada does not produce GM flax. The Liberals took a walk on the wild side a number of years ago but that was deregistered almost immediately.

Canadian flax is safe and a healthy product. We are having some scientific discussions with the European Union at this point, but I can assure the member opposite that the Canadian Grain Commission and the Canadian Food Inspection Agency have those discussions well in hand. We are getting to the bottom of this scientifically and we will continue that work.

What farmers really want to know is what that member and his rural NDP caucus will do about the gun registry. Will they be supporting that private member's bill or not?

Jon Steinman: And that was this week's edition of Deconstructing Dinner, produced and recorded at Nelson British Columbia's Kootenay Co-op Radio. I've been your host Jon Steinman, I thank my technical assistant John Ryan, the theme music for Deconstructing Dinner is courtesy of Nelson area resident Adham Shaikh, this radio show is provided free of charge to campus/community radio stations around the country and relies on the financial support from you, the listener. Support for the program can be donated through our web site at deconstructingdinner.ca or by dialing 250 352 9600.