

CF-12-0002-567



Dear Honorable LA City Councilmembers,

Seventh Generation Advisors, an environmental nonprofit organization, respectfully requests your support for Councilmember Paul Koretz's resolution supporting Proposition 37, "the California Right to Know Genetically Engineered Food Act," which will label genetically-engineered food items (GMOs) for sale in California and provide important information to consumers. **The opposition to Proposition 37 is spending millions of dollars to mislead California voters.** We would like to set the record straight.

Proposition 37 is a well-written, well-researched proposition, put together by a diligent group of food industry, food policy, farm, science and health experts.

Proposition 37 specifically only addresses genetically-engineered crops sold whole or as ingredients in other food items, to make it as easy as possible for stores and companies to comply. Items not included in the proposition either are covered by different state or federal codes, or simply do not apply.

There is a strong precedent to Proposition 37 in the U.S.: The 2004 Food Allergen Labeling Act protects consumers by requiring labeling of possible allergens like peanuts, soy and dairy. When Congress approved it, the same food companies objected, yet, when the Act went into force, stores and companies complied, *prices remained stable, there was no excessive or abusive litigation, and consumers had more information with which to protect themselves* (we have all seen the labels, "This product made on equipment which may have once touched peanuts").

Proposition 37 offers no economic incentives for lawyers to sue. The only new enforcement provision added by Prop. 37 allows a consumer to sue only for an order to force required labeling to take place – *not to recover any money at all*. Consumers cannot file a class action without first giving notice, and if the defendant fixes the labels, then no class action is permitted. Any penalties from a violation go only to the state, not the plaintiff or lawyer.

Proposition 37 does not include a "bounty hunter" provision like Proposition 65, which lets the plaintiff keep one-quarter of any civil penalty on top of an award of attorney's fees. The same chemical companies making claims about lawsuits are themselves suing farmers across the country for saving their own seeds.

Food prices remained stable when the European Union required the labeling of GMOs ten years ago. Sixty-one countries across the globe either label GMOs or ban them completely, including Australia, Brazil, Japan, Peru, India, China and Russia.

We hope that you will support the Resolution to Support Prop 37.

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