

California Proposition 37 (2012)

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Proposition 37 was a California ballot measure rejected in California at the state-wide election on November 6, 2012.^[2] This initiative statute would have required labeling of genetically engineered food, with some exceptions. It would have disallowed the practice of labeling genetically engineered food with the word "natural".^[3] This proposition was one of the main concerns by the organizers of the March Against Monsanto in May of 2013.

Contents

- 1 Details
- 2 Potential impact
- 3 Arguments for and against
- 4 Campaign donations
- 5 See also
- 6 References
- 7 External links

Proposition 37		
Genetically Engineered Foods Labeling		
Election results		
Yes or no	Votes	Percentage
✓ Yes	6,088,714	48.59%
✗ No	6,442,371	51.41%
Valid votes	12,531,085	100%
Invalid or blank votes	0	0%
Total votes	12,531,085	100.00%
^[1]		

Details

Section 2 of Proposition 37, the "Statement of Purpose", reads "The purpose of this measure is to create and enforce the fundamental right of the people of California to be fully informed about whether the food they purchase and eat is genetically engineered and not misbranded as natural so that they can choose for themselves whether to purchase and eat such foods. It shall be liberally construed to fulfill this purpose".^[4]^[5]

The proposed law also includes several exceptions, such as products that are certified organic, made from animals fed or injected with genetically engineered material (but not genetically engineered themselves), processed with or containing only small amounts of genetically engineered ingredients, administered for treatment of medical conditions, sold for immediate consumption such as in a restaurant; and alcoholic beverages.^[4]^[5]

Grocery stores and other retailers would be primarily responsible for ensuring that their food products are correctly labeled. For foods that are exempt, retailers would have to provide records either directly from the provider of the product, or by receiving independent certification from third parties. Farmers, food manufacturers, and every other party in the product's supply chain would also have to maintain such records.

Potential impact

According to the California Attorney General, the measure would "increase annual state costs ranging from a few hundred thousand dollars to over \$1 million to regulate the labeling of genetically engineered foods". It would also incur "Potential, but likely not significant, costs to state and local governments due to litigation resulting from possible violations of the requirements of this measure. Some of these costs would be supported by court filing fees that the parties involved in each legal case would be required to pay under existing law."^[6]

Arguments for and against

See also: Genetically modified food controversies

Proponents argue that "Proposition 37 gives us the right to know what is in the food we eat and feed to our families. It simply requires labeling of food produced using genetic engineering, so we can choose whether to buy those products or not. We have a right to know." Opponents argued that "Prop. 37 is a deceptive, deeply flawed food labeling scheme, full of special-interest exemptions and loopholes. Prop. 37 would: create new government bureaucracy costing taxpayers millions, authorize expensive shakedown lawsuits against farmers and small businesses, and increase family grocery bills by hundreds of dollars per year."^[7]

Opponents claimed Proposition 37 labeling requirements would increase grocery costs by as much as \$400 per year^[8] based on a study by Northbridge Environmental Consultants^[9] and the non-partisan California Legislative

Analyst's Office fiscal impact study.^[10]

Proponents on the other hand, claimed that some organic US food processors argued that the changes in labeling will have no effect on consumer costs because companies change their labeling all the time, as it is, and changing labels is a regular cost already built into the price consumers pay for products. "We, as with most manufacturers, are continually updating our packaging. It is a regular cost of doing business - a small one at that - and is already built into the price consumers pay for products," said Arran Stephens, president and founder of Nature's Path.^{[5][11]}

Proponents believed that if the proposition is accepted in California, it would increase the likelihood that other states will also adopt the same rules. In turn, if enough states do decide to adopt GMO labeling laws, it is possible that the national government will become involved and take action.^[12]

Opponents claimed Prop 37 backers real intent was to ban GMOs via labeling schemes removing consumer choices, citing claims by proponents like Jeffrey M. Smith that labeling requirements in California would cause food companies to source only non-GMO foods to avoid having labels that consumers would perceive as warnings.^[13]

During the campaign, both sides made allegations of campaign improprieties.^[14]

Campaign donations

The organization in support is "California Right to Know" and the organization against is "NO Prop. 37, Stop the Deceptive Food Labeling Scheme". As of November 6, 2012, the total donations to each side were \$9.2 million in support, and \$46 million in opposition. The top 10 donors to each side are as follows.^[15]

Supporters

- Mercola Health Resources \$1,199,000
- Kent Whealy \$1,000,000
- Nature's Path Foods \$610,709
- Dr. Bronner's Magic Soaps \$620,883
- Organic Consumers Fund \$605,667
- Ali Partovi \$288,975
- Mark Squire \$258,000
- Wehah Farm \$251,000
- Amy's Kitchen \$200,000
- The Stillonger Trust (Mark Squire, Trustee) \$190,000

Opponents

- Monsanto Company \$8,112,867
- E.I. Dupont De Nemours & Co. \$5,400,000
- PepsiCo, Inc. \$2,585,400
- Grocery Manufacturers Association \$2,002,000
- Kraft Foods \$2,000,500
- Bayer Cropscience \$2,000,000
- Dow AgroSciences \$2,000,000
- BASF Plant Science \$2,000,000
- Syngenta Corporation \$2,000,000
- Coca-Cola North America \$1,700,500

See also

- Genetically modified food
- Genetically modified food controversies
- Regulation of the release of genetic modified organisms
- Oregon Ballot Measure 27 (2002)

References

1. ^ "Statement of Vote" (<http://www.sos.ca.gov/elections/sov/2012-general/sov-complete.pdf>). California Secretary of State. Retrieved 15 December 2012.
2. ^ Finz, Stacy (November 7, 2012). "Prop. 37: Genetic food labels loses" (<http://www.sfgate.com/news/article/Prop-37-Genetic-food-labels-trailing-4014669.php>). *sfgate.com*. San Francisco Chronicle. Retrieved November 7, 2012.
3. ^ California Secretary of State, n.d. (29 October 2012). "Genetically Engineered Foods. Labeling Initiative Statute" (<http://voterguide.sos.ca.gov/propositions/37/#content>). Voter Guide. Retrieved 30 October 2012.
4. ^ ^a ^b "Proposition 37: Text of Proposed Law" (<http://vig.cdn.sos.ca.gov/2012/general/pdf/text-proposed-laws-v2.pdf#nameddest=prop37>). *Official CA Voter Information Guide*. CA Secretary of State.
5. ^ ^a ^b ^c *Prop 37*, California U.S. (http://www.carighttoknow.org/read_the_initiative) (2012).
6. ^ "Proposition 37 : Genetically Engineered Foods : Labeling : Initiative Statute" (<http://vig.cdn.sos.ca.gov/2012/general/pdf/37-title-sum-analysis.pdf>). Vig.cdn.sos.ca.gov. Retrieved 2013-08-025.
7. ^ "Prop. 37: Requires labeling of food products made from genetically modified organisms. | Voter's Edge" (<http://votersedge.org/california/ballot-measures/2012/november/prop-37>). Votersedge.org. Retrieved 2013-08-25.
8. ^ Higher Food Costs (<http://www.noprop37.com/facts>)

- /food-costs/), No on 37 website, accessed November 17, 2012.
9. ^ The Genetically Engineered Foods Mandatory Labeling Initiative: Overview of Anticipated Impacts and Estimated Costs to Consumers (<http://www.noprop37.com/files/Northbridge-CA-GMO-Report-7-25-w-new-45.pdf>) Northbridge Environmental Consultants Report, July 25, 2012.
 10. ^ Prop 37 Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact (http://lao.ca.gov/ballot/2012/37_11_2012.aspx), California Legislative Analyst's Office, July 18, 2012.
 11. ^ Malkan, Stacy (31 August 2012). "Statement about Bogus Economic Analysis of GMO Labeling Costs - Yes on Prop 37" (http://www.carighttoknow.org/cost_statement). CA Right to Know. Retrieved 29 October 2012.
 12. ^ Rodale, Maria (29 October 2012). "What Is Proposition 37? The Top 5 Reasons You Should Care!" (http://www.huffingtonpost.com/maria-rodale/what-is-proposition-37-th_b_2038449.html). The Huffington Post Online. Retrieved 29 October 2012.
 13. ^ Consciousness Beyond Chemtrails - Jeffrey M Smith speech on GMO's (http://www.youtube.com/watch?feature=player_embedded&v=P5B62cbwP_E), Chemtrails Conference, August 17, 2012. (Speaking on the California initiative, Smith claimed if only 5 percent of consumers avoid food products labeled with GMO ingredients, Kraft and major companies will remove them to avoid losing just one percent of sales and all other food companies will follow.)
 14. ^ Lifsher, Marc (2012-11-02). "Accusations fly over alleged FBI probe of campaign against Prop. 37" (<http://www.latimes.com/business/money/la-fi-mo-fbi-proposition-37-20121102,0,6800802.story>). *Los Angeles Times* (Los Angeles). Retrieved 8 November 2012.
 15. ^ "Prop. 37: Requires labeling of food products made from genetically modified organisms. | Voter's Edge" (<http://votersedge.org/california/ballot-measures/2012/november/prop-37/funding>). Votersedge.org. 2012-11-06. Retrieved 2013-08-25.

External links

- Official CA Voter Information Guide - Proposition 37 (<http://voterguide.sos.ca.gov/propositions/37/>)
- Official Yes on Prop 37 website (<http://www.CARightToKnow.org>)
- Official No on Prop 37 website (<http://www.NoProp37.com>)
- Academic evaluation of genetically engineered food labeling (Colorado State University) (<http://www.ext.colostate.edu/pubs/foodnut/09371.html>)

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