

# California Food and Farming Policy Update

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## **Bill to Preempt Local Control of GMOs Is Back**

Last July CAFF reported on legislative efforts to preempt local citizens and their elected representatives from enacting any restrictions on the use of agricultural genetically modified seeds or plants. SB 1056 (Florez) was heard by the Assembly Agriculture Committee, but in the face of widespread opposition the chairwoman of the committee, Assemblywoman Barbara Matthews (D-Tracy), held the bill in committee without a vote. Eleven months later SB 1056 is back and set for hearing in Assembly Agriculture Committee on June 14. Although there are widespread rumors that the bill will be amended before the hearing, the bill currently in print mirrors the one considered last year. SB 1056 declares that the state “occupies the entire field of regulation” regarding nursery stock and seeds and prohibits any city, county or other political subdivision from adopting any ordinance or regulation to prohibit or regulate the registration, labeling, sale, storage, transportation, distribution, notification, or use of nursery stock or seeds. While the bill never refers to genetic material or genetically modified organisms, its sole purpose is to prohibit local regulation of GMOs. Opponents, including CAFF and the statewide organizations representing cities, counties, and rural counties, as well as dozens of environmental, public health, and farm organizations, have argued that preemption amounts to an anti-democratic attempt to override the rights of local citizens and their elected representatives to act to protect their local interests. The state, in fact, has no laws regulating or in any way overseeing the use of agricultural genetically modified organisms. If SB 1056 were enacted, it would be the only law in California dealing with GMOs.

## **Farm to School Efforts Unsettled**

As this issue of the Policy Update goes to press, CAFF’s efforts to establish a Farm to School competitive grants program are unsettled in the state capitol. AB 2121 (Nava), co-sponsored by CAFF and Healthy Eating Lifestyle Principle (HELP) in Monterey County, was unexpectedly held in the Assembly Appropriations Committee. CAFF is discussing with Assemblyman Nava the possibility of amending another Nava bill in the Senate to continue the Farm to School proposal.

The bigger question about AB 2121, however, has always been “Where’s the money?” Without an appropriation, the competitive grant program created by AB 2121 will not get off the ground. And in recent weeks, an opportunity to secure funding for the AB 2121 Farm to School grant program has emerged, tied to the Governor’s desire to make new funds available for school gardens. CAFF is fortunate that two of the Legislature’s biggest fans of Farm to School are Assemblyman John Laird (D-Santa Cruz) and Senator Wes Chesbro (D-Arcata), who happen to chair the Assembly and Senate Budget Committees. They are in the middle of ongoing state budget negotiations and we are hopeful they can help.

## **Department of Pesticide Regulation Gets Aggressive on Pesticide Air Pollution**

The CA Department of Pesticide Regulation recently announced a landmark commitment to implement a strategy, including with enforceable regulations, to reduce air pollution from pesticides. The program will focus on soil fumigants such as methyl bromide, metam sodium and chloropicrin, which are used to fumigate soil before strawberries and other crops are planted.

Soil fumigants contain volatile organic compounds (VOCs), which form ozone and lead to smog formation. Soil fumigants make up about 25 percent of all pesticides used in California agriculture. Pesticides are one of the top five sources of smog in the Central Valley, which is regularly in the running for the most polluted air basin in the country. While soil fumigants may be the main culprit, DPR has asked manufacturers to reformulate as many as 700 pesticides. DPR will pursue a multi-pronged approach, including reformulation, restrictions on pesticide use, changed practices, such as deeper soil injections and better tarps, to reduce pesticide emissions, and adoption of new technologies, such as “smart sprayers,” to apply pesticides more precisely and efficiently. DPR saw the light after years of feeling the heat for its inaction on pesticide air pollutants. In the mid-1990s DPR committed to a 20 percent reduction in pesticide emissions, as part of the Central Valley’s overall clean air plan. DPR was sued after failing to take steps to meet that goal, and the court recently ruled against DPR and ordered DPR to meet its 20 percent reduction target by 2008. Still, for an agency with a history of dragging its feet, the plan by DPR, pushed by Director MaryAnn Warmerdam and Deputy Director Paul Gosellin, is a welcome change. DPR will become the first pesticide regulatory agency in the nation, including US EPA, to establish air pollution standards for pesticides.