

**REMARKS ON GENETICALLY MODIFIED FOODS
AND INTERNATIONAL REGULATION**

Remarks by: Thomas N. Sleight *

Cite As: Thomas N. Sleight, *Symposium: Remarks on Genetically Modified Foods and International Regulation*, 10 RICH. J.L. & TECH. 19 (2003), at <http://law.richmond.edu/jolt/v10i2/article19.pdf>.

{1} I'm going to speak on a slightly different perspective here. I guess the first question I have is how many farmers do we have in the audience? Val, I marked you down as an organic farmer here today, as I learned that today. I don't think we have many, and I'm going to take a fantastic leap of judgment saying that the students that are here at the University of Richmond School of Law are not preparing for careers in agriculture. So, I'm going to come from a farmer's point of view. I will jump back and forth between my perspective as working with Virginia Department of Agriculture and my former position working with the U.S. Grains Council where I worked on national level producer issues.

{2} When you look at it from a producer's point of view, one thing that has always been said, as an old agricultural philosopher that has been around for years by the name of Wendell Berry used to say, that the United States is a place where 98.2% of the U.S. population is spared the drudgery of producing their own food. I say that because we are losing sight of what the farmer is faced with, with this particular debate.

{3} For U.S. agriculture and for Virginia agriculture, what they have been facing is a very flat United States market. Future demand for food in the U.S. is also stagnant, you can almost flat line it on into the next ten or twenty years because of our aging population.

{4} So for U.S. agriculture and for Virginia agriculture, farmers have been focused on the international market, because that's where they're going to have growth. This is where they're going to improve their profitability. We spend 99% of our time bringing this point home to Virginia producers. We're at the verge of a 3.5 billion person boom in consumerism that is going to boost demand for food globally. U.S. producers, like producers all around the world are trying to position themselves to take advantage of this new age of consumerism. For agriculture, the question is whether we will need 250% more or 300% higher production in order to meet the growing demand for food. There are many factors that contribute to this expected surge in demand, not just improved diets, although improved diets is driving a lot of it, especially as you move in developing countries. One factor that's really driving food demand that you don't think of very often is pet food.

{5} Dr. Norman Borlaug, who won a Nobel Peace Prize for the introduction of the Green Revolution, said "enormous challenges lie ahead to ensure that projected world population of 8.3 billion people in 2025 is adequately and equitably feed in environmentally sustainable ways." Farmers buy into this statement, as there is much at stake in this debate.

{6} One of our mottos we've been using lately with Virginia producers is, "Think global, market local." In other words, the farmers must factor in international concerns when they prepare their marketing strategies – addressing their local markets and addressing the international realities of the



market they're operating in. What U.S. farmers have been dealing with is that the competition has been rising steadily for them, year after year after year. Ten or twenty years ago, and even as little as five years ago, the U.S. commanded a dominant position as a supplier of food to the world. We were the most efficient producer, and we enjoyed that stature for quite some time. That's not so true anymore. The U.S., just this past year, is now number two in soybean production to South America. This has created pressures on farmers to find ways to compete in a suddenly more complex and cutthroat market. You can also add into this mix the fact that increased consumer awareness about how their food is produced is creating a very strong argument in agriculture to stress the process for the production of the food rather than the product. Farmers are aware that consumers today are more concerned about how their food is produced than the fact that they have that food available. We talk about this with farmers all the time.

{7} If you look at Virginia, to take it down to the local level, we have a complicated picture. We have a very diverse agricultural production base which is a blessing, but it's also a curse. We're not really big in any one crop, and we're not really known for any one particular product. This is combined with the fact that for the past ten years local commodity prices across the board for Virginia commodities have reached historic lows. Farmers are having a tough time making a go of it. Business consolidation is also a major factor with fewer buyers available to buy their products, and farmers are not consolidated sellers.

{8} Development pressure is yet another factor farmers face here in Virginia; a lot of new neighbors who have concerns about what's going on next door, wanting to be reassured about the cultural practices on their farms.

{9} Farmers across the universe, and especially in this state and this country, want to create products that people want to eat. As the debate over GMOs grows, connecting to the consumer on the process of production creates opportunity. In Virginia we have the ability here to better separate and segregate our production so we can address some of the issues that were discussed here in terms of pollen drift. We have things, I'll apologize to my comrade from Illinois, but we have things here called trees that separate fields, and make it a little easier for us here in Virginia to segregate our production and produce what the market wants.

{10} We have an incredible success story here in Virginia agriculture that's not very well known. It's a farm that's not too far from here that has successfully marketed specialty soybeans to the Japanese market for well over ten years. These soybeans are produced with a strict protocol on production. The Japanese are very clear on what types and levels of pesticides and herbicides they want utilized in the production of their product. They want strict accountings of that process, and these producers jump through hoops on a daily basis to meet this protocol. They also have created a viable business that is supporting three families, which is quite an amazing story today.

{11} So it's these types of success stories that can happen, but I want to come back to the biotechnology debate and the broader scale of the U.S. agriculture because it is something that producers are concerned about. They want to see it settled because their future is at stake, as well as everyone else's.

{12} I would agree with what was said earlier. Earlier in my career, we viewed the GMO issues as one of the worst new product introductions in the history of mankind. It is unfortunate, but early on the environmental benefits of the technology got lost in the debate. Those of you who have ever farmed know what it's like to handle chemicals on a regular basis. Producers embrace the shift away from a petrochemical-based agriculture system to a biological-based agriculture system. I know whenever I had to spray our farm, I didn't really enjoy it. It wasn't a very pleasant thing, but it was very effective and

made for a very efficient system. So now that they have these abilities for these new systems, producers enjoy the new benefits.

{13} Back in 1995, we did face the European backlash very directly. A group of U.S. producers traveled to Europe to find out for themselves what they're up against in the marketplace on GMOs. I remember very distinctly sitting at the WTO, and the WTO, if you've ever been there, it overlooks Lake Geneva, and our European counterparts were telling us what we all are dealing with. They said, "Look across this lake, do you realize who lived right across this lake?" Well, no, we didn't know. Mary Shelly grew up right across the lake there – Mary Shelly, who's the author of *Frankenstein*. The comment, which laid out what they were facing in terms of product acceptance, was seared into the producers' minds. The farmers came back with a strong recommendation to the USDA that we must resolve the biotechnology debate before the issue is taken to the WTO.

{14} Well, we're at that stage now – so much for that recommendation. Another clear picture that resonated with the U.S. farmers was they met with their Spanish and Portuguese compatriots, who in this case were corn farmers. They said point blank to the U.S. producers, "We cannot compete with you. Particularly with biotechnology production and yield, we cannot compete with you." Producers took this into account and said there was more to this than just objecting to biotechnology on moral grounds. It is also an economic question.

{15} The U.S. producers concluded that they must fully recognize the social, environmental, agronomic, and economic costs related with this technology. The farmers are very concerned about this; and the concern was manifested by strict limitations on growing accepted (by the European Union) varieties vs. non-accepted varieties.

{16} There's a strong program called "Know Before You Grow" that's been introduced for producers, raising their awareness of addressing consumer concerns. Farmers want to produce a product consumers want to use. StarLink was a tremendous problem before, and I think we were glad it worked its way through the system.

{17} When we talk about international implications of biotechnology, then I say yes, Europe is the battle grounds, but for most American agriculture, what they are more concerned about is what's going on in Asia, particularly in Japan because Japan is the number market for far more U.S. farm products than Europe is right now. Unfortunately or fortunately, depending on the way you look at it, Japan tends to follow what happens in Europe on these issues.

{18} We also have to think about what biotechnology does for the producer. Farmers want to use these products because it does help them with their production, and it does help boost yields. Of note, some producers have called biotechnology the great equalizer. In other words, their neighbor who they might have been able to out produce year in and year out using better management can suddenly compete with them in terms of crop yield.

{19} The question today is how do we use biotechnology, conventional agriculture, and organic agriculture or whatever, to make customized products for customized markets, particularly with a state like Virginia. So, that's where you start to see where they can use the biotech product or non-biotech product, or whatever that might be, and create the type of direct connection to the consumer and deliver them the type of product they want to use.

{20} I will stop here in the interest of time. What I would conclude with is that the farmers must continue to address these new concerns and develop agriculture in concert with environmental issues, regulations, and urban and suburban sprawl. Here in Virginia, that's particularly important. The future





Food Biotechnology: A Legal Perspective- Tom Sleight

must focus on the process versus the product, in terms of their production capabilities. They must expand strategic alliances with groups across the board, with our friends overseas and with our consumer groups on the adoption of technology and what their goal is for that, and assure food safety and traceability. Communities must also recognize the value and diversity of local production. Together, they must build alliances to promote food safety and environmental stewardship. Thank you.

* Tom Sleight is currently the Director of Marketing for the Virginia Department of Agriculture and Consumer Services. He came to the department in July of 1999, having most recently served as Executive Director of the U.S. Grains Council in Washington, D.C. While at the Council, Mr. Sleight served in various capacities around the world developing markets for U.S. corn, sorghum, barley and related co-products, including a posting overseas concentrating on opening markets in the, then, Soviet Union and Eastern Bloc countries. Prior to the Council, he worked as a grain merchandiser for Con Agra in North Dakota and Montana. Mr. Sleight attended Cornell University for both undergraduate and graduate studies in Agronomy and Agricultural Economics. He grew up as the tenth generation on his family dairy and crop farm in LaGrange, New York. (TACD).