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Ruling paves way for crop oversight

The wheels of justice haven't exactly moved at warp speed when it comes to protecting us from the potential fallout of 21st-century high-tech "biopharming."

But finally, the wheels are turning, and in a direction that should result in greater attention to our health and our environment.

Federal District Judge Michael Seabright has ruled that the USDA was "arbitrary and capricious" in issuing permits to companies that use genetic engineering to modify crops to produce different drugs and compounds.

Ideally, this decision will contribute to stronger oversight and protections so the industry can move forward.

But the permits in question expired two years ago when environmentalists led by Earthjustice sought to stop the field research of ProdiGene, Monsanto, HARC and Garst Seed Co.

That would have been the right time for the USDA's Animal and Plant Health Inspection Service to fully consider the Endangered Species Act and the National Environmental Policy Act. The judge now says the permits violated those two laws.

Industry representatives point out that no crops are currently being grown in Hawai'i under the contested permits. And they're quick to add there's been no harm to human health or to the environment.

Growing such modified crops is an important, but often tricky, business since it goes beyond the mere use of science to increase crop yield or to make a better crop. In one experiment here, sugar cane was altered to produce a human protein used to fight cancer. The experiment failed.

There's potential in crop modification. But altering nature must not be taken lightly. There must be proper oversight and precautions that are diligent about protecting existing crops, the environment and human health while allowing these exciting scientific advances to begin.

This week's ruling paves the way for some real changes over how the high-tech ag industry does business here. There is great opportunity, but Hawai'i's rich soil should not be converted into a fertile commercial laboratory without appropriate oversight and standards.

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