

From: [Chassy, Bruce](#)
To: [Wayne Parrott](#)
Cc: [Chassy, Bruce](#); [Stan Abramson](#); [Adrienne Massey](#); [Martina \(E-mail\)](#); [ninafedoroff.fedoroff](#); [Eric Sachs](#); [Jim Gaffney](#); [Philip D. Harvey](#)
Subject: Re: Response to proposed EPA Rule Making -- possible next steps
Date: Monday, September 12, 2011 11:43:45 AM

Wayne

It's true that politics makes strange bedfellows.

I leave it to Stan and Adrienne to comment on how this group might react to the regulatory plight of GM foods. They might see it as a distraction, and they might see it as more ammunition.

If we had a way to do it, it certainly shouldn't hurt to give them a chance to join the fight against one more example of EPA over-regulation.

Bruce

On Sep 12, 2011, at 9:20 AM, Wayne Parrott wrote:

I think we also discussed getting key house and senate members more involved, on the premise that the enemy of my enemy is my friend. Eg-- see <http://www.conservative.org/house-republicans-strategy-to-curb-epa-over-regulations/9303/>

They tend to be focused on environmental regs, but should be able to get these on their agenda as well.

On 9/8/2011 3:16 PM, Chassy, Bruce wrote:

Colleagues:

I would like to thank all of you for joining the conference call last Friday. It was a lively conversation which touched on many good ideas for further action. From time-to-time I will schedule a conference call so that we can keep one another informed about each of our activities on the topic of reform of EPA regulation of genetically engineered crops. I will continue try to serve as liaison with the larger academic community and between industry and academe on this important issue. In fact, Stan, Adrienne and I will be talking together this Friday about how we might put some of the points we discussed last Friday afternoon into motion.

The purpose of this e-mail is to provide a record of our conversation. I did not keep detailed notes, however, I will briefly summarize the major points we discussed of those below. If I have omitted anything

that we discussed, or if you have new suggestions to make, please let us all know by return e-mail. If any of you has detailed notes that you are willing to share, please do so.

Major Points.

1. Finding a way to ensure that the EPA proposal never sees the light of day would be the best possible outcome we could hope for. Next best would be to make sure it is DOA, but if needs be we must be willing to continue the fight. In this regard, the opposition by scientists may have already caused EPA to delay the schedule for introduction of the proposal from late 2011 to sometime in 2012.
2. The EPA does not believe that the academic community can mount a sustained opposition to their proposed rule making; they believe that only a small handful are behind the petition and that most of the signatories are not committed to the issue. There was a consensus that we need to build a core of leading scientists who are in fact willing to speak out and devote time to this issue. We all agreed that quite a few of us are ready to "draw a line in the sand" on this issue and that the EPA can be pushed back as they have been before (recall that in our discussion we agreed it shouldn't be that hard since EPA doesn't appear to have improved or changed their understanding of the science in the last 20 years).
3. It was also generally agreed that EPA does not like sunshine and is trying to bury the issue of scientific opposition to their proposal. Inviting NAS signers of the letter to EPA administrator Jackson to write-in during the 90-day comment period was viewed as an inadequate and somewhat foolish response to a letter from leading scientists. There was a consensus that we need to identify a well thought out set of actions that will escalate the pressure on EPA.
4. There was a consensus that should continue to communicate with one another as we have much that unites on this issue. This would include bringing other key NAS members into the process (we have already exchanged several e-mails with NAS members who want to get involved this week).

Actions discussed

1. Publicize NAS members' EPA letter and the EPA response. Ditto for Nina's NYT editorial and the FASEB Journal Op Ed. Post on internet. Press releases.
2. Buy space in the Washington Post or NYT for a full page ad (not much discussion because this will cost about \$30,000) -- but worth remembering if the right time arises.
3. Visit to Washington DC by a group of leading scientists. Request

visit with Lisa Jackson, key House and Senate leaders, and others.

4. Develop a white-paper on the history and timeline of expert opinion statements regarding the comparative lack of risks of the technology and the need to regulate product and not process that documents that the scientific community has consistently argued that there is no science-based reason to single out genetic engineering for special regulations. I would add that we also need a 2-3 page briefing paper that summarizes the current scope and requirements of EPA regulations as well as what they propose to change and expand -- it we are going to send NAS members into Washington DC they need to be well briefed.

5. Should we mount a petition from a broader group of scientists? The government now has a petition site that welcomes petition initiatives. Or should we simply petition the EPA for rule making asking them to respond to our request for a simplified and more reasonable regulatory review that makes regulation commensurate with risk?

Key issues and talking points

- EPA proposal not-science based; regulation should be commensurate with real risk
- There is a broad scientific consensus that GM technology is as safe as, or is safer than other methods of plant breeding.
- There is a scientific consensus that government should regulate the safety of the product and not the process used to create it
- As a direct consequence, if GM crops are regulated, all crops should be similarly regulated
- However, since plant breeding has a long history of safe practice, and since 15 years of planting GM crops have demonstrated considerable benefits with no adverse effects, there appears to be no risks that merit regulatory review
- The costly and time-consuming regulatory process damages job creation and economic growth in rural communities in the US and in developing countries
- Over-regulation reduces US competitiveness; costly and time-consuming regulations that provide no reduction in risk discourage innovation.

- Over-regulation raises a barrier to new developments to all but large multi-national corporations -- locks out academic scientists
- Over-regulation gives an advantage to scientists and developers in other countries (for example Brazil can approve a trait in 90-days)
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- US academic community capable of doing this kind of research is shrinking because of regulatory hurdles and lack of support
- Over-regulation is inconsistent with the administration's claim that they are simplifying and reducing regulatory hurdles
- Over-regulation inhibits the introduction of technologies that will add to the productivity and sustainability of agriculture
- Over-regulation contributes to higher cost of foods and feeds and stifles attempts to reduce hunger

[Please feel free to offer corrections and additions to the above -- I just thought we needed to start keeping some hard records of our thoughts]

I look forward to working with all of you to help grow this initiative into a sustainable movement that cannot and will not be ignored. I think we all agreed last Friday that enough is enough. EPA regulations are not based in science and the idea of trying to harmonize US regulations with those of the EU is even more ludicrous.

Best regards

Bruce