Hi, I’m Jeffrey Smith with the Institute for Responsible Technology, and I want to comment on the passage by the House of HR-1599, and the future of GMO strategy.

First of all, I want to thank the donors who became regular monthly donors in the last couple of weeks. It’s is really helpful to our planning and hiring. Thank you very much, and we’re going to have a teleconference with our regular donors very soon.

Although I don’t usually publicly share strategic decision ideas, I’m going to share some things with you. As you probably know, U.S. House of Representatives passed a bill dubbed “The DARK Act” (“Denying Americans the Right to Know”), which would eliminate the ability for States to require labeling of GMOs. If made into law, the DARK Act would require only voluntary labeling of GMOs, not mandatory, and it would allow things that said “natural” to contain GMOs. This was basically Monsanto writing legislation.

It was a sad day where this was passed and there’s no doubt it was a setback. It hasn’t gone into law yet; it still has to pass the Senate. The Senate may do a floor vote, but they may also slip it into another bill that they must pass, in which case we may end up with the DARK Act as law.

I want to evaluate with you how serious this is. Is this the end of our non-GMO strategy or not? The answer depends on the metrics you look at to determine what we’re doing, and how successful it is, and how we should evaluate our progress.

I am a strategist. My background, before I got into GMOs, is in being a strategic consultant, a communications consultant for non-profits, for-profits, and political organizations. When I looked at this issue, I looked at it from a strategic standpoint. I thought of all the different ways that we could eliminate GMOs. I’m not so much interested in containing GMOs; I’m interested in eliminating them. When I looked at the political side, there was a number of things that worked against us.

First of all, the political side is where Monsanto and the biotech industry have a lot of power, and politics is unstable. I’ve talked to politicians all over the world, I’ve traveled to 42 different countries speaking about GMOs, and I can tell you from my own experience that the political solution is not always the one that lasts the longest.

I was flown to Poland by the Polish government once, to give a press conference with the Environment Minister, praising their non-GMO stand; a week later, there was a new government that was pro-GMO. I lobbied in Bangkok for the Ministers there to try to ban the outdoor release of GMOs in field trials. They did. A week later, there was a new government; they allowed outdoor field trials. So, politics is unstable. Even if they pass The DARK Act, it can “un-pass” a year later, depending on the political climate.

So what can we do if we go outside the political arena to try and win? We can look to Europe and see what happened there. The European market eliminated GMOs because consumers were concerned. We had a tipping point. Many of you know that I talk about a tipping point. Now I’m going to talk about the tipping point in a much larger strategic context.

When I went to South Africa, I could not convince the government to change their policy by going to them directly. However, when I was featured in the largest mainstream financial paper in South Africa, I was quoted as saying that it was crazy for South Africa to use genetically modified animal feed for their animals that they were going to ship to the European markets, because many of the retailers there are committing to consumers not to use GM animal feed. Three weeks after I left, the government announced that they were going to suspend the import of GMO animal feed to evaluate its impact on trade. It was the market that drove the government—not the direct appeal to the government, but the marketplace.
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Similarly, about 10 years ago in South Africa, they allowed bovine growth hormone. It’s not banned in that country. However, inspired by an interview that we had, all the tabloids in the country ran an article talking about bovine growth hormone as a link to cancer. They actually titled their articles “Cancer in Every Drop.” There was an outrageous outpouring of letters and phone calls, and immediately the two largest retailers committed to say, “We’re not going to use rBGH. We haven’t, and we won’t.” The Milk Processors Association of South Africa said they’re against it. So again, it was educating consumers about the documented health risks that drove the hand of the market.

In the United States, we saw the tipping point happen in the natural products industry in 2013. We see products now, starting with Cheerios and going up to Similac, all saying “non-GMO.” If those moves increase market share, then the rest of the food companies will realize that they can’t afford to use GMOs. They’re going to be losing customers as a result. So then we have the tipping point.

How close are we? As of 2014, 40% of Americans say that they’re already avoiding or reducing GMOs, increased from only 15% of Americans in 2007. Now, not everyone does what they say. Keep in mind that a significant percentage of people who say they’re doing it aren’t actually doing it, but they want to do it. A lot of these people shop in mainstream supermarkets, so we need to encourage and promote avoiding GMOs.

I will come back to the tipping point, but I want to talk about the labeling issue because it could be pre-empted by The DARK Act. We’ve been aware for a long time that all three branches of government – the Congressional side, the Courts, and the Executive Branch – could theoretically preempt state or local labeling on GMOs. This year we saw in Hawaii that a judge blocked a GM-free zone; blocked an initiative that was voted on by the people, claiming that it was illegal. We know that the courts can be very biased. Clarence Thomas used to be Monsanto’s attorney, yet he wrote a Supreme Court opinion that was in favor of Monsanto, instead of recusing himself. Monsanto is suing the State of Vermont for passing a labeling law. We could lose there, too, so Courts are one way that they could pre-empt State labeling.

Congress is another route, and that’s what The DARK Act is doing, although I wasn’t anticipating that it would come from the Congress. I was anticipating that it would come from the FDA.

The FDA is mandated to promote GMOs; it’s part of their instructions from this and previous administrations. They have proven how they can pre-empt States’ rights on many things. For example, restaurant chain menu labeling: it was passed in 19 different jurisdictions, from State to local, and here comes the FDA preempting it all, saying, “We don’t want a patchwork of regulations. We’ll do something nationwide so that these restaurant chains are not at a disadvantage.”

Let’s say that we’ve passed menu labeling in California or Washington. They could simply march in and pretend to be the good guy, and say, “Oh, you want labeling? We’re going to establish labeling. And we’re going to do a stakeholder consultation to see what appropriate labeling legislation, or what policy, is appropriate.”

They can delay it for years. With the restaurant menu labeling we’ve never heard from them since. It can simply be put on the shelf. They could wait for the next President to be elected and the President will decide, or it will be decided by the make-up of the negotiation table in Washington, and that has a lot of impact on Executive Branch policy. So right now, at that negotiation table, Monsanto and the biotech industry is on one side, the consumers are on the other, and the food companies sit with Monsanto.

What happens if there’s a tipping point? What happens if the food companies quickly eliminate GMOs because they’re going to be losing money otherwise? Their resistance to mandatory labeling may similarly erode. In fact they may be in favor of mandatory labeling because the criteria to avoid a mandatory label may be easier than the criteria to put on a non-GMO label. So the food companies may actually be in favor of labeling GMOs, moving from Monsanto’s side of the negotiation table to the consumers’.
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If we have a tipping point, and there are no more GMOs used in the market or they’re being wiped out pretty quickly, we also gain in the political sphere, because the political will of candidates to support a failed industry tends to go away. We’ll even have more Senators and Congressmen on our side about GMOs if they’re no longer being used in the food supply. That’s good not only for labeling, but the United States has been a bully to so many other countries by trying to force them to take GMOs according to WikiLeaks reports, so that also may go away. The tipping point turns out to be extremely effective even in establishing mandatory labeling because we can win over politicians, and certainly the food industry, more easily.

Can we get a tipping point without mandatory labeling? Yes, we can. We can do it through voluntary labeling and the Non-GMO Project is an example. Take for instance bovine growth hormone. There’s no mandatory label if you have milk from cows treated with bovine growth hormone. However, there was a tipping point a few years ago. It was kicked out of Wal-Mart, Starbucks, Yoplait, Dannon, and most American dairies, based on voluntary labels. Competitors in that arena started declaring their products free of rBGH and so those that hadn’t yet declared had to follow. When Yoplait announced in February one year that they would be rBGH free by August, within two weeks, Dannon announced that its yogurts would be rBGH free by the end of the year. That’s how it works, because they don’t want to allow their competitors to get an advantage. The same can be done on the basis of voluntary non-GMO labels.

How do we drive the tipping point? We drive it through behavior change messaging. That means messaging that tells people that GMOs are unsafe and that discredits those who say that they are safe, like the FDA and Monsanto, which is really easy to do. We give people the real truth about GMOs and allow them to make healthier non-GMO choices in the supermarket.

This is where we can marry the labeling effort with the tipping point effort. I have been disappointed in the messaging used in the four states that had labeling ballot initiatives. I tried my best to get them to incorporate behavior change messaging so that the millions of dollars that were spent would be migrating customers to non-GMO choices. Imagine if that had happened? The food companies would say, “My God, they’ve figured out how to spend millions of dollars and they’re stealing our customers. It doesn’t matter whether we win or lose at the ballot box, we’re losing at the cash register. We have to eliminate GMOs immediately.” If that behavior change messaging had been in place, even if we lost the ballot initiatives we might have won the war by now, because that was millions of dollars that could have driven purchasing dollars to non-GMO food.

Unfortunately, they stuck primarily with “your right to know.” I talked to some of the best advertising experts in the world and they were angry and disappointed. They said there were so many reasons why that was not the best choice from an advertising standpoint, and I’m also looking at it from a strategic standpoint. We give behavior change messaging like an antidote for the lies by the biotech industry because part of the behavior change messaging is to expose those lies.

To their credit, it’s true that some of the messaging from the more recent ballot initiatives did talk about the pesticides built into the GM crops. I don’t think they went far enough and it was frustrating to watch. In fact, there was still a resistance even at the very end to talk about the health dangers, and I remember being on an email thread with many scientists from around the world, and physicians who are dealing with GMOs, and when they realized that we had lost in Oregon and lost in Colorado and people mentioned that they were shying away from talking about the health dangers. One after the other, all of these scientists said, “But there are health dangers, they shouldn’t be shying away from it. There is documented evidence; there are peer reviewed studies…” We know about these things but unfortunately the people who were hired for the political campaigns were not convinced to go there and I think it was sad.

What about in the state legislative campaigns? Is it appropriate to bring up the health dangers there? When I went to Sacramento recently to help out with the lobbying in California, to try and get them to introduce a bill for labeling, I had a rather eye opening experience. They had already failed the previous year in a vote to get mandatory labeling. I
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interviewed the Chief of Staff of one of the Senators who said the whole time he was going to vote for the labeling bill but he ended up voting against it.

What he did is that he created a debate between both sides so he could get all the arguments. The Chief of Staff said, “the pro-GMO labeling side was just saying Right to Know. It wasn’t giving any data on the health dangers, but the other side was giving all of this data.” So the Senator switched his vote, and we lost because of that. I spoke to another two or three staff members and they all said, “We need to see the health dangers.” I cornered one and I said, “OK, what about just the right to know? Isn’t it our right to know that GMO foods are in something, irrespective of the health dangers, even if there’s no problem?” And he said, “No, if you put a label on it, it implies there’s a problem so we could be hurting the bottom line of companies for no reason. I need to see the health dangers.” The people who were actually voting, and their staffs, needed to see information about the health dangers.

Does it work? My experience is that it does. When I was in Vermont, they were passing the first state regulation on GMOs—seed labeling. I found out later because a masters student did a thesis on the impact of my book [Seeds of Deception](#) on the passage of the state regulations. As you may know, *Seeds of Deception* is all about the health dangers and the corruption behind GMO approval. So we read these quotes from representatives who said that the book was the basis of every conversation on GMOs. It changed votes, one after the other. People were saying, “When I read the book, it changed my vote.” One of the members of the House actually walked out to a freezing demonstration by 200 campaigners, held up Seeds of Deception and said, “Everyone has to read this book.” So it worked in Vermont. In fact, I showed up there and gave a talk about the health dangers and the corruption in the State House, and I testified twice by phone to the Agriculture Committee for the labeling and introduced the health dangers, and from their response, I can guarantee you, it made an impact.

Then there was Connecticut – another state that passed a labeling law, although this one had a trigger clause and it didn’t get implemented right away. We invited some members of the Assembly, and Senators, to a fundraising talk. A Senator showed up, saw me speak, and then later he became one of the chief advocates for the labeling. He said to a campaigner, “All we have to do is get our opposition in front of Jeffrey Smith for 10 minutes, and that’s all we need. That worked for me.” I’m not saying this to toot my own horn; I’m saying this was the actual quote from the Senator. It was the half hour that he spent in the talk, listening, that sealed the deal with him.

For these reasons, I don’t believe that the people who are lobbying the Congressmen for [1599](#), on our behalf, were talking about the health dangers. In the testimony of the hearing there was no real discussion about the health dangers and the corruption, before the approval. I think that was a mistake. We would like to help with that messaging, and we would like your help to make that happen, so that we can give the truth to the Senators that need to stop the passage of the D.A.R.K. Act.

What do we do going forward? We may end up facing the DARK Act passage, in which case, we’d have no ability to do mandatory labeling, which is a great shame because the platform for these ballot initiatives and state legislative issues is a great way to convey the messaging. We might lose that but we don’t need it. We know exactly what to say, and who to say it to. We know who the most receptive demographic groups are that would switch to non-GMO eating. If you think about it, so do you. Moms. Especially moms with children who are suffering from chronic conditions, or those who are trying to prevent those chronic conditions. That is the key group. Also, another form of “mom” – pet owners. More and more pet owners and veterinarians are telling us that when they take their pets off GMOs, they get better. Another group are those suffering from the chronic conditions that are linked to GMOs. When they find out that GMOs may be the cause of illness, they are more likely to switch and try it out. Then those who take care of those people – the health care practitioners—thousands of which are now prescribing non-GMO diets. Finally, there are religious people who believe that GMO means “God Move Over” who are religiously against GMOs and are expressing their religious beliefs in their actions.
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We have our five targeted demographic groups, and we have a five-year master plan to eliminate GMOs. We think we can get rid of it in direct food within two to three years, and in animal feed within five years. I’m not going to discuss the strategy for animal feed, we’re going to keep that private for now, but we need to implement that right away.

I would like to ask your support for our implementing our five-year master plan. We need large contributions, and we need repetitive contributions—those that can contribute month after month on an ongoing automatic basis—so that we can use that fund with the knowledge of what’s coming in each month. We can then boldly go ahead and hire the staff that we need, and pay for the production costs that we need. I’d like to ask if you can please make a donation, a recurring donation if at all possible. A large donation would be the best because it costs a lot of money to implement this plan to move the five targeted demographic groups, and move into our strategy for animal feed.

This is the way forward and we can combine this behavior change messaging, and this targeted demographic approach, into the labeling campaigns. We can combine this approach, even into the lobbying in Washington with the Senators, by providing them with this educational information, bringing the right people who know how to talk about the health dangers in front of them – the doctors, the scientists– and continue to create large educational opportunities, like a film we are working on, and other tools, so that we can get this out quickly.

We’ve turned the corner and are in the home stretch of creating a tipping point in the United States, but the other side is pulling out all their stops, and calling in all their favors, from the New York Times, from Newsweek, from National Geographic. You’re hearing “Oh GMOs are no problem.” This is Monsanto’s desperate attempt—they are absolutely against the wall—because so many people are now removing GMOs from their diets, so many people are reporting they are now getting better from all sorts of health problems when they remove GMOs, and that information is spreading. The biotech industry is creating a huge, massive disinformation campaign, and most of the people are not the liars, they are the “lied to.”

Have compassion when you read something from some reporter – he is under the impression that what he’s saying, or what she’s saying, is true. We know that it’s not because we’ve done the research, we know they don’t have the data to support their positions, and we want to get that information out. We don’t have to get it out to the general public. When I read something in a mainstream magazine or newspaper, I know it reaches millions of people. We don’t have to re-convince those millions that it’s wrong. We can just go with our targeted demographic, and we can give them the information that we know will change their diet, and drive a tipping point. I’m very optimistic that we are in a very good position. I have a lot of ideas for strategies and tools that we are wanting to implement, and with your help -go to ResponsibleTechnology.org, and make a donation – we can win. We can win soon, not only the in the United States, but around the world. Part of our master plan is to translate this entire strategy to all the countries, and to also customize our approach to the various countries and political situations. So we are looking out for you and we’re working with you. Thank you so much, I look forward to celebrating a non-GMO food supply. Maybe my next trip around the world will be a victory lap! Safe eating!