



## *The Campaign to Save Wild Rice*

History was made a few weeks ago when Governor Pawlenty signed the Environment and Natural Resources Omnibus Finance bill into law. The bill contained provisions to protect natural lake and river wild rice from contamination by engineered genes. The 'Save Wild Rice' campaign was always a David versus Goliath story and its ultimate victory borders on the miraculous.

"Rep. Frank Moe, DFL-Bemidji, said it's the first time a state has voted to protect a native crop or species from genetic changes.

"'Wild rice is not only historically and economically important for all Minnesotans, it's sacred to the Ojibwe people,' Moe said. 'It's both important food for us and prime fish and duck habitat. We need to study the declining wild rice population and protect against any genetic damage to native wild rice.'" AP

"New statute protects the DNA of wild rice", *Star Tribune*, 29-May 2007

Genetic engineering is the manipulating of genetic material in the laboratory. It includes isolating, copying, and multiplying genes, recombining genes or DNA from different species and transferring genes from one species to another, bypassing the reproductive process. Its proponents market the genetic engineering of food and other commercial crops as beneficial to consumers and farmers. The introduction of new proteins, which code for desirable characteristics in cash crops are seen as being "value-added." Corn, soy, canola and cotton, engineered to produce their own pesticide or resist applications of herbicide, comprise a large portion of Genetically Engineered (GE) crops in the US and worldwide.

While industry representatives, pro-biotech scientists and many elected officials assure the public that the safety of the technology has already been demonstrated, the biotechnology industry is a master of obfuscation who has written its own regulations and concealed the extensive evidence that the technology is neither safe nor stable. While the industry will ferociously deny that genetic engineering has any negative effects, wild rice is a unique natural resource that brings distinct ethical questions.

The Save Wild Rice Campaign, AKA Keep It Wild, was necessary because the University of Minnesota has completed the preliminary genetic research that sets the stage for the patenting and genetic engineering of wild rice. U of M's position was that they are not actively engaged in the genetic engineering of wild rice but explicitly reserve the right to do so. This means U of M believes that "academic freedom" gives them the right to conduct

open-air test plots of genetically engineered wild rice. Knowing that such tests would inevitably and irreversibly contaminate the natural wild rice, the reservation based non-profit White Earth Land Recovery Project and Rep. Frank Moe of Bemidji fought unsuccessfully for two years to win a temporary moratorium on the introduction of genetically engineered wild rice. But the entire political landscape shifted between the 2006 and 2007 legislative sessions.

Opponents of wild rice protection had enjoyed the luxury of being able to casually deny that engineered genes were routinely escaping their test plots until two high-profile cases of contamination by unregulated engineered genes came to light in 2006. Much of the long-grain white rice harvest of the entire USA was found to be contaminated by an experimental engineered gene from a university experiment grown on a half-acre of land that had been shut down five years ago. American rice farmers experienced huge financial losses when foreign markets rejected the contaminated crop. Also, a genetically modified creeping bent grass escaped its testing ground in Oregon and is crossbreeding with wild relatives in a costly environmental accident that cannot be cleaned up. Both of these incidents demonstrated the seriousness of the contamination threat.

The bent grass case led to one of three far-reaching federal court rulings spearheaded by public interest group The Center for Food Safety, in which the biotech industry and the United States Department of Agriculture were chastised for their disregard of the environmental effects of contamination by untested transgenes. One of these rulings is a decision that broadly affects field trials of all genetically engineered crops. A federal district judge ruled that the USDA must halt approval of all new field trials until more rigorous environmental reviews are conducted. Citing potential threats to the environment, Judge Harold Kennedy found that the USDA's past approval of field trials of herbicide-tolerant, genetically engineered bent grass were illegal (see [www.centerforfoodsafety.org](http://www.centerforfoodsafety.org)). This ruling requires biotech interests

to do some testing instead of no testing, but still did not resolve the wild rice issue whose threshold was any outdoor experimentation at all.

These incidents of contamination led to an amazing concession on the part of the scientific community. An article in the January 10th 2007 issue of the scientific journal *Nature* acknowledges that 100% containment of experimental test plots of genetically engineered crops is technologically impossible. These developments took the nuance out of U of M and the biotech industry's arguments about whether a hypothetical test plot could be far enough away from lake rice to prevent contamination. University of Minnesota's assertion that academic freedom gave them the right to conduct open air tests was clearly exposed with the U of M taking the position that they had the right to contaminate treaty-protected wild rice with patented experimental engineered genes.

One strategy that emerged after the campaign's second defeat in 2006 was to introduce resolutions for wild rice protection at the precinct caucuses of all the political parties. Becky Lourey deserves recognition for her support of wild rice protection as a state Senator and Gubernatorial candidate. Wild rice protection emerged as the DFL's Action Agenda in agriculture after the State Convention. The DFL's improved lot after the November elections was another of the major changes that influenced the trajectory of the Save Wild Rice Campaign.

There were a few other major developments since last year's legislative session that directly impacted this debate. In a similar political situation, University of Hawaii chose to give up patents on taro, a sacred and essential food of native Hawaiians. By agreeing to not patent or genetically engineer taro, U of H's decision established that traditional food sources for indigenous people are in a distinct category. After that, a 10 year moratorium on the genetic engineering of Taro passed the Hawaiian State Senate. Opponents of the wild rice legislation really only ever had one argument, the oft-stated claim "anything which restricts biotechnology sends a chilling message to the research dollars," implying that protecting wild rice would have a negative impact on Minnesota's economy. Since there is no evidence that the decisions to protect Taro have had any negative impact on Hawaii's robust biotech sector, the "Keep it Wild" campaign was able to soundly refute the central argument of their opposition. Biotech interests have always contended that protecting wild rice would lead to restrictions on commercially available genetically modified crops. But it would be impossible for a moratorium on genetically modified wild rice to be used as a precedent regarding crops such as corn, soy or canola because the foundation of the campaign's argument is that wild rice has a unique status as a sacred, essential and treaty-protected resource for Native people. Even the bill's author Frank Moe always made it clear that he was not opposed to the use of genetic engineering in conventional food crops but recognized the wild rice issue as a moral imperative of vital significance to his constituents. The 'slippery slope' argument of the biotech lobby was finally revealed to be completely without merit.

In spite of these seismic changes, the opposition remained entrenched. The campaign's darkest moment was the difficult but necessary decision to abandon the moratorium language because the resistance from agricultural interests in the Senate was insurmountable. The new plan would amend state statute to require

an Environmental Impact Statement before the hypothetical field trials could go forward. An EIS has much more comprehensive requirements than the usual Environmental Assessments and therefore offers actual protection. The matter would be put under the authority of the Environmental Quality Board, who would also notify federally recognized tribes in Minnesota and other stakeholders if they become aware of permits for GE wild rice in other states. A third component was a study of the potential environmental threats to natural wild rice stands including genetically engineered strains.

Armed with new language and a new strategy, the "Keep it Wild" campaign was prepared to navigate the Committee process. The U of M adopted a position of neutrality on the new package, in and of itself a major victory. The Joint Religious Legislative Coalition produced a letter of support, which was the result of a long effort to get mainstream religious groups to acknowledge the wild rice issue as one of religious and spiritual dignity. By carefully crafting the legislation to make the distinction between cultivated wild rice, which is an agricultural product, and natural wild rice, which is a natural resource, Rep. Moe was able to steer the bill on the Environment track in the legislature and avoid the hostile Agriculture committees. Senator Chaudhary, DFL- Fridley, of the Senate Environment Committee ultimately emerged as the bill author and champion on the Senate side.

Perhaps the single most decisive factor in the "Keep It Wild" campaign's victory in its third year was the higher level of involvement of elected Tribal officials. All of the Ojibwa Tribal Chairs as a group told the Governor early in the session that they wanted this bill to pass. The Tribal lobbyists were extremely effective, while the biotech lobbyists seemed ill prepared and clearly incapable of adapting to the new political landscape. They could not overcome all the bad news resulting from the biotech industry's many self-inflicted wounds. Plus, the campaign had growing support among local governments. By the time the Governor signed the bill, both the Duluth City Council and the St. Louis County Board had adopted resolutions of support.

Native Hawaiians made great progress in their campaign to protect Taro but were blocked in the House. The success of the legislation to protect wild rice is an unprecedented victory for Native Minnesotans and all indigenous people. As time passes and the public comes to understand more about genetic engineering, the more we will appreciate the wisdom of the Ojibwa for protecting their wild rice from this technology.

#### **Further Reading:**

If you or someone you know is still unconvinced that genetic engineering is a dangerous technology that's being forced on the public, get yourself a copy of [Genetic Roulette: The Documented Health Risks of Genetically Engineered Food](#) by Jeffrey M. Smith. This newly printed masterpiece is enough to shut down any pro-biotech mouthpiece. Smith has exhaustively chronicled the story of suppressed science and cover-ups, which characterize the biotech industry. He documents a whopping 65 health risks associated with genetic engineering. [www.GeneticRoulette.com](http://www.GeneticRoulette.com). See also [www.i-sis.org.uk/index.php](http://www.i-sis.org.uk/index.php).

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