



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
Senate Committee on Energy and Environment  
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by  
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### SB 709 RELATING TO AGRICULTURE

The University of Hawaii (UH) is sensitive to and mindful of the spiritual and cultural significance of taro in Hawaii. By releasing its patents on disease resistant, traditionally cross-bred, hybrid taro into the public domain and entering into an agreement to consult with the Hawaiian community before conducting any research on genetically engineered Hawaiian taro, the University has demonstrated not only its respect for the cultural significance of Hawaiian taro, but also its desire to expand and enhance its interactions with the Hawaiian taro farmers and the native Hawaiian community.

UH is working on many fronts to establish trust with the Hawaiian community, including, among other efforts, its participation on the Taro Task Force. That Task Force, created by the Legislature as Act 211 in 2008, is currently meeting and driving positive dialogue to address the multitude of threats to Hawaiian taro. We believe it would be prudent for this Legislature to examine the outcomes of the Taro Task Force's efforts before supporting any further legislation regarding taro.

The UH strongly believes that any legislation should use an accurate and scientifically accepted definition of terms. The definition of "genetic modification" as provided in this bill is scientifically inaccurate and serves only to add confusion to this issue.

The UH is troubled by the list of Hawaiian taro varieties contained in the bill in that none of the listed varieties have been genetically characterized. This lack of genetic characterization places the UH in a situation whereby any accusation of genetic engineering of any taro variety puts the institution in an indefensible position. Because we do not know the genome of a 'pure' variety, we would have difficulty defending any accusation that the genome was altered. Taro growers claim that they can distinguish between all of the varieties of Hawaiian taro listed in this bill. And while that may be true, there is little evidence that they could identify genetically engineered varieties as opposed to naturally occurring hybrids. This bill, as written, would also prevent any laboratory work to establish the identity of Hawaiian taro, and thus would jeopardize UH's efforts to systematically identify and preserve Hawaiian taro.

For the reasons cited above, the requirements of Section B(b) are unenforceable. The Office of the Attorney General, even with the assistance of the Department of Agriculture does not have the technical ability nor the properly trained personnel to accurately identify the varieties named in the bill.

Furthermore, Section B(c) creates liability for “damages resulting from violation...including adverse effects on other crops and the health of other individuals exposed to genetically modified taro.” This section is based on numerous negative assumptions that genetic engineering causes adverse effects in other plants and/or causes negative health effects in humans. There is no scientific data to support such assertions and it would be unwise to legislate legally binding liability based on unfounded fears and rumors. The unintended consequences of increasing costs for insuring farmers could negatively affect agriculture across the state.

In closing, UH reiterates that it is not now, nor does it have plans to genetically engineer Hawaiian taro. UH has an agreement in place with the Hawaiian community and UH has every intention of upholding the terms of that agreement. We continue to participate in the Taro Task Force and do not believe our agreements, partnerships and collaborations need to be legislated. The continued introduction of bills such as this does little to protect taro and build collaborative relationships with the Hawaiian taro community. Not only do bills of this nature continue to divide people who need to be working together to address real problems facing taro production in Hawaii, but they perpetuate ignorance of science and unfounded fears of new technologies that may, even indirectly, come to bear on solutions to the problems facing taro in Hawaii.

The University of Hawaii opposes passage of SB 709. Thank you for the opportunity to testify on this bill.