

New Report Issues Dire Warning About Global Decline in Pollinators

Published on Friday, February 26, 2016 by [Common Dreams](#) by [Andrea Germanos, staff writer](#)

Pollinators worldwide, from [bees](#) and butterflies to beetles and bats, are facing a grim state of affairs.

Factors such climate change and land use changes are driving many pollinator species—including 16 percent of vertebrate pollinators—towards extinction. For invertebrate pollinators like bees and butterflies, over 40 percent of species may be threatened locally, a new report shows.

And this all adds up to very bad news for humans, the [report](#) details, as it poses risks to the global food supply.

The assessment released Friday is from the four-year-old Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), a UN-formed body similar to the Intergovernmental Panel on Climate Change (IPCC). IPBES came to its first ever analysis based on a body of existing scientific studies.

“Pollinators are important contributors to world food production and nutritional security,” said Vera Lucia Imperatriz-Fonseca, co-chair of the assessment and senior professor at the University of São Paulo. “Their health is directly linked to our own well-being.”

Describing their critical role, IPBES says that three-quarters of the “leading types of global food crops” rely at least in part on pollination by some of the 20,000 species of wild bees or other pollinators. In terms of monetary impact, that translates to as much as \$577 billion worth of annual global

food production.

“Without pollinators, many of us would no longer be able to enjoy coffee, chocolate and apples, among many other foods that are part of our daily lives,” said Simon Potts, Ph.D., the other co-chair and professor of biodiversity and Ecosystem Services at the University of Reading in the UK.

In addition to climate change and land use changes, the report also cites the decline of practices based on indigenous and local knowledge and insecticides like neonicotinoids as contributing to pollinators’ decline.

Among the strategies to protect pollinators suggest entail promoting sustainable agriculture, including reducing exposure to pesticides and bumping up diversity in pollinator habitats.

As far as a real impact from the group’s report, Dave Goulson, [author](#), bumblebee expert, and professor of biology at the University of Sussex, is skeptical.

“I would question whether any practical on-the-ground action to help pollinators will happen as a result of this document. We are in the midst of the sixth global mass-extinction event, and we sit around spending thousands of hours writing documents about biodiversity, but we do not take action to address the fundamental issues that are causing this ecological catastrophe,” *Nature* [reports](#) him as saying.

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About Time! FDA Will Begin

Testing Foods for Toxic Weedkiller Residue

Published on Wednesday, February 17, 2016 by [Common Dreams](#) by [Lauren McCauley, staff writer](#)

Amid growing international concern over the health risks posed by Monsanto weedkiller glyphosate, the U.S. Food and Drug Administration (FDA) will reportedly begin testing for the herbicide this year.

After speaking with FDA officials, *Civil Eats* [reported](#) Wednesday that the agency will begin testing for residues of glyphosate in certain foods, marking the first time in FDA history that it has tested for the chemical, despite its [status](#) as the most heavily-used herbicide ever, and having been [declared](#) “probably carcinogenic to humans” by the World Health Organization (WHO).

“FDA officials dubbed the issue ‘sensitive’ and declined to provide details of the plans,” according to *Civil Eats*, but FDA spokeswoman Lauren Sucher confirmed that the agency “is now considering assignments for Fiscal Year 2016 to measure glyphosate in soybeans, corn, milk, and eggs, among other potential foods.”

As reporter Carey Gilliam notes, both soybeans and corn are “common ingredients in an array of food products and genetically engineered (or GMO) varieties are commonly sprayed with glyphosate,” which is the key ingredient in Monsanto’s Roundup spray.

Independent studies have [found](#) glyphosate residues in honey and soy products, as well as in breastmilk and infant formula samples.

Last year, the International Agency for Research on Cancer (IARC), WHO’s research arm, published a groundbreaking report connecting glyphosate, among other insecticides, with various

human cancers. The IARC concluded that “limited evidence” shows the herbicide can cause non-Hodgkins lymphoma in humans and cited additional “convincing evidence” that it can cause other forms of cancer in both rats and mice.

“In the wake of intense scrutiny, the Food and Drug Administration has finally committed to taking this basic step of testing our food for the most commonly used pesticide. It’s shocking that it’s taken so long, but we’re glad it’s finally going to happen,” [said](#) Dr. Nathan Donley, a scientist with the Center for Biological Diversity, in a statement on Wednesday.

“More and more scientists are raising concerns about the effects of glyphosate on human health and the environment,” Donley continued. “With about 1.7 billion pounds of this pesticide used each year worldwide, the FDA’s data is badly needed to facilitate long-overdue conversations about how much of this chemical we should tolerate in our food.”

Food industry transparency group U.S. Right to Know issued a [statement](#) Wednesday calling the FDA’s plan a “good first step,” but added that “testing must be thorough and widespread.” The group’s co-founder Gary Ruskin also advocated for the U.S. Department of Agriculture (USDA) to “get on board,” and increase glyphosate monitoring in its own pesticide testing program.

Only once, in 2011, has the USDA conducted a test for glyphosate and reportedly found residues in 271 of the 300 soybean samples.

“The alarm bell is ringing loud and clear,” Donley declared. “The current cavalier use of glyphosate, and lax regulation, cannot remain in place. It’s long past time to start reining in the out-of-control use of this dangerous pesticide in the United States and around the world.”

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This NAFTA Lawsuit over Keystone XL Proves “Free Trade” Deals Kill Democracy

Published on Thursday, January 07, 2016 by [Common Dreams](#)
by [Sarah Lazare, staff writer](#)

Canadian pipeline company TransCanada [announced](#) Wednesday afternoon it is suing the Obama administration under [NAFTA](#) provisions for the U.S. decision last November to reject the unpopular Keystone XL pipeline.

The climate justice movement that successfully pressured the president to reject the mammoth pipeline project responded on Thursday by characterizing the move as “[pathetic](#)” and saying the legal argument being deployed by the company underscores the undemocratic nature of so-called “free trade” deals.

“This isn’t going to get the pipeline built, and it is going to remind Americans how many of our rights these agreements give away,” Bill McKibben, 350.org co-founder, said in [a statement](#). “The idea that some trade agreement should force us to overheat the planet’s atmosphere is, quite simply, insane. But the oil industry is so used to always winning that I fear this kind of tantrum is predictable. Corporate power is truly out of control.”

“Corporate power is truly out of control.”

–Bill McKibben, 350.org

The corporation said it has filed a “filed a Notice of Intent to initiate a claim” under the Investment Chapter of NAFTA—on the grounds that “the denial was arbitrary and unjustified.” Investor-state dispute settlement (ISDS) provisions, which are in thousands of free trade deals, allow corporations to

circumvent national legal systems to levy lawsuits in parallel tribunals if state actions threaten their profits.

“TransCanada has been unjustly deprived of the value of its multibillion-dollar investment by the U.S. administration’s action,” said the firm, announcing it is seeking a stunning \$15 billion in damages.

“With a single press release, TransCanada has proven what concerned citizens have argued for decades—that the primary purpose of ISDS is to subvert democratic processes and the public interest, in the name of private profit,” Carroll Muffett, president of the Center for International Environmental Law, [said](#) on Thursday. “It has demonstrated to the citizens of the United States, and the world, why these provisions have no place in new trade agreements.”

“We encourage the Obama administration to share a copy of TransCanada’s notification with every member of Congress and every US state legislator as evidence of just what the TransPacific Partnership and the Trans-Atlantic Trade and Investment Partnership have to offer them,” Muffett continued. “Millions of people were galvanized into action to stop the Keystone XL pipeline and to say, clearly and loudly, that it is not in the national interest. TransCanada demonstrates why ISDS demands the same response.”

What’s more, TransCanada also announced on Wednesday that it has filed a separate lawsuit in the U.S. Federal Court in Houston, Texas, “asserting that the President’s decision to deny construction of Keystone XL exceeded his power under the U.S. Constitution.”

Climate campaigners say the movement will only be galvanized by TransCanada’s latest stunt.

“The fight against Keystone XL fired up the climate movement like never before,” said Jason Kowalski, policy director for 350.org. “We’re more than happy to keep thrashing it out with

the likes of TransCanada—it will only bring more people into the struggle to keep fossil fuels in the ground.”

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EPA Confirms Longstanding Fears About Impact of Neonics on Bees

Published on Wednesday, January 06, 2016 by [Common Dreams](#) by [Lauren McCauley, staff writer](#)

The Environmental Protection Agency (EPA) on Wednesday [confirmed](#) longstanding fears that a widely-used pesticide can pose a significant risk to honeybee populations.

The first risk assessment released by the agency on the long-term impact of neonicotinoids focused on the [most popular class](#) of the insecticide, imidacloprids. Slammed by researchers as a “deeply flawed” study, the EPA nonetheless found that when used on certain crops, pollinator hives exhibited a dangerous level of chemical residue.

If pollinators were found carrying nectar back to the hive with a greater than 25 parts per billion concentration of imidacloprid, likely effects included decreases in population as well as less honey produced, the EPA stated.

The analysis found that “citrus and cotton may have residues of the pesticide in pollen and nectar above the threshold level. Other crops such as corn and leafy vegetables either do not produce nectar or have residues below the EPA identified level.”

The *Associated Press* [described](#) the findings as “a nuanced answer that neither clears the way for an outright ban nor is a blanket go-ahead for continued use.”

Lori Ann Burd, environmental health director with the Center for Biological Diversity went further than that. The EPA analysis, she told *Common Dreams*, is “deeply flawed” because it only analyzed the effect of imidacloprid on honeybees, and “ignored the 4,000 species of native bees” as well “other pollinator species, including butterflies, some of which are now listed as endangered species.”

Despite the fact that recent [studies](#) have shown that neonics have an “especially dangerous effect” on wild bee populations, the EPA analysis “focused exclusively on honeybees as a proxy for all pollinators,”—a move Burd describes as “absolutely inappropriate.”

What’s more, the EPA ignored the “vast body of data out there showing that neonics are substantially harming pollinators,” and only looked at a single study, which was based on tests run by imidacloprid producer Bayer CropScience.

“It’s nice the EPA acknowledged that neonics are harming pollinators, but its like saying smoking cigarettes are bad for your health,” Burd said. “There’s no question about it.”

This sentiment was shared by Lisa Archer, Food and Technology program director at Friend of the Earth, who said: “The EPA’s piecemeal approach continues to ignore the risks posed by neonicotinoids to native bees, synergistic and cumulative impacts of exposures to multiple neonicotinoids and other pesticides and fungicides, the impacts of seed coatings, and sublethal and chronic effects that also contribute to bee declines. With beekeepers facing continued unsustainable losses, and harm to essential native pollinators mounting, the EPA needs to stop dragging its feet and take decisive action to suspend these bee-toxic pesticides.”

Scientists and environmental groups have long-warned about the [dangerous impacts](#) of neonicotinoids on pollinators, such as honeybees, native bees, and butterflies. In high concentrations, the chemicals can be lethal. They have also been found to persist in soil environments and have been [linked](#) to colony collapse disorder, which researchers [describe](#) as a crisis that could impact the global food supply.

Produced by biotechnology firms including Syngenta, Bayer CropSciences, and Dow Agrosciences, neonics are [commonly](#) sprayed on genetically modified (GM) crops and often [coat GM seeds](#).

The imidacloprid analysis is just the first of four preliminary pollinator risk assessments for the neonicotinoid insecticides; the agency is expected to release similar studies into other neonicotinoids—clothianidin, thiamethoxam, and dinotefuran—for public comment in December 2016.

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Organic Farmers Score New Victory in ‘David and Goliath’ GMO Fight

Published on Tuesday, January 05, 2016 by [Common Dreams](#)
by [Nadia Prupis, staff writer](#)

Organic farmers are racking up [new victories](#) in the fight against ‘franken-food’, as a growing number of counties line up to bar genetically engineered (GE) crop cultivation throughout the country.

A federal judge in Jackson County, Oregon recently upheld a consent decree that designates the region a “GE-free zone,” a ruling which officially protects the decree from appeal, granting new protections to farmers, consumers, and the environment.

That means organic and traditional farms in Jackson County will be protected from chemicals produced by Monsanto, Syngenta, DuPont, and other biotech giants. The ruling follows the passage of other [similar ordinances](#) in at least eight U.S. counties, including in Hawaii, California, and Washington, along with another Oregon county. As the *Washington Post* pointed out on Monday, more bans are on the horizon, with Costilla County in Colorado pushing for its own GE-free zones.

“GE-Free Zones like Jackson County are important to the future of our food because they allow farmers to grow traditional and organic crops without risk of transgenic contamination,” said George Kimbrell, senior attorney with the Center for Food Safety (CFS), a consumer advocacy group which served as legal counsel to the farmers.

The judge’s ruling, which came in late December, [approved](#) the decree that was issued in response to a case brought by two GE farmers last February. With the financial support of the biotechnology lobby, the farmers challenged a 2014 ordinance that prohibited GE crop cultivation, seeking to overturn the ban on the grounds that it violated Oregon law.

However, Federal Judge Mark D. Clarke came down on the side of organic and traditional farmers, ruling that the ban was allowed under the state’s Right to Farm Act.

“U.S. farmers and consumers have a right to say no to Monsanto’s damaging and pesticide-driven business model,” Kimbrell said in December.

Elise Hingley, executive director of the Our Family Farms Coalition (OFFC), also said, “After years of fighting, farmers

like myself can finally go to bed at night knowing our crops will be protected from GE-contamination.”

Under the terms of the decree, the GE farmers will be able to keep their limited crop of alfalfa in the ground for the remainder of its useful life. However, they will not be able to plant additional crops, and must enact safeguards against cross-contamination, which means Jackson County is on its way to being “a GE-free sanctuary,” CFS said in a statement.

As Kimbrell told the *Post* on Monday, “Until we have those restrictions on a federal level, until we have liability on the patent holder for contamination, then we need these zones in order to have any alternative to the current dominant paradigm of the GE crop systems.”

Jackson County’s case “is important in that it makes clear that farmers growing traditional crops have the right to adopt local laws to protect their crops against GE contamination,” said attorney Lia Comerford with the Earthrise Law Center. “This has always been a David and Goliath battle and we are very pleased Jackson County’s ban on GE crops will stand.”

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Seething With Anger, Probe Demanded into Exxon’s Unparalleled Climate Crime

Published on Friday, October 30, 2015 by [Common Dreams](#)

by [Jon Queally, staff writer](#)

A broad coalition of community groups along with prominent leaders from the nation’s top civil rights, environmental, and

indigenous people's movements on Friday sent [a joint letter](#) to the U.S. Department of Justice demanding a federal investigation into allegations that oil giant ExxonMobil knew about the role fossil fuels played in driving climate change since the 1970s but concealed that information—and later sought to discredit those issuing warnings—in order to protect its own financial interests.

“Anyone who’s lived through 25 years of phony climate debate, or who’s seen the toll climate change is already taking on the most vulnerable communities, has been seething at these revelations.”

—Bill McKibben, 350.org Addressed to Attorney General Loretta Lynch, the letter cites recent reporting by the *Los Angeles Times* and *Inside Climate News*—both of which offered devastating details into the manner and scope of the decades-long public deceit—and argues that a DOJ probe is warranted to determine whether criminal charges should be brought against the energy behemoth.

“Given the damage that has already occurred from climate change—particularly in the poorest communities of our nation and our planet—and that will certainly occur going forward, these revelations should be viewed with the utmost apprehension,” the letter states. “They are reminiscent—though potentially much greater in scale—than similar revelations about the tobacco industry.”

Kicked off by the investigative reporting and spearheaded by 350.org co-founder Bill McKibben—who [staged a one-person civil disobedience action](#) earlier this month to draw attention to the issue—the call for a federal investigation has been growing over recent weeks.

“Despite Exxon’s wealth and power, people were eager to sign on to this statement,” McKibben said on Friday. “Anyone who’s lived through 25 years of phony climate debate, or who’s seen the toll climate change is already taking on the most vulnerable communities, has been seething at these

revelations. It reminds me of the spirit at the start of the Keystone battle.”

Just over two weeks ago, U.S. Reps. from California Ted Lieu (D-Los Angeles) and Mark DeSaulnier (D-Walnut Creek) also wrote a [letter](#) to Lynch demanding an investigation and specifically called for RICO statutes to be used to determine whether or not the behavior of Exxon constituted a criminal conspiracy.

“If these allegations against Exxon are true, then Exxon’s actions were immoral,” Lieu and DeSaulnier wrote to the attorney general. “We request the DOJ investigate whether ExxonMobil’s actions were also illegal.”

Initiating a [public petition campaign](#) to bolster their call for the DOJ probe, McKibben sent a letter to members of 350.org on Friday morning in which he stated “very few things truly piss me off,” but that in his mind it seems that no corporation has ever “done anything bigger and badder” than what ExxonMobil has done in this case.

“Just think how much would be different if Exxon had told the truth,” he continued. “We wouldn’t fully have solved global warming but we’d be well on the way—there would have been no 25 year phony pretend debate. There’d be a lot more solar panels, and a lot less carbon in the air. There’d be a lot more green jobs, and a lot fewer communities, most of them low income and communities of color, dealing with the terrible health impacts of pollution. None of you would have had to fight simply to get climate change taken seriously; instead we’d all be hard at work on solutions.”

That, of course, is not how the last four decades have played out and for that, he stated, “I think we should be angry.”

The full text of Friday’s letter and list of signatories follows:

Dear Attorney General Lynch,

As leaders of some of the nation's environmental, indigenous peoples and civil rights groups, we're writing to ask that you initiate a federal probe into the conduct of ExxonMobil. New revelations in the Los Angeles Times and the Pulitzer-prize-winning InsideClimate News strongly suggest that the corporation knew about the dangers of climate change even as it funded efforts at climate denial and systematically misled the public.

Given the damage that has already occurred from climate change—particularly in the poorest communities of our nation and our planet—and that will certainly occur going forward, these revelations should be viewed with the utmost apprehension. They are reminiscent—though potentially much greater in scale—than similar revelations about the tobacco industry.

These journalists have provided a remarkable roadmap to this corporation's potential misconduct. We would ask that you follow that map wherever it may lead, employing all the tools at your disposal to uncover the truth.

Signed,

Margie Alt, Executive Director of Environment America

Kenny Ausubel, Nina Simons, Founders of Bioneers

Sally Bingham, President and Founder of Interfaith Power and Light

May Boeve, Bill McKibben, Founders of 350.org

Michael Brune, Executive Director of Sierra Club

Robert Bullard, Author and John Muir Award winner, 2013

Andrea Carmen, Executive Director of International Indian

Treaty Council

Faith Gemmill, Executive Director of REDOIL (Resisting Environmental Destruction on Indigenous Lands)

Tom Goldtooth, Executive Director of Indigenous Environmental Network

James Hansen, Director, Climate Science, Awareness and Solutions Program, Columbia University Earth Institute

Reverend Fletcher Harper, Executive Director of Greenfaith

David Helvarg, Executive Director of Blue Frontier

Gene Karpinski, President of League of Conservation Voters

Jane Kleeb, Bold Nebraska

Steve Kretzmann, Executive Director and Founder of Oil Change International

Fred Krupp, President of Environmental Defense Fund

Winona LaDuke, Executive Director of Honor the Earth

Annie Leonard, Executive Director of Greenpeace USA

RL Miller, President of Climate Hawks Vote

Matt Nelson, Managing Director of Presente.org

Brant Olson, Campaign Director at Climate Truth

Erich Pica, President of Friends of the Earth

Cindy Shogan, Executive Director of Alaska Wilderness League

Reverend Fred Small, President of Creation Coalition

Gus Speth, Former Dean Yale School of Forestry and the Environment

Tom Steyer, Founder of NextGen

Rhea Suh, President of the Natural Resources Defense Council

Vien Truong, Director of Green for All

Joe Uehlein, Executive Director of Labor Network for Sustainability

Tripp Van Noppen, President of Earthjustice

David Yarnold, President of the Audubon Society

Reverend Lennox Yearwood, President of Hip Hop Caucus

Trip Van Nopen, Earth Justice

Rich Stolz, Executive Director of OneAmerica

Resilience Collaborative, LLC

A Philip Randolph Institute

Green America

Energy Action Coalition

Divest Invest Individual

Bean Soup Times

Ecumenical Poverty Initiative

Beats Rhymes & Relief

Freddie Gray Project

Beloved Community Center

Neighbors United of Southeast Greensboro, NC

The Foundation of Women in Hip Hop

The Gathering for Justice/Justice League NYC

J Dilla Foundation

J.A.M.N.

that revelations that the company knew about climate change as early as the 1970s, but chose to mislead the public about the crisis in order to maximize their profits from fossil fuels.

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Marine Mammals Get Reprieve as US Navy Finally Agrees to Back Off Sonar Testing in Key Areas

Published on Tuesday, September 15, 2015 by [Common Dreams](#)
by [Jon Queally, staff writer](#)

Animal welfare groups and conservationists are [declaring victory](#) on behalf of marine mammals off the coast of both Hawaii and California after a federal judge on Monday signed a settlement in which the U.S. Navy agreed to limit its use of underwater sonar and explosives in particularly sensitive areas for scores of vulnerable species.

Environmentalists have been challenging the U.S. military's testing of mid-frequency sonar and other activities deemed harmful to whales, dolphins, and other species for many years, but the agreement signed Monday by U.S. District Judge Susan Oki Mollway in Honolulu only came after a ruling by the same judge earlier this year which said the U.S. Navy had other

opportunities to perform such testing in places where its negative impact would not be so dire.

“If a whale or dolphin can’t hear, it can’t survive,” said David Henkin, an attorney for the national legal organization Earthjustice, who brought the initial challenge to the Navy’s latest round of training and testing on behalf of Conservation Council for Hawai’i, the Animal Welfare Institute, the Center for Biological Diversity and the Ocean Mammal Institute. “We challenged the Navy’s plan because it would have unnecessarily harmed whales, dolphins, and endangered marine mammals, with the Navy itself estimating that more than 2,000 animals would be killed or permanently injured. By agreeing to this settlement, the Navy acknowledges that it doesn’t need to train in every square inch of the ocean and that it can take reasonable steps to reduce the deadly toll of its activities.”

As the *Los Angeles Times* [reports](#):

The litigation centered on a disagreement about how many marine mammals might be harmed by the Navy’s training regimen. Mollway ruled that the Navy had vastly underestimated the threat.

According to the environmentalists, the settlement calls for a ban on mid-frequency sonar and explosives on the eastern side of the Big Island and north of Molokai and Maui, in an effort to protect whales and Hawaiian monk seals. Surface ships would be required to use “extreme caution” to avoid hitting humpback whales.

Off Southern California, the Navy is banned from using mid-frequency sonar between Santa Catalina Island and San Nicolas Island, also near blue whale habitat off San Diego, the environmental groups said. The same extreme caution would be required for ships in the feeding habitat and migratory corridors for blue, fin and gray whales.

The Navy asserted its training could kill 155 whales over

five years. Environmentalists said the number of those killed or injured would be much higher.

“This settlement proves what we’ve been saying all along,” said Marsha Green, president of Ocean Mammal Institute. “The Navy can meet its training and testing needs and, at the same time, provide significant protections to whales and dolphins by limiting the use of sonar and explosives in vital habitat.”

Scientific studies have documented the connection between high-intensity mid-frequency sounds, including Navy sonar, and serious impacts to marine mammals ranging from strandings and deaths to cessation of feeding and habitat avoidance and abandonment. Despite those scientific warnings, until now the Navy has refused to set aside biologically important areas to minimize such harm to vulnerable marine mammal populations.

Until it expires in late 2018, the agreement is designed to protect habitat for the most vulnerable marine mammal populations, including endangered blue whales for which waters off Southern California are a globally important feeding area; and numerous small, resident whale and dolphin populations off Hawaii, for which the islands are an oasis—their only home.

“This is a huge victory for critically endangered species like the insular population of Hawaii’s false killer whale, which is down to only about 150 animals,” said Miyoko Sakashita, oceans director at the Center for Biological Diversity.

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Documents Show California Pipeline Spill Much Worse Than Initially Disclosed

Published on Thursday, August 06, 2015 by [Common Dreams](#)
by [Lauren McCauley, staff writer](#)

An oil pipeline spill along the Santa Barbara coast this spring may have been up to 40 percent bigger than originally estimated, documents made public Wednesday revealed.

The quarterly earnings report for Texas-based Plains All American Pipeline disclosed that as many as 143,000 gallons of crude may have been spilled during the [May 20 pipeline rupture](#). Previous estimates held that approximately 101,000 gallons were spilled.

“The company is continuing its analysis, and the figures are preliminary,” AP [reports](#).

During the spill, oil flowed from the aging pipeline, which runs parallel to route 101, down a culvert into the ocean along Refugio State Beach. An oil sheen was visible up to fifty yards off the coast.

In the weeks following, small tar balls were found as far south as Redondo Beach in Los Angeles County and, [according](#) to the *Los Angeles Times*, “hundreds of sea birds and mammals, many coated in crude, washed up in the spill area.”

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In Victory for Animals and Their Defenders, Judge Strikes Down Idaho 'Ag-Gag' Law

Published on Tuesday, August 04, 2015 by [Common Dreams](#)
by [Jon Queally, staff writer](#)

In a victory for animal rights advocates—and the animals on factory farms they seek to protect—a federal judge on Monday ruled Idaho's controversial "ag-gag" law unconstitutional in a decision that said criminalizing the undercover documentation of livestock abuse violates both free speech and the equal protection clause.

"The facts show the state's purpose in enacting the statute was to protect industrial animal agriculture by silencing its critics." —U.S. District Judge B. Lynn Winmill

"The effect of the statute will be to suppress speech by undercover investigators and whistleblowers concerning topics of great public importance: the safety of the public food supply, the safety of agricultural workers, the treatment and health of farm animals, and the impact of business activities on the environment," U.S. District Judge B. Lynn Winmill stated in his [28-page ruling](#).

Under the law, people filming agricultural operations without permission in Idaho face up to a year in jail and a \$5,000 fine. By comparison, a jail sentence for an animal cruelty conviction is capped at six months and a maximum fine of \$5,000.

However, as Winmill's ruling continued, the legal arguments in favor of banning undercover investigations—long a tactic of animal rights groups with no other way to prove or expose such

abuse—did not stand up to scrutiny. “Audio and visual evidence is a uniquely persuasive means of conveying a message,” he wrote, “and it can vindicate an undercover investigator or whistleblower who is otherwise disbelieved or ignored. Prohibiting undercover investigators or whistleblowers from recording an agricultural facility’s operations inevitably suppresses a key type of speech because it limits the information that might later be published or broadcast.”

In the end, the judge [concluded](#), “the facts show the state’s purpose in enacting the statute was to protect industrial animal agriculture by silencing its critics.”

Though other states have passed [similar laws in recent years](#), the decision by Winmill marks the first time a federal court has struck down such legislation. And though the Idaho ruling could be appealed to a higher federal court, it is also likely to spur additional challenges in those other states.

Instigated by an undercover operation by the animal rights group Mercy for Animals, Idaho’s law was signed into law in 2014 by the state’s Republican Gov. Butch Otter, but was challenged in court by a coalition of welfare advocates, led by attorneys with the Animal Legal Defense Fund.

ALDF called Winmill’s ruling a “landmark victory” for all those represented by the suit, which in addition to the tens of thousands nameless animals, included a broad-based public interest coalition of national nonprofits, including the People for the Ethical Treatment of Animals (PETA), the American Civil Liberties Union (ACLU) of Idaho, journalists Will Potter and Blair Koch, Farm Sanctuary, and the Center for Food Safety (CFS). In a [joint statement](#), the coalition said:

Undercover video and photography has exposed numerous shocking practices that are “industry standards.” These pervasive, systematic procedures include routine mutilation, including debeaking birds with electrically heated blades and

castrating male animals by slicing open their scrotum and ripping their testicles out without pain relief or anesthesia and intensive confinement—where animals are literally unable to turn around for months on end. Exposes have also detailed the sickening farming conditions resulting in contaminated meat products—posing serious health risks to the public—and life threatening conditions for farm workers.

These investigations, and the subsequent media coverage, have led to food safety recalls, citations for environmental and labor violations, evidence of health code violations, plant closures, criminal convictions, and civil litigation. The Idaho statute unconstitutionally and unwisely prohibits efforts to bring violations of state and federal laws relating to food safety, environmental protection, and animal handling to the attention of the public and law enforcement.

Ag-Gag laws are notoriously unsupported by the public. Nationwide thirty-two similar Ag-Gag measures have failed. Currently, seven states have Ag-Gag laws on the books. This Idaho decision is just the first step in defeating similar Ag-Gag laws across the country.

Mercy for Animals also hailed the ruling, saying it is now looking forward to continuing its work and producing more undercover videos in Idaho.

“Idaho’s lawmakers should be ashamed of wasting precious time and valuable resources enacting unconstitutional laws that threaten animal welfare, food safety, workers’ rights and the environment,” [said](#) Nathan Runkle, president of Mercy for Animals, in response to the ruling. “We hope they will now focus their efforts on improving animal welfare and rewarding the brave whistleblowers who uncover criminal activity in Idaho’s agricultural operation.”

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Taking Firm Stance, Scotland Pushes GMO Ban

Published on Monday, August 10, 2015 by [Common Dreams](#)
by [Sarah Lazare, staff writer](#)

Scottish government officials announced Sunday they will impose a ban on the domestic cultivation of genetically modified (GM or GMO) crops, attracting praise from environmental and food safety campaigners.

“Scotland is known around the world for our beautiful natural environment—and banning growing genetically modified crops will protect and further enhance our clean, green status,” declared rural affairs secretary Richard Lochhead in a [statement](#).

“The Scottish Government has long-standing concerns about GM crops—concerns that are shared by other European countries and consumers, and which should not be dismissed lightly,” Lochhead continued.

The government invoked recently-passed European Union powers that permits individual governments, like Scotland, to prohibit GM crop cultivation within their territory. Critics [have expressed concern](#) that the EU legislation won't go far enough, because it does not ensure protection from legal challenges to bans

“The Scottish government will shortly submit a request that Scotland is excluded from any European consents for the cultivation of GM crops, including the variety of genetically

modified maize already approved and six other GM crops that are awaiting authorization,” the rural affairs office said.

While the statement did not indicate whether the ban extends to scientific research, the *Guardian* [reported](#) Sunday that “a spokeswoman confirmed that laboratory research on GMOs would continue.”

The ban signals a growing divide between the Scottish National Party and the United Kingdom’s conservative Tory government housed in London, with the latter [announcing](#) earlier this summer it will allow cultivation of GM crops.

Richard Dixon, director of Friends of the Earth-Scotland, [told](#) Scottish newspaper *The National*: “The Scottish government has been making anti-GM noises for some time, but the new Tory government has been trying to take us in the direction of GM being used in the UK, so it is very good news that Scottish ministers are taking that stance.”

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