

For Whom the Bell Tolls

New Legislation: The Control of America's Farmers and Farm Lands

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1. Introduction

The joint stock East India Company [EIC] ruled India from about 1770 to 1857, about 87 years. During those nine decades the eight millennia old farming tradition was uprooted and subjected to colonial rapacity. A food secure India suffered persistent famines, hunger, starvation and deaths on a scale never before witnessed in its documented history. The people revolted in 1857, the British Government took over, but under the evil rulers hunger and starvation continued right up until 1947. One firm took over India because it came to control its farmers and farm lands and it controlled what its farmers produced.

This is 2009, not 1770, but the power to enslave remains undiluted. The people of the United States of America will soon face a law that even the most convoluted minds in the East India Company could not have thought of.

2. The two bills: HR875 [1] and S425 [2]

(a) HR875 Bill in the House of Representatives

Representative Rosa DeLauro [3] has introduced HR 875 designed to scare the hell out of any food producer anywhere in the world. The ostensible purpose of the bill is to:

1. To establish the Food Safety Administration within the Department of Health and Human Services;
2. To protect the public health by preventing food-borne illness,
3. To ensure the safety of food,
4. To improve research on contaminants leading to food-borne illness, and, inter alia,
5. To improve security of food from intentional contamination,

The Congress is of the opinion that 'the food safety program at the Food and Drug Administration is not effective in controlling hazards in food coming from farms and factories in the United States and food and food ingredients coming from foreign countries, and these events have adversely affected consumer confidence' [Sec 2(3)], that immune compromised population is at risk [Sec 2 (5)(c)], that the volume of imported food is increasing and that there have been lapses on part of the regulatory bodies.

The bill, if it becomes law, would give virtually untrammelled power to a US inspector,

anywhere in the world, to enter any food establishment, inspect, collect samples, inspect production log books if that food establishment produces and/or processes foods meant for American consumption.

“All imported food under this Act shall meet requirements for food safety, inspection, labeling, and consumer protection that are at least equal to those applicable to food grown, manufactured, processed, packed, or held for consumption in the United States.” [Sec. 208]

Please note two vital definitions:

(a) ‘The term **food establishment** means a slaughterhouse (except those regulated under the Federal Meat Inspection Act or the Poultry Products Inspection Act), factory, warehouse, or facility owned or operated by a person located in any State that processes food or a facility that holds, stores, or transports food or food ingredients..’ [sic] and

(b) ‘The term **food production facility** means any farm, ranch, orchard, vineyard, aquaculture facility, or confined animal-feeding operation.’ [sic] [Section 3; definitions]

Penalties for violation

The penalty for violation of food safety law is one million dollars. The precise wording is:

(i) ‘Any person that commits an act that violates the food safety law (including a regulation promulgated or order issued under the food safety law) may be assessed a civil penalty by the Administrator of not more than \$1,000,000 for each such act.’

(ii) ‘Each act described in subparagraph and each day during which that act continues shall be considered a separate offense.’ **[SEC. 405. CIVIL AND CRIMINAL PENALTIES]**

Rosa has also been responsible in the past for HR1671 (The Safe Food Act, 2002), HR 3184 (The Protecting the Food Supply from Bioterrorism, 2002) and HR 1507 (Safe Food Act, 2006). Rosa is chairwoman of the Agriculture-FDA Appropriations Subcommittee. [4]

(b) S425 Bill in the Senate

Senator Sherrod Brown (Ohio) [5] introduced the Bill (February, 2009) with the ostensible purpose of

1. Amending the Federal Food, Drug, and Cosmetic Act
2. Providing for the establishment of **a traceability system for food,**
3. Amending the Federal Meat Inspection Act, the Poultry Products Inspections Act, the Egg Products Inspection Act, and the Federal Food, Drug, and Cosmetic Act, and inter alia
4. Providing for **improved public health and food safety through enhanced enforcement**

The core philosophy of S425 is ‘traceability.’ ‘The traceability system (a) shall require each article of food shipped in interstate commerce to be identified in a manner that enables the Secretary to retrieve the history, use, and location of the article through a recordkeeping and audit system, a secure, online database, or registered identification. [Sec. 414A]

Penalties under S425 are equally severe. 'The Secretary may assess against a person that violates section 411 (including a regulation promulgated or order issued under that section) a civil penalty for each violation of not more than **\$100,000**' and 'Each violation and each day during which the violation continues shall be considered to be a separate offense.' [Sec 413]

If you sold a chicken every day for seven days and suppose you violated three laws, the penalty could be 3x7x1 million dollars, or about 21 million dollars, give or take a few cents at the discretion of the inspector.

Basically it means that if you have hen and a cock and they produce dozens of chicks and you happen to sell one to your neighbour and if your chicken has any matter 'unapproved' by the new FDA, you could end up in serious trouble. As a small farmer you'd be required to maintain where you bought the birds, what did you feed them, what did you add to the watering tray, prove that the brood did not have any disease, and prove to the satisfaction of the inspector that the meat did not contain any contaminant.

Whilst HR875 seeks to prevent contamination of any foods, S425 seeks to ensure traceability in any meat and egg. The wording of the two bills shows that the present US Government seeks total control over agriculture and food production.

3. Does the US need such a law?

Is the American consumer facing contamination on a scale that requires such draconian control? The answer is yes and no. The bills should be welcomed on three counts.

(a) GM contamination:

The American consumer is facing contamination of food from genetically modified organisms [GMOs] on a scale no other country has faced, since unlabelled GM foods were introduced in the early nineties. Bayer's Liberty Link 601 event contaminated American rice, approved ex post facto when the contamination was discovered in Europe in 2006. Natural corn and soy are now contaminated with Monsanto's genetically engineered corn and soy. Soon it'd be impossible to buy non-contaminated corn, soy and rice in the US because biological contamination intensifies over time and space. Jeffrey Smith has listed 65 health problems that GM foods can cause in his 'Genetic Roulette.' [6] William Engdahl in his masterpiece 'The Seeds of Destruction' has demonstrated that GM seeds and foods are the perfect genocidal weapon. He even goes on to prove that **Genetic Engineering is actually a euphemism for eugenics.** [7] Therefore, Rosa's bill can be effectively used to ensure that American consumers have a choice of opting out of GM foods and at the same time penalize Monsanto and Bayer for contaminating natural and healthy foods, at least impose a penalty of one million dollars per day for progressive intensifying and irreversible contamination of the natural environment and destroying American people's health at genetic level. In fact, I am unhappy that the penalty is merely one million dollars; it should include life imprisonment, perhaps death penalty, once the facts have been established. And the facts have been established. [8]

It should be noted that the Biotech industry knows about the health hazards of genetically modified foods and dangers posed to farmers during cultivation phase. However, scientists undertaking independent studies have been vilified, demonized, sacked and their research papers seized. In animal studies conducted independently by Irina Ermakova (Russia) and

Arpad Pusztai (Britain) both found that mice fed GM food showed extensive damage to vital organs. Irina found that rats fed GM food caused premature deaths in progeny and significant growth retardation, up to 50%.

(b) The American industrial farmers are the largest users of pesticides.

The North American farmers consumed an estimated 25.5% of global pesticide consumption valued at 43 billion dollars in 2003. [9] Reports of large scale contamination of farmlands and water bodies are legion. A large swathe of the Gulf of Mexico is dead zone from pesticide run-off. Pesticide residue in food crops is an established fact. 'The most dangerous chemicals used in farming such as organophosphates [pesticides] have been linked with a range of conditions such as cancer, decreasing male fertility, foetal abnormalities, chronic fatigue syndrome in children and Parkinson's disease. Pesticide residues have been ranked among the top three environmental cancer risks by the American Government....In recent years, UK Government research has consistently found pesticide residues in a third of food, including residues of more than one chemical in apples, baby food, bread, cereal bars, fresh salmon, lemons, lettuces, peaches, nectarines, potatoes and strawberries.' [10]

HR875 can be effectively used to direct food producers to eliminate the health risks posed by pesticide residue, especially in countries that supply foods to the American consumers.

(c) Decline in nutrition:

We eat to nourish our body and mind. Yet, food production is measured in terms of weight and not the nutrition yield. This anomaly has been thoroughly exploited by the corporations.

'The 1988 Surgeon General's report on nutrition states that nutrition can play a role in the prevention of such diseases as coronary heart disease, stroke, cancer and diabetes.' [11]

Over the last ten-odd years I have followed researches worldwide and found that there is significant decline in nutritive content of all foods including fresh fruits, veggies, meat, milk and egg. The decline in nutritive content is correlated with farming methods: conventional [a.k.a. industrial] methods consistently show low nutrition while natural methods, even when fertilizers and pesticides are judiciously used, consistently show high nutrition yield.

Dr Davis studied 50-year changes in U.S. Dept. of Agriculture food composition data for 13 nutrients in 43 garden crops—vegetables plus strawberries and three melons- and found apparent declines in median concentrations of six nutrients: protein -6%, calcium -16%, phosphorus -9%, iron -15%, riboflavin -38%, and vitamin C about -20%. [12]

Paul Bergner has written in his 'Healing Power of Minerals, Special Nutrients and Trace Elements (Prima Publications, 1997) that the average decline in mineral content of some fruits and vegetables was quite dramatic. He found that Calcium had declined by 29%, iron by 32%, Magnesium by 21%, Phosphorus by 11% and Potassium by over 6%. He had measured oranges, apples, bananas, carrots, potatoes, corn, tomatoes, celery, romaine lettuce, broccoli, iceberg lettuce, collard greens, and chard

Kathryn Scharf of The Kushi Institute of Becket, Massachusetts, studied USDA nutrient data from 1975 and 1997, and uncovered a disturbing trend: average calcium levels in 12 fresh vegetables have declined 27 percent, iron levels have dropped 37 percent, vitamin A levels, 21 percent; and vitamin C levels, 30 percent. [13]

The nutrition 'dilution effect' is the declining average nutrient levels in the U.S. food supply first coined in an important review article published in 1981 (Jarrell and Beverly, 1981). They found that fertilized plants contained larger absolute amounts of minerals than the unfertilized plants, but these amounts were sufficiently diluted by the increased dry matter that all mineral concentrations declined, except for phosphorus, which is the common fertilizer.

Recent studies clearly show the holistic beneficial effects of natural farming. I quote two below:

(i) [Fact Sheet from the Soils Association](#), Bristol, UK. 2004 [14]

- 'Organic food contains, on average, higher levels of vitamin C and essential minerals such as calcium, magnesium, iron and chromium.
- In a review of 41 studies from around the world, organic crops were shown to have statistically significant higher levels of vitamin C, magnesium, iron and phosphorus. Spinach, lettuce, cabbage and potatoes showed particularly high levels of minerals.
- Nitrate levels in organic food are on average 15% lower³. Scientists from Glasgow University have found a link between the levels of nitrates in vegetables and gullet cancer, which has trebled over the last 20 years and claims more than 3000 lives a year. They believe that an increase in the use of nitrate fertilizers since World War II may be one of the main reasons for the rise in this cancer.
- Organic vegetables have higher levels (between 10% and 50%) of secondary nutrients. These include antioxidants which help to mop up harmful free radicals implicated in cancer.
- Deficiencies in certain vitamins and minerals can lead to a variety of symptoms including muscle cramps and depression.
- Between 1940 and 1991, trace minerals in conventional UK fruit and vegetables fell by up to 76% - US figures show a similar trend (Defra and USDA)
- In a survey of organic vegetable soups, researchers found that they contain almost six times as much salicylic acid as non-organic vegetable soups² The acid helps combat the hardening of the arteries and bowel cancer and is responsible for the anti-inflammatory action of aspirin. It is naturally used in plants as defence against disease.
- The Food Standards Agency agree that consumers concerned about sustainability (wildlife, pollution, climate change) and pesticide residues can buy organic food.'

(ii) State of Science Review: Nutritional Superiority of Organic Foods; March 2008, by Charles Benbrook, Xin Zhao, Jaime Yáñez, Neal Davies and Preston Andrews [15]

This is a vital document in our understanding of nutrition in our foods. Andrew Weil, of the Organic Centre says, 'The medical evidence linking fruits and vegetables to good health is overwhelming. And now, so too is the new evidence that organic fruits and vegetables deliver more nutrients per average serving, including the all-important protective phytonutrients like polyphenols and antioxidant pigments..'

Please note that the food biotech industry led by Monsanto wants to force feed the world genetically modified foods without demonstrating their nutritional superiority. It was suspected and eventually known that GMO could pose serious threat to human and animal health and the environment, yet efforts at independent biosafety assessment were discontinued.

“The clear strategy of Monsanto, Dow, DuPont and the Washington Government backing them was to introduce the GMO seeds in every corner of the globe, with priority on defencelessAfrican and developing countries,” writes Engdahl. However, Engdahl also describes how the US and Canadian farmlands came under GMOs. In the US unlabelled GM foods were introduced in 1993. The fact that 70% of supermarket foods contain GMOs in varying proportions should rightly be called world’s largest biological experiment on humans and this is going on right now.

The bills are not required if they do not address the basic issue of nutrition in foods.

4. Causes of Deaths

If the present US Government is concerned about the health of US citizens, it should analyze some of the data that the World Health Organization [WHO] publishes. One of the best indicators is mortality. WHO documents three main causes: communicable diseases, non-communicable diseases and injuries (accidents, self inflicted wounds or wars).

According to WHO, in 2004 the total mortality worldwide was about 57 million of which non-communicable factors accounted for 58.65%, injuries 9.04% and **Communicable, maternal, perinatal and nutritional conditions** for 32.31% mortality. It is worth asking why the WHO clubs communicable, maternal, perinatal and nutritional causes under one data set. It hides the ugly fact that **food related deaths worldwide** perhaps did not account for more than **3.47% of the total mortality** if we club deaths from diarrhoeal, hepatitisB and intestinal infections under food related. Please note that WHO does not separately classify mortality from food related causes.

The total mortality from various causes in the US was 2.4 million in 2004. The total mortality from communicable diseases accounted for 6.12% but 87.57% died of **non-communicable diseases** such as cancer, diabetes, neurological disorder, digestive diseases, respiratory diseases, and endocrine disorders. That is over 14 times higher death rates from non-communicable diseases as compared to communicable diseases. [17]

Legislators should also note that over 250,000 Americans died of iatrogenic causes, third largest cause of mortality after heart disease and cancer. [18]

If Rosa DeLauro and Sherrod Brown are truly concerned about the health of the American people, and I hope they are equally concerned about global health, then they should address the non-communicable causes of mortality in the USA on a war footing, instead of slipping a potentially obnoxious bill that would wipe out the remaining independent farmers.

If the concern of the two bills is serious health problems from contamination of foods, then the bills should address the potential health threats from GM foods, pesticide contamination and decline in nutrition. These are uncontrollable factors in the present paradigm.

5. Required modifications to the bills

The bills should be modified to explicitly **exclude small independent farmers** so long as they practice Biodiversity-based ecological agriculture [BEA], be it biodynamic, organic, permaculture or any natural system that is fossil fuel free at primary production level.

Approximately 80,000 edible plants were present at one time or another in human history; only 150 are now cultivated on large scale. Of the four thousand types of potatoes grown worldwide in mid nineteenth century, only four are grown today. Mere 10 to 20 species provide 80%–90% food requirements of the world. This is a staggering loss of biodiversity largely engineered by multinational food and seed corporations. [19]

The bills are silent on the concept of **reward for growing nutrition**. Therefore, the bill should be modified further to reward farmers who grow nutritionally dense foods and seek to restore nature's biodiversity.

We need restoration of biodiversity and the restoration of the peasantries to a pre-eminent status as it was in late 19th century. We can continue to grow healthy food so long as the sun shines and so long as we respect nature.

Therefore, HR875 and S425 should explicitly seek to strengthen the natural resource base of the small farmers instead of creating a legal framework for predatory oligopolies to monopolize food production and distribution. In its present form it is a penal bill that has the potential to financially destroy small food producers.

Rosa's grandmother baked pastries in New Haven. Had her Grandma used Monsanto's GM wheat for baking bread or pastry, Rosa would be half her size, suffering total vital organ collapse by age fifteen and perhaps mentally challenged. She should thank her Grandma for baking pastries from natural ingredients and while she continues to occupy an important position she should ensure that all grandmas have the option of baking pastries from natural ingredients.

6. Conclusion

The American people are facing contamination of their food from genetically modified organisms and pesticide. They are eating nutrition-deficient foods. It has been established beyond any doubt that natural foods are nutritious, ensure health and well-being. Yet the two bills fail to address these issues.

Endnotes

[1] Full text of HR875 here: <http://www.govtrack.us/congress/billtext.xpd?bill=h111-875>

[2] Full text of S425 here: <http://www.govtrack.us/congress/billtext.xpd?bill=s111-425>

[3] Ms. DELAURO (for herself and others) 'A Bill....*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*' [Preamble to the Bill]

[4] <http://delauero.house.gov/bio.cfm>

[5] http://brown.senate.gov/issues_and_agenda/legislation/index.cfm?PageNum_rs=2

[6] Smith, J. (2007). Genetic Roulette-the documented health risks of genetically engineered foods; Yes Books.

[7] Engdahl, W. (2008). Seeds of Destruction-The hidden agenda of genetic manipulation; Global Research. (www.globalresearch.ca/books/SoD.html)

[8] Bayer CropScience (the German multinational seeds company) conducted field trials of LL601 (better known as Liberty Link 601) from 1999 to 2001 in Louisiana. It then dropped the project and did not seek US Government permission to market it. In 2006, widespread contamination of US long-grain rice with LL601 trait was reported. Covering the event, Rick Weiss, the Washington Post staff writer, reported, "The U.S. Department of Agriculture is investigating how the variety escaped from test plots into farmers' fields, where it was quietly amplified for years until its discovery. The seeds and plants of LL601 look virtually identical to those of the popular conventional variety with which they had become mixed, said Steve Linscombe, director of Louisiana State University's rice research station in Crowley..... The day the contamination was announced in August, Bayer asked the government to approve the variety." The biotech corporations are illegally contaminating food and feed crops. When contamination is discovered they seek approval.

[9] Young, Luci. (2004). The pesticide market and industry: a global perspective;

<http://www.allbusiness.com/finance/538037-1.html>

[10] Organic foods in relation to nutrition and health: key facts; 11 Jul 2004, Medical News Today, UK.

URL:

<http://www.soilandhealth.org/01aglibrary/Arun/Organic%20foods%20in%20relation%20to%20nutrition%20and%20health%20key%20fact%85.pdf>

[11] Bob L. Smith, Organic Foods vs Supermarket Foods: Element Levels

Doctor's Data Inc., PO Box 111, West Chicago, IL 60185; JOURNAL OF APPLIED NUTRITION, VOL 45-

1, 1993. Copyright © International Academy of Nutrition and Preventive Medicine

<http://www.soilandhealth.org/01aglibrary/Arun/Organic%20vs%20supermarket-element%20levels.pdf>

[12] http://www.organic-center.org/reportfiles/Davis_ppt.pdf

[13] http://csf.colorado.edu/archive/1999/food_security/msg00531.html

[14] <http://www.soilandhealth.org/01aglibrary/Arun/A%20case%20for%20organics.htm>

[15] www.organic-centre.org

[16] Ibid, page 270

[17] WHO; Department of Measurement and Health Information; 2004

[18] **Dr. Starfield, B. (2000) Journal of the American Medical Association. This article was quoted in Dr Mercola's blog and has been recently updated to include more recent data.**
<http://articles.mercola.com/sites/articles/archive/2000/07/30/doctors-death-part-one.aspx>

[19] The Future of Food, An excellent documentary by Deborah Koons. View here: <http://www.thefutureoffood.com>

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