

Hawaii GMO court case could provide guidance on legal challenge of Oregon county ban

Upcoming oral arguments in a lawsuit over a Hawaiian county's prohibition against genetically modified organisms will likely focus on whether the ban is pre-empted by federal and state laws.

Opponents of the GMO ban have asked a federal judge to invalidate the ordinance because the county government cannot override rules and laws enacted by federal and state agencies. The County of Hawaii and supporters of the ordinance counter that existing regulations don't address their concerns about genetically engineered crops cross-pollinating with conventional and organic plants and thus don't preclude the county government from trying to prevent that possibility.

The two sides have submitted court briefs buttressing their positions and are scheduled to appear Oct. 23 before U.S. Magistrate Judge Barry Kurren for oral arguments.

The case is being watched closely by biotech proponents and critics since it could have implications for other litigation over GMOs, such as a possible lawsuit against a similar ban in Oregon's Jackson County. Farm and biotech groups that filed a complaint against the ordinance argue that it's superseded by the "coordinated framework" of GMO oversight by the USDA, the U.S. Environmental Protection Agency and the U.S. Food and Drug Administration.

Read full original article: [Hawaii GMO case heads for court](#)