

## Federal judge to decide whether Maui has authority to ban GMOs

A federal judge said that the key question before her in lawsuits related to a Maui County ban on the cultivation of genetically modified crops is whether federal and state law trump county law.

U.S. District Court Chief Judge Susan Oki Mollway said she aims to rule on the issue by the end of the month.

Michael Carroll, a lawyer for a citizens group that sponsored a Maui County ballot initiative creating the ban, told Mollway that the federal and state governments aren't regulating genetically engineered crops and so the county has the authority to regulate them.

But an attorney for Monsanto Co. and Dow Chemical Co. unit Agrigenetics Inc. — both of which research genetically engineered crops in Maui County — told Mollway the state and federal governments already regulate the crops. Former Hawaii attorney general Margery Bronster said the county doesn't have the authority to do so.

Mollway is considering two separate lawsuits on the same topic.

The first, filed by the seed companies and their allies, challenges a Maui County law created when voters passed a ballot initiative last year. The law imposes a moratorium on GMO crops until scientific studies are conducted on their safety and benefits.

The second, filed by five citizens who sponsored the ballot initiative, seeks to compel the county to enforce the ordinance.

**The GLP aggregated and excerpted this blog/article to reflect the diversity of news, opinion and analysis. Read full, original post:** Federal judge in Maui GMO case focuses on which level of government has authority to regulate