

Judge strikes down GMO ban in Josephine County, Oregon

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The prohibition against genetically engineered crops in Oregon's Josephine County has been struck down by a judge who ruled the ordinance is pre-empted by state law.

Voters in the county approved the ban on genetically modified organisms, or GMOs, in 2014 even though state lawmakers disallowed local governments from regulating the crops the prior year.

Proponents of the GMO ban claimed that the state pre-emption was unconstitutional, but Josephine County Circuit Court Judge Pat Wolke has rejected that argument and held the county ordinance to be invalid.

"The state law says that the localities may not legislate in this area; and the voters of Josephine County have attempted to legislate in the exact same area. It is impossible to read the two enactments in harmony; so that the local ordinance must give way," Wolke said in the May 16 ruling.

Farmers Robert and Shelley Ann White challenged the legality of the GMO ordinance last year, arguing it had prevented them from planting biotech sugar beets on 100 acres of leased property.

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Supporters of the GMO ban called them "hobby farmers" who filed a "manufactured lawsuit" on behalf of agribusiness lobbyists and didn't have a valid lease to the 100 acres or a contract to grow biotech sugar beets.

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