

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

GROCERY MANUFACTURERS)
ASSOCIATION, *et al.*,)
))
Plaintiffs,)
))
v.)
))
WILLIAM H. SORRELL, in his official capacity)
as the Attorney General of Vermont, *et al.*,)
))
Defendants,)
and)
))
VERMONT PUBLIC INTEREST RESEARCH)
GROUP and CENTER FOR FOOD SAFETY,)
))
Proposed Intervenor-Defendants.)

Case No. 5:14-cv-00117-CR

**DECLARATION OF JEFF WEINSTEIN IN SUPPORT OF VERMONT PUBLIC
INTEREST RESEARCH GROUP AND CENTER FOR FOOD SAFETY’S MOTION TO
INTERVENE AS DEFENDANTS**

I, Jeff Weinstein, do hereby declare as follows:

1. I have personal knowledge of the matters stated herein and, if called as a witness, could and would competently testify thereto.
2. I currently reside in Washington County, Vermont, and I am a member of the Vermont Public Interest Research Group (VPIRG). I became involved with VPIRG because of its stance on a number of social issues that are important to me and my family.
3. In addition to being a member, I have served on VPIRG’s Board of Directors for the past thirteen months. I was just elected Board Treasurer two weeks ago, so I am also responsible for supporting VPIRG in its financial needs and questions. More generally, my role as a Board member involves supporting the future of VPIRG’s issue-based programs and policy work. I also have voting rights as a Board member, including the right to vote to approve the

minutes of previous Board meetings, the right to vote on financial recommendations for short-, medium-, and long-term opportunities and needs, and the right to vote to set organizational priorities and make decisions regarding where to focus the organization's resources.

Interests

4. I have been aware of issues surrounding genetically engineered (GE) crops since the early 1990s, when GE tomatoes were first introduced. So, I really became aware of GE crops early on and took an interest in learning more. At that time, some people were proposing that there might be benefits to GE foods – such as that they might help to increase food production and feed the hungry, or that they might help to reduce pesticide use. However, that did not happen. Currently, I am concerned about the environmental impacts of GE foods—such as transgenic contamination of organic crops and wild plants, water contamination from increased pesticide use, and the increasing prevalence of herbicide-resistant weeds, among other things. I also continue to follow the latest research on the potential health impacts of GE foods. I know that the U.S. Food & Drug Administration does not independently assess the safety of GE foods before putting those foods on market shelves, but instead relies on safety determinations made by industry. In addition to being concerned about potential health impacts of GE foods, I am also concerned that the lack of labels on GE foods might cause some individuals to inadvertently violate their dietary restrictions.

5. When I purchase foods I want to know whether they are genetically engineered. Right now I rely on product prices and ingredient lists to try to determine whether certain products are produced from genetic engineering. I also try to memorize all of the different ingredients that might include GE corn or soy or other crops that might be genetically engineered but may not include the word “corn” or “soy” in the ingredient name itself. Currently, I have to

make a lot of assumptions in order to try to avoid GE foods and I could be making the wrong assumptions. Price point is not an accurate or reliable way to determine whether a food contains GE ingredients or whether it was grown a certain way, and neither is the ingredient list.

6. I also do not believe that nature's course would result in the crops or foods that genetic engineering produces. Therefore, I believe it is misleading to label GE foods as "natural." "Natural" is an abused word that deceives consumers into believing that foods grown using GE methods are the same as those grown using traditional methods.

7. I became involved in the GE labeling movement in Vermont because I believe that consumers have many important questions about the environmental and potential health risks of GE foods. I use information on product labels to make purchasing decisions for many types of material things, and knowing whether a food is genetically engineered is one of the things that I need to have information about if I am going to make the right purchasing decision. As a consumer, I believe that being able to vote with my dollar allows me to contribute to a better society and to support the types of sustainable production practices that I believe in, and I cannot do that if I do not have clear or accurate information regarding whether foods are genetically engineered. I want to have the choice to avoid buying products from farms that grow GE crops because I believe that those farms put my garden and the farms that I do buy from at risk due to the potential for transgenic contamination. And, until scientific studies unconditionally establish that GE foods are safe, I want to have the choice to avoid buying GE food products because they have potential health risks. Ultimately, I believe that the decisions we make today alter the future, and so when making purchasing decisions we should know whether foods are genetically engineered.

8. I supported the GE labeling movement in Vermont that resulted in the passage of

Act 120 in a number of ways. For example, as a member of VPIRG, I supported the work of the Vermont Right to Know GMOs coalition. In addition, I offered testimony to the House Agriculture Committee in support of H.722 in April 2012. I also organized media coverage and rallies in support of H.112, and I participated in a number of other rallies just by being there and being present. Finally, I have a small food business in Vermont with an online presence, and I have blogged and posted information on Facebook and Twitter for my customers and followers to help educate them about GE foods and to create greater awareness.

Injury

9. If Act 120 were to be struck down, my family and I would be injured because we would not have the information we need to protect our dietary restrictions. Two out of four members of my household have food allergies, and we do our best with the information we have to avoid purchasing anything that could result in an allergic reaction. I have read and believe that altering a product's DNA can result in certain types of allergic reactions.

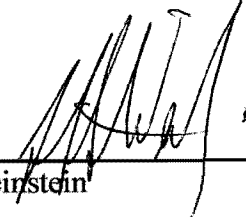
10. In addition, if Act 120 were to be struck down, I would be injured because I would not be able to vote with my dollar to support farms and businesses aligned with my environmental values and beliefs. I believe that GE food production is not environmentally sustainable because it results in water contamination from increased pesticide use and loss of biodiversity due to transgenic contamination of wild plants, among other environmental harms. Act 120 will allow me to make decisions to support sustainable food production practices, as opposed to the unsustainable practices of GE food production.

11. Finally, if Act 120 were to be struck down, I would be injured because I wouldn't be able to vote with my dollar to support sustainable farms that don't put my garden or the farms

that I rely on for my food at risk of cross-contamination from GE crops. Without labels, I can only make assumptions about whether the farms that I'm making purchases from grow GE crops.

I declare under penalty of perjury that the foregoing is true and correct to the best of my ability.

Executed on June 30, 2014 in Montpelier, VT



Jeff Weinstein