

**TESTIMONY OF
Deirdre Gilbert,
Director, State Marine Policy**

**The Department of Marine Resources (DMR) is testifying
in Opposition to**

L.D. 425, An Act to Prohibit False Labeling of Marine Organisms

**Sponsored by Representative Chapman
Date of Hearing: March 4, 2015**

Senator Baker, Representative Kumiega, and members of the Joint Standing Committee on Marine Resources, my name is Deirdre Gilbert, Director of State Marine Policy at the Department of Marine Resources, and I am testifying on behalf of the Department in opposition to LD 425.

While the Department does not object to the underlying intent of this bill, which is to inform consumers, we oppose this bill because we lack jurisdiction to regulate products offered for human consumption simply because they are marine organisms. DMR staff does not have appropriate expertise, nor does the Department have sufficient resources, to identify genetically-engineered products or to enforce the labeling requirements. We believe the costs of gaining such expertise and resources to likely be significant.

There have not yet been any genetically-engineered marine organisms offered for human consumption, and the only one which we are aware of that is pending is a salmon yet to be approved by the Food and Drug Administration, and highly contentious at the federal level. As such, this legislation seems premature, and furthermore, we believe that any labeling requirements for marine organisms should already be sufficiently addressed under Maine law by legislation passed in the 126th Legislature to address labeling of genetically-engineered food products broadly.

It is worth noting that a similar bill was considered in this committee in the 126th, which we opposed because of our concern that the definition of "genetically engineered" included in this bill may implicate technology used in the aquaculture of oysters to improve crop performance, and have an adverse impact on the market for these products.

Finally, I would again note the issue we have with civil violations that have penalties in excess of \$1000 due to Rule 80H of the Maine Rules of Civil Procedure.

Thank you for your consideration, and I would be happy to answer any questions you may have.