



Food Fights:

**An Analysis of Political Spending in 2013 by
Opponents and Supporters of GMO Labeling Legislation in
New York**

NY GE Food Labeling Campaign

June 2014

Food Fights was produced by the NY GE Food Labeling Campaign, which includes the following groups on its Steering Committee: Consumers Union, Food & Water Watch, GMO Free NY, Good Boy Organics, Natural Resources Defense Council, New York Public Interest Research Group Fund, Northeast Organic Farming Association of New York, and the Sierra Club Atlantic Chapter.

For more information, go to: <http://gmofreeny.net/nygelabelingcampaign.html>.

Food Fights:

An Analysis of Political Spending in 2013 by Opponents and Supporters of GMO Labeling Legislation in New York

Introduction

The issue of whether foods containing genetically modified organisms (GMOs) should be labeled has been hotly contested in state legislatures and ballot booths across the country. Despite polls showing strong public support for consumers' right to know, ballot initiatives in Washington and California failed after industry opponents outspent labeling advocates by wide margins. Recently, however, the states of Maine, Connecticut, and Vermont have passed legislation requiring GMO foods to be labeled.

In New York, a GMO food labeling bill has been introduced by Assemblymember Linda Rosenthal and Senator Kenneth LaValle (A.3525/S.3835). The bill first reached the agenda of the Assembly Consumer Affairs and Protection Committee in June 2013, where it was narrowly defeated after intense industry lobbying. As of this writing, the bill has been reported out of two Assembly committees, Consumer Affairs and Codes, and is awaiting movement by the Assembly Ways and Means Committee and a decision by Assembly leadership to bring it to the floor for a vote by the entire Assembly.

Findings:

Opponents of GMO food labeling legislation contributed more than \$460,000 in campaign donations in 2013. A majority of these campaign dollars (60%) originated outside of New York State. No campaign contributions were made by groups publicly supporting the bill.

Opponents of GMO food labeling legislation spent over \$3.2 million lobbying New York policymakers in 2013, outspending supporters by nearly 7 to 1.

2013 Campaign Contributions from GMO Labeling Opponents

Fourteen business groups that have reported lobbying on A.3525/S.3835 contributed to state-level political parties and candidates in 2013. While lobby reports do not require filers to identify their positions, each of them has been identified as an opponent to all or part of this legislation based on public records in New York or a position taken on similar proposals elsewhere in the United States.

No groups that have publicly supported GMO labeling made campaign contributions in 2013.

**Campaign Contributions, 2013
Groups Opposed to GMO Labeling**

Donor	Amount
Anheuser-Busch Companies, Inc.	\$118,350.00
Business Council	\$17,300.00
Chemical Alliance (NYS)	\$3,250.00
Coca-Cola Company (The)	\$132,100.00
Dupont	\$2,100.00
FMC Corporation	\$3,375.00
Food Industry Alliance of NYS	\$21,150.00
Golub Corporation/ Price Chopper Operating Co, Inc.	\$3,700.00
Grocery Manufacturers Association	\$7,000.00
Kraft	\$10,250.00
Monsanto Company	\$7,750.00
NY Farm Bureau	\$11,810.00
Pfizer	\$74,300.00
Retail Council of New York State	\$48,699.20
Aggregate Campaign Contributions	\$461,134.20

Several of these companies were among the biggest campaign contributors in the state:

Campaign Contribution Rank	Company	2013 Total
67	Coca-Cola Company (The)	\$132,100
68	Anheuser-Busch Companies, Inc.	\$131,850
118	Pfizer	\$74,300

Other companies that have opposed GMO labeling in other states but have not yet reported lobbying on it in New York were also heavy campaign contributors. For example, Pepsico contributed \$94,591.05 to state-level politicians and party committees.

Recipients of Campaign Contributions from GMO Opponents

Recipients of 2013 contributions from GMO labeling opponents:

Total Donated	Type of Recipient
\$50,620.00	Individual Assembly Democrats
\$10,810.00	Individual Assembly Republicans
\$60,050.00	Individual Senate Republicans
\$33,600.00	Individual Senate IDC
\$27,150.00	Individual Senate Democrats
\$144,589.60	Democratic Party Committees
\$75,339.60	Republican Party Committees
\$17,000.00	IDC PAC
\$40,625.00	Governor Cuomo
\$500.00	Attorney General

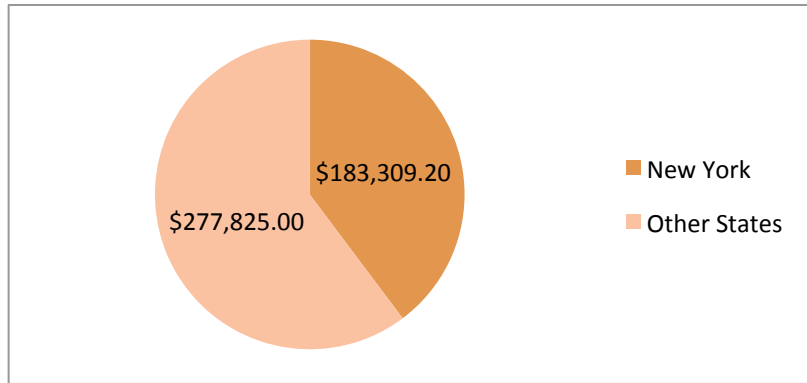
Top ten recipients of 2013 contributions from GMO labeling opponents:

Recipient	Amount
New York State Democratic Committee (Housekeeping)	\$120,000.00
Andrew Cuomo 2014, Inc.	\$40,625.00
NYS Senate Republican Campaign Committee - Housekeeping	\$37,099.80
NYS Senate Republican Campaign Committee	\$24,500.00
Jeff Klein for New York	\$19,750.00
The IDC Initiative (Independent Democratic Conference)	\$17,000.00
NYS Democratic Senate Campaign Committee (NYS DSCC)	\$11,250.00
Republican Assembly Campaign Committee	\$9,040.00
Friends for the Election of Dean Skelos	\$8,500.00
Valesky for Senate	\$6,700.00

There does seem to be some correlation between campaign contributions and a legislator's willingness to oppose the bill. For example, former Assemblymember Dennis Gabryszak, a Democrat on the Assembly Consumer Affairs and Protection Committee, received checks from six different opponents of the bill in 2013, a total that placed him in a tie for the most number of checks received by an individual member of his conference. In June 2013, he voted against A.3525 in committee, although he had been a co-sponsor. As a result, the bill was effectively killed for the year.

Out of State Donors Provided the Bulk of Campaign Contributions from GMO Labeling Opponents.

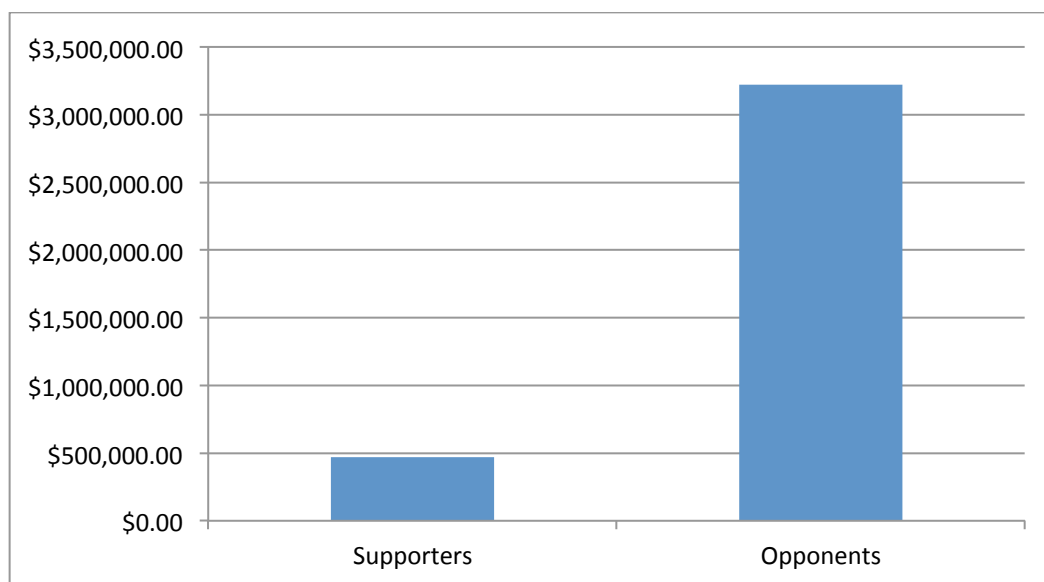
Most of the money contributed by these donors (60%) came from out-of-state sources, such as Anheuser-Busch, based in St. Louis, Missouri:



2013 Lobbying by GMO Labeling Supporters and Opponents

Both groups that support A.3525/S.3835 and groups that are opposed reported lobbying expenses in 2013. Groups are not required to report how much they spend lobbying on a particular measure. Thus, below includes the aggregate amount spent on lobbying by those organizations which disclosed that they were advocating on the legislation. As seen below, groups that oppose A.3525/S.3835 spent nearly *seven* times more money lobbying New York lawmakers in 2013 than the bill's supporters:

**Lobbying Spending, 2013
Supporters vs. Opponents of GMO Labeling Legislation**



Several of the groups that have opposed GMO labeling in New York have a long history of spending massive amounts of money to defeat legislation. The American Beverage Association, which is composed of some of the companies identified above, such as Coca-Cola and Kraft Foods, ran the second-largest lobbying campaign in New York State history in a successful attempt to defeat former Governor Paterson's proposed soda tax in 2010.

Largest Lobbying Campaigns in New York State History:

Year	Lobby Client	Total
2004	Cablevision Systems Corporation	\$13,326,609
2005	Cablevision Systems Corporation	\$12,692,477
2007	1199/SEIU & GNYHA Healthcare Education Project	\$12,807,618
2010	American Beverage Association	\$12,892,006

2013 lobbying by groups that oppose New York’s GMO labeling bill (A.3525/S.3835):

Group	Total
Business Council of NYS, Inc. (The)	\$601,686.00
Coca-Cola	\$541,414.00
Pfizer Inc.	\$490,517.00
Retail Council of New York State	\$375,470.00
Anheuser-Busch Companies	\$204,390.00
Farm Bureau, Inc. (NY)	\$172,040.00
Bayer Healthcare LLC	\$103,717.00
Food Industry Alliance of New York State, Inc.	\$76,570.00
Kraft Foods Group, Inc.	\$75,661.00
Golub Corporation (The)	\$72,000.00
Monsanto Company	\$66,775.00
Biotechnology Industry Organization	\$51,404.00
FMC Corporation	\$48,210.00
Chemical Alliance (NYS)	\$43,829.00
Dietetic Association (NYS)	\$43,379.00
Consumer Healthcare Products Association	\$42,620.00
Grocery Manufacturers Association	\$37,624.00
Stop & Shop Supermarket Company LLC (the)	\$36,000.00
National Federation of Independent Business	\$33,480.00
Council For Responsible Nutrition	\$33,342.00
Biotechnology Association, Inc. (NY)	\$25,464.00
E.I. Du Pont De Nemours and Company	\$25,111.00
Hannaford Supermarkets	\$12,767.00
Northeast Ag and Feed Alliance	\$4,915.00
Northeast Dairy Foods Association, Inc.	\$3,020.00
Aggregate Lobbying Spending by GMO Labeling Opponents	\$3,221,405.00

2013 lobbying by groups that support New York's GMO labeling bill (A.3525/S.3835):

Group	Total
Citizens Campaign for the Environment	\$159,259.00
Public Interest Research Group (NY)	\$98,949.00
Food & Water Watch	\$68,520.00
Sierra Club Atlantic Chapter	\$60,656.00
Natural Resources Defense Council	\$55,316.00
Hunger Action Network of New York State	\$13,407.00
Working Assets Funding Service, Inc.	\$11,584.00
Consumers Union of U.S., Inc.	\$4,487.00
Aggregate Lobbying Spending by GMO Labeling Supporters	\$472,178.00

Five organizations mentioned A.3525/S.3835 in their 2013 lobby or client reports, but we were not able to find any evidence of a position for or against the bill or similar legislation. Two of these organizations, NYSUT and the Professional Staff Congress, confirmed that they had no position on the bill. We were unable to confirm the positions of the other three entities:

Group	Total
Darden Restaurants, Inc.	\$109,661.00
Starbucks Coffee Company	\$60,852.00
Island Harvest Ltd.	\$30,825.00
Aggregate Lobbying Spending	\$140,486.00

Methodology

This report relied on lobbyist and lobby client databases provided by the Joint Commission on Public Ethics to identify which entities reported lobbying on either A.3525 or S.3835 in 2013 or 2014 and their lobby client database to tabulate their lobbying expenses for 2013. In order to determine the positions the various entities held on the bill, we reviewed legislative memoranda submitted in New York State, state records from recent ballot initiatives in California and Washington, and other sources, such as testimony, annual reports, and websites. In a few instances, we confirmed positions with representatives from the organizations included.

We cross-checked the list of entities that reported lobbying on the bill in New York State with the Board of Elections' campaign finance database to tabulate campaign contributions made to New York state-level lawmakers and political party accounts in 2013. In some instances, we combined records when contributions were made or lobbying was performed by clearly-associated entities or subsidiaries of one corporation. NYPIRG conducted the data tabulation and analysis.

Conclusion

Opponents to GMO labeling legislation in New York, including major chemical companies, food and beverage corporations, retailers, and agribusiness, dramatically outspent supporters of this legislation in 2013. Since 2013 was the first time there was legislative activity on this bill in New York, we expect the numbers will increase in the future.