After a barrage of ads, Washington voters slid from a 66 percent show of support for labeling genetically modified organisms (GMOs) in food six weeks ago to defeating the state’s Initiative 522 for GMO labeling at the polls, with preliminary results showing 55 percent against.

But Brian Zylstra, a spokesman for Washington’s Office of the Secretary of State, told Politico on Tuesday that as many as 40 percent of Washington State’s ballots on Initiative 522 could remain uncounted because the state will accept all ballots postmarked by November 5. A definitive count will likely not be known until the end of the week or later, according to Politico. And the Yes on 522 Committee noted in a press release Tuesday night that “only one report of ballots” was in on election night, and “Washington State voters will have to wait a few more days to learn the outcome for I-522.”

The Center for Media and Democracy (CMD) reported last week that the forces arrayed against labeling GMOs in Washington State — the Grocery Manufacturers Association, five chemical and biotechnology corporations (Monsanto, DuPont, Dow, Bayer, and BASF), and five real individual residents of Washington State — had raised $17.1 million for ads dissuading Washington voters. Since then, corporations from the likes of Monsanto, DuPont, Pepsi, Nestle, Coca-Cola, General Mills, Conagra, Dow, Bayer, and BASF have contributed an additional $5 million, the non-profit money-in-politics organization Maplight told CBS News.

Committees in support of the initiative raised $7.8 million in favor from over 15,000 donors, a little over a third of what opponents of the measure raised, according to the Yes on 522 Committee. CMD reported last week.

Most Americans have already eaten genetically engineered foods — and lots of them. An estimated 60 to 70 percent of all food U.S. consumers buy is genetically engineered. (The exception is organic foods, which are prohibited from using any genetically engineered ingredients.) Yet, when asked, most Americans either say they do not know if they’ve eaten genetically engineered foods or say that they have not.

Because of these statistics, supporters of GMO labeling initiatives in Washington State and California, as well as supporters of labeling legislation in states across the country, call these initiatives “right to know” measures.

Connecticut and Maine have passed laws to label GMOs, but the implementation of those state laws is contingent on a certain population threshold in a number of other nearby states approving similar laws. Washington State’s voter initiative would have taken effect more quickly. Sixty-four other countries already require labeling of GMOs in foods. A Mexican judge recently banned the planting and selling of GMO corn in the country. A 2012 Mellman Group Study showed that 91 percent of U.S. voters favored having the U.S. Food and Drug Administration (FDA) require labels on GE foods and ingredients.

What is Initiative 522?

Initiative 522 would have required labeling of genetically engineered foods, also known as genetically modified organisms or GMOs. These are foods that have genes from different species inserted into their DNA, like a corn plant with genes from a bacterium. (Continued on page 11)

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Despite our ignorance about what we’re eating, over 90 percent of Americans say they want labeling. Some states, like Vermont and New Hampshire, are considering bills to require labeling of genetically engineered foods in their legislatures.

Connecticut and Maine have already passed such bills — labeling of genetically engineered foods in their legislatures. Connecticut and Maine have already passed such bills — Connecticut was the first state in the U.S. to do so. But the implementation of those state laws is contingent on a certain population threshold in a number of other nearby states approving similar laws. Washington State let voters decide, and the initiative would have taken effect more quickly.

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Concerns About GE Foods

Despite industry’s assurance that GE foods are safe, many scientists are not convinced. For one thing, as Doug Gurian-Sherman, a plant pathologist with the Union of Concerned Scientists, points out, biotech companies prohibit any independent testing of their products. That means that the only safety testing ever done on GE foods is done by the companies that profit from them. The crops are engineered to either survive treatment with an herbicide or to produce their own insecticide. The first generation of herbicide tolerant crops were engineered to withstand Roundup, an herbicide produced by Monsanto that is marketed as “safe.” In theory, the farmer sprays the entire field with Roundup and the weeds die while the crop survives.

But the next generation of herbicide tolerant crops are made to be sprayed with chemicals that do not even pretend to be safe. The USDA is currently considering allowing farmers to grow GE crops designed for use with herbicides that are known carcinogens and reproductive toxins. The other type of GE crops, those that produce their own insecticides, produces Bt, an organic pesticide made naturally by a type of bacteria.

But when Bt is used by organic farmers, it is used only sporadically and breaks down quickly in the environment. In GE crops, every cell of the plant produces Bt all the time. In fact, a 2010 study found Bt in the blood of 93 percent of pregnant women and 80 percent of umbilical cord blood samples. In other words, maybe we should do some independent testing of GE foods. And in the meantime, a majority of Americans believe they should be labeled.

Misleading Ads

Washington is not the first state to put the labeling question up to the voters. Last year, California narrowly voted down a similar measure, Prop 37. Initially, Prop 37 had two to one support — until the opposition spent $45 million convincing Californians that Prop 37 was an inconsistent, poorly written measure that would increase their grocery bills. All that money did its job, and Prop 37 slid 13 percentage points before losing at the polls.

Washington’s Initiative 522 looked like déjà vu all over again. The opposition’s ads showed a doctor, a pediatric dietitian, and even an organic farmer who identified herself as a scientist, all telling voters that 522 is “a separate, misleading labeling system that would only exist in our state.” The ads drove home the words “misleading,” “costly,” and “unfair.”

The ads did their job, and polls showed that 522 was in a statistical dead heat a week before the election. Yet, the most misleading thing about Initiative 522 was these opposition ads. (Continued on page 12)