

Assembly Joint Resolution

No. 38

Introduced by Assembly Member Nation

February 25, 2002

Assembly Joint Resolution No. 38—Relative to transgenic fish.

LEGISLATIVE COUNSEL'S DIGEST

AJR 38, as introduced, Nation. Transgenic fish.

This measure would urge the United States Food and Drug Administration (FDA) to deny the A/F Protein petition to market transgenic salmon to consumers as food and to establish a moratorium on the domestic marketing, importation, and exportation of transgenic fish until the FDA establishes a comprehensive regulatory framework that evaluates and addresses the human health and environmental impacts caused by commercialization of transgenic fish. The measure also would urge the United States Departments of Agriculture and Commerce to impose a moratorium on the raising of transgenic fish in ocean pens or in any other device in the aquatic environment.

Fiscal committee: no.

- 1 WHEREAS, California has long prized the state's populations
- 2 of native wild salmon, which serve as a highly valued recreational
- 3 and food resource; and
- 4 WHEREAS, Certain runs of these salmon have been designated
- 5 as endangered species under state and federal law and remain at
- 6 risk of becoming extirpated or extinct; and
- 7 WHEREAS, The survival of California salmon species could be
- 8 further endangered by introduction of genetic material from

1 intentionally altered or farmed salmon through interbreeding,
2 pollution, and transmittal of bacterial and parasitic disease; and

3 WHEREAS, There is increasing evidence that mass production
4 of commercially farmed salmon already poses a serious threat to
5 wild salmon stocks due to pollution to the marine environment
6 caused by those activities, and due to the risk of escapement from
7 ocean pens, resulting in competition for wild fish for food and
8 spawning areas; and

9 WHEREAS, There are currently over 35 species of transgenic
10 fish being developed around the world and at least one company,
11 A/F Protein, that is seeking approval from the United States Food
12 and Drug Administration to market transgenic salmon to
13 consumers as food; and

14 WHEREAS, A/F Protein's application to market transgenic fish
15 provides for the use of ocean pens, and there is the likelihood that
16 farm-raised transgenic fish will escape from ocean pens in large
17 numbers; and

18 WHEREAS, There are currently no federal or state laws that
19 specifically govern the regulation of genetically engineered fish
20 and marine organisms grown for human consumption; and

21 WHEREAS, The United States Food and Drug Administration
22 does not have scientific expertise to adequately review the impacts
23 on marine ecosystems that will be caused by the introduction of
24 transgenic fish into commercial aquaculture; and

25 WHEREAS, There are inadequate scientific studies evaluating
26 the potential human health risks of consuming genetically
27 engineered fish; now, therefore, be it

28 *Resolved by the Assembly and Senate of the State of California,*
29 *jointly,* That the Legislature of the State of California urges the
30 United States Food and Drug Administration (FDA) to deny the
31 A/F Protein petition, and immediately establish a moratorium on
32 the domestic marketing, importation, and exportation of
33 transgenic fish, including, but not limited to, transgenic fish,
34 transgenic fish eggs, and food products containing any ingredients
35 or material derived from transgenic fish, until the FDA establishes
36 a comprehensive regulatory framework pursuant to the Federal
37 Food Drug and Cosmetic Act that evaluates and fully addresses the
38 human health and environmental impacts caused by
39 commercialization of transgenic fish; and be it further



1 *Resolved*, That the Legislature of the State of California urges
2 the United States Departments of Agriculture and Commerce to
3 immediately impose a moratorium on the raising of transgenic fish
4 in ocean pens or in any other device in the aquatic environment;
5 and be it further

6 *Resolved*, That the Chief Clerk of the Assembly transmit copies
7 of this resolution to the President of the United States, to each
8 Member of the Congress of the United States, to the United States
9 Food and Drug Administration, and to the United States
10 Departments of Agriculture and Commerce.

O

