

**From:** Ross, Chuck [Chuck.Ross@vermont.gov]  
**Sent:** Thursday, August 18, 2016 10:53 PM  
**To:** London, Sarah; Springer, Darren; Allen, Susan  
**CC:** Duane, Michael; Schwartz, Thea; LaClair, Jolinda; Bothfeld, Diane  
**Subject:** FW: GMO Preemption Letters to Governors  
**Attachments:** GMOExemptionLettersto50Governors.pdf

Sara et al,

I presume you have seen or will soon see this letter coming from our federal officials on the GMO law exemption.

Thought I ought to share with you in any event.

This came from my national organization NASDA.

chuck

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**From:** Amanda Culp [mailto:Amanda@nasda.org]  
**Sent:** Wednesday, August 17, 2016 5:24 PM  
**Subject:** GMO Preemption Letters to Governors

NASDA Members and State Staff,

Attached is a file containing letters to all 50 state governors and the territories regarding federal preemption over labeling of genetically engineered foods.

The USDA has established an internal working group to write the rules as required by the framework of this [new law](#). NASDA will be heavily engaged on any open comment periods. You can subscribe to updates about the USDA's progress [here](#).

Regards,

**Amanda Culp** | Director, Communications | **National Association of State Departments of Agriculture**  
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | [Amanda@nasda.org](mailto:Amanda@nasda.org)



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Bill Walker  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811

Dear Governor Walker:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

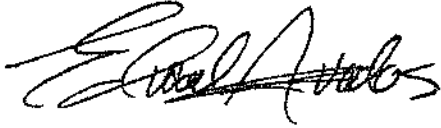
I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Alaska fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Bill Walker  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized, cursive script.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Robert Bentley  
Governor of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, AL 36130

Dear Governor Bentley:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Alabama fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Robert Bentley  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Asa Hutchinson  
Governor of Arkansas  
State Capitol Building  
Room 250  
Little Rock, AR 72201

Dear Governor Hutchinson:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Arkansas fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Asa Hutchinson  
Page 2

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Doug Ducey  
Governor of Arizona  
State Capitol Executive Tower, 9th Floor  
1700 West Washington Street  
Phoenix, AZ 85007

Dear Governor Ducey:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Arizona fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Doug Ducey  
Page 2

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Jerry Brown  
Governor of California  
State Capitol  
Sacramento, CA 95814

Dear Governor Brown:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of California fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Jerry Brown  
Page 2

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable John Hickenlooper  
Governor of Colorado  
136 State Capitol Building  
Denver, CO 80203

Dear Governor Hickenlooper:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Colorado fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable John Hickenlooper  
Page 2

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Dannel Malloy  
Governor of Connecticut  
210 Capitol Avenue  
Hartford, CT 06106

Dear Governor Malloy:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Connecticut fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Dannel Malloy  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

**AUG 01 2016**

The Honorable Jack Markell  
Governor of Delaware  
Legislative Hall  
Dover, DE 19901

Dear Governor Markell:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Delaware fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Jack Markell  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

**AUG 01 2016**

The Honorable Rick Scott  
Governor of Florida  
PL 05 The Capitol  
400 South Monroe Street  
Tallahassee, FL 32399

Dear Governor Scott:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Florida fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Rick Scott  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Nathan Deal  
Governor of Georgia  
203 State Capitol  
Atlanta, GA 30334

Dear Governor Deal:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Georgia fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Nathan Deal  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Edward Calvo  
Governor of Guam  
Executive Chamber  
P.O. Box 2950  
Hagatna, GU 96932

Dear Governor Calvo:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the U.S. Territory of Guam fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Edward Calvo  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable David Ige  
Governor of Hawaii  
Executive Chambers  
State Capitol  
Honolulu, HI 96813

Dear Governor Ige:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Hawaii fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable David Ige  
Page 2

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Terry Branstad  
Governor of Iowa  
State Capitol  
1007 East Grand Avenue  
Des Moines, IA 50322

Dear Governor Branstad:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Iowa fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Terry Branstad  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Butch Otter  
Governor of Idaho  
700 West Jefferson  
Second Floor  
Boise, ID 83702

Dear Governor Otter:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Idaho fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Butch Otter  
Page 2

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Bruce Rauner  
Governor of Illinois  
State Capitol  
207 Statehouse  
Springfield, IL 62706

Dear Governor Rauner:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Illinois fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Bruce Rauner  
Page 2

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Mike Pence  
Governor of Indiana  
State House  
Room 206  
Indianapolis, IN 46204

Dear Governor Pence:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Indiana fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Mike Pence  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos". The signature is stylized with a large, sweeping initial "E" and a long, horizontal flourish extending to the right.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Sam Brownback  
Governor of Kansas  
State Capitol  
2nd Floor  
Topeka, KS 66612

Dear Governor Brownback:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Kansas fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Sam Brownback  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", written in a cursive style.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Matt Bevin  
Governor of Kentucky  
700 Capital Avenue  
Suite 100  
Frankfort, KY 40601

Dear Governor Bevin:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Kentucky fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Matt Bevin  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized, cursive script.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable John Edwards  
Governor of Louisiana  
P.O. Box 94004  
Baton Rouge, LA 70804

Dear Governor Edwards:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Louisiana fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable John Edwards  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Charlie Baker  
Governor of Massachusetts  
State House  
Room 360  
Boston, MA 02133

Dear Governor Baker:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Massachusetts fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Charlie Baker  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", written in a cursive style.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Larry Hogan  
Governor of Maryland  
State House  
100 State Circle  
Annapolis, MD 21401

Dear Governor Hogan:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Maryland fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Larry Hogan  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized, flowing script.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

**AUG 01 2016**

The Honorable Paul LePage  
Governor of Maine  
1 State House Station  
Augusta, ME 04333

Dear Governor LePage:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Maine fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Paul LePage  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", written in a cursive style.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Rick Snyder  
Governor of Michigan  
P.O. Box 30013  
Lansing, MI 48909

Dear Governor Snyder:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Michigan fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Rick Snyder  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Mark Dayton  
Governor of Minnesota  
130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd  
St. Paul, MN 55155

Dear Governor Dayton:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Minnesota fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Mark Dayton  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", written in a cursive style.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Jeremiah ("Jay") Nixon  
Governor of Missouri  
Capitol Building  
Room 218  
Jefferson City, MO 65101

Dear Governor Nixon:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Missouri fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Jeremiah ("Jay") Nixon  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized flourish at the end.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Phil Bryant  
Governor of Mississippi  
P.O. Box 139  
Jackson, MS 39205

Dear Governor Bryant:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Mississippi fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Phil Bryant  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Steve Bullock  
Governor of Montana  
P.O. Box 200801  
Helena, MT 59620

Dear Governor Bullock:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Montana fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Steve Bullock  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Pat McCrory  
Governor of North Carolina  
20301 Mail Service Center  
Raleigh, NC 27699

Dear Governor McCrory:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of North Carolina fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Pat McCrory  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Jack Dalrymple  
Governor of North Dakota  
600 East Boulevard Avenue  
Department 101  
Bismark, ND 58505

Dear Governor Dalrymple:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of North Dakota fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Jack Dalrymple  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Pete Ricketts  
Governor of Nebraska  
P.O. Box 94848  
Lincoln, NE 68509

Dear Governor Ricketts:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Nebraska fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Pete Ricketts  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Maggie Haasan  
Governor of New Hampshire  
25 Capitol Street  
Room 212  
Concord, NH 03301

Dear Governor Haasan:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of New Hampshire fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Maggie Haasan  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward Avalos', with a stylized, cursive script.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Chris Christie  
Governor of New Jersey  
125 West State Street  
P.O. Box 001  
Trenton, NJ 08625

Dear Governor Christie:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of New Jersey fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Chris Christie  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized, cursive script.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

**AUG 01 2016**

The Honorable Susana Martinez  
Governor of New Mexico  
State Capitol  
Fourth Floor  
Santa Fe, NM 87501

Dear Governor Martinez:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of New Mexico fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Susana Martinez  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized flourish at the end.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

**AUG 01 2016**

The Honorable Brian Sandoval  
Governor of Nevada  
State Capitol  
101 North Carson Street  
Carson City, NV 89701

Dear Governor Sandoval:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Nevada fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Brian Sandoval  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos". The signature is fluid and cursive, with the first name "Edward" written in a larger, more prominent script than the last name "Avalos".

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Andrew Cuomo  
Governor of New York  
State Capitol  
Albany, NY 12224

Dear Governor Cuomo:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of New York fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Andrew Cuomo  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized, cursive script.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable John Kasich  
Governor of Ohio  
77 South High Street  
30th Floor  
Columbus, OH 43215

Dear Governor Kasich:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Ohio fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable John Kasich  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos". The signature is fluid and cursive, with the first name "Edward" being more prominent and the last name "Avalos" following in a similar style.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Mary Fallin  
Governor of Oklahoma  
2300 N. Lincoln Boulevard  
Suite 212  
Oklahoma City, OK 73105

Dear Governor Fallin:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Oklahoma fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Mary Fallin  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Kate Brown  
Governor of Oregon  
900 Court Street, NE  
Room 254  
Salem, OR 97301

Dear Governor Brown:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Oregon fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Kate Brown  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Tom Wolf  
Governor of Pennsylvania  
Main Capitol Building  
Room 225  
Harrisburg, PA 17120

Dear Governor Wolf:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Pennsylvania fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Tom Wolf  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized, cursive script.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Gina Raimondo  
Governor of Rhode Island  
State House  
Providence, RI 02903

Dear Governor Raimondo:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Rhode Island fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Gina Raimondo  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized, sweeping flourish at the end.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Nikki Haley  
Governor of South Carolina  
1205 Pendleton Street  
Columbia, SC 29201

Dear Governor Haley:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of South Carolina fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Nikki Haley  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized flourish at the end.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Dennis Daugaard  
Governor of South Dakota  
500 East Capitol Street  
Pierre, SD 57501

Dear Governor Daugaard:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of South Dakota fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Dennis Daugaard  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos". The signature is stylized with a large, sweeping initial "E" and a long, horizontal flourish extending to the right.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Bill Haslam  
Governor of Tennessee  
State Capitol  
Nashville, TN 37243

Dear Governor Haslam:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Tennessee fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Bill Haslam

Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos". The signature is fluid and cursive, with the first name "Edward" written in a larger, more prominent script than the last name "Avalos".

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Greg Abbott  
Governor of Texas  
P.O. Box 12428  
Austin, TX 78701

Dear Governor Abbott:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Texas fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Greg Abbott  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized, cursive script.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

**AUG 01 2016**

The Honorable Gary Herbert  
Governor of Utah  
State Capitol  
Suite 200  
Salt Lake City, UT 84114

Dear Governor Herbert:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Utah fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Gary Herbert  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Terry McAuliffe  
Governor of Virginia  
Patrick Henry Building  
111 East Broad Street, 3rd Floor  
Richmond, VA 23219

Dear Governor McAuliffe:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Virginia fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Terry McAuliffe  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Kenneth Mapp  
Governor of Virgin Islands  
Government House  
21-22 Kongens Gade  
St. Thomas, VI 00802

Dear Governor Mapp:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the U.S. Territory of the Virgin Islands fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Kenneth Mapp  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs





United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Peter Shumlin  
Governor of Vermont  
109 State Street  
Montpelier, VT 05609

Dear Governor Shumlin:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Vermont fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Peter Shumlin  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Jay Inslee  
Governor of Washington  
P.O. Box 40002  
Olympia, WA 98504

Dear Governor Inslee:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of Washington fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Jay Inslee  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Avalos", with a stylized flourish at the end.

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Scott Walker  
Governor of Wisconsin  
115 East State Capitol  
P.O. Box 7863  
Madison, WI 53707

Dear Governor Walker:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Wisconsin fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Scott Walker  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Earl Tomblin  
Governor of West Virginia  
State Capitol Complex  
Charleston, WV 25305

Dear Governor Tomblin:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

I would like to call your attention to the preemption sections in this new law, which became effective upon enactment. Sections 293(e) and 295(b) provide that no State may directly or indirectly establish or continue with any food or seed requirement relating to the labeling or disclosure of whether the food or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed by or produced using genetic engineering. The Congress of the United States included these provisions as an integral part of bringing uniformity, consistency, and clarity to biotechnology disclosures across the nation.

I would recommend that the State of West Virginia fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.



The Honorable Earl Tomblin  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

AUG 01 2016

The Honorable Matthew Mead  
Governor of Wyoming  
State Capitol  
200 West 24th Street  
Cheyenne, WY 82002

Dear Governor Mead:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Wyoming fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Matthew Mead  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

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Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs



United States Department of Agriculture

Office of the Secretary  
Washington D.C. 20250

The Honorable Bill Walker  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811

Dear Governor Walker:

On July 29, 2016, President Obama signed into law an Act amending the Agricultural Marketing Act of 1946 (Act), 7 U.S.C. § 1621 et seq., which provides for a national bioengineered food disclosure standard. Among other things, the Act requires the Secretary of Agriculture to establish a national disclosure standard for bioengineered foods, including a mandatory disclosure of foods that contain bioengineering. This new law represents the first nationwide bioengineering labeling program.

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I would recommend that the State of Alaska fully review the scope and effect of this new Federal law in advance of taking any action or considering any new state initiatives related to the regulation of labels for foods that are genetically engineered or that contain genetically engineered ingredients. Once the U.S. Department of Agriculture promulgates the national bioengineered food disclosure standard, the Act allows your state to adopt standards identical to the national bioengineered food disclosure standard.

The Honorable Bill Walker  
Page 2

Thank you for your consideration of this matter. The Department looks forward to working with you as we develop a program that serves the needs of the American public.

Sincerely,

Edward Avalos  
Under Secretary  
Marketing and Regulatory Programs

Identical letters sent to the following:

**Alabama**

Office of Governor Robert Bentley  
State Capitol  
600 Dexter Avenue  
Montgomery, AL 36130-2751

**Alaska**

Office of Governor Bill Walker  
State Capitol  
P.O. Box 110001  
Juneau, AK 99811-0001

**Arizona**

Office of Governor Doug Ducey  
State Capitol  
1700 West Washington  
Phoenix, AZ 85007

**Arkansas**

Office of Governor Asa Hutchinson  
State Capitol  
Room 250  
Little Rock, AR 72201

**California**

Office of Governor Edmund Brown  
State Capitol  
Sacramento, CA 95814

**Colorado**

Office of Governor John Hickenlooper  
136 State Capitol  
Denver, CO 80203-1792

**Connecticut**

Office of Governor Dan Malloy  
210 Capitol Avenue  
Hartford, CT 06106

**Delaware**

Office of Governor Jack Markell  
Legislative Hall  
Dover, DE 19901

**Nebraska**

Office of Governor Pete Ricketts  
P.O. Box 94848  
Lincoln, NE 68509-4848

**Nevada**

Office of Governor Brian Sandoval  
Capitol Building  
Carson City, NV 89701

**New Hampshire**

Office of Governor Maggie Hassan  
Office of the Governor  
107 North Main Street, Room 208  
Concord, NH 03301

**New Jersey**

Office of Governor Chris Christie  
The State House  
P.O. Box 001  
Trenton, NJ 08625

**New Mexico**

Office of Governor Susana Martinez  
State Capitol  
Fourth Floor  
Santa Fe, NM 87501

**New York**

Office of Governor Andrew Cuomo  
State Capitol  
Albany, NY 12224

**North Carolina**

Office of Governor Pat McCrory  
Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

**North Dakota**

Office of Governor Jack Dalrymple  
Dept. 101  
600 E. Boulevard Ave.  
Bismarck, ND 58505-0001



**Florida**

Office of Governor Rick Scott  
PL 05 The Capitol  
400 South Monroe Street  
Tallahassee, FL 32399-0001

**Georgia**

Office of Governor Nathan Deal  
203 State Capitol  
Atlanta, GA 30334

**Guam**

Office of Governor Eddie Calvo  
Executive Chamber  
P.O. Box 2950  
Agana, GU 96932

**Hawaii**

Office of Governor David Ige  
Executive Chambers  
State Capitol  
Honolulu, HI 96813

**Idaho**

Office of Governor C.L. "Butch" Otter  
700 West Jefferson  
Second Floor  
Boise, ID 83702

**Illinois**

Office of Governor Bruce Rauner  
State Capitol  
207 Statehouse  
Springfield, IL 62706

**Indiana**

Office of Governor Mike Pence  
State House  
Room 206  
Indianapolis, IN 46204-2797

**Iowa**

Office of Governor Terry Branstad  
State Capitol  
Des Moines, IA 50319-0001

**Ohio**

Office of Governor John Kasich  
30th Floor  
77 South High Street  
Columbus, OH 43215

**Oklahoma**

Office of Governor Mary Fallin  
Capitol Building  
2300 Lincoln Blvd., Rm. 212  
Oklahoma City, OK 73105

**Oregon**

Office of Governor Kate Brown  
State Capitol, Room 160  
900 Court St. N.  
Salem, OR 97301

**Pennsylvania**

Office of Governor Tom Wolf  
Room 225  
Main Capitol Building  
Harrisburg, PA 17120

**Rhode Island**

Office of Governor Gina Raimondo  
State House  
Providence, RI 02903

**South Carolina**

Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, SC 29201

**South Dakota**

Office of Governor Dennis Daugaard  
500 East Capitol Street  
Pierre, SD 57501

**Tennessee**

Office of Governor Bill Haslam  
Tennessee State Capitol  
Nashville, TN 37243-0001

**Kansas**

Office of Governor Sam Brownback  
Capitol  
300 SW 10th Avenue, Suite 212S  
Topeka, KS 66612-1590

**Kentucky**

Office of Governor Matt Bevin  
700 Capitol Ave., Suite 100  
Frankfort, KY 40601

**Louisiana**

Office of Governor John Bel Edwards  
P. O. Box 94004  
Baton Rouge, LA 70804-9004

**Maine**

Office of Governor Paul LePage  
#1 State House Station  
Augusta, ME 04333

**Maryland**

Office of Governor Larry Hogan  
State House  
100 State Circle  
Annapolis, MD 21401

**Massachusetts**

Office of Governor Charlie Baker  
State House  
Office of the Governor, Room 360  
Boston, MA 02133

**Michigan**

Office of Governor Rick Snyder  
P.O. Box 30013  
Lansing, MI 48909

**Minnesota**

Office of Governor Mark Dayton  
130 State Capitol  
75 Rev. Dr. Martin Luther King, Jr.  
Boulevard  
St. Paul, MN 55155

**Texas**

Office of Governor Greg Abbott  
P.O. Box 12428  
Austin, TX 78711

**Utah**

Office of Governor Gary R. Herbert  
Utah State Capitol  
Suite 200  
Salt Lake City, UT 84114

**Vermont**

Office of Governor Peter Shumlin  
109 State Street  
Pavilion Office Building  
Montpelier, VT 05609

**Virgin Islands**

Office of Governor Kenneth Mapp  
Government House, 21-22 Kongens Gade  
Charlotte Amalie  
St. Thomas, VI 00802

**Virginia**

Office of Governor Terry McAuliffe  
State Capitol  
Third Floor  
Richmond, VA 23219

**Washington**

Office of Governor Jay Inslee  
Office of the Governor  
P.O. Box 40002  
Olympia, WA 98504-0002

**West Virginia**

Office of Governor Earl Ray Tomblin  
1900 Kanawha Street  
Charleston, WV 25305

**Wisconsin**

Office of Governor Scott Walker  
115 East State Capitol  
Madison, WI 53707

**Mississippi**

Office of Governor Phil Bryant  
P.O. Box 139  
Jackson, MS 39205

**Montana**

Office of Governor Steve Bullock  
State Capitol  
Helena, MT 59620-0801

**Missouri**

Office of Governor Jeremiah W. (Jay)  
Nixon  
Capitol Building  
Room 216, P.O. Box 720  
Jefferson City, MO 65102

**Wyoming**

Office of Governor Matthew Mead  
State Capitol Building  
Room 124  
Cheyenne, WY 82002

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Correspondence\ Exemption Letters to 50 Governors 07-22-2016

Approved by Chief of Staff, Elizabeth Flores ER

Approved by Associate Deputy Administrator, Angela Snyder AS

Approved by Deputy Administrator, Craig Morris CM

WR  
7-29-16

ES 7/29/16