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U.S.

Food Industry Enlisted Academics in G.M.O. Lobbying War, Emails Show

By **ERIC LIPTON** SEPT. 5, 2015

WASHINGTON — At Monsanto, sales of genetically modified seeds were steadily rising. But executives at the company’s St. Louis headquarters were privately worried about attacks on the safety of their products.

So Monsanto, the world’s largest seed company, and its industry partners retooled their lobbying and public relations strategy to spotlight a rarefied group of advocates: academics, brought in for the gloss of impartiality and weight of authority that come with a professor’s pedigree.

“Professors/researchers/scientists have a big white hat in this debate and support in their states, from politicians to producers,” Bill Mashek, a vice president at Ketchum, a public relations firm hired by the biotechnology industry, said in an email to a University of Florida professor. “Keep it up!”

And the industry has.

Corporations have poured money into universities to fund research for decades, but now, the debate over bioengineered foods has escalated into a billion-dollar food industry war. Companies like Monsanto are squaring off against major organic firms like Stonyfield Farm, the yogurt company, and both sides have aggressively recruited academic researchers, emails obtained through open records laws show.

The emails provide a rare view into the strategy and tactics of a lobbying campaign that has transformed ivory tower elites into powerful players. The use by both sides of third-party scientists, and their supposedly unbiased research, helps explain why the American public is often confused as it processes the conflicting information.

The push has intensified as the Senate prepares to take up industry-backed legislation this fall, already passed by the House, that would ban states from adopting laws that require the disclosure of food produced with genetically modified ingredients.

The efforts have helped produce important payoffs, including the approval by federal regulators of new genetically modified seeds after academic experts intervened with the United States Department of Agriculture on the industry's behalf, the emails show.

Charla Lord, a Monsanto spokeswoman, said the company's longstanding partnership with academics helped demystify the science. "It is in the public interest for academics to weigh in credibly, not only to consumers but to stakeholders like lawmakers and regulators as well," she said.

But even some of the academics who have accepted special "unrestricted grants" or taken industry-funded trips to help push corporate agendas on Capitol Hill say they regret being caught up in this nasty food fight.

"If you spend enough time with skunks, you start to smell like one," said Charles M. Benbrook, who until recently held a post at Washington State University. The organic foods industry funded his research there and paid for his trips to Washington, where he helped lobby for labels on foods with genetically modified ingredients.

On the other side, the biotech industry has published dozens of articles, under the names of prominent academics, that in some cases were drafted by industry consultants.

Monsanto and its industry partners have also passed out an undisclosed amount in special grants to scientists like Kevin Folta, the chairman of the horticultural sciences department at the University of Florida, to help with “biotechnology outreach” and to travel around the country to defend genetically modified foods.

“This is a great 3rd-party approach to developing the advocacy that we’re looking to develop,” Michael Lohuis, the director of crop biometrics at Monsanto, wrote last year in an email as the company considered giving Dr. Folta an unrestricted grant.

Dr. Folta said that he had joined the campaign to publicly defend genetically modified technologies because he believes they are safe, and that it is his job to share his expertise. “Nobody tells me what to say, and nobody tells me what to think,” he said, adding, “Every point I make is based on evidence.”

But he also conceded in an interview that he could unfairly be seen as a tool of industry, and his university now intends to donate the Monsanto grant money to a food pantry. “I can understand that perception 100 percent,” he said, “and it bothers me a lot.”

Players in a Safety Debate

The moves by Monsanto, in an alliance with the Biotechnology Industry Organization and the Grocery Manufacturers Association, are detailed in thousands of pages of emails that were at first requested by the nonprofit group U.S. Right to Know, which receives funding from the organic foods industry.

The New York Times separately requested some of these documents, then made additional requests in several states for email records of academics with ties to the organics industry.

There is no evidence that academic work was compromised, but the emails show how academics have shifted from researchers to actors in lobbying and corporate public relations campaigns.

The fight between the competing academics is not focused on questions about the safety of genetically engineered seeds themselves. The sides are fighting mainly over the safety of herbicides used in so-called genetically modified organism, or G.M.O., crops. The organic food proponents argue that herbicide use has surged, and that some of these herbicides may be unsafe. The biotech companies say that data relating to herbicide use on genetically engineered crops is being misinterpreted — and that these new crops, more resistant to pests and disease, are helping to feed the world.

So far, the anti-G.M.O. community has been winning the public relations war. Major brands like Chipotle and original Cheerios have moved to reduce or eliminate their use of genetically engineered ingredients, based in part on a marketing judgment that this is what the American public wants. That poses a threat to companies like Monsanto, which had \$15.9 billion in global sales last year.

“Misinformation campaign in ag biotech area is more than overwhelming,” Yong Gao, then Monsanto’s global regulatory policy director, explained in an April 2013 email to Dr. Folta as the company started to work closely with him. “It is really hurting the progress in translating science and knowledge into ag productivity.”

Dr. Folta is among the most aggressive and prolific biotech proponents, although until his emails were released last month, he had not publicly acknowledged the extent of his ties to Monsanto.

He has a doctorate in molecular biology and has been doing research on the genomics of small fruit crops for more than a decade. Monsanto executives approached Dr. Folta in the spring of 2013 after they read a blog post he had written defending industry technology.

“We really appreciate independent scientists working to educate the public,” Keith Reding, a microbiologist who helps Monsanto manage its relations with regulatory agencies, wrote in an April 2013 email to Dr. Folta.

A few weeks later, the Council for Biotechnology Information — controlled by BASF, Bayer, Dow Chemical, DuPont and Monsanto — asked Dr. Folta and other prominent academics if they would participate in a new website, **GMO Answers**, which was established to combat perceived misinformation about their products. The plan was to provide the academics with questions from the public, such as, “Do GMOs cause cancer?”

“This is a new way to build trust, dialogue and support for biotech in agriculture that will help explain in an independent voice what GMOs are,” an executive at Ketchum wrote to Dr. Folta.

But Ketchum did more than provide questions. On several occasions, it also gave Dr. Folta draft answers, which he then used nearly verbatim, a step that he now says was a mistake.

“It was absolutely not the right thing,” he said, adding that he now insists that he write his own responses.

Kate Hall, a spokeswoman for the biotechnology council, said that the scholars were free to revise the scripted responses, and that the group offered these draft answers in only a few dozen cases, compared with the nearly 1,000 responses on **GMO Answers** to date.

Dr. Folta, the emails show, soon became part of an inner circle of industry consultants, lobbyists and executives who devised strategy on how to block state efforts to mandate G.M.O. labeling and, most recently, on how to get Congress to pass legislation that would pre-empt any state from taking such a step.

While Dr. Folta was not personally compensated, biotech companies paid for his trips to testify in Pennsylvania and Hawaii. “I should state upfront that I have not been compensated for any testimony,” he said at a public hearing in Hawaii, before adding, “The technology is safe and is used because it helps farmers compete.”

Dr. Folta routinely gave updates on his travels — and his face-to-face

encounters with opponents of genetically modified crops — to the industry executives who were funding his efforts.

“Your email made my day!” wrote Cathleen Enright, an executive vice president of the Biotechnology Industry Organization, after Dr. Folta gave her a written update on the October 2014 legislative hearing in Pennsylvania. “Please send all receipts to us whenever you get around to it. No rush.”

In August 2014, Monsanto decided to approve Dr. Folta’s grant for \$25,000 to allow him to travel more extensively to give talks on the genetically modified food industry’s products.

“I am grateful for this opportunity and promise a solid return on the investment,” Dr. Folta wrote in an email to one Monsanto executive.

Dr. Folta is one of many academics the biotech industry has approached to help it defend or promote its products, the emails show.

The company, in late 2011, gave a grant for an undisclosed amount to Bruce M. Chassy, a professor emeritus at the University of Illinois, to support “biotechnology outreach and education activities,” his emails show.

In the same email in which Dr. Chassy negotiated the release of the grant funds, he discussed with a Monsanto executive a monthslong effort to persuade the Environmental Protection Agency to abandon its proposal to tighten the regulation of pesticides used on insect-resistant seeds.

“Is there a coordinated plan to maintain pressure and emphasis on EPA’s evolving regulations?” Eric Sachs, the chief of Monsanto’s global scientific affairs group, wrote in a related email to Dr. Chassy. “Have you considered having a small group of scientists request a meeting with Lisa Jackson,” referring to the E.P.A. administrator at the time.

In an interview, Dr. Chassy said he had initiated the fight against the E.P.A. plan before Monsanto pressed him. But he conceded that the money he had

received from the company had helped to elevate his voice through travel, a website he created and other means.

“What industry does is when they find people saying things they like, they make it possible for your voice to be heard in more places and more loudly,” he said.

Dr. Chassy eventually set up a meeting at the E.P.A., with the help of an industry lobbyist, and the agency ultimately dropped the proposal.

In 2013, Monsanto also asked David R. Shaw, the vice president for research and economic development at Mississippi State University, to intervene with the Department of Agriculture to help persuade the agency to approve a new type of genetically modified soybean and cottonseed designed by Monsanto.

Organic farmers argued against this move, convinced that approval of the new seeds would lead to an increase in potentially harmful herbicide use. Monsanto wanted Dr. Shaw, whom the company has supported over the last decade with at least \$880,000 in research grants for projects he helped oversee, to refute these arguments, the emails show.

“Our Regulatory Affairs and Government Affairs groups feel it is important that USDA hear from folks like you on the key issues since there is a high probability that many negative voices will be heard during these calls,” said a June 2013 email from John K. Soteris, then Monsanto’s head of weed resistance programs. “Your voice not only counts from the standpoint of presenting scientifically based viewpoints but also to a degree from a numbers standpoint.”

Dow Chemical made a similar pitch this year, with one company executive first reminding Dr. Shaw in an email about the industry’s financial support for the university. Then the executive asked Dr. Shaw to intervene with the Agriculture Department to urge it to approve Dow’s new genetically modified cottonseed, which was designed to be treated with a Dow-produced herbicide.

Dow’s and Monsanto’s requests to the Agriculture Department have since been

approved. Dr. Shaw declined to comment. But a university spokesman, Sid Salter, described Dr. Shaw as “a highly ethical researcher.”

Why Not ‘Mommy Farmers’?

At times, the scientists themselves questioned whether they were the best advocates for the companies.

“What the situation requires is a suite of TV spots featuring attractive young women, preferably mommy farmers, explaining why biotech derived foods are the safest & greenest in the history of ag and worthy of support,” wrote L. Val Giddings, a senior fellow at Information Technology & Innovation Foundation, a nonprofit food policy research group in Washington, in an October 2014 email to a Monsanto lobbyist. The company was debating how to defeat labeling campaigns last year in Colorado and Oregon.

Dr. Folta, included in the email chain, agreed.

“We can’t fight emotion with lists of scientists,” Dr. Folta wrote to Lisa Drake, the Monsanto lobbyist. “It needs a connection to farming mothers.”

But Ms. Drake flatly rejected their arguments. Monsanto had already run television ads with mothers who were farmers. They fell flat.

“Doesn’t poll as well as credible third party scientist,” she said. “I know hard to believe, but I have seen the poll results myself, and that is why the campaigns work the way they do.”

Emails and other documents obtained by The Times from Washington State, where Dr. Benbrook served until earlier this year, show how the opponents of genetically modified foods have used their own creative tactics, although their spending on lobbying and public relations amounts to a tiny fraction of that of biosciences companies.

The organic foods industry has a direct financial interest to raise consumer concerns, because federal law requires that any product labeled organic in the

United States be free of ingredients produced from genetically modified seeds. So if consumers move away from G.M.O.-based sources, they sometimes switch to organic alternatives.

Like the biotech companies, organic industry executives believed they could have more influence if they pushed their message through academics.

“I am a business guy, not a scientist,” said Gary Hirshberg, the chairman and former president of Stonyfield Farm, which produces organic yogurt, who leads an industry lobbying effort called Just Label It. “So of course it helps to have an academic scientist explain it.”

That is why Dr. Benbrook, who had served as chief scientist at the Organic Center, a group funded by the organic foods industry, resigned his job and sought a university appointment, he said.

“I was working for an organization affiliated and funded by the industry, and people were just not listening,” he said.

At Washington State, Dr. Benbrook was supported by many of the same financial backers, including Organic Valley, Whole Foods, Stonyfield and United Natural Foods Inc. The companies stayed closely involved in his research and advocacy, helping him push reporters to write about his studies, including one concluding that organic milk, produced without any G.M.O.-produced feed for the cows, had greater nutritional value.

At least twice, Mr. Hirshberg’s group also paid for Dr. Benbrook to go to Washington so he could help lobby against a federal ban on G.M.O. labels. And his research suggesting that herbicide use in G.M.O. crops has surged has been a central part of the organic industry’s argument for mandatory labels.

Dr. Benbrook, whose research post at Washington State was not renewed this year, said the organic companies had turned to him for the same reasons Monsanto and others support the University of Florida or Dr. Foltz directly.

“They want to influence the public,” he said. “They could conduct those studies on their own and put this information on their website. But nobody would believe them. There is a friggin’ war going on around this stuff. And everyone is looking to gain as much leverage as they can.”

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