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Opinion

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OUR VIEW

Another 'ag-gag' law won't help farmers

Washington Rep. Joe Schmick has introduced a bill modeled after an Idaho law that criminalizes undercover taping at agricultural operations.

It's the latest in a series of well-meaning but misguided attempts to keep animal rights activists off farms.

If House Bill 1104 becomes law, anyone who records activities at an agricultural business without the owner's consent would be committing a new crime, interfering with agricultural production. A violator would be guilty of a gross misdemeanor and could be sent to jail for up to a year and fined \$5,000, the same maximum penalty

as Idaho's law.

Schmick said he wants to protect agriculture practices from being distorted to look like abuse.

"I view it as a way to protect the farmer," Schmick, a Colfax Republican, said. "I would like to see a strong deterrent."

Unfortunately, we doubt this or similar measures will stop radical animal rights activists from either sneaking onto farms or gaining employment for the purpose of taking undercover videos.

If passed, the measure will almost certainly face a constitutional challenge. Idaho's law is already in the courts, and last fall the court denied a motion for summary judgment filed by its supporters.

Chief U.S. District Judge Lynn Winnmill ruled that the Animal Legal Defense Fund made a plausible claim that the law violates free speech rights.

The constitutional issues aside, the law provides the worst possible optics for an industry trying to reach out to an ever-growing nonfarming population that has little understanding of modern commercial agricultural practices.

Farmers have a legitimate interest in keeping their operations secure, and have every right to protect themselves and their property from illegal trespass. No one can argue otherwise.

But to many nonfarmers this

looks like a heavy-handed attempt to hide cases of abuse by prosecuting those who bring them to light.

Idaho legislators passed their law after an activist was hired at a large dairy and videoed other employees mistreating cattle. The dairy fired the employees involved when the video came to light, and one worker was prosecuted for abuse. Although it was shown that the owners of the dairy had no knowledge of the abuse and acted responsibly, the damage was done.

But the damage would have been worse if authorities had then prosecuted the activist.

"Ag-gag" laws, as they are dubbed by opponents, can only work against producers in the court

of public opinion. Any activist worth his salt would die for the chance to stand accused in the dock where exhibit one in the prosecution's case is a clandestine video showing actual animal abuse.

The best way to keep damaging videos off the Internet is to take every step possible to ensure animals aren't being abused and only generally accepted practices are employed. Employees must be carefully vetted, and problems dealt with promptly.

The best public relations is to find ways to invite more people onto the operation to teach them about modern livestock production and let them see for themselves what happens.

OUR VIEW

Managing the people, not the wolves

"Wolf management" is a misnomer. What state officials in Washington, Oregon, Idaho and elsewhere have been doing is managing people. The wolves seem to be doing just fine; it's the people who need help.

The line of reasoning wildlife managers use is this: When wolves attack livestock, the predators aren't at fault, the people are. It's not the wolf's fault that a lamb jumped into its mouth, it's the lamb owner's fault. He, or she, just didn't use enough fladry and special flashing lights or hire enough range riders to protect the livestock from the wolves.

That's the topsy-turvy world we live in when it comes to wolves spreading across the region. Just last week another wolf popped up in Southern Oregon, bringing to three the number — plus a couple of pups — that have set up housekeeping in that part of the state. That brought this admonition from an Oregon Department of Fish and Wildlife biologist to a group of Southern Oregon cattlemen: "We have wolves, folks. They are not going away. I realize this is a lifestyle change."

What that means is any newly arrived wolves take priority over ranchers who have been there for generations. Ranchers now must accommodate the behaviors of their new neighbors — including their diet of fresh lamb and beef. The state will help with some of the costs, but any other costs will come

out of their pockets.

Presumably, the newest wolf in Southern Oregon followed the paw prints of OR-7 and his new mate, trekking 230-plus miles across the state to take up residence there. One can only guess how many others have followed this latter-day version of the Oregon Trail and haven't yet been discovered.

These observations add up to this: Wolves seem to be getting along fine despite any attempts to manage them. They randomly show up, sometimes with a mate and pups, and managers can only take note of it. No hands-on management is needed for the wolves. It's the ranchers who must manage their cattle and sheep differently in an effort to prevent them from becoming endangered.

That's the odd thing about the Endangered Species Act: It treats all species the same. An endangered worm whose only worry is making it across the road before the next pickup truck drives by is put in the same system as a wolf that resides at the top of the food chain and is fully capable of fending for itself.

Wildlife managers are taking a census of all the wolves they can find. Good luck. It appears counting wolves is more a best-guess than anything.

In the meantime, members of Congress in four Upper Midwest states have proposed legislation to take wolves off the federal endangered species list in that region.

It's time to do the same everywhere else, too.



Rik Dalvit/For the Capital Press

Most Americans support mandatory labels on foods containing DNA

By ILYA SOMIN
For the Capital Press

A recent survey by the Oklahoma State University Department of Agricultural Economics finds that over 80 percent of Americans support "mandatory labels on foods containing DNA," about the same number as support mandatory labeling of GMO foods "produced with genetic engineering."

If the government does impose mandatory labeling on foods containing DNA, perhaps the label might look something like this:

WARNING: This product contains deoxyribonucleic acid (DNA). The Surgeon General has determined that DNA is linked to a variety of diseases in both animals and humans. In some configurations, it is a risk factor for cancer and heart disease. Pregnant women are at very high risk of passing on DNA to their children.

The Oklahoma State survey result is probably an example of the intersection between scientific ignorance and political ignorance, both of which are widespread. The most obvious explanation for the data is that most of these people don't really understand what DNA is, and don't realize that it is contained in almost all food. When they read that a strange substance called "DNA" might be included in their food, they might suspect that this is some dangerous chemical inserted by greedy corporations for their own nefarious purposes.

Polls repeatedly show that much of the public is often ignorant of both basic scientific facts, and basic facts about government and public policy. Just before the 2014 elections, which determined control of Congress, only 38 percent realized that the Republicans controlled the House of Representatives before the election, and the same number knew that the Democrats controlled the Senate. The public's scientific knowledge isn't much better. A 2012 National Science Foundation survey even found that about 25 percent of Americans don't know that the Earth revolves around the sun rather than vice versa. Issues like food labeling bring together political and scien-

tific knowledge, and it is not surprising that public opinion on these subjects is very poorly informed.

It would be a mistake to assume that widespread political and scientific ignorance are the result of "the stupidity of the American voter," as Obamacare architect Jonathan Gruber put it. Political ignorance is not primarily the result of stupidity. For most people, it is a rational reaction to the enormous size and complexity of government and the reality that the chance that their vote will have an impact on electoral outcomes is extremely low.

The same is true of much scientific ignorance. For many people, there is little benefit to understanding much about genetics or DNA. Most Americans can even go about their daily business perfectly well without knowing that the Earth revolves around the sun. Even the smartest people are inevitably ignorant of the vast majority of information out there. We all have to focus our time and energy on learning that information which is most likely to be instrumentally useful, or at least provide entertainment value. For large numbers of people, much basic political and scientific information doesn't make the cut.

Unfortunately, this is a case where individually rational behavior leads to potentially dangerous collective outcomes. While it doesn't much matter whether any individual voter is ignorant about science or public policy, when a majority (or even a large minority) of the electorate is ignorant in these ways, it can lead to the adoption of dangerous and counterproductive government policies. In this case, excessive and unnecessary warning labels on food products could confuse consumers, and divert their limited attention from real dangers.

Although Jonathan Gruber was wrong to believe that American voters are necessarily stupid, he was right about the pervasiveness of public ignorance, and the dangers it poses.

This column was originally published in the Volokh Conspiracy blog, affiliated with the Washington Post. Ilya Somin is a law professor at George Mason University and author of "Democracy and Political Ignorance: Why Smaller Government is Smarter."

Opposition to port expansions harms ag, trade

By JOHN STUHMILLER
For the Capital Press

As forecasted, Washington state has seen an uptick in the shipment and export of all types of commodities. Washington state produces many goods that require transport to the marketplace, both domestically and internationally. Suppliers rely on rail mobility and port capacity to stay competitive. Right now, what you'll hear many farmers say is something to the effect of: we have a high volume of products, but insufficient or unreliable means to get them to their destination.

This hindrance is very real for growers and sellers — anyone whose jobs depend on a robust agriculture industry that demands efficient channels to trade. For those growers whose crops have a particularly short shelf life, backlogs in shipment can mean devastating losses in profit.

Guest
comment
John Stuhmiller



Our most recent data show 13 percent of Washington's economy is tied to the agriculture sector. Agriculture products rank second in the total volume of goods exported from our ports this year. And most of the crops that are grown and transported through Washington will be sold abroad. A paper released last year by Western Washington University professor Steven Globerman reinforces this notion, finding that there will be ample "opportunities for increased bulk commodity exports originating in Washington state, in particular agricultural products." Our seaport industry enables us to break into these burgeoning markets, and the opportunity to expand is right at our fingertips.

The private investment

in Washington's port and rail infrastructure that will come through proposed export terminals in the Northwest is desperately needed, and will guarantee growers and shippers can offer their goods to existing markets, as well as untapped ones — regardless of whether their commodity is being shipped down the shore to California or thousands of miles away.

Opposition to these projects has mostly arisen in the form of misplaced information about one of the many commodities expected to ship through the terminals — coal.

First, and most importantly, these projects should not ever be thought of as merely "coal" terminals, as they will increase our ability to export and import all products from the Northwest and beyond. Commodities like timber, grain, and other agricultural products will make their way through Washington via these projects.

This is critical for the long-term economic prosperity of a state like Washington, which has the most trade-dependent economy in the country. Second, if there is no global marketplace for coal, why then did West Shore Terminals Investment Corporations in British Columbia recently announce an agreement with Cloud Peak Energy to increase Asian coal exports by 2 million tons effective through the year 2024?

Regardless of coal's place in the global energy economy, here in Washington, we need to expand our trade capacity so that we can carry on our region's legacy as a vital trade gateway. Doing so safeguards the livelihoods of Washington's farmers and all those whose economic well-being rely on trade, and will help ensure a prosperous farming economy for future generations.

John Stuhmiller is CEO of the Washington Farm Bureau Federation.

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