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March 24, 2005

The Honorable Michael Huckabee
State of Arkansas
State Capitol Building
Little Rock, AR 72201

Dear Governor Huckabee:

On behalf of the Biotechnology Industry Organization (BIO), we are writing to express concern about a piece of legislation that has been sent to you for your approval. House bill 2574, the Arkansas Rice Certification Act, grants the State Plant Board powers to prohibit the introduction of any rice product deemed to have "characteristics of commercial impact."

We understand that this legislation had overwhelming support in the Legislature and has the support of Riceland, the state's largest miller and marketer of rice. However, as representatives of the nation's biotechnology industry, we are obligated to express our concerns that this legislation has the potential to cast a negative light on agricultural biotechnology in Arkansas.

As an industry, we have worked diligently to ensure the safe research and planting of agricultural biotechnology products of all kinds. The United States Department of Agriculture (USDA) has established stringent guidelines for biotech-improved plants, including plant-made pharmaceutical (PMPs). In addition, USDA has set forth mandatory containment safeguards for PMPs as a condition for permitting.

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We have been working closely with the Arkansas Biotechnology Association and the Legislature for the past 10 years to help develop opportunities for biotechnology industry development in Arkansas. We were very involved with helping to craft and make information available to the Legislature that resulted in the passage of the Act 1117, The Arkansas Biotechnology Development and Training Act of 1997. The passage of this legislation asserted that Arkansas was committed to helping create opportunities for biotechnology development in the state – particularly for agricultural biotechnology. It was heralded by the media and national trade groups as innovative public policy.

What follows is the preamble to the original bill:

Agriculture and economic development are dependent on biotechnology, which affects every Arkansas farmer from the smallest tomato grower to the largest poultry producer. Furthermore, intellectual property developed at Arkansas's state-supported colleges and universities is being exported to other states for exploitation. Development of biotechnology in Arkansas is required for the state's medical, agricultural and other industries to remain competitive in the twenty-first century.

This legislation is still being referred to today as model for states looking for ways to facilitate biotechnology industry development. We were pleased to have you sign this legislation in your first year in office.

Our hope is that this letter draws attention to the fact that agricultural biotechnology still offers significant promise to states like Arkansas. However, legislation that casts doubt or concern on the technology ultimately hurts the agricultural community, potentially depriving farmers of a technology that can significantly increase yield, reduce environmental damage, reduce farmers' input costs, and potentially create new markets for agricultural products.

Governor Huckabee

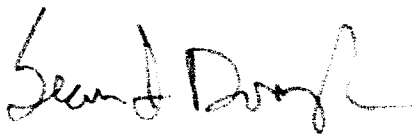
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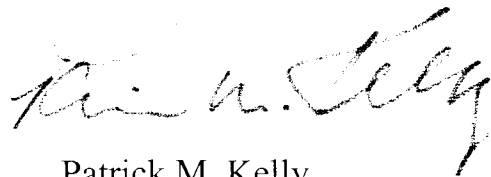
We take solace in the fact that this legislation contains a sunset provision. We hope in four years we can come back to the Legislature and prove that we are truly stewards of the technology, and that we are eager to reestablish a relationship and provide value to Arkansas farmers.

Thank you for your time and consideration. If we can be of any assistance to you or your administration, please don't hesitate to contact us at (202) 962-9200.

Sincerely,



Sean Darragh
Executive Director,
Food & Agriculture Section
Biotechnology Industry Organization



Patrick M. Kelly
Vice President,
State Government Relations
Biotechnology Industry Organization

cc: Susie Marks, Arkansas Biotechnology Association
Darryl Little, Arkansas Plant Board

The Biotechnology Industry Organization (BIO) represents more than 1000 biotechnology companies, academic institutions, state biotechnology centers and related organizations in all 50 U.S. states and 33 other nations. BIO members are involved in the research and development of health care, agricultural, industrial and environmental biotechnology products. For more information on BIO, visit our website at www.bio.org