



BIOTECHNOLOGY  
INDUSTRY  
ORGANIZATION

**Testimony of the Biotechnology Industry Organization**  
**Submitted to the New York State**  
**Senate Committee on Environmental Conservation**

May 19, 2004

***Regarding Senate Bill 6537: "An Act to Amend the Environmental Conservation Law and the Agriculture and Markets Law, in Relation to Transgenic Aquatic Animals"***

On behalf of the Biotechnology Industry Organization (BIO) and its more than 1,000 life science member companies, we would like to echo the sentiments of our state affiliate, the New York Biotechnology Association (NYBA), in opposing Senate Bill 6537. This bill, which proposes to prohibit the sale of "transgenic aquatic animals" in New York State, is not necessary given current federal regulations and could prove detrimental to the state's economic objectives. As you deliberate this proposed legislation, we hope you will consider the following rationale:

- **The biotech industry strongly supports the stringent, science-based regulations that govern its products' approvals.** In the case of transgenic fish, regulatory oversight is coordinated by at least three federal agencies—the U.S. Food & Drug Administration (FDA), the U.S. Department of Agriculture (USDA), and the Environmental Protection Agency (EPA). Before products are approved for market, the agencies evaluate the scientific research to determine whether transgenic fish modifications are safe for their intended use, for the fish themselves, and for the environment. When FDA recently evaluated transgenic ornamental fish, it determined it was not necessary to regulate these fish because it found no evidence this biotech-enhanced species are any more dangerous than their natural counterparts and because they are not intended for human consumption. In fact, all products of biotechnology in the market today have been deemed not to pose a unique risk to human health or the environment.
- **The intent of Senate Bill 6537 is not based in sound science.** While the proposed legislation prohibits the sale of "transgenic aquatic animals," it makes allowances for "closely related" species produced through hybridization. The results of biotech versus hybridization processes are similar but the methods are different. In fact, biotechnology offers a more efficient and accurate avenue than does hybridization. To allow one and not the other flies in the face of sound science.

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- **New York State, with the support of the legislature, has invested heavily to position itself as a biotechnology leader**, including R&D exemptions and tax credits that are critical to start-up bioscience companies. As a result, the state is one of the nation's leaders in employment and university research in the life sciences area. The proposal of SB 6537 to prohibit the sale of transgenic aquatic animals has no basis in science. And, if passed, the state's reputation as a center of biotechnology excellence could be damaged and set a negative precedent.

We hope you will join BIO and NYBA in opposing Senate Bill 6537. If you have any questions or would like additional information on this topic, please feel free to contact Patrick Kelly at 202-962-9200 (or via by e-mail at [pkelly@bio.org](mailto:pkelly@bio.org)) or Dr. Barbara Glenn, Director of Animal Biotechnology at 202-962-6697 (or via e-mail at [bglenn@bio.org](mailto:bglenn@bio.org)).

Thank you for your consideration of this important matter.

Respectfully submitted,

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***The Biotechnology Industry Organization (BIO) represents more than 1,000 biotechnology companies, academic institutions, state biotechnology centers and related organizations in 46 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.***