

# Wiley Rein Partners Rein and Barry Question the Viability of Vermont's Genetic Engineering Labeling Law in Today's *Food Safety Magazine eDigest*

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As Vermont Governor Shumlin prepares to sign Vermont's genetic engineering disclosure law—the first such law to set an effective date for compliance—Wiley Rein founding partner Bert W. Rein and partner John E. Barry raise serious doubts whether Vermont can survive the inevitable political and legal challenges from industry opponents. To read their *Food Safety Magazine eDigest* article, [click here](#).

"On the political front, the Vermont law should energize the push for preemptive federal bioengineered organism legislation," Mr. Rein and Mr. Barry write. "On the legal side, there are powerful arguments why the Vermont law infringes upon food manufacturers' freedom of speech rights, and it is virtually certain that, absent congressional action, manufacturers will seek to protect their interests in court."

The authors contend that legal challenges to the law may be hard to defeat, in part because Vermont lawmakers concede the absence of credible scientific evidence that genetically engineered products are harmful or lack nutritional value. The Vermont law, in their view, is also in tension with recent Supreme Court and federal appellate decisions protecting the First and Fourteenth Amendment rights of commercial speakers to resist the compelled disclosure of government-preferred messages that convey opinions adverse to the speakers' interests.

## Related Professionals

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## Practice Areas

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Food & Drug  
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Mr. Rein has been recognized as a Washington "Visionary" by *The National Law Journal* and a "Leading Food and Drug Lawyer" by the *Legal Times*. Mr. Barry has 25 years of experience in complex civil litigation matters and appeals before federal and state courts.