

# WA Supreme Court upholds \$18M campaign finance fine against grocery industry group

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By [Jim Brunner](#)

The Washington state Supreme Court has upheld a record \$18 million fine against a national grocery industry group for violating state campaign finance laws during a 2013 battle against a food-labeling initiative.

In a [5-4 ruling](#) issued Thursday, the court majority upheld a [2020 appeals court](#) decision that found the massive fine levied against the Grocery Manufacturers Association, or GMA, was not excessive.

Writing for the court majority, Chief Justice Steven González said the GMA's efforts to conceal the identity of corporations bankrolling its 2013 campaign "struck at the core of open and transparent elections."

The GMA spent more than \$11 million to defeat [Initiative 522](#), which would have required labeling of genetically modified food products. But the industry group did not initially identify the corporations that wrote big checks to fund the campaign, including Coca-Cola, General Mills and Nestlé.

The donors were only disclosed after Attorney General Bob Ferguson's office sued, alleging violation of the state's campaign finance laws. His office uncovered internal GMA documents showing the group's leaders [purposely sought to hide](#) the corporations behind the political donations to "shield individual companies from public disclosure and possible criticism."

In an interview, Ferguson called Thursday's ruling "a complete and total victory" for the state. "They were caught red-handed. It's the kind of thing that drives people crazy: big sophisticated corporations who think they don't have to follow the pesky law," he said.

Ferguson added that the well-funded industry group had engaged in "scorched earth litigation" fighting the case with "every conceivable legal roadblock."

In addition to the fine, the court majority awarded the state its legal costs in the case. A spokesperson for Ferguson did not immediately have an estimate of the amount of those costs.

The \$18 million penalty is the largest ever imposed for campaign finance violations in Washington.

The nearly decadelong legal fight may still not be over.

An attorney for the grocery group, which since has renamed itself the Consumer Brands Association, said it was disappointed in Thursday's ruling and may take its case to the U.S. Supreme Court.

"The state's legal process has been tainted by partisan politics, and the ruling in this case will chill core political speech by legitimate organizations based on their viewpoints. The only winner in this decision is politics — not the law, the facts or the American public," Stacy Papadopoulos, Consumer Brands general counsel, said in a statement. "Consumer Brands will pursue all legal options, including petitioning the U.S. Supreme Court, to receive a fair and impartial review of this decision."

In a dissenting opinion, four justices, led by Justice Sheryl Gordon McCloud, agreed with the industry group's contention that the \$18 million penalty was "grossly disproportionate" for a campaign finance violation that was ultimately corrected.