

## **RE: CAN/CGSB-32.315, *Voluntary labelling and advertising of foods that are and are not products of genetic engineering*. Analysis of the proposed change to the definition of genetic engineering to allow for genome edited foods to be labelled as non-genetically engineered**

The purpose of this document is to further explain our objection to the exclusion of genome editing from the definition of genetic engineering in the labelling standard for foods obtained or not obtained through genetic engineering.

### **Excluding genome editing would be misleading, and not informative or understandable**

Despite various regulatory approaches, categorization and terms used, the scientific community includes gene editing among genetic engineering techniques.<sup>1</sup>

**Exempting some genetically engineered products or techniques of genetic engineering from the standard to label foods that are or are not of genetic engineering would be misleading.** As required by the *Food and Drugs Act* food labelling and advertising claims need to be truthful, not misleading, not deceptive, and not likely to create an erroneous impression of a food's character.

#### **Exclusion of genome editing from the label would not be understandable or informative for consumers.**

Consumers seeking labels for GE foods or non-GE foods would reasonably expect all techniques of genetic engineering to be included.

**Excluding products of genome editing would be contrary to the standard's goal "to assist consumers in making informed choices."** The standard was designed to serve the public that wants to know, for various reasons, which foods have been produced with the use of genetic engineering. [In a public opinion poll conducted for CBAN \(2015\)](#), of the 88% of Canadians who said they wanted mandatory labelling, 87% said they just wanted to know and 30% said they had ethical concerns, for example. The standard has a strong mandate from Canadians to provide this choice, demonstrated by [polling that consistently finds over 75% of Canadians want mandatory labelling](#).

**The standard was designed to serve the consumer who is interested in the process by which the food was created.** The standard refers to the use of the "techniques" of genetic engineering and the "way" that an organism is changed. The focus on providing information about foods produced with techniques of genetic engineering is referenced throughout the standard. For example:

- A "product of genetic engineering" is defined in the standard as, "Food composed of or containing organisms whose genetic material has been changed **through** genetic engineering..." [bolding added].
- As stated in the standard SCOPE, 1.1: "The standard applies to the voluntary labelling and advertising of food in order **to distinguish whether or not such foods are products of genetic engineering**, or contain or do not contain ingredients that are products of genetic engineering, irrespective of whether the food or ingredient contains DNA or protein" [bolding added].

- The standard already applies to the end product of genetic engineering **“whether or not the food or ingredient contains DNA or protein”** meaning that the presence of foreign DNA in the final product is not a defining feature of genetic engineering for the purposes of the label. Instead, it is the process of genetic engineering that is the defining feature.

Furthermore, the Canadian Organic Standards already provide a definition of genetic engineering which includes genome editing, and use of this standard is well-established in our food system and well-used by Canadian consumers. **The GE labelling standard needs to be consistent with the Canadian Organic Standards to avoid creating a conflicting definition that would cause consumer confusion.**

## Definitions in safety regulation are not relevant or appropriate for use in this standard

Canadian regulations do not provide guidance on the question of a definition of genetic engineering for the purposes of this food labelling standard. Existing regulatory definitions are not relevant. **Health Canada regulates novel foods, not genetically engineered foods**, and there is no specific regulatory exclusion of “genome editing” or “gene editing” in the newly published regulatory guidance document (2022).

Regulatory guidance clarifies that foods from plants that have “no foreign DNA” are to be understood as “non-novel”, regardless of the process used to create them. This conclusion, which does not apply to all genome-edited foods, was designed for the identification, characterization and management of public health risks and is not relevant to labelling for consumer choice. In contrast, the presence of foreign DNA in an organism does not define genetic engineering and it does not necessarily define genetic engineering for the consumer. In fact, the standard clearly states at the outset that, “The standard applies to the voluntary labelling and advertising of food in order to distinguish whether or not such foods are products of genetic engineering, or contain or do not contain ingredients that are products of genetic engineering, **irrespective of whether the food or ingredient contains DNA or protein**” [bolding added].

“Novelty” is a “risk-based regulatory trigger”, not a definition of genetic engineering. The purpose of the *Novel Food Regulations* is to ensure food safety. In contrast, **the labelling standard relates to foods that are already deemed safe by Health Canada, and the labelling standard was created explicitly for non-health reasons:** “This standard was developed to provide consumer choice and does not imply the existence of health or safety concerns for products within its scope”.

The definitions and terminology used in the labelling standard are in service of an entirely different purpose than federal regulation for safety and have no bearing on the standard. Unlike in government regulations for safety, **the safety and precision of genome editing is not relevant to the question of inclusion in the definition of genetic engineering for the purposes of consumer choice.**

1 For example: Gao, S. et al. (2025). 'Development of an endogenous promoter-driven CRISPR/Cas9 system for genome editing in *Fraxinus mandshurica*.' *For Res (Fayettev)* 5:e016.; Knott, G. J., and Doudna, J. A. (2018). 'CRISPR-Cas guides the future of genetic engineering.' *Science* 361 (6405):866-69.; Cao, H. X. et al. (2024). 'Applications of CRISPR Technologies in Forestry and Molecular Wood Biotechnology.' *Int J Mol Sci* 25 (21); Definition of genetic engineering (updated 2025) – National Institute of Health, National Human Research Institute, United States. <https://www.genome.gov/genetics-glossary/Genetic-Engineering>

**The Canadian Biotechnology Action Network (CBAN)** brings together 15 groups to research, monitor and raise awareness about issues relating to genetic engineering in food and farming. CBAN members include farmer associations, environmental and social justice organizations, and regional coalitions of grassroots groups. CBAN is a project on the shared platform of MakeWay Charitable Society. [cban.ca](https://cban.ca)