



To: Docket Clerk
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**Comments on:
National Bioengineered Food Disclosure Standard**

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Comments on Proposals for “National Bioengineered Food Disclosure Standard”

The Canadian Biotechnology Action Network provides the following comments on the new genetically engineered food disclosure proposals from the US Department of Agriculture.

We provide our comments because Canadian companies exporting to the US will need to comply with the US standard and our integrated marketplaces mean that we, additionally, anticipate any US standard to have some impact on the trajectory for mandatory labelling of genetically engineered, also called genetically modified (GM), foods in Canada.

The proposals for a standard in the US will not provide clear, meaningful labels for consumers. On the contrary, the proposals would use a wholly unfamiliar term and/or a heavily biased graphic symbol, and construct a confusing array of disclosure/information points for consumers. Furthermore, the standard would not label/identify all foods necessary, nor provide information equally to all consumers.

1. Means of Disclosure

- The option to use an electronic or digital link/QR code is unacceptable and needs to be ruled out entirely because many citizens do not have access to the technology to make use of such a code. This is also true of the option for smaller companies to refer to a website.
- Text labelling should be the standard by which the use of food produced through genetic engineering is disclosed.
- The additional use of a symbol is only appropriate if the term used is “GM” or “GE” which are both widely recognized, and if the symbol is neutral in design.
- The option to only use of telephone numbers and website URLs, as proposed for use by smaller companies, is a step removed from the grocery store. These options do not provide clear product/ingredient disclosure at the point of purchase where consumers need and are seeking the information.

Solution: On-package text labelling is the only option that will provide immediate, equal access to information for all citizens, at the point of purchase.

2. Use of Terms

The term proposed for use in the standard is “Bioengineered” and its acronym “BE” which is not a term or abbreviation that is in use to describe GMOs (genetically modified organisms), GM (genetically modified) foods, or genetically engineered (GE) foods – which are the commonly used terms in both Canada and the US, and are used interchangeably.

Bioengineered is not a term used by the public or the food industry, nor is it used in scientific or policy communities. It has no history of note in the twenty years of the commercialization and regulation of foods derived from genetic engineering. This is the case in the both the US and Canada, in countries across the globe, and in international agreements.

To introduce a new, unknown term for the purpose of labelling, defeats the purpose. The term is not recognizable by the public and the resultant label will not be recognizable or clear.

Solution: The terms genetic modification and genetic engineering are commonly used interchangeably by the public in the US and Canada, and either term could be used for mandatory labelling.

3. Symbols Proposed

The proposed symbols/graphic options presented are not neutral in design but are images that encourage a positive response. This is an unacceptable interference in what should be unbiased labelling of products resulting from the use of a new technology.

Solution: Any symbol should be neutral with no suggestion of either a negative or positive position, to encourage neither negative nor positive reactions.

5. Mutual recognition arrangements

We expect Canadian companies to be subject to the same disclosure and compliance requirements as domestic entities. US citizens would likely assume that the law is applied equally to all imported goods.

6. Thresholds

The option of 0.9% threshold is the international norm, as implemented by European trading partners. The proposal of adopting a threshold of 5% or allowing intentional use of products up to 5% is not acceptable.