



March 3, 2021

To: The Honourable Patty Hajdu, Minister of Health  
Cc: Karen McIntyre, Director General, Health Canada

**RE: Urgent, serious concerns about upcoming Health Canada regulatory guidance proposals on genetically engineered foods, and the process of guidance development**

Dear Minister Hajdu,

We are writing with our urgent, serious concerns about the apparent direction being taken in the drafting of proposals for new guidance on the regulation of genetically engineered foods, in particular evolving proposals that could exempt some products of the new genetically engineering techniques of genome editing from regulation.

While the Health Canada proposals are expected to be released for a 60-day period of public comment soon, we are writing now to inform you of our deep concerns and to ask you to consider a fundamental shift to align Canadian regulation of genetic engineering with a mandatory rigorous, independent safety assessment that ensures food safety and public trust.

A document provided by Health Canada to CropLife Canada, the Canada Grains Council, and the Canadian Seed Trade Association, discussed in a meeting of February 8, 2021,<sup>1</sup> shows that coming proposed guidance may not require government oversight of all genome edited foods but may require safety evaluation only for some of these genetically engineered foods, where: there is an impact on food safety (i.e., increased allergen, toxin or anti-nutrient levels); there is an impact on key nutritional composition or metabolism; there is a change in the food use of the plant; or foreign DNA has been inserted into the plant.

The above is of particular concern because the proposals appear to hand the responsibility of identifying the need for safety evaluation over to the product developers themselves, meaning that some genome edited foods entering the market would not be regulated by Health Canada, leaving Health Canada to rely on product developers for information about which genetically engineered foods could be in the food system and about the processes used to transform them.

Any devolution of responsibility from Health Canada to product developers is of particular concern as it affects the ability of Health Canada to ensure food safety and gain the trust of the Canadian public.

Our concerns are amplified because the guidance development process has been led by the explicit goal to support innovation<sup>2</sup> and has been dominated by meetings and discussions with industry actors. In addition, we now see that a team from Health Canada reviewed a new CropLife website designed to promote gene editing and concluded that “this information provides Canadians with clear plain language description of the technology and its potential benefits.”<sup>3</sup>

In this context, we would also like to bring your attention to the fact that this year marks the twentieth anniversary of The Royal Society of Canada’s Expert Panel on the Future of Food Biotechnology, whose core recommendations to reform regulation for increased transparency and incorporation of independent science have yet to be implemented.

We urgently ask you to ensure that all genetically engineered foods are regulated and assessed for safety by Health Canada to ensure food safety, and that Health Canada retain the authority and ability to gather basic information about which genetically engineered foods could be in our food system.

In light of this new information, we request a meeting to discuss our concerns.

Thank you for your attention and consideration of this urgent matter.

Sincerely,



Lucy Sharratt  
Coordinator  
Canadian Biotechnology Action Network



Thibault Rhen  
Coordonnateur  
Vigilance OGM

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<sup>1</sup> Health Canada, Plant Breeding Innovation Guidance Comparison Table, Version: February 5, 2021 4:20pm, FOR DISCUSSION PURPOSES. Document: Doc-EN-Comparison Table-HC-Feb 8, 2021.pdf. Available via <https://www.canada.ca/en/health-canada/services/food-nutrition/genetically-modified-foods-other-novel-foods/transparency-privacy-regulatory-guidance-novel-foods/meetings-correspondence.html>

<sup>2</sup> Health Canada, Notice of Intent: To develop and publish new guidance for the Novel Food Regulations, focussed on plant breeding, September 16, 2020. <https://www.canada.ca/en/health-canada/services/food-nutrition/public-involvement-partnerships/notice-guidance-novel-food-regulations-plant-breeding.html>

<sup>3</sup> Correspondence, Health Canada to CropLife Canada, February 19, 2021. Document: Corr-EN-HC-Feb 19, 2021.pdf. Available via <https://www.canada.ca/en/health-canada/services/food-nutrition/genetically-modified-foods-other-novel-foods/transparency-privacy-regulatory-guidance-novel-foods/meetings-correspondence.html>