

# NEW PROPOSALS WOULD ELIMINATE TRANSPARENCY ON GMOS IN CANADA

Regulatory guidance changes  
would result in unregulated,  
unreported genetically  
engineered foods and seeds

REPORT SUMMARY

Proposals from Health Canada and the Canadian Food Inspection Agency (CFIA) to exempt many new genetically modified organisms (GMOs) from regulation would jeopardize food and environmental safety. They would also remove the limited transparency on genetically engineered (genetically modified or GM) foods and seeds that currently exists for Canadians.

**Unregulated GMOs would be secret GMOs:** Product developers would own and control all the information about new unregulated GMOs entering the market and would not be required to provide any information to the federal government. Companies would not be required to inform the government that these new unregulated GMOs exist.

- Health Canada and the CFIA are proposing to exempt some GMOs from government safety regulation: GMOs with no foreign DNA - produced through genome editing techniques (also called gene editing).
- Product developers would be permitted to release these unregulated GMOs without notifying the government.
- The regulatory exemptions would set up a system of corporate self-regulation for most or all gene-edited foods and seeds, where corporations have sole responsibility for safety assessments of their own products and control all the information about those unregulated GMOs.
- The proposals will result in unregulated, unreported, and potentially unsafe gene-edited GMOs on the market.
- As well as posing food and environmental safety risks, lack of information about which gene-edited products Canadians could be eating and growing would result in a profound loss of transparency, with social and economic consequences.
- The proposals are not consistent with regulatory department commitments to openness and transparency.

### Transparency for the public would be eliminated if government regulation is removed.

Health Canada and the CFIA are proposing to exempt many new genetically engineered (genetically modified or GM) foods and plants from government safety assessments and government oversight: Genetically engineered seeds that have no foreign DNA and foods from genetically engineered plants that have no foreign DNA – produced through the new techniques of genome editing, also called **gene editing** – would be categorized as “non-novel” and exempt from regulation unless product developers flag a potential food safety or environmental safety risk.

Genome editing (also called gene editing) techniques are a type of genetic engineering that results in the creation of genetically modified organisms (GMOs).

Already in Canada, there is an almost complete lack of transparency in the regulation of genetically engineered, and very limited information for the public about GMOs that could be on the market.

GMOs are already invisible to the general public because there is no mandatory labelling of GM foods in grocery stores. These new proposals would go much further, **making many new gene-edited GMOs invisible to both the public AND the federal government.**

Health Canada and the CFIA would:

- not conduct safety assessments for many new GMOs;
- not know which new GMOs could be in the food system and environment;
- not be able to require companies to provide this information.

## CURRENT VS. PROPOSED GMO REGULATION

CURRENT REGULATION OF GENETIC ENGINEERING	NEW PROPOSALS TO REGULATE GENE-EDITED FOODS AND SEEDS THAT HAVE NO FOREIGN DNA
Government regulators assess product safety, relying on confidential information from product developers.	Product developers would assess the safety of their own products, and would not share their secret/proprietary safety data – government departments would have no authority to ask for access to this information.
Product developers have regular, direct access to government regulators through the approval process.	Product developers would become the regulators because the government approval process would be removed.
Government regulators (usually) publish one public document describing each approved GMO and its safety determination.	Product developers would determine the safety of new GMOs and decide if the public gets any notice or description of them.
The government publishes a list of approved “novel” products, which includes approved GM and non-GM foods and seeds.	Many new GMOs would not appear on any public list unless product developers voluntarily disclose this information.
No mandatory labelling of genetically engineered foods in the grocery store.	Incomplete government or public knowledge about which genetically engineered foods exist and could be in the food system.

## » Corporate self-regulation is not transparent

These regulatory exemptions would create a system of corporate self-regulation in which product developers assess the safety of their own products without any government oversight. **These companies would have complete control over what information the government and public have about their unregulated products.**

## » Voluntary transparency is not transparent

To solve the new transparency problem, Health Canada proposes to “**encourage**” industry to **be transparent** via a voluntary notification system that it now calls the “Transparency Initiative.”

However, instead of solving the problem, the proposed initiative highlights that the regulatory exemptions would leave the government and public, **wholly depending on product developers to voluntarily disclose information.**

**The proposed “Transparency Initiative”** would be a voluntary notification system for unregulated GM and non-GM foods. The resulting list of foods may not include all, or even most of, the new GMOs that could be on the market. There would be no way for the public or government to know if the list is complete or to verify if the information provided by companies is true.

A system that only discloses partial, unreliable information cannot be called transparent. **Only mandatory reporting requirements can ensure transparency.**

“Does the voluntary transparency initiative serve its purpose to inform Canadians what non-Novel gene-edited products are on the market? Can we do more to achieve this objective?”

– Health Canada consultation, March 2021

After the consultation, Health Canada renamed the proposed initiative from the “Voluntary Transparency Initiative” to the “Transparency Initiative.”

## » Science needs transparency

“The claim that the assessment of biotechnology risks is ‘science-based’ is only as valid as the independence, objectivity and quality of the science employed.”

– The Royal Society of Canada’s Expert Panel on the Future of Food Biotechnology, 2001

The proposals would remove the existing government reviews of corporate GMO safety data, which the government calls science-based regulation.



Instead, **product developers would determine the safety of their own products based on data that is kept secret, even from government.** Government regulators would not have access to the science behind new unregulated GMOs entering the market. Health Canada and the CFIA would be assuming the health and environmental safety of unregulated GMOs instead of actually assessing their safety.

**Unregulated GMOs would be released onto the market based on unseen, secret, corporate science.** There would be no standards for the quality or extent of science done, nor any responsibility for corporations to reveal gaps or negative findings. Since most or all of this science would not be peer-reviewed, it cannot be known or assumed to be sound science.

## » Farmers need transparency

Companies could sell gene-edited seed varieties to farmers without revealing that they are products of these genetic engineering techniques. Farmers would be totally reliant on companies to find out whether their seeds are gene-edited GMOs.

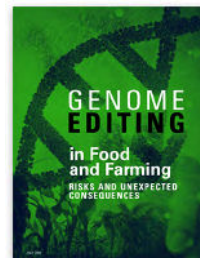
Over time, an increasing amount of unreported gene edited seeds in Canada's food and agriculture system would significantly increase the potential for unwanted GM contamination. This contamination could jeopardize export markets and risk the future of organic farming which prohibits the use of genetic engineering, including gene editing.

**See the full report at**  
**[cban.ca/NoExemptions/Transparency](http://cban.ca/NoExemptions/Transparency)**

Also from CBAN:

- “Are GM Foods and Crops Well Regulated?”  
**[www.gmo inquiry.ca/regulation](http://www.gmo inquiry.ca/regulation)**
- “Genome Editing in Food and Farming:  
Risks and Unexpected Consequences”  
**[www.cban.ca/GenomeEditingReport2020](http://www.cban.ca/GenomeEditingReport2020)**

For more information and analysis on the proposals see  
**[www.cban.ca/NoExemptions](http://www.cban.ca/NoExemptions)**



**The Canadian Biotechnology Action Network (CBAN)** brings together 16 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 of MakeWay's shared platform.



**[cban.ca](http://cban.ca)**