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**From:** Linda Berton [REDACTED] >  
**Sent:** Tuesday, August 29, 2017 1:23 AM  
**To:** AMS - GMO Labeling  
**Subject:** National Bioengineered Food Disclosure Standard

I fully supported the rights of states to require labels on GMO foods. In response to the Agricultural Marketing Service's (AMS) 30 questions on the National Bioengineered Food Disclosure Standard, I offer the following:

1. Please use the words "genetically engineered," "produced with genetic engineering" or "genetically modified organism."
- 2 & 3. Genetic modifications that could otherwise be obtained through conventional breeding or found in nature should not be exempt from mandatory disclosure.
4. AMS should require disclosure for all processed foods that contain ingredients derived from genetically engineered crops, including highly refined oils or sugars.
5. The regulations should reiterate that the term "bioengineering" will not affect any other federal definition, program, rule, or regulation.
6. All meat, poultry and egg products derived from genetic engineering should be disclosed, regardless of the predominance of ingredients.
7. Food from animals given genetically engineered feed or drugs (including dairy products from cows given genetically engineered growth hormones) should be disclosed.
8. Each ingredient produced through genetic engineering should be listed.
9. All ingredients that are "derived from bioengineered crops or animals" should be disclosed.
10. If an ingredient could be genetically engineered, but the producer is unsure, it should be labeled "may be produced with genetic engineering."
11. AMS should not exclude medical food or dietary supplements from disclosure.
12. Compliance with Consumer Protection Rule 121 from the State of Vermont should be required, at minimum. AMS should impose additional requirements.
- 13, 14, 15 & 23. Symbols and electronic or digital link disclosures should only be used along with on-package language that includes the words "genetically engineered."
16. Text disclosure should be required at point of sale. Food for sale in bulk or from a vending machine should have a clear and conspicuous sign. Food purchased online should have clear and conspicuous text on the webpage.
- 17 & 18. For packages defined as "very small" (using FDA's treatment of very small and small packages for nutrition labeling), the text "GMO" should be required, at minimum.
19. A small business should be defined as fewer than 15 full-time employees.
20. The appropriate language indicating that a phone number provides access to additional information is: "Is it genetically engineered? Call:"
21. Restaurants and similar retail establishments should not be exempt.
22. A very small food manufacturer should be defined as fewer than 5 full-time employees.
- 24 & 25. If an electronic or digital disclosure is used as a supplement to required on-package language that includes the words "genetically engineered," the disclosure must point directly to information about genetically engineered ingredients without clicking, scrolling or searching.
26. AMS should follow FSIS record-keeping rules.
27. Manufacturers who label their foods as "genetically engineered" should not have to keep records or submit information backing up their claim. Neither should manufacturers who use only ingredients that have not been genetically engineered or commercialized. Manufacturers who use ingredients that could be genetically engineered who wish to avoid using the "may be genetically engineered" disclosure should maintain non-GMO affidavits from their suppliers for audits or records requests.

28 & 29. The regulations should be enforced through a private cause of action, in addition to audits and other compliance actions.

30. Disclosure requirements should be applied to imported products the same as domestic products.

Thank you.

Linda Berton

