Health Care Without Harm

the campaign for
environmentally responsible
health care

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To Whom It May Concern:

Health Care Without Harm (HCWH) works to transform health care worldwide so that it reduces its environmental footprint, becomes a community anchor for sustainability and a leader in the global movement for environmental health and justice. As a leader in environmental health and community resilience, HCWH promotes the purchase of nutritious food that is produced, processed, and distributed in ways that are socially responsible and environmentally sustainable.

HCWH opposes the production and marketing of bioengineered foods due to the lack of scientific research, human health concerns, and environmental concerns. Independent scientists assert that their ability to investigate the health and environmental impacts of bioengineered crops is severely restricted by biotech companies since patent laws allow manufacturers to determine how their seeds are used[1]. Food and Drug Administration policy relies on the developer of the product to provide safety data, not independent scientific review, to assess the safety of bioengineered food products[2]. Few long term studies have been conducted to ensure that the production and consumption of bioengineered food carry no adverse long-term health impacts. However, emerging and compelling evidence suggests a negative impact on human health due to bioengineered foods' contribution to antibiotic resistance; the production of new allergens or toxicants, or increased levels of those that naturally occur; and food safety concerns regarding the consumption of bioengineered animal products[3]. Environmental concerns regarding bioengineered foods include increased use of

[1] Stutz, Bruce. 2010. "Companies Put Restrictions On Research into GM Crops," Yale Environment 360. http://e360.yale.edu/feature/companies_put_restrictions_on_research_into_gm_crops/2273/.
[2] FDA. 2007. "Consultation Procedures under FDA's 1992 Statement of Policy - Foods Derived from New Plant Varieties," http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/Biotechnology/ucm096126.htm.
[3] Health Care Without Harm. 2014. "Genetically Engineered Products Violate Healthy Food Principles." https://noharm-uscanada.org/sites/default/files/documents-files/843/HCWH%20GMO%20position%20statement%20November%202014.pdf.

herbicides[4] that are known toxicants[5]; increased weed and insect resistance[6]; and threats to beneficial, non-targeted organisms such as pollinator insects and other wildlife[7].

Due to these numerous human health and environmental concerns, HCWH supports a clear a robust labeling and monitoring system for bioengineered products and offers the following comments regarding select Agricultural Marketing Service (AMS) Proposed Rule Questions:

1) Determination of Qualifying Foods/Food Products

- AMS should require disclosure for food that contains highly refined products such as oils or sugars derived from bioengineered crops. Disclosure must be mandatory for all foods and ingredients that were produced using bioengineering, regardless of whether or not those ingredients are detectable as bioengineered.
- All meat, poultry, and egg products should be subject to a bioengineered disclosure regardless of the predominance of bioengineered ingredients.
- AMS should consider a food to be bioengineered if the food contains a substance or ingredients made from a substance that was modified using recombinant in vitro DNA techniques, as well as other bioengineering techniques such as Clustered Regularly Interspaced Short Palindromic Repeats (CRISPR) or RNA interference. Any technique that cannot be obtained through conventional breeding or found in nature should be considered a form of bioengineering.
- AMS should not exclude certain food types such as medical food and dietary supplements from disclosing bioengineered ingredients. Seeds and plant starts should also be included in disclosure requirements.

2) Labeling

- On food labels, individual ingredients should be labeled as bioengineered. A food containing any bioengineered ingredients should include a label stating, "Contains Bioengineered Ingredients."
- AMS should require standard text disclosure language in order for consumer information to be clear and consistent. Food packages should be clearly marked with disclosure information. Manufacturers should not be allowed to choose from multiple phrases for disclosure.
- If a manufacturer chooses to use a symbol to disclose bioengineered food or ingredients, it must be easily recognized and easy to distinguish on the packaging.

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[4] Benbrook, Charles. 2012. "Impacts of genetically engineered crops on pesticide use in the U.S. – the first sixteen years." Environmental Sciences Europe. 24:24, http://www.enveurope.com/content/pdf/2190-4715-24-24.pdf

[5] Pesticide Action Network North America. "Bad Idea: New GE Seeds," http://www.panna.org/current-campaigns/24D

[6] Nandula, V.K. et.al.. 2005. "Glyphosate-resistant weeds: current status and future outlook." Outlooks on Pest Management 16:183-187.

[7] EPA FIFRA Scientific Advisory Panel. 2000. SAP Report No. 99-06, February 4, 2000, https://archive.epa.gov/scipoly/sap/meetings/web/pdf/report-3.pdf

- A manufacturer should not be allowed to use an electronic or digital link in lieu of text or a symbol for bioengineered ingredient disclosure.
- Food sold in bulk should have the same disclosure information that would be found in packaged food on the label of the bulk bin. Likewise, produce sold from a bin or fresh seafood sold at a counter should have clear labels. Food sold from a vending machine should have the information visible for each product somewhere on the machine or accessible by digital readout on the machine. Food sold online should have all information about the product readily accessible. Manufacturers should be required to provide retailers with the necessary signage for bulk bins, seafood counters, etc.
- In the case of disclosure on very small packages, signage should be available in the retail location if the total surface area of the package cannot accommodate labeling.
- Imports should comply with labeling requirements from their country of origin. If there are no labeling requirements for bioengineered foods in the country of origin, then the food label must comply with U.S. labeling standards.

3) Monitoring and Enforcement

- Notice should not be given to manufacturers in advance of conducting an examination of non-compliance. As with inspections by other government agencies (FDA, OSHA, etc.), inspections to establish compliance should be made without notice to the company being inspected.
- Summaries of examinations, audits, hearings or other similar activities should be made publicly available on the AMS website.

Thank you for your time in considering these comments on the Proposed Rule Questions.

Sincerely,

Stacia Clinton, National Director, Healthy Food in Health Care Program on behalf of Health Care Without Harm