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To:
Subject:

N Leone
Monday, July 17, 2017 10:41 PM
AMS - GMO Labeling
Comments on Proposed Rule Questions

Hello,

I would like to make the following comments (listed by question number) on the GMO labeling proposed rule questions posted on your website.

1) To avoid confusion, it would be better to have only one term. If any interchangeable terms are allowed, they should be "neutral" in nature - neither positive nor negative. (ie: Terms such as "Genetically Improved" should be avoided. This is for consumer information, not marketing or activism claims.)

4) ALL ingredients produced with bio-engineering should be identified as such, regardless of the level of refinement. For some consumers, the choice to purchase or avoid bioengineered foods may be at least in part related to the production methods rather than the end product. ie: Some consumers may choose to avoid products made with bioengineered crops because of potential environmental concerns related to the growing of the crop, not concerns about the amount of genetic material in the final product. On the other side, some may choose to purchase products to support the technology, again regardless of the genetic composition of the final product.

7) As described above, consumers may choose to support or not support bioengineering because of reasons beyond the genetic makeup of the final product. Consumers have a right to know if animal products they are eating were produced with this technology. It is unfortunate if the Law prohibits that disclosure. Hopefully that can be rectified as the debate continues.

8) Any ingredient produced with bioengineering should be listed as such. Consumers have the right to know how their food is produced - even the minor ingredients.

12) Text disclosures should be clear and simple and not make any marketing claims. (Ex: Terms such as "Genetically improved" should not be allowed.) The terms compliant with the Vermont Rule 121 are appropriate and sufficiently neutral and should be adopted. As mentioned before, one standard disclosure phrase would be preferable to avoid consumer confusion.

14) Not all consumers have access to smart phones with data plans and a strong enough data signal to allow them to check digital links at the

point of purchase. In addition, many consumers may not understand how to use this functionality. If the only disclosure available at the point of purchase requires an internet-connected device and the knowledge to scan QR codes, then the rule will discriminate against consumers who can't afford that technology or who don't understand how to use it (frequently low-income and/or elderly consumers). QR codes (or other similar codes) should only be allowed in circumstances where the consumer will be provided with a readily available scanner (in every aisle) and wireless internet access so the information is available for free to ALL consumers, not just the ones with the means to purchase and use smart phones. (This could be accomplished by producers choosing to use only electronic/digital disclosures paying a surcharge to AMS that would be distributed to grocery stores for equipment purchase and maintenance. Producers choosing to use a clear on-label text disclosure would be exempt from this surcharge.)

15) In order to reduce consumer confusion and make sure the relevant information is readily and quickly available to all consumers, AMS SHOULD specify the type of electronic disclosures permissible. Emphasis should be on technology that would be available to the most possible consumers. The rule should have provisions to allow it to be modified as new technologies become available and old ones become obsolete. Again, a surcharge on producers choosing to use only electronic/digital disclosures would ensure that scanner technology made available to consumers was kept up to date.

16) ALL bioengineered food should be labeled as such, regardless of where it is purchased. Bulk sale signs could be required to include the text disclosure since proximity to the sign may make scanning impossible.

18) Very small packages could easily meet the disclosure requirements with a simple text disclosure similar to the Vermont rule. This would not take up any more room than directing the consumer to a website and it wouldn't have any of the access issues associated with requiring internet access for disclosure information.

23) As mentioned above, the rules should provide provisions for future modification to accommodate technology changes. These changes do not happen so fast that this would be a problem.

24) AMS should require that any scans should bring the consumer DIRECTLY to the relevant information for the product in question, rather than just to the website of the manufacturer. The scan should link to a scale-able page with text mimicking the text disclosure requirements. AMS SHOULD create requirements for what size text would ensure the information is easily locatable and readable.

30) Imported products are not exempt from other labeling laws. They should not be exempt from these either or it would place an unfair regulatory burden on US producers. Imported products should be required to follow all the same rules as US-produced products.

In summary, the data consistently shows that US consumers feel they have the right to know whether or not the food they are purchasing was produced with bioengineering. This law was written in response to that. The rules based on this law should provide clear, unbiased, information about whether or not a product contains bioengineered ingredients, and that information needs to be available to ALL consumers, not just those with the ability to purchase and understand particular digital devices.

Thank you,

Nick Leone

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