From: Nicole M [redacted]
Sent: Sunday, July 02, 2017 8:21 PM
To: AMS - GMO Labeling
Subject: GMO labeling questions

First of all this is the most ridiculous excuse of a way to ask for consumer input. Way to make it as user unfriendly as possible - a survey monkey or something else would be far more appropriate. Most people are NOT going to bother answering the litany of questions below and sending in an email. Shame on you America. When all the other countries in the world are busy banning toxic substances, plastics and GMO products - America is happily poisoning it's citizens. It's disgusting.

1. What terms should AMS consider interchangeable with 'bioengineering'? (Sec. 291(1))

NO! Keep it simple - call it what it is, which is BIOENGINEERED PRODUCTS! Absolutely No alternative labeling. That's how product boxes are now duping customers into what they think is "natural" when really people have just changed the names of items to something less scary sounding or something unheard of.

Context: The disclosure standard would be a mechanism to inform consumers about their food. AMS is considering the advantages and disadvantages of allowing the use of other terms to provide for disclosure.

2. Which breeding techniques should AMS consider conventional breeding? (Sec. 291(1)(B))

Anything NON engineered. Previously grafted plants from 100 years ago may be ok but anything where the DNA, RNA or other structure of the plant or product is tampered with in any way should be labeled. It should be very strict and have absolute mandatory disclosure somewhere very obvious and in large print

Context: AMS is considering what would be defined as modifications that could otherwise be obtained through conventional breeding because these modifications would be exempt from mandatory disclosure.

3. Which modifications should AMS consider to be found in nature? (Sec. 291(1)(B))

I'm not a botanist. I would suggest consulting with professionals on this one - and botanists who are NOT pro GMO by the way just to clarify. However I suppose if a plant cross pollinates NATURALLY that might be ok. BUT if it is corn crops being contaminated by cross pollination from a GMO stock that would absolutely NOT be ok.

Context: AMS is considering what would be defined as modifications that could otherwise be found in nature because these modifications would be exempt from mandatory disclosure.

4. Will AMS require disclosure for food that contains highly refined products, such as oils or sugars derived from bioengineered crops? (Sec. 291(1)(A))

YES! Absolutely. Anything engineered - any amount, even minuscule should be labeled. People should have the right to know so they can avoid eating this crap and avoid giving it to their growing and developing children. This should't even be a question it's so obvious.

Context: Many processed foods may contain ingredients derived from bioengineered crops, such as highly refined oils or sugars that contain undetectable levels of bioengineered genetic material such that they are indistinguishable from their non-engineered counterparts. AMS is considering whether to require disclosure for foods containing those derived ingredients that may be undetectable as bioengineered.

5. Although the Law states that the definition of bioengineering shall not affect any other definition, program, rule, or regulation of the Federal government, could there be potential areas of confusion between the definition of bioengineering as used in the Law and others similar terms used by the Federal government? If so, what are the potential remedies that could be added to this regulation to alleviate any confusion between this definition and others by the Federal government? (Sec. 292(b))

You would need to add all the labels on the box. So right on the front in big letters it would say bioengineered and GMO and whatever else. No choosing just one you think sounds innocuous - use all of them so there is zero confusion about what people are buying.

Context: AMS recognizes that other Federal agencies have different terms to describe organisms created through recombinant DNA techniques. AMS is considering areas of potential overlap or confusion over terms, as well as potential language to add to this regulation to ensure the term bioengineering does not affect any other definition, program, rule, or regulation.

6. Meat, poultry, and egg products are only subject to a bioengineered disclosure if the most predominant ingredient, or the second most predominant ingredient if the first is broth, stock, water, or similar solution, is subject to the labeling requirements under FFDCA. How will AMS determine the predominance of ingredients? (Sec. 292(c))

I do not care if it is not the first ingredient - meat, poultry and egg products are SO important to be labeled in full so if there are GMO products even in small amounts they must ALL be labeled. I am not happy to hear you are even considering only labeling for the main ingredient. That is bullshit and it is lying.

Context: AMS is considering how to evaluate predominance to determine how the Law will apply to multi-ingredient food products.

7. How should AMS craft language in the regulations acknowledging that animals consuming bioengineered feed are exempt from the disclosure requirements as bioengineered solely because they fed on bioengineered feed? (Sec. 293(b)(2)(A))

Pretty simple solution would be "Product contains animal based ingredients where animal was fed GMO/bioengineered feed" call a spade a spade. Make it clear. People deserve the right to make an informed choice about what they put into their body. by the way - banning these things would be the most prudent thing to do and will reduce health care costs across the board.

Context: AMS is considering regulatory language similar to the wording in the Law and if the Agency should provide clarity that food derived from any animal, including invertebrates such as crickets or

bee products, would not require disclosure as a bioengineered food solely because their nutrition came from food with bioengineered ingredients.

8. What is the amount of a bioengineered substance present in a food that should make it be considered bioengineered? (Sec. 293(b)(2)(B))

Any amount no matter how small

Context: The Law authorizes the Secretary to determine the amount of a bioengineered substance present in food in order for the food to be disclosed as a bioengineered food. The amounts of a bioengineered substance that may be present in food in order for the food to be a bioengineered food might be determined in a variety of ways: if a bioengineered substance is near the top of the list of ingredients, by determining the percentage of bioengineered ingredients in a food product, or by listing any ingredient that was produced through bioengineering, among others. AMS is considering how to determine the amount of bioengineered food or ingredient needed for a product to require a bioengineered disclosure, as well as the advantages and disadvantages of various methods.

9. Should AMS consider more than one disclosure category? (Sec. 293(b)(2)(D))

Yes. Label it VERY CLEARLY. we have a right to know. I do not care about costs. This is about keeping americans safe and informed

Context: AMS is considering if it should develop various categories for disclosure and if it should differentiate between those products that a) are bioengineered, b) contain ingredients that are bioengineered, or c) contain ingredients derived from bioengineered crops or animals. Additionally, AMS is considering the creation of a set of disclosures for a category of bioengineered foods for those products that, due to changes in sourcing, include bioengineered ingredients for part of the year, and non-bioengineered ingredients for other parts of the year. AMS is considering the advantages and disadvantages, based on cost, clarity, and other factors, of using a single disclosure category or multiple disclosure categories.

10. What other factors or conditions should AMS consider under which a food is considered a bioengineered food? (Sec. 293(b)(2)(C))

Label it if there is any confusion. Make it clear as I have said before

Context: AMS must develop a process to help stakeholders determine whether a food is subject to bioengineered disclosure. AMS anticipates the process would include considering factors such as these: whether a food contains a substance that has been modified using recombinant in vitro DNA techniques (Sec. 291(1)(A)), and for which the modification could not be obtained through conventional breeding or found in nature (Sec. 291(1)(B); Question 2 and 3), , and whether a food requires disclosure based on the predominance of ingredients (Sec. 292(c), Question 6), among others. The outcomes of these determination requests might be publically posted on a Web site. The process to implement Sec. 293(b)(2)(C) is not intended to be an investigation or enforcement process (see Questions 26-29); instead, the implementation would likely be framed for manufacturers or developers of bioengineered food or ingredients who have a question on whether their food is subject to disclosure. AMS is considering the factors to be considered, the way to inform the public about the outcome of the requests, and ideas regarding the process to be used to make the determination.

11. Could AMS consider whether a type of food is considered a bioengineered food under the determination process? (Sec. 293(b)(2)(C))

Nope- label all of it please. I don't want a system where some random person gets to pick and choose. That is where corruption lies

Context: AMS is considering if AMS could exclude certain food types such as medical food and dietary supplements, among others from requiring disclosure as bioengineered.

12. If a manufacturer chooses to use text to disclose a bioengineered food, what text should AMS require for a text disclosure? (Sec. 293(b)(2)(D))

It should be very clear and have extremely clear definitions and standardized labeling so that it is easy to see quickly at a glance when buying items. On the FRONT of the package. NO FLEXIBILITY

Context: Currently, some food manufacturers use language compliant with the Consumer Protection Rule 121 from the State of Vermont to identify their food products as bioengineered ("Produced with Genetic Engineering," "Partially Produced with Genetic Engineering," or "May be Produced with Genetic Engineering"). AMS is considering whether to allow manufacturers to continue using these disclosures under the new national bioengineered disclosure standard and if their language is appropriate. Further, AMS is considering what phrases could be used as a text disclosure for bioengineered food that consumers would find informative, truthful, and not misleading.

AMS is also considering whether there should be one standard text disclosure language, or whether manufacturers should be allowed flexibility to choose from more than one acceptable phrase and where the bioengineered food disclosure should be placed on food packages.

13. If a manufacturer chooses to use a symbol to disclose a bioengineered food, what symbol should AMS require for disclosure? (Sec. 293(b)(2)(D))

I don't know - something like a skull and crossbones? Whatever it is it should be large, clear, and always the same. Perhaps a beaker with syringe or something clearly engineering related and in red.

Context: AMS needs to ensure that the symbol designed for the bioengineered disclosure is not disparaging toward bioengineering. As with the text disclosure, AMS must develop criteria for placement of the symbol to ensure consumers can readily locate the symbol, the symbol is scalable for different sized packages, and the symbol is a meaningful representation of bioengineered foods. AMS is considering what the symbol should look like and guidance on its use.

14. If a manufacturer chooses to use an electronic or digital link to disclose a bioengineered food, what requirements should AMS implement for an electronic or digital link disclosure? (Sec. 293(b)(2)(D))

How would this work? you mean for buying online? it should still be on the front of the photo of the product - front and center. Anything in the link should be up front, at the top, in bright red, and the logo. no flexibility

Context: See Questions 23-25.

15. Should AMS specify in the regulations the type of electronic or digital disclosure manufacturers, e.g. QR code, can use to disclose bioengineered food? What steps should AMS take if an electronic or digital disclosure method becomes obsolete? (Sec. 293(b)(2)(D))

I have no idea. ask a tech expert. just keep it clear and standardized.

Context: AMS recognizes that disclosure technologies may quickly surpass regulations. AMS is considering what terms will ensure the regulations keep pace with technological changes and how AMS can notify stakeholders about changes in technology as they occur. AMS is also considering what the most appropriate electronic or digital disclosure technologies are currently and how to deal with obsolete technologies.

16. What kind of text, symbol, or electronic or digital disclosure should AMS require for bioengineered food that is not purchased from a grocery store shelf, such as food for sale in bulk (such as fresh produce in a bin or fresh seafood at a fish counter), in a vending machine, or online? (Sec. 293(b)(2)(D))

clear sticker process. with the same logo and text as anything else that is being labeled.

Context: In some situations, disclosures may not be easily located when such products are on display for sale. AMS is considering disclosure practices for these and other non-conventional purchasing or packaging scenarios.

17. The Law offers special provisions for disclosure on small or very small packages. How should AMS define very small or small packages? (Sec. 293(b)(2)(E))

Anything too small to have labeling - you'll have to add a sticker of some kind onto it. I'm sure it would have room for that.

Context: AMS is considering if it should mirror FDA's treatment of very small and small packages for nutrition labeling.

a. In 21 CFR 101.9(j)(13)(i)(B), FDA defines small packages as those with less than 12 square inches in total surface area available to bear labeling.

b. FDA also has allowances for packages that have less than 40 square inches of total surface are available to bear labeling.

18. What are the reasonable disclosure options AMS should provide for food contained in very small or small packages? (Sec. 293 (b)(2)(E))

use of a sticker. it must be on there. no excuses

Context: AMS is considering the disclosure standards for very small or small packages. FDA regulates nutrition labeling on very small or small packages differently. For example:

a. Could disclosure requirements for very small packages be met by providing an address or phone number where consumers could obtain the information?

b. Could disclosure requirements for small packages be met by providing abbreviated text disclosure or a Web site address where consumers could obtain disclosure information?

19. How should AMS define small food manufacturers? (Sec. 293(b)(2)(F))

they should also have to do all the same labeling. i do not care how small a place is. no differences

Context: AMS is considering using regulatory language similar to that of other Federal government agencies that already define small businesses. For example:

a. FSIS considers small businesses to be those with 500 or fewer employees and that produces 100,000 pounds or less of annual production of a single product, including single forms of meat such as sausage, bulk, patties, links, consumer product, etc., when determining exemptions from nutrition facts labeling (9 CFR 317.400 (a)(1)(ii)).

b. FDA has several small business definitions with respect to food labeling rules, such as: i) retailers with total annual gross sales of $500,000 or less, 21 CFR 101.9(j)(1) and (18); ii) food and dietary retailers with annual gross sales of foods or dietary supplement products of $50,000 or less, 21 CFR 101.9(j)(1) and 101.36(h)(1); and iii) businesses that employ fewer than 100 full-time workers businesses that produce a product that sells fewer than 100,000 units throughout the United States in a 12-month period, 21 CFR 101.9(j)(18) and 101.36(h)(2).

AMS is considering the advantages or disadvantages of these definitions of small food manufacturers for the bioengineered food disclosure regulations.

20. For disclosures by small food manufacturers, what is the appropriate language indicating that a phone number provides access to additional information? (Sec. 293(b)(2)(F)(ii)(I))

It must have a label no matter what. It could say for more detailed information please call this number.... but it MUST have a GMO label clearly on there

Context: AMS is considering using language in Sec. 293(d)(1)(B) of the Law.

21. The Law excludes restaurants and similar retail food establishments from disclosure requirements. How should AMS define similar retail food establishment to exclude these establishments from the requirements of the regulation? (Sec. 293(b)(2)(G)(i))

I don't agree with this. They must label their food too. Somewhere front and center in the restaurant and then on their menus. this is bullshit

Context: AMS is considering how to treat establishments that sell food ready for human consumption, such as institutional food service, delicatessens, or catering businesses. In its regulations for Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments (21 CFR 101.11), FDA defines restaurant or similar retail food establishment and restaurant-type food

For FSIS, the FMIA provides for the mandatory inspection of commercial meat and meat products. The FMIA and implementing regulations do, however, provide exemptions from the continuous inspection provisions for retail operations and restaurants (9 CFR 303.1(d)(2)).

NOP also defines retail food establishment in its regulations (7 CFR 205.2).

AMS is using this information as it considers definitions for restaurants and similar retail establishments, with the understanding that these definitions will be used to determine what types of retail establishments are excluded from the requirements of the Law.

22. How should AMS define very small food manufacturers to exclude these manufacturers from the requirements of the regulation? (Sec. 293(b)(2)(G)(ii))

Not important - they also should have to label

Context: See Question 19. AMS could use definitions similar to how other Federal agencies define very small businesses, and is considering definitions to distinguish small food manufacturers

(Question 19) and very small food manufacturers, with understanding that very small food manufacturers would be excluded from the requirements of the Law.

23. Is there other equivalent on-package language that AMS should consider to accompany an electronic or digital disclosure besides "Scan here for more food information"? (Sec. 293(d)(1)(A))

It should state clearly that the item is GMO/engineered and use same wording as above with scan. however many people don't know how to do this so i don't think this is an appropriate means of communcation

Context: The word 'scan' may or may not be relevant for each type of electronic or digital disclosure in the present or in the future. AMS is considering if it should issue guidance to identify equivalent language as technology changes and what that equivalent language would be.

24. How should AMS ensure that bioengineered food information is located in a consistent and conspicuous manner when consumers use an electronic or digital disclosure? (Sec. 293(d)(2))

Make it universal - front of the box, up high or centered and of a certain size and clarity

Context: AMS is considering requiring the same information associated with the text disclosure as the requirement language for an electronic or digital disclosure (See Question 12). Further, AMS is trying to determine how various disclosure options affect the amount and type of information available to consumers. AMS is also determining if there should be requirements or guidance on what size text would ensure the information is conspicuous to ensure the food information is located in a consistent and conspicuous manner when electronic or digital disclosure is accessed.

25. How should AMS ensure that an electronic or digital disclosure can be easily and effectively scanned or read by a device? (Sec. 293(d)(5))

I am not a graphic designer - ask someone like that about this. make sure it is standardized and the quality of printing is good and not obscured by folds, etc

Context: AMS is aware that electronic or digital disclosures need to be effective, that requirements will vary for each specific type of electronic or digital disclosure, and that the technology for electronic or digital disclosure may change faster than AMS will be able to update its regulations. AMS is determining how to address these issues given the variety of electronic or digital disclosures currently available in the marketplace, along with the specifications for these disclosures to be used effectively in a retail setting.

26. What types of records should AMS require to be maintained to establish compliance with the regulations? (Sec. 293(g)(2))

Very clear ones - audits yearly and grades given to manufacturers and so on. with VERY LARGE FINES

Context: Each person or entity subject to the mandatory disclosure requirement would be required to maintain and make available to the Secretary records that establish compliance with the Law. Typically, record keeping requirements include those for the records required to be kept, the place of maintenance of such records, the record retention period, and what it means for AMS to have adequate access to and inspection of such records.

Under current FSIS regulations, records must be maintained at a place where business is conducted, except that if business is conducted at multiple places of business, then records may be maintained at a headquarters office. When the business is not in operation, records should be kept in accordance with good commercial practices. For FSIS, records are required to be maintained for a 2-year period. The maintenance time for FDA records vary from 6 months through up to 2 years.

AMS is considering what recordkeeping requirements for persons subject to the Law would be most appropriate.

27. How should AMS obtain information related to potential non-compliance with these regulations? Is there information USDA should request prior to conducting an examination of non-compliance? (Sec. 293(g))

Yes you should audit products regularly and have an entire site dedicated to consumer driven information about this possibility where people can post photos and issues and so on. but you must keep your own records. better yet - ban GMO products all together.

Context: AMS is considering what tools could be used to identify potential non-compliance and enforce compliance with the regulations. AMS is considering the types of information needed to verify compliance with the Law and the most optimal way to obtain such information.

28. What are the rules of practice for a hearing? (Sec. 293(g)(3)(B))

You should have an automatic fine and a process for prosecuting a business. It should be hefty and clear. Not just a slap on the hand or no one will care about complying.

Context: AMS is considering the appropriate procedures for audits and other compliance actions, including opportunities for hearing. AMS is considering this aspect for the rules of practice and other options regarding a prospective hearing and internal adjudication process.

29. How should AMS make public the summary of any examination, audit, or similar activity? (Sec. 293(g)(3)(C))

On that website, social media, newspapers, and ads on TV perhaps. That website should have a whole page dedicated to the outcomes of audits and companies who do not comply. better yet make them recall their products publicly on all national forums (tv, radio, newspaper, websites, social media)

Context: AMS is considering if the results and findings of any examination, audit, or similar activity should be posted after the notice and opportunity for a hearing described under Sec. 293(g)(3)(B). AMS is also considering how it should make summaries of the examination, audit, or similar activity public.

30. What should the requirements for imports into the United States of products covered by the Law/regulation be? (Sec. 294(a))

NO GMO ALLOWED IN AT ALL! WE sure don't need any more than we already have thank you very much

Context: AMS considering how the disclosure requirements should be applied to imported products.