
From: R. H. [REDACTED] >
Sent: Sunday, July 30, 2017 8:56 AM
To: AMS - GMO Labeling
Subject: Proposed Rule Questions Under Consideration

I should let you know that when you erode the organic label you simply push people to be more diligent in avoiding the fake mega corp "organic" that currently floods the market place. So, in the end you are only screwing yourselves. But of course, you don't give a crap, do you...

All dollar amounts are to be adjusted for inflation.

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

Any method used to create a plant that goes beyond simply exchanging pollen between plants. Any and all lab based tech. Any pollination exchange between at least one bioengineered plant or a plant cross polinated with a bioengineered plant and another plant. Any gene editing tech that started in a lab. Any form of gene editing not found in nature before the year 1800. Anything involving plant genes not in existence before the year 1800.

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

Only the ones that solely involve exchanging pollen between non bioengineered plants including plants cross pollinated with bioengineered plants. Lab based tech should not be allowed. Only stuff that was possible in the year 1800.

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

Only those which came the year before 1800.

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))

Full disclosure should be required. I want to know what is in my food.

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 other 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 could start defining bioengineering honestly instead of being controlled by big agra. Of course you won't. Bioengineering is any form of crop modification that did not exist before the year 1800.

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 the Federal Food, Drug, and Cosmetic Act. How will AMS determine the predominance of ingredients? (Sec. 292(c)).

Any bioengineered product should be considered predominate.

7. How should AMS craft language in the regulations acknowledging that the Law prohibits animal products from being considered bioengineered solely because the animal consumed feed products from, containing, or consisting of a bioengineered substance? (Sec. 293(b)(2)(A))

I should say "Hey, we don't care about transparency and screw you!". You people have lost any trace of legitimacy. The organic label is dead.

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)) Anything past 0% IMO. But certainly anything past .9%

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

If it has bioengineered ingredients only part of the year it is bioengineered period. Any time there is any bioengineered ingredient in the product, or if there is anything in the product derived from bioengineered organisms, for example b-12 from bioengineered bacteria or vitamin C from GMO corn, or any organism or parts of an organism was fed bioengineered feed, should all be disclosed respectively as "bioengineered", "derived from bioengineered organism", or "fed bioengineered organism/s".

10. What other factors or conditions should AMS consider under which a food is considered a bioengineered food? (Sec. 293(b)(2)(C)) If it was not possible to create the organism by the year 1800 using techniques possible or available in the year 1800, then it is bioengineered.

11. Could AMS consider whether a type of food is considered a bioengineered food under the determination process? (Sec. 293(b)(2)(C)) No exceptions whatsoever should be allowed.

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)) The label "GMO" should be mandatory for any bioengineered organism or parts of such an organism. The label "derived from GMO" should be mandatory for any ingredient derived from GMO, such as vitamin C from GMO corn or b-12 from GMO bacteria. The label "fed GMO" should be mandatory for any organism or part of an organism fed GMO. Bioengineered and GMO are congruent terms here.

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)) Using the labeling convention from #12 above. "GMO" should be a black square. "Derived from GMO" should be a black triangle. And "fed GMO" should be a black circle. Black because it is easy to read on a white background and most labels are printed in black on white.

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))

I should include a black circle, square, or triangle as is appropriate in relation to my comment under #13 above.

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))

You should mandate that a black circle, square, or triangle as is appropriate in relation to my comment under #13 above, should always be visibly present regardless of the technology and force the tech sector to accommodate for this.

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)) You should mandate that a black circle, square, or triangle as is appropriate in relation to my comment under #13 above, should always be visibly present on the container of the food and on a sign near the food.

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

It should be defined as any package so small that it cannot hold a small black square, circle, or triangle.

18. What are the reasonable disclosure options AMS should provide for food contained in very small or small packages? (Sec. 293 (b)(2)(E)) Using the labeling convention from #12 above. "GMO" should be a black square. "Derived from GMO" should be a black triangle. And "fed GMO" should be a black circle. Black because it is easy to read on a white background and most labels are printed in black on white. These symbols can fit on literally any package and should be easily visible to the naked eye.

19. How should AMS define small food manufacturers? (Sec. 293(b)(2)(F)) It should definitely include any company with less than 100 employees and less than \$1,000,000 per year in net profit after taxes and all other costs.

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)) I should read "Call # to receive nutritional info" and should be followed by the appropriate square/circle/triangle combination mentioned above.

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)(ii)) Hospitals and other similar establishments, such as nursing homes, military dining facilities and facilities that force patients to stay should not be excluded from disclosure requirements as many times people do not have the choice to avoid them.

Only restaurants, food trucks and non-institutional cafeterias such as Luby's should be exempted.

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)) Any with less than 50 employees and less than \$500,000 per year in net profits.

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))

Just the square, circle, triangle system described above.

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)) It should have the same text size as current labels. It should be black on white background. It should be just under the current food labels.

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)) If you would implement the circle, square, triangle regime I prescribed above this would not even be an issue. I am ever so thankful that bought off twats run our country.... that last one was sarcasm. Set the standard and require the device manufacturers to adhere to it.

26. What types of records should AMS require to be maintained to establish compliance with the regulations? (Sec. 293(g)(2)) Records should be kept for 30 years minimum. Yes, 30 years. They should include the locations and owners and practices of all farms who provide ingredients, including all fumigant, rodenticide, fungicide, herbicide, and radiation use and all use of anything they could even remotely have a negative health impact on anyone.

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)) Constant 24/7/365 video, audio and cyber surveillance of all records with face ID scans of everyone involved in the business.

28. What are the rules of practice for a hearing? (Sec. 293(g)(3)(B)) If they aren't in total compliance within 1 month they lose their organic or non-GMO license. No more of this Horizons nonsense.

29. How should AMS make public the summary of any examination, audit, or similar activity? (Sec. 293(g)(3)(C)) Have everything video and audio recorded and put online for everyone to freely see.

30. What should the requirements for imports into the United States of products covered by the Law/regulation be? (Sec. 294(a)) Same as for any business here along with a country of origin label.

I also agree with the following

"* DEFINING THE TERM "BIOENGINEERING" Last year, on July 29, 2016, Congress passed P.L. 114-216, the National Bioengineered Food Disclosure Standard, which requires disclosure if a food product contains bioengineered (genetically-engineered) materials.

As you can imagine, there was a lot of debate about what "bioengineered" exactly means.

In order to close a possible loophole where a food company could say that its products are not "bioengineered" but "genetically-modified" and, therefore, should not be labeled, the USDA should recognize a limited number of alternative terms that all mean the same thing.

More specifically, "modern biotechnology," "genetic engineering," "GE," "genetic modification," "genetically modified organism," and "GMO" should be interchangeable with "bioengineering." Other governmental agencies already recognize and use these terms.

* GENETIC ENGINEERING DOES NOT CREATE MODIFICATIONS FOUND IN NATURE Under Section 291(1)(B) of the law, it references "modifications found in nature."

Products of bioengineering or modern biotechnology, as defined by the FDA, the National Organic Standards Board and others, should not be considered "modifications found in nature."

Why?

Because the genetic sequences that create bioengineered food (genetically-engineered food) are made in a laboratory, are unique and are not found in nature.

This means that all food produced using gene-editing techniques, such as CRISPR-Cas9, must be subject to labeling.

DETECTION IS NOT ESSENTIAL Some food companies may say that if genetic material from a highly refined, bioengineered product (soy oil, for example) is not detectable, then it is not there and shouldn't be labeled.

This is flawed, and the courts have agreed.

It just means that today's technology cannot detect it, and technology that comes out in the next few years could very well detect it.

As a result, these highly refined products should be labeled. It was also the clear intent of Congress to cover highly refined products.

GMO THRESHOLD SHOULD BE 0.9% Consistent with the European Union and many countries throughout the world, the threshold for the amount of genetically-engineered material in a food should be 0.9%.

Using this globally accepted threshold will facilitate international trade.

GMO-SUPPLEMENTS MUST BE LABELED The USDA must not exclude dietary supplements from labeling requirements since dietary supplements are generally considered foods by the FDA, are widely consumed and may be bioengineered.

(As a side note, I hear that one of the real problem areas for Whole Foods – in its plan to label all GMOs by 2018 – has been supplements. GMOs are so ubiquitous in supplements that finding Non-GMO sources of ingredients, such as maltodextrin (corn), is a huge issue.)"