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“Bioengineered” Labeling Proposal

There is overwhelming **evidence** that Americans want to know if their food is genetically modified, or according to new terminology, “bioengineered”. On May 4, 2018, the USDA’s Agricultural Marketing Service (AMS) published a **proposed rule** that would require food manufacturers and other entities that label foods for retail sale to disclose information about bioengineered (BE) food and BE food ingredient content. AMS defines bioengineered food as “food (A) that contains genetic material that has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques; and (B) for which the modification could not otherwise be obtained through conventional breeding or found in nature.” AMS sought public comments on the proposed rule through July 3, 2018. **The Academy of Nutrition and Dietetics** submitted comments that focused on support for a label that is consistent with the organization’s Labeling Principles, which emphasize clarity, consistency and utility to consumers. Though controversial, the final rule could cover a wide variety of products, including fruits and vegetables, dairy products, processed foods and beverages, dietary supplements, as well as ingredients within these products.



The proposed rule, complex in details, is intended to provide a mandatory uniform national standard for **disclosure** of information to consumers about the BE status of foods. Though contributing to transparency, the rule does not address the health and safety of these foods. The responsibility to protect public health and the environment rests with the U.S. Government agencies responsible for oversight of the products of biotechnology: USDA’s Animal and Plant Health Inspection Service (**USDA-APHIS**), the U.S. Environmental Protection Agency (**EPA**), and the Department of Health and Human Services’ Food and Drug Administration (**FDA**).

The switch from genetically engineered (GE) or genetically modified organism (GMO) terminology to BE may be confusing to some consumers. The **proposed labels** themselves are similar in looks to those you see on health food. They are available in bright cheerful colors or black and white. Though scheduled to be available sometime in July 2018, for early voluntary implementation, the proposed compliance dates for the BE Rule are the same as those for the FDA’s Labeling Changes (January 1, 2020 for large manufacturers and January 1, 2021 for small manufacturers). This minimizes the amount of changes that the industry will be required to make to its product labels. The draft rule contains a potential option allowing QR codes for disclosure which would require a smartphone and broadband connection.

If this is a topic that interests you, the USDA has a site on **BE Disclosure and Labeling** that is very informative. The National Academy of Science, Engineering and Medicine (NASEM) has also prepared an extensive report, available for free, **Genetically Engineered Crops: Experiences and Prospects**. It provides an independent, objective examination by 15 scientific societies of what has been learned since the introduction of BE crops, based on current evidence. The report states in part: *“While recognizing the inherent difficulty of detecting subtle or long-term effects in health or the environment, the study committee found no substantiated evidence of a difference in risks to human health between currently commercialized genetically engineered (GE) crops and conventionally bred crops, nor did it find conclusive cause-and-effect evidence of environmental problems from the GE crops.”*

General opinion is that disclosure is a step in the right direction. It will be interesting to see what alterations occur as a result of the public comment, which closed on July 3rd. Perhaps we will see consistent coverage of **all** BE products and improved usefulness for both shoppers and food producers.



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