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To: [AMS - GMO Labeling](#)
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The USDA regulations should establish a clear, challenging, consistent, verifiable, and enforceable program for labeling of **all** food products that include or derive from genetically modified crops. Given that there is a well-established and widely accepted standard that currently exists for products that are non-GMO, the USDA rules should align as closely as possible to the existing standard as defined and verified by the Non-GMO Project.

Definitions for genetically engineered, genetically modified, or bioengineered products should align with existing standards as established by the FDA or the National Organic Standard Program. Regulations should clearly define that these rules are primary and supersede all other definitions as used in other areas of the federal government. These definitions should apply to all food products, including oils, sugars, and other derivatives.

Food products should adhere to the 0.9% maximum threshold for genetically engineered content, and animal feed crops and feed mixes should be no more than the 5% threshold. Products that include ANY ingredient with genetically modified content above these thresholds must be labeled as including genetically modified contents. Meat, eggs, and animal products that have been produced by animals fed GM feed should be labeled as having been produced by animals fed GM feed. The rules may provide for more than one disclosure category, provided that all meet the same threshold for determination or detection, and the language differentiating them does not imply or suggest relative values of genetically modified content.

Labeling consistent with these regulations must be clear, legible, truthful, understandable, and visible on product packaging. Producers may include websites, QR codes, or other digital off-package disclosures ONLY as a supplement or complement to on-package labeling. Forcing consumers to scan, search, or call for additional product information regarding genetically modified content is both counter to the intent of the law and is inherently discriminatory to consumers without immediate access to the internet.

Language consistent with Vermont Consumer Protection Rule 121 is acceptable. Other acceptable language includes: "contains genetically modified ingredients"; "may contain genetically modified ingredients"; or "may be produced with ingredients from genetically modified organisms." Symbols may only be used as a supplement or complement to on-package labeling. If a symbol is to be used, it must be a symbol established by this rulemaking process, and it must be similarly applied across all products covered by this rule. It may not vary in design from one product to another or one company to another. Bulk food, fresh food, or seafood or other bulk sale products must be labeled on store shelves or at point of display/dispensation in a manner that clearly conveys comparable information to product labels. It must be visible, legible, and consistent with on-package labeling.

This rulemaking process may use established definitions for small and very small packaging and small food manufacturers. Producers of food products in small and very small packaging must include disclosure language consistent with these regulations. These rules should make no exemption for small food manufacturers regarding disclosure.

These regulations should use existing NOP definitions for retail food establishments.

Suppliers, and food manufacturers must be required to produce sufficient documentation to demonstrate the IP chain of custody for products for one year after the product is produced. Documents should be retained and managed consistent with good business practice and current FSIS regulations.

Non-compliance should be met with an escalating series of corrective or punitive action, beginning with warnings, fines, and ultimately, product recall. All corrective and punitive action must be publicly released.

Imported products must meet the same standards as domestically produced product. All producers must be able to document product IP to assure compliance, or pass comprehensive testing similar to domestic certification for non-GMO verification. All labeling and disclosure requirements remain the same.

All products that contain genetically engineered ingredients must be tested for chemical residue, including but limited to residue for glyphosate. Average residue results must be made publicly available.

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