From: Glenn Mott
To: AMS - GMO Labeling
Subject: Proposed GMO labeling regulations
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Attachments: image002.jpg

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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))

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.

Answer: Any quantity of bioengineered material in the finished product should be labeled as being present in the finished product. If the presence is not quantifiable product final consumer labeling should be required to state "Product contains up to ___% genetically modified material". Any statement other than this is confusing, if not out rightly deceptive. Question #8 is at the core the gmo labeling concerns. Under current regulations the FSIS will only recognize gmo claims based on the standards of the Non-gmo Project Verified program. This in itself presents a number of problems that add to consumer "confusion". For example:

1. It must be understood that due to marketing of certain non-gmo certification programs that consumers believe that the choice between agricultural products is ***some*** *gmo presence* or ***zero*** *gmo presence.*
2. The FSIS has supported this unfounded belief by accepting only the Non-gmo Project Verified program
3. Most consumers buy supposed non- gmo products labeled under the auspices of the Non-gmo Project Verified program with the assumption that such certified products contain zero gmos; consumers believe Non-gmo Project Verified products to be 100% free of gmos.
4. The Non-gmo Project Verified program allows up to 0.9% gmo presence, though it does not clearly advertise this fact.
5. The Non-gmo Project Verified program makes claims and demands for "transparency" while obscuring its acceptance of genetically modified material in its certified products.
6. The answer to question #8, as related to the Non-gmo Project Verified program or any eventually accredited certification program, is that ALL gmo presence, no matter the amount, should be labeled clearly; or, if the presence is not quantifiable product final consumer labeling should be required to state "Product contains up to ___% genetically modified material".
7. The FSIS can help clarify the labeling muddle by simply requiring honest and transparent labeling by all parties; including the Non-gmo Project Verified program.

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