

August 24, 2017

Via Email only: [GMOlabeling@ams.usda.gov](mailto:GMOlabeling@ams.usda.gov)

United States Department of Agriculture  
Agriculture Marketing Service  
1400 Independence Avenue SW  
Washington, DC 20250

Dear Sir or Madame,

Thank you for the opportunity to provide input on the questions under consideration on the proposed rule for national GMO labeling. As USDA develops the rule and seeks additional public comment we appreciate your strong consideration of our input and how the final rule will impact the convenience service industry, specifically distribution of food and beverage through vending machines.

The convenience services industry, nearly \$25 billion in size, includes over 250,000 hard-working American's with the majority employed by small businesses. Our industry serves every corner of the country, providing customers with food, beverages and non-consumables 24 hours a day in a variety of locations where people congregate including schools, hospitals, workplaces, government facilities, and interstate rest stops. Our industry is comprised of three primary channels of distribution: vending, office coffee service (OCS), and micro markets with over 90% of the industry's business owners operating vending machines.

As previously stated, this letter is in response to USDA's recent request for stakeholder input regarding efforts to establish a national standard pursuant to the National Bioengineered Food Disclosure Standard, specifically, question 16, which requests stakeholder input on what kind of text, symbol, or electronic or digital disclosure should be required 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.

Vending operators, the majority of which are small businesses, almost exclusively sell packaged food products typically manufactured by someone else, and sold as a pre-packaged food or beverage. Under the National Bioengineered Food Disclosure Standard these products provided in the nearly 4.5 million vending machines in the U.S. will include labeling which indicates information related to GMO and GE ingredients. This will already provide consumers of vending machines with this information. Therefore, any requirement for additional disclosure on the vending machine would be duplicative for these products and an unnecessary cost burden on the vending operator.

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In addition to the duplicative nature and the cost burden for vending machine operators to add signage, compliance of this signage on a vending machine is nearly impossible to enforce due to vandalism and the physical locations of many vending machines. For example, many vending machines are located in outside areas open to the elements of the weather. Signage on vending machines does not work well in areas with temperature extremes, especially in areas with high humidity. Furthermore, vandalism of signage on a vending machine is another difficulty to compliance and as well as many vending machines being placed in secure buildings, including government buildings, prisons, and hospitals, without easy access, to validate compliance.

For all the reasons outlined above I strongly encourage the USDA to not place additional burdens on America's small businesses by requiring GMO labeling on vending machines.

Thank you for the opportunity to provide input on this important issue to the convenience services industry and our consumers.

Sincerely,

Jason Eberstein

Director, State & Federal Government Affairs