



Tel: 202-626-8700
Fax: 202-626-8722
50 F Street, NW Suite 900
Washington, DC 20001
www.ncfc.org

August 25, 2017

Mr. Bruce Summers
Acting Administrator
Agricultural Marketing Service
United States Department of Agriculture
1400 Independence Avenue, SW
Room 3069 South Building
Washington, DC 20250

Submitted via GMOlabeling@ams.usda.gov

RE: Questions Under Consideration Regarding the Establishment of a National
Bioengineered Food Disclosure Standard (Posted June 26, 2017)

Dear Mr. Summers:

On behalf of the National Council of Farmer Cooperatives (NCFC), please accept the following comments in response to the United States Department of Agriculture's (USDA) Agriculture Marketing Service (AMS) request for public input on questions under consideration regarding the National Bioengineered Food Disclosure Standard proposed rule posted on June 26, 2017.

Introduction

Since 1929, NCFC has been the voice of America's farmer-owned cooperatives. NCFC members include regional and national farmer cooperatives, which are in turn composed of over 2,500 local farmer cooperatives across the country. Farmer cooperatives – businesses owned, governed and controlled by farmers and ranchers – are an important part of the success of American agriculture. Like many in production agriculture, our members have had long and direct experience with bioengineered crops and have realized the many benefits they provide, including improvements in production efficiency while lessening the environmental impacts of food production.

For more than two years, NCFC worked closely with Congress to develop a marketing standard to provide consumers with more information about the modern, sustainable food production practice of bioengineering. NCFC and its members appreciate the Department's efforts to collect the viewpoints of agricultural cooperatives and their farmer-owners, and respectfully offer the following comments to guide the development of this new marketing standard for bioengineered food.

NCFC Position

As co-chair of the Coalition for Safe Affordable Food (CFSAF), we strongly support the comments submitted by CFSAF, which represents all segments of the U.S. agriculture food supply chain. We share the goals of CFSAF of fostering consumers' access to information about the food they eat; providing consumers with continued access to an abundant, safe, affordable and sustainable food supply; ensuring that farmers and ranchers have access to the technologies they need to feed a growing world population; providing food manufacturers with certainty in the supply chain; and respecting the strong scientific consensus on the safety of bioengineered food. Equally important is preserving Congress' intention that the agency implement a disclosure standard for marketing purposes, and not based on health, safety, or nutrition.

Additionally, NCFC emphasizes the importance for AMS to consider the following points when devising a proposed rule:

- AMS should maintain the definition of the term 'bioengineering' as defined in Sec. 291¹ of the statute when drafting and implementing the rule.
- All considerations when formulating the rule should be based on sound science and prohibit any claims or inferences that a food is safer or of higher quality based on whether or not the food is bioengineered or produced using bioengineering.
- AMS should consider a threshold that has minimal impact on the domestic and international value chain, and is highly compatible with major trading partners as well as other agricultural marketing programs.
- The proposed rule should reflect the intent of Congress published upon passage of the National Bioengineered Food Disclosure Standard, emphasized in the following guidance:
 - *"This legislation...is not intended to increase the costs of food manufacturing or changes in distribution or handling. Furthermore, every effort was taken to ensure farmers access to seed technology and not limit the options available to agriculture production."*²
 - *"Congress intends USDA to take every effort to minimize the impacts on growers, handlers, processors, manufacturers, distributors, retailers and consumers."*³

¹ *National Bioengineered Food Disclosure Standard*, S. 2609, 114th Cong. (2016)

² U.S. Senate. Committee on Agriculture, Nutrition, and Forestry. *National Bioengineered Food Disclosure Standard (to Accompany S. 2609)* Published: December 9, 2016.—Ordered to be printed. Text from: *Summary of Provisions*

³ U.S. Senate. Committee on Agriculture, Nutrition, and Forestry. *National Bioengineered Food Disclosure Standard (to Accompany S. 2609)* Published: December 9, 2016.—Ordered to be printed. Text from: *Summary of Provisions*

- Overall, the rule should adhere to the Administration’s Executive Order 13777 regarding the enforcement of the regulatory reform agenda to “...alleviate unnecessary regulatory burdens placed on the American people.”⁴

NCFC appreciates the opportunity to provide recommendations at this important stage of the regulatory development process and remains available to confer with the agency as appropriate if additional input is needed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ch F Conner', written in a cursive style.

Charles F. Conner
President & CEO
National Council of Farmer Cooperatives

⁴ See Executive Order 13777, “Enforcing the Regulatory Reform Agenda”