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**From:** Eric Trevino [REDACTED]  
**Sent:** Saturday, July 01, 2017 10:31 AM  
**To:** AMS - GMO Labeling  
**Subject:** GMO labeling questions

**1. What terms should AMS consider interchangeable with 'bioengineering'? (Sec. 291(1))**

**Any thing that is not conventional breeding including CRSPR.**

People who want to avoid gmo want to avoid all food derived from breeding techniques that involve direct gene manipulation in a lab as opposed to what happens without direct gene manipulation.

**2. Which breeding techniques should AMS consider conventional breeding? (Sec. 291(1)(B))**

**Breeding that can be described as "plant matchmaking", or anything that happened before the year 1800. Mutogenesis should not be called "conventional".**

**3. Which modifications should AMS consider to be found in nature? (Sec. 291(1)(B))**

Those that could only happen without the direct manipulation of humans and not those modifications made by plants, bacteria or viruses.

**4. Will AMS require disclosure for food that contains highly refined products, such as oils or sugars derived from bioengineered crops? (Sec. 291(1)(A))**

**Definitely.**

People who want to avoid gmo want to avoid gmo. You cannot "process out" the fact that it was derived from gmo. Give the people what they want.

**5. Although the Law states that the definition of bioengineering shall not affect any other definition, program, rule, or regulation of the Federal government, could there be potential areas of confusion between the definition of bioengineering as used in the Law and others similar terms used by the Federal government? If so, what are the potential remedies that could be added to this regulation to alleviate any confusion between this definition and others by the Federal government? (Sec. 292(b))**

**There could always be confusion no matter what you do or which remedies you take. Keep it simple and go from there.**

**6. Meat, poultry, and egg products are only subject to a bioengineered disclosure if the most predominant ingredient, or the second most predominant ingredient if the first is broth, stock, water, or similar solution, is subject to the labeling requirements under FFDCA. How will AMS determine the predominance of ingredients? (Sec. 292(c))**

**Is there an error in this question? (ingredient if the first)**

**All meat, poultry and eggs should be labeled as gmo if those animals are fed gmo. Products that contain gmo animal products should be labeled as gmo. People who want labels to avoid gmo want to avoid gmo, not products with certain percentages of gmo.**

**7. How should AMS craft language in the regulations acknowledging that animals consuming bioengineered feed are exempt from the disclosure requirements as bioengineered solely because they fed on bioengineered feed? (Sec. 293(b)(2)(A))**

**Animals that consume bioengineered feed SHOULD NOT BE EXEMPT from disclosure. You will just create a whole new situation with many new labels by different stake holders. People who don't want to eat gmo don't want to eat animals who eat gmo. So if you work for people you should do what people want rather than what industry wants.**

**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))**

**0.001%**

**9. Should AMS consider more than one disclosure category? (Sec. 293(b)(2)(D))**

**No. People who want to avoid gmo want to avoid gmo. Keep it simple.**

**10. What other factors or conditions should AMS consider under which a food is considered a bioengineered food? (Sec. 293(b)(2)(C))**

**None. People who wish to avoid gmo want to avoid gmo.**

**11. Could AMS consider whether a type of food is considered a bioengineered food under the determination process? (Sec. 293(b)(2)(C))**

**No.**

**12. If a manufacturer chooses to use text to disclose a bioengineered food, what text should AMS require for a text disclosure? (Sec. 293(b)(2)(D))**

**"Produced with genetic engineering" should be all that is needed. It's concerning that a food producer wouldn't know for sure.**

**13. If a manufacturer chooses to use a symbol to disclose a bioengineered food, what symbol should AMS require for disclosure? (Sec. 293(b)(2)(D))**

**“GMO” is all that’s needed.**

**14. If a manufacturer chooses to use an electronic or digital link to disclose a bioengineered food, what requirements should AMS implement for an electronic or digital link disclosure? (Sec. 293(b)(2)(D))**

**They shouldn’t be allowed to use such things. This is unfair to those people who don’t have access to readers.**

**15. Should AMS specify in the regulations the type of electronic or digital disclosure manufacturers, e.g. QR code, can use to disclose bioengineered food? What steps should AMS take if an electronic or digital disclosure method becomes obsolete? (Sec. 293(b)(2)(D))**

**Don’t use them. Just put “GMO” on the label and be done.**

**16. What kind of text, symbol, or electronic or digital disclosure should AMS require 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? (Sec. 293(b)(2)(D))**

**Don’t use them. This is a waste of resources and could be avoided by simple “GMO” label.**

**17. The Law offers special provisions for disclosure on small or very small packages. How should AMS define very small or small packages? (Sec. 293(b)(2)(E))**

The information placed by consumer demand should be the largest print on the food packages. They definitely should be larger and more noticeable than advertisements and marketing on the packages.

**18. What are the reasonable disclosure options AMS should provide for food contained in very small or small packages? (Sec. 293 (b)(2)(E))**

**Keep it simple. “GMO” on the package is all that’s needed. Nobody who chooses to avoid gmo needs a phone number or website.**

**19. How should AMS define small food manufacturers? (Sec. 293(b)(2)(F))**

**If they are big enough to have any kind of marketing information on the package, they are big enough to put “GMO” on the package.**

**20. For disclosures by small food manufacturers, what is the appropriate language indicating that a phone number provides access to additional information? (Sec. 293(b)(2)(F)(ii)(I))**

**No need for phone numbers.**

**21. The Law excludes restaurants and similar retail food establishments from disclosure requirements. How should AMS define similar retail food establishment to exclude these establishments from the requirements of the regulation? (Sec. 293(b)(2)(G)(i))**

**If the food comes in a package with pictures or words, it can have “GMO” also. If it comes on a plate, it doesn’t need a label.**

**22. How should AMS define very small food manufacturers to exclude these manufacturers from the requirements of the regulation? (Sec. 293(b)(2)(G)(ii))**

**Defined as those food manufactures too small to be able to put any kind of labels on their packages. If they can put things on their packages of food like advertisements, surely they can but “GMO” on the label too.**

**23. Is there other equivalent on-package language that AMS should consider to accompany an electronic or digital disclosure besides “Scan here for more food information”? (Sec. 293(d)(1)(A))**

**Digital and electronic disclosures are unfair and you will likely have to waste time and money fixing the problem later. Do it right the first time with simple “GMO” on the package.**

**24. How should AMS ensure that bioengineered food information is located in a consistent and conspicuous manner when consumers use an electronic or digital disclosure? (Sec. 293(d)(2))**

**You can’t. That’s why the industry is pushing for electronic labels.**

**25. How should AMS ensure that an electronic or digital disclosure can be easily and effectively scanned or read by a device? (Sec. 293(d)(5))**

**You can’t. That’s why you shouldn’t do it.**

**26. What types of records should AMS require to be maintained to establish compliance with the regulations? (Sec. 293(g)(2))**

**Publicly accessible records made available online for 20 years.**

**27. How should AMS obtain information related to potential non-compliance with these regulations? Is there information USDA should request prior to conducting an examination of non-compliance? (Sec. 293(g))**

**Whistleblower incentives and real, severe consequences for non-compliance.**

**28. What are the rules of practice for a hearing? (Sec. 293(g)(3)(B))**

**Public participation should be a part of it.**

**29. How should AMS make public the summary of any examination, audit, or similar activity? (Sec. 293(g)(3)(C))**

**Online on a dedicated public web page where we can all find the food manufacturers who break the law, are non-compliant or otherwise not following the rules.**

**30. What should the requirements for imports into the United States of products covered by the Law/regulation be? (Sec. 294(a))**

**Same.**