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The Association of Food, Beverage and Consumer Products Companies

March 5, 2013
MEMORANDUM OF OPPOSITION

PROPOSED HOUSE BILL NO. 6527, AN ACT CONCERNING GENETICALLY ENGINEERED BABY FOOD

On behalf of the Grocery Manufacturers Association (GMA), I would like to take this opportunity to register our opposition to HB 6527, an act concerning genetically engineered baby food. GMA and its member companies support the obvious intent of this legislation, to ensure that consumer products sold in the state of Connecticut are safe. However, we believe that this legislation is deeply flawed as it suggests that food products derived from biotechnology are potentially unsafe for consumption even though there is overwhelming agreement among regulatory and scientific bodies around the world that these products are in fact safe.

Based in Washington, D.C., the Grocery Manufacturers Association is the voice of more than 300 leading food, beverage and consumer product companies that sustain and enhance the quality of life for hundreds of millions of people in the United States and around the globe.

Founded in 1908, GMA is an active, vocal advocate for its member companies and a trusted source of information about the industry and the products consumers rely on and enjoy every day. The association and its member companies are committed to meeting the needs of consumers through product innovation, responsible business practices and effective public policy solutions developed through a genuine partnership with policymakers and other stakeholders. The food, beverage and consumer packaged goods industry in the United States generates sales of $2.1 trillion annually, employs 14 million workers and contributes $1 trillion in added value to the economy every year.

Ensuring the safety of our products – and maintaining the confidence of consumers – is the single most important goal of our industry. GMA agrees with the U.S. Food and Drug Administration (FDA) and numerous scientific bodies and regulatory agencies including the World Health Organization, Food & Agriculture Organization of the United Nations and American Medical Association that foods and beverages that contain genetically engineered ingredients are safe and that they are materially no different from products that do not contain genetically modified ingredients. GMA supports a rigorous, science-based federal regulatory framework for agricultural biotechnology products. The FDA oversees the use of biotechnology in food in collaboration with the U.S. Department of Agriculture and the U.S. Environmental Protection to ensure its safe use.

Mandatory labeling of food products containing genetically engineered ingredients is misguided and unnecessary. The FDA regulates the introduction and labeling of biotech foods for the entire U.S. marketplace, and producers are legally responsible to the FDA for the safety and wholesomeness of any food product placed on the market. All foods, regardless of whether or not they are produced using biotechnology, are regulated for their individual safety, toxicity and the presence of allergens.

Current FDA policy requires labels to provide consumers with information on the composition and nutritional aspects of foods, as well as on any health or safety aspects pertaining to the food. If a food derived from modern biotechnology affects any of these aspects, current FDA policy requires that the food be so labeled. GMA believes that this labeling policy has served consumers well by providing them with straightforward, meaningful and important information. Special mandatory labeling could mislead consumers into believing that foods produced through modern biotechnology are somehow different or present a special risk or a potential risk, even though FDA and other scientific bodies have studied foods derived from biotechnology exhaustively and determined these foods to be safe.

If it is a question of consumer choice, individuals who make a personal decision not to consume foods containing genetically modified ingredients can easily avoid such products simply by purchasing products that are certified organic. In Connecticut and throughout the U.S., consumers already have access to a wide variety of product choices that are certified as organic under the U.S. Department of Agriculture's National Organic Program. These consumers may also purchase products that companies have voluntarily labeled as not containing genetically modified ingredients. Current federal law already allows for such voluntary labeling so long as the information is accurate, truthful and avoids misleading consumers about the food.

Given that the FDA and numerous other scientific and regulatory bodies have determined that food products containing genetically modified ingredients are safe and that they are materially no different from their traditional counterparts, a mandatory label declaring the presence of genetically modified ingredients in a product does not provide the consumer with any information that is useful or actionable. The limited space on a food label should be reserved for the critically important food safety and nutritional information that can allow consumers to make safe and healthful food choices. Consumers looking for more information about a particular food product beyond what is listed on the food label have a number of resources available to them, including the manufacturer's website or its customer service department.

Finally, it is worth noting that in *International Dairy Foods Association v. Amestoy*[1] the court held that food manufacturers could not be compelled to label dairy products as having been made with rbST. Specifically, the Court found consumer interest alone was insufficient to justify requiring a product's manufacturers to publish the functional equivalent of a warning about a production method that has no discernible impact on a final product.[2]

Thank you for your time and for this opportunity to register our opposition to HB 6527. For the reasons I have outlined here, GMA respectfully opposes the adoption of this legislation. Thank you again and if I can answer any questions, I may be reached any time at gcosta@gmaonline.org and at 703-967-7175.

[1] 92 F.3d 67 (1996).
[2] Id. at 74.