

HB 6519

To the Connecticut Joint Committee on Public Health

The American Seed Trade Association (ASTA) is writing this message in opposition to HB 6519, which is currently pending before the Connecticut legislature, and scheduled to be heard by the Joint Committee on Public Health on Friday, March 15th. The bill primarily attempts to require the labeling of foods improved using biotechnology processes.

ASTA believes that the reasoning behind the proposed legislation is flawed in several material respects. The proposed labeling requirements are neither necessary nor scientifically defensible, and they run contrary to federal policy established by the U.S. Food and Drug Administration (FDA). As a result, it is ASTA's view that the bill would create competitive disincentives in Connecticut among different agricultural sectors and thereby increase the cost of doing business in the state to the ultimate detriment of Connecticut seed companies, dealers, customers, and consumers – with no advantages.

Founded in 1883, ASTA is one of the oldest trade organizations in the United States. Its membership consists of over 720 companies involved in seed production and distribution, plant breeding, and related industries. ASTA's membership is comprised primarily of U.S. companies, although it does have members from 15 other countries. ASTA advocates science and policy issues of importance to the seed industry. Its mission is to enhance the development of movement of seed worldwide.

ASTA is a diverse organization. It represents all types of seed companies and technologies – seed from alfalfa to zucchini, technologies from organic to biotechnology, and companies from “mom and pop” to multinationals. Among others, it has a standing committee on organic seed and a standing committee on biotechnology. ASTA has members in 47 states, including Connecticut. It works on behalf of all of its members at the state, national, and international levels. In other words, ASTA represents every seed company that would be affected by the proposed legislation, and it works in cooperation with the rest of agribusiness and consumers, whom the proposed legislation would also affect.

It is important to note that the FDA is the federal agency responsible for the safety and labeling of most human and animal foods and food ingredients sold in the United States. Since 1992, FDA has maintained that foods from plants improved through modern biotechnology are equivalent to and as safe as those from plants produced through conventional breeding. Therefore, they should be regulated in the same manner as any other foods. Moreover, in the United States, seeds are regulated under a comprehensive system of complementary Federal and state seed laws, and must satisfy customer and consumer expectations. Labeling is required by law, and by commercial necessity, to be accurate and contain appropriate information for growers. In the past 25 years, over two billion acres of biotechnology crops have been grown worldwide with no incidence of health or environmental harm.

In the case of modern biotechnology, FDA focuses on the final product and not the process that was used to produce the food product in determining how it should be labeled. Accordingly, FDA does not require labeling to indicate whether or not a food or food ingredient is produced through a biotechnology process. FDA, however, would require labeling of the product if the modification materially changed its

nutritional attributes, its safety, or other important characteristics. But, since modern biotechnology production methods have been found to be equivalent to and as safe as other developmental or production methods, such methods are not material information that must be included in labeling. Furthermore, FDA has asserted that such a statement as this bill requires on a food created using biotechnology may be misleading if it implies that the labeled food is superior to foods that are not so labeled. The U.S. government's position on "genetically modified organisms" reflects not only the benefits of the technology, but also a belief in science-based systems, strong and appropriate regulatory oversight, sensitivity to customer and consumer expectations, and a commitment to stewardship and cooperation throughout the food chain.

Lastly, it is important to note that the provisions of this bill will add significantly to the duties and responsibilities of the Connecticut Department of Consumer Protection. This will lead to added expense for enforcement. And, combined with the potential loss of business to the state, as out-of-state seed companies decline to take on the added burden of contracting with Connecticut growers under the new bill, it would have an adverse impact on state coffers during this difficult time. ASTA believes that this bill, if passed, would add more government bureaucracy and taxpayer costs, create new frivolous lawsuits, and increase food costs significantly — without providing any health or safety benefits

In summary, the use of seeds enhanced through modern biotechnology continues to grow around the world as a result of their economic, environmental, and human health benefits. Farmers' use of these seeds in Connecticut is no exception to this pattern of growth. In our view, HB 6519 as it is now drafted, raises several serious practical concerns and is unnecessary from a legal standpoint. Of significance, it would add unnecessarily to the cost of doing business in Connecticut and, therefore, penalize Connecticut farmers and consumers. Affecting seed companies large and small, including farmer dealers, HB 6519 would also reduce the size, offerings, and competitiveness of the seed industry in Connecticut compared to other states.

Accordingly, ASTA opposes HB 6519. Please do not hesitate to contact us if you have any questions. Thank you for your consideration.

Pat T. Miller

Director, State Affairs

American Seed Trade Association

1701 Duke St., Suite 275

Alexandria VA 22314

(512) 259-2118

pmiller@amseed.org

Statement of Opposition to HB 6519
An Act Concerning the Labeling of “Genetically Engineered” Food
PUBLIC HEALTH COMMITTEE
March 15, 2013

The Food and Drug Administration’s (FDA) longstanding scientific judgment is there is no significant difference between foods produced using bioengineering, as a class, and their conventional counterparts. FDA's scientific evaluation of bioengineered foods continues to show that these foods are as safe as their conventional counterparts. Moreover, mandatory labeling to disclose that a product was produced through genetic engineering does not promote the public health in that it fails to provide material facts concerning the safety or nutritional aspects of food and may be misleading to consumers. Requiring labeling for ingredients that don’t pose a health issue would undermine both our labeling laws and consumer confidence.

We are all concerned with the health of the public and support consumers having access to truthful, non-misleading food product information. We are food consumers too. HB 6519 provides no increased safety or health benefit but, instead, would serve to deliver a confusing message if not an outright product warning to consumers that are making real important nutrition decisions for their own health and those of their families.

Foods derived from plants and crops improved through the use of biotechnology are just as safe as foods developed from non-genetically engineered crops at any level for any human or animal. There is no data, studies or experience to suggest a potential harm to consumers.

- The **U.S. Food and Drug Administration** has consistently held that *“...there is no significant difference between foods produced using bio-engineering, as a class, and their conventional counterparts.”*
- Further, the **American Medical Association** stated: *“AMA believes that as of June 2012, there is no scientific justification for special labeling of bioengineered foods, as a class, and that voluntary labeling is without value unless it is accompanied by focused consumer education.”*
- The **American Association for the Advancement of Science** released a statement in October 2012: *“It is the long-standing policy of the Food and Drug Administration (FDA) that special labeling of a food is required if the absence of the information provided poses a special health or environmental risk. The FDA does not require labeling of a food based on the specific genetic modification procedure used in the development of its input crops. Legally mandating such a label can only serve to mislead and falsely alarm consumers....”*

No Health & Safety Difference Between Organic Food and Conventionally Produced Food

- In 2012, **The American Academy of Pediatrics** published a report upon reviewing the available studies on organic and conventionally produced foods and found there were no differences in safety and health. “There does not appear to be convincing evidence of a substantial difference in nutritional quality of organic versus conventional produce” and “One major concern with organic food is its higher price to consumers”. Organic food and consumer health products typically cost 10% to 40% more than similar conventionally produced products. *“Organic Foods: Health and Environmental Advantages and Disadvantages”, Pediatrics, Nov. 2012, Vol. 135, Number 5, The American Academy of Pediatrics.*
www.aap.org

“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 discernable impact on a final product.”....Accordingly, we hold that consumer curiosity alone is not a strong enough state interest to sustain the compulsion of even an accurate, factual statement.”

The undersigned groups respectfully urge The Public Health Committee to reject this bill.

THIRD PARTY RESOURCES

- Position Statements and Reports
 - American Association for the Advancement of Science (AAAS) Statement by the AAAS Board of Directors on Labeling of Genetically Modified Foods (2012)
 - American Medical Association (AMA) (2012) [or <http://www.ama-assn.org/assets/meeting/2012a/a12-refcomm-e-report.pdf>]
 - European Commission report: A decade of EU-funded GMO research (2001-2010) (2010)
 - European Food Safety Authority (EFSA) report. Safety and nutritional assessment of GM plants and derived food and feed: The role of animal feeding trials (2008)
 - Institute of Food Technologists (IFT) Expert Report: Biotechnology and Foods (2000)
 - Food and Agriculture Organization (FAO)/United Nations (UN) Report: The State of Food and Agriculture 2003-2004: Agricultural Biotechnology Meeting the Needs of the Poor? (2004)
 - National Research Council/U.S. National Academy of Sciences (NAS) report on the Safety of Genetically Engineered Foods: Approaches to Assessing Unintended Health Effects (2004)
 - National Research Council/U.S. National Academy of Sciences (NAS) report on the Impact of Genetically Engineered Crops on Farm Sustainability in the United States (2010)
 - Society of Toxicology (SOT) Position Paper: The Safety of Genetically Modified Foods Produced through Biotechnology (2002)
 - World Health Organization (WHO). Modern food biotechnology, human health and development: an evidence-based study (2005)

- Expert Videos on Frequently Asked Questions about Food Biotechnology, including labeling
 - Center for Food Integrity (CFI)
 - International Food Information Council (IFIC)

American Seed Trade Association (ASTA), Biotechnology Industry Organization (BIO), Connecticut Business & Industry Association (CBIA), Connecticut Food Association, Connecticut Retail Merchants Association, Connecticut United for Research Excellence (CURE), Grocery Manufacturers Association and International Formula Council