



# Food Safety Fact Sheet

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## GENETICALLY ENGINEERED FOOD: THE LABELING DEBATE

**I**F YOU WANT to know if your food was irradiated or contains gluten, aspartame, high fructose corn syrup, trans-fats or MSG, you simply read the label. But if you want to know if your food was genetic engineered, you're not going to find any information on the package.

Why? Because despite the fact that 64 countries around the world (including all European Union member states, Japan, Australia, Brazil, Russia and China) grant their citizens the right to know what is in their food, the United States continues to ignore consumer demands to label GE foods. Numerous polls<sup>i</sup> have indicated that more than 90 percent of U.S. consumers believe GE foods should be labeled, yet the U.S. has refused to grant its citizens this basic right.

### UNLABELED, UNTESTED, AND YOU'RE EATING IT

Consumers across the country are being allowed to purchase and consume unlabeled GE foods, without our knowledge or consent. Already, this novel technology has invaded our grocery stores and our kitchens by fundamentally altering some of our most important staple food crops. Currently, more than 88 percent of U.S. corn is genetically engineered; as are 93 percent of soybeans and 94 percent of cotton<sup>ii</sup> (cottonseed oil is often used in food products). According to industry estimates, up to 95 percent of sugar beets may now be GE varieties. It has been estimated that upwards of 75 percent of processed foods on supermarket shelves— from soda to soup, crackers to condiments—contain genetically engineered ingredients.

The United Nations, the World Health Organization, and the American Medical Association have all called for mandatory safety testing of GE foods. Nonetheless, FDA does no independent



testing of their safety, even though documents uncovered in CFS litigation show that scientists within FDA indicated that GE foods could pose serious risks. FDA makes no determination of safety; instead, the agency only holds a voluntary (and confidential) meeting with industry before commercialization of these foods, and relies entirely on the industry's conclusion and the data the industry chooses to show them.

Yet even the limited data available raises cause for concern. A number of studies over the past decade have revealed that GE foods can pose serious risks to humans, domesticated animals, wildlife, and the environment. Human health effects can include higher risks of toxicity, allergenicity, antibiotic resistance, and immune-suppression.

Research has also shown that the use of genetic engineering in agriculture has led to a substantial increase in the use of certain herbicides and insecticides, causing increased harm to the environment—a direct contradiction to industry's false promises that these new technologies would reduce the need for pesticides. Since GE crops entered the U.S. market more than a decade ago, herbicide use on corn, soybeans, and cotton has dramatically increased, by a total of more than 527 million pounds.<sup>iv</sup> The unfortunate overreliance on herbicides has also triggered an epidemic of herbicide-resistant superweeds, which now infest 50-60 million acres in 32 states<sup>v</sup>, which will only lead to the use of yet more—and more toxic—herbicides.

### THE STATE OF GE FOOD LABELING

So why has the FDA not acted to require labeling? In the spring of 2000, FDA announced that labeling of GE foods would remain

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voluntary, even though there was no indication that any company would actually volunteer to label them—and in the thirteen years since, none have. Despite the long-term and wide-ranging risks, Congress has not passed, nor has the FDA implemented, a single law intended to manage GE crops and foods responsibly.

Just over twenty years ago, FDA decided that GE foods need not be labeled because they were not “materially” different from other foods. The Federal Food, Drug, and Cosmetic Act requires the FDA to prevent consumer deception by clarifying that a food label is false and/or misleading if, among other things, it omits significant, “material” information. However the FDA has self-limited what it considers “material” in this context to only changes in food that could be noted by taste, smell, or other senses. Applying 19th century policy to 21st century technology, the FDA declared GE foods to be “substantially equivalent” to conventionally produced foods, since GE foods can’t be “sensed” in this way. Hence no labeling was required.

The biotech industry has also fiercely opposed GE labeling, and has convinced many in Congress and FDA that such a label would “mislead” consumers into thinking the food is dangerous. But we don’t label dangerous foods; we take them off the market. The government mandates food labeling not based on safety, but upon “material” change that consumers should be informed about. In fact, the agency already requires labels for over 3,000 ingredients, additives, and processes in food production, for all kinds of reasons, none of which are because the food has been deemed dangerous.

The decision not to require labeling of GE food was, and remains, a political decision, not a scientific one. FDA must move into the new century and give consumers the information they overwhelmingly believe to be important, for a host of health, environmental, ethical, and religious reasons.

### THE CFS LEGAL PETITION TO LABEL GENETICALLY ENGINEERED FOODS

To address this outdated policy, in 2011, Center for Food Safety filed a formal Legal Petition to FDA to require labeling of genetically engineered foods (Docket No. FDA-2011-P-0723-0001). The legal petition demands that FDA issue new regulations requiring labeling of all foods produced using genetic engineering, and modernize the agency’s decades-old definition of what constitutes “material” change. GE crops contain novel bacterial and viral genes never seen before in food. They are so novel that biotech companies like Monsanto have been granted dozens of patents on them. The patentability of GE foods demonstrates

that they are materially different, providing yet another reason they require labeling. As of 2013, more than one and a half million Americans have filed comments with the agency in support of our petition, and the number continues to climb.

### STATE AND FEDERAL LABELING INITIATIVES

As concerned citizens across the country grow tired of waiting for the federal government to take action, they are turning to state and local governments. In 2013 alone, over half the states in the country introduced bills that would require labeling for GE foods.<sup>vi</sup> Many of these bills use language that CFS crafted, or are based on CFS’s model GE labeling bill. On the heels of the narrow defeat of California’s landmark Proposition 37, states from Washington to Vermont are debating state legislation and citizen-driven ballot initiatives to do what the federal government won’t: label GE food. CFS co-authored both Prop 37 and I-522.

Center for Food Safety has worked with grassroots movements in individual states, counties, and municipalities across the country to improve the oversight of genetically engineered crops and foods, and to introduce labeling legislation and ballot initiatives. To this end, CFS has a number of “model” state bills and local initiatives available. Interested parties seeking counsel on getting an initiative started in your city or state should contact CFS at [office@centerforfoodsafety.org](mailto:office@centerforfoodsafety.org).

Most recently, thanks to your tireless support, Senator Barbara Boxer (D-CA) and Congressman Peter DeFazio (D-OR) have introduced new Federal legislation that would require the labeling of all GE foods; the first labeling bill to be introduced in the Senate in over a decade!

### TAKE ACTION: DEMAND LABELING OF GENETICALLY ENGINEERED FOODS

Here in America, we pride ourselves on having choices and making informed decisions. But we don’t have that choice when it comes to GE ingredients in the foods we purchase and feed our families. It’s time our state and federal governments listen to consumers and require labeling of all GE foods.

**To take action visit our website at  
[www.centerforfoodsafety.org](http://www.centerforfoodsafety.org)**

i Center for Food Safety, Genetically Engineered Food Labeling Laws Map, <http://www.centerforfoodsafety.org/ge-map>

ii Center for Food Safety, U.S. Polls on GE Food Labeling, <http://www.centerforfoodsafety.org/issues/976/ge-food-labeling/us-polls-on-ge-food-labeling>

iii Jorge Fernandez-Cornejo, Genetically engineered varieties of corn, upland cotton, and soybeans, by State and for the United States, 2000-12, Washington, D.C.: USDA National Agricultural Statistics Service, 2012. <http://www.ers.usda.gov/data-products/adoption-of-genetically-engineered-crops-in-the-us.aspx#.UUu-Pnc4tiM>

iv Benbrook, Charles M. “Impacts of genetically engineered crops on pesticide use in the U.S. — the first sixteen years” *Environmental Sciences Europe* 2012, 24:24. doi:10.1186/2190-4715-24-24

v Ibid

vi Center for Food Safety, State Labeling Initiatives, <http://www.centerforfoodsafety.org/issues/976/ge-food-labeling/state-labeling-initiatives>