



Congress of the United States House of Representatives

Summary of Genetically Engineered Food Legislation

Genetic engineering is having a serious impact on the food we eat, on the environment, and on farmers. To ensure we can maximize benefits and minimize hazards, Congress must provide a comprehensive regulatory framework for all genetically engineered products (plants, animals, bacteria, and other organisms).

Current laws, such as our food safety and environmental laws, were not written with this technology in mind. Clearer laws are necessary to ensure that these new scientific capabilities and the associated impacts are closely monitored.

The Genetically Engineered Food Right To Know Act

Consumers wish to know whether the food they purchase and consume is a genetically engineered food. Concerns include the potential transfer of allergens into food and other health risks, potential environmental risks associated with the genetic engineering of crops, and religiously and ethically based dietary restrictions. Adoption and implementation of mandatory labeling requirements for genetically engineered food produced in the United States would facilitate international trade. It would allow American farmers and companies to export and appropriately market their products—both genetically engineered and non-genetically engineered—to foreign customers. This bill acknowledges consumers have a right to know what genetically engineered foods they are eating:

- Requires food companies to label all foods that contain or are produced with genetically engineered material and requires the FDA to periodically test products to ensure compliance.
- Voluntary, non-GE food labels are authorized.
- A legal framework is established to ensure the accuracy of labeling without creating significant economic hardship on the food production system.

The Genetically Engineered Food Safety Act

Given the consensus among the scientific community that genetic engineering can potentially introduce hazards, such as allergens or toxins, genetically engineered foods need to be evaluated on a case-by-case basis and cannot be presumed to be generally recognized as safe. The possibility of such hazards dictates a cautious approach to genetically engineered food approvals. However, FDA has glossed over the food safety concerns of genetically engineered foods and not taken steps to ensure the safety of these genetically engineered foods. This bill requires that all genetically engineered foods follow a strenuous food safety review process:

- Requires FDA to screen all genetically engineered foods through the current food additive process to ensure they are safe for human consumption, yet continues FDA discretion in applying the safety factors that are generally recognized as appropriate.

- Requires that unique concerns be explicitly examined in the review process, a phase out of antibiotic resistance markers, and a prohibition on known allergens.
- Requires the FDA to conduct a public comment period of at least 30 days

The Genetically Engineered Crop and Animal Farmer Protection Act

Agribusiness and biotechnology companies have rapidly consolidated market power at the same time as the average farmer's profits and viability have significantly declined. Policies promoted by biotech corporations have systematically acted to remove basic farmer rights enjoyed since the beginning of agriculture. These policies include unreasonable seed contracts, the intrusion into everyday farm operations, and liability burdens. The introduction of genetically engineered crops has also created obstacles for farmers, including the loss of markets and increased liability concerns. To mitigate the abuses upon farmers, a clear set of farmer rights must be established. This bill provides several farmer rights and protections to maintain the opportunity to farm:

- Farmers may save seeds and seek compensation for failed genetically engineered crops.
- Biotech companies may not: shift liability to farmers; nor require access to farmer's property; nor mandate arbitration; nor mandate court of jurisdiction; nor require damages beyond actual fees; nor charge more to American farmers for use of this technology, than they charge farmers in other nations, or any other unfair condition.
- Seed companies must: ensure seeds labeled non-GE are accurate; provide clear instructions to reduce cross-pollination, which contaminates other fields; and inform farmers of the risks of using genetically engineered crops.
- The EPA is required to evaluate the concern of Bt resistant pests and take actions necessary to prevent resistance to Bt, an important organic pesticide.
- The bill prohibits genetic engineering designed to produce sterile seeds and loan discrimination based on the choice of seeds an agricultural producer uses.

The Genetically Engineered Organism Liability Act

Biotech companies are selling a technology that is being commercialized far in advance of the new and unknown science of genetic engineering. Farmers may suffer from crop failures, neighboring farmers may suffer from cross pollination, increased insect resistance, and unwanted "volunteer" genetically engineered plants, and consumers may suffer from health and environmental impacts. Therefore, biotech companies should be found liable for the failures of genetically engineered crops. This bill ensures that the creator of the technology assumes all liability:

- The bill places all liability from negative impacts of genetically engineered organisms squarely upon the biotechnology companies that created the genetically engineered organism.
- Farmers are granted indemnification to protect them from the liabilities of biotech companies.
- The bill prohibits any transfer of liability away from the biotechnology companies that created the genetically engineered organism.

Real Solutions to World Hunger Act

The demand for mandatory labeling, safety testing, and farmer protections do not constitute obstacles to the cessation of world hunger. Economics remain the significant barrier to a consistent food supply, and the development of expensive genetically engineered foods may only

exacerbate this trend. Almost all research funding for the development of genetically engineered food target the developed nation's agriculture and consumers. However, agroecological interventions have had significantly more success in helping developing nations feed themselves with higher yields and improved environmental practices, all within reasonable costs for developing countries. This bill offers several new initiatives and protections to help developing nations resolve their hunger concerns:

- To protect developing nations, genetically engineered exports are restricted to those already approved in the U.S. and approved by the importing nation.
- The bill creates an international research fund for sustainable agriculture research paid for the Sustainable Agriculture Trust Fund, a small tax on biotechnology company profits.

The Genetically Engineered Pharmaceutical and Industrial Crop Safety Act

A pharmaceutical crop or industrial crop is a plant that has been genetically engineered to produce a medical or industrial product, including human and veterinary drugs. Many of the novel substances produced in pharmaceutical crops and industrial crops are for particular medical or industrial purposes only. These substances are not intended to be incorporated in food or to be spread into the environment. That would be equivalent to allowing a prescription drug in the food supply. Experts acknowledge that contamination of human food and animal feed is inevitable due to the inherent imprecision of biological and agricultural systems. This contamination by pharmaceutical crops and industrial crops pose substantial liability and other economic risks to farmers, grain handlers, and food companies. This bill attempts to prevent contamination of our food supply by pharmaceutical crops and industrial crops.

- The bill places a temporary moratorium on pharmaceutical crops and industrial crops until all regulations required in this bill are in effect.
- The bill places a permanent moratorium on pharmaceutical crops and industrial crops grown in an open-air environment and on pharmaceutical crops and industrial crops grown in a commonly used food source.
- The United States Department of Agriculture shall establish a tracking system to regulate the growing, handling, transportation, and disposal of all pharmaceutical and industrial crops and their byproducts to prevent contamination.
- The National Academy of Sciences shall submit to Congress a report that explores alternatives methods to produce pharmaceuticals or industrial chemicals that have the advantage of being conducted in controlled production facilities and do not present the risk of contamination.

*For more information on this bills, please contact the office of
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