

GeneWatch UK response to the Food Standards Agency's consultation on EU Harmonisation of "GM-Free" Labelling

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GeneWatch UK is a not-for-profit organisation which aims to ensure that genetic science and technology is used in the public interest. We welcome this opportunity to input to this consultation.

GeneWatch UK supports proposals to introduce harmonised "GM-Free" labelling in the EU. Currently, meat and dairy products fed on GM feed are unlabelled and the lack of a GM-free labelling scheme restricts consumer choice in this important area.

UK Government policy is supportive of consumer choice about GM, stating: *"The Government will ensure consumers are able to exercise choice through clear GM labelling rules and the provision of suitable information, and will listen to public views about the development and use of the technology"*.¹

Clear, front-of-pack, GM-Free labels, which have strong consumer support, are an important means by which this policy can be implemented.

Q1: Is there a need to promote and harmonise the use of "GM-free" labels?

Yes.

As the Secretary of State has recognised, people are eating meat and dairy products from animals fed on GM feed without being aware of it.² Whilst foods containing GM ingredients are legally required to be labelled, animal products produced using GM animal feed are not.

There is clear public demand from the public for products to be labelled so that they can see which foods have used GM crops in the production process and which have not.

The FSA-funded research published in January 2013³ is only the latest research showing that the public want labels to enable them to make informed choices about GM. For example, in June 2010 a GfK/NOP poll commissioned by GM Freeze and Friends of the Earth showed 89% of shoppers want a label on GM-fed animal products.⁴

GM-free labelling schemes already exist in many countries, as described in the EC's 2010 evaluation of GM food and feed legislation⁵, pages 129-141. Many UK retailers have some non-organic meat and dairy product lines which do not use GM feed, including eggs (most supermarkets, except Asda and Morrisons), some own-brand lines of milk, meat and fish (Co-op, Lidl, Sainsbury, Tesco, Waitrose) and all own-brand meat, dairy and fish products in the case of Marks and Spencers. These product lines exist because of consumer demand, but currently they are not clearly labelled.

Consumers, as well as the food manufacturing and retail industries, would benefit if GM-free labelling is consistent across the EU to ensure consistent standards.

Q2: Is the phrase "GM-free" the best phrase to use or could others be used (eg, "free from GM")?

The FSA's 2013 research states (page 10): *"Among the GM absent label options tested, "GM Free" or "All ingredients are non-GM" were considered the most useful and straightforward to signal an absence of GM. Of these two, "GM Free" raised more expectation of positive benefits and higher*

than standard quality. Additional expectations were also raised with the use of these types of labels, including no use of GM animal feed at any stage in the animal lifecycle”.

The label “GM-free” is currently being used in hundreds of product lines across the EU as detailed in EC (2010) Table 7.9 (more lines have since been added). This consultation should be about harmonising this labelling, not introducing an additional layer of complexity by introducing a new label using a different term, or by down-grading the size or positioning of the label to the ingredients list.

“GM free” labels currently in use in the EU are large front-of-pack labels to reflect consumer demand for clear display of this type of information. The German government has made "Ohne Gentechnik" (“GM-free”) labels available free of charge to retailers wishing to label products GM-free (see picture on the Ministry website⁶).

As an alternative, major French retailer Carrefour introduced large front-of-pack “Free from GM feed” (“Nourri sans OGM”) labels in October 2010 (see picture in Just Food⁷).

The FSA research also found that consumers want GM information to appear on front of packs in a format that is clearly visible (page 64).

Q3: Would this type of claim be more useful for primary produce (eg, meat, milk, eggs) than for processed foods?

The main current gap in the mandatory labelling requirements is that meat and dairy products from animals fed on GM feed are currently not labelled. In the light of public views and government policy on this issue (as noted above) there is a clear need for “GM Free” labels in this area.

The FSA’s 2013 research (page 13) states: *“Two-thirds of respondents considered it very or quite important that it is written on a label if the food itself or ingredients in the food are from a genetically modified plant or the food product is from animals that have been fed genetically modified plants”* [Emphasis added]. Whilst the first desired requirement (labelling if the food itself or ingredients in the food are from GM plants) is covered by the legal requirements in Regulation (EC) 1929/2003, the second part (labelling of animal products fed on GM plants) is not, even though this was regarded by respondents as equally important. The FSA’s research also found that 69% thought it important that if a product was labelled “GM Free” or “Free from GM” one criteria should be that *“For items like meat, milk, or eggs, the food is from animals that have not been fed GM plants”* (page 14).

This problem of unlabelled GM-fed animal products is not restricted to unprocessed animal products, such as meat, milk and eggs. Processed foods containing GM ingredients must be labelled by law. However, processed foods containing meat, fish or dairy products from animals fed on GM feed are not required to be labelled. Given that processed foods make up a large proportion of food purchased, and that consumers clearly want such labels, “GM Free” schemes should certainly include processed foods.

For products where mandatory labelling of GM ingredients applies (i.e. most non-animal products) there is no logical reason to exclude these from “GM Free” schemes. A voluntary front-of-pack label would help make the absence of non-GM ingredients clearer to members of the public and thus facilitate consumer choice.

Q4: If criteria for “GM-free” claims are to be developed how strict should they be?

Regulation (EC) 1829/2003 lays out the mandatory labelling requirements for GM food and feed in the EU.

Members of the public want "GM-free" labels (and/or GM labels) which show clearly where GM is used and where it isn't used (see the FSA's 2013 research, page 14). As noted above, the main current gap in the mandatory requirements is for animal products (e.g. meat, milk, eggs, butter, fish) fed on GM feed, which currently don't require labelling, but where there is strong evidence that consumers would like the right to choose between GM-fed and non-GM-fed. In this case, the requirement should be that the product (e.g. meat, milk, eggs) is labelled "GM free" if it has been fed entirely using feed that is classified as non-GM according to the legal requirements in Regulation (EC) 1829/2003. As the FSA's 2013 research notes: "GM Free" raises assumptions about content, including no use of GM at any level (including the use of GM animal feed).

Q5: Would any new costs be incurred by food businesses if formal criteria were introduced for making "GM-free" and similar claims?

Full traceability of ingredients is already required under Regulation (EC) 1830/2003, so allowing additional voluntary labelling of what is used (or not used) in production will not add any additional costs, beyond the costs of adding the labels to the products.

Since the proposal is for a voluntary "GM Free" labelling scheme, individual retailers and producers can make a choice based on their business plans and consumer demand whether or not to incur these costs. Expanding "GM Free" product lines could add costs associated with sourcing more GM-free ingredients (notably animal feed), but on the other hand economies of scale could increase the availability of such ingredients and satisfying consumer demand could improve profit margins and the efficiency of operation of the single market.

Lowering standards for "GM Free" labels (for example, by allowing GM feed use for part of an animal's life) would mislead consumers and in effect impose costs on those UK retailers who already meet consumer preferences by offering meat and dairy product lines which are fed entirely on GM-free feed.

However, costs of transition may occur for those retailers or producers (largely outside the UK) who may be required to move from an individual retailer-led or government-backed "GM-Free" scheme with lower standards to the proposed harmonised EU standard (although one option available to retailers concerned about such costs would also be to end participation in the voluntary scheme). According to the EC's 2010 report, "GM-free" schemes in Austria and Germany require defined GM-free feeding periods for livestock products: these are unlikely to meet consumer expectations as outlined in the FSA's 2013 research, so requirements would need to be tightened in these countries to prevent the use of GM feed. In contrast, in France, proposed rules are that livestock products labelled "GM Free" should be fed only on feed which is not required to be labelled as GM under Regulation (EC) 1830/2003.

References

¹ <http://www.defra.gov.uk/environment/quality/gm/>

² Ministers launch PR drive to shake off 'Frankenstein food' image of GM crops. *Daily Mail*. 3rd January 2013.

³ FSA (2013) GM Labelling: Exploring public responses to the labelling of GM food and the use of GM-free labelling. Social Science Research Unit, Food Standards Agency, January 2013. Unit Report 17.

<http://www.food.gov.uk/news-updates/news/2013/jan/gm>

⁴ <http://www.gmfreeze.org/why-freeze/unwanted/>

⁵ European Commission (2010) Evaluation of the EU legislative framework in the field of GM food and feed. July 2010

http://ec.europa.eu/food/food/biotechnology/evaluation/docs/evaluation_gm_report_en.pdf

⁶ More transparency when purchasing food – The "Ohne Gentechnik" logo. German Federal Ministry of Food, Agriculture and Consumer Protection. <http://www.bmelv.de/SharedDocs/Standardartikel/EN/Food/GM-free-label.html>

⁷ Carrefour launches 'non-GM' labels. Just Food. 25th October 2010. http://www.just-food.com/news/carrefour-launches-non-gm-labels_id112924.aspx