

## Guideline for Disclosure of Bioengineered Products<sup>1</sup>

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Producers wishing to use this standard must make reasonable efforts to prevent the commingling of genetically engineered (GE) with non-GE materials. The term “GE” is used for convenience; other terms such as “bioengineered” and “genetically modified” may be applicable. “Genetically modified organism” and “genetically engineered organism” are not used because they imply that a living organism is present, which is not the case in most foods, as emphasized in the Canadian regulations (1).

Labeling products “Non-GE” when there is no commercial GE equivalent might be considered misbranding and misleading to the consumer (2). Canada requires a disclaimer when such labeling is employed in order to “ensure labelling is understandable, truthful and not misleading” (1). This is particularly applicable to single ingredient products such as salt and water or to foods for which no GE versions have been offered for sale. Thus, we propose the following guideline for labeling food products:

- Products shall not be labeled “zero,” “not present,” or “free from” GE materials because the realities of crop and food and feed production preclude zero tolerance (2).
- Products sold, labeled, or represented as non-GE must have at least 95% non-GE content of materials that are also available as GE. They may be represented as “made with” non-GE content if they have at least 70% non-GE content of materials that are also available as GE. The broad non-GE label may not be used on these products.
- The ingredients list of products containing less than 70% non-GE content may identify specific ingredients as non-GE, if such materials are also commercially available as GE.
- In a multi-ingredient product labeled non-GE, all ingredients must be non-GE unless the ingredient(s) is not commercially available in non-GE form. Products that consist primarily of materials not commercially available as GE should not be labeled non-GE.
- The adventitious presence of trace amounts of other ingredients (for example, corn in soy) shall not preclude use of the standard.

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<sup>1</sup>This proposal is consistent with U.S. organic standards and Canadian and Japanese food labeling standards for genetically engineered materials and with varietal seed purity standards. It is not relevant to the low level presence of genetically engineered products that are yet to be approved in the country of production or import.

**Guideline for Disclosure of Bioengineered Products (continued)**

- If it is not possible to enforce or test whether the GE ingredient is present (e.g., fats, waxes, oils, sugars, and vitamins that do not contain DNA or protein), then the standard shall be optional. However, we believe that such products should not be subject to labeling.
- Applicants may apply other thresholds in contracts.

**References**

1. Government of Canada. 2016. National standard of Canada: Voluntary labelling and advertising of foods that are and are not products of genetic engineering. <https://www.tpsgc-pwgsc.gc.ca/ongc-cgsb/programme-program/normes-standards/internet/032-0315/index-eng.html>
2. U.S. Food and Drug Administration. 2016. Guidance for industry: Voluntary labeling indicating whether foods have or have not been derived from genetically engineered plants. <https://www.fda.gov/RegulatoryInformation/Guidances/ucm059098.htm>