THE COMMITTEE ON ENERGY AND COMMERCE

MEMORANDUM

December 8, 2014

To: Members, Subcommittee on Health

From: Majority Committee Staff

Re: Hearing Entitled "Examining FDA's Role in the Regulation of Genetically Modified Food Ingredients"

On Wednesday, December 10, 2014, at 10:15 a.m. in 2123 Rayburn House Office Building, the Subcommittee on Health will hold a hearing entitled "Examining FDA's Role in the Regulation of Genetically Modified Food Ingredients." The hearing will focus on current Food and Drug Administration (FDA) authority over foods from genetically engineered plants and what the agency has learned about the safety of such products. Further, it will provide an opportunity to engage with scientific experts about the role bioengineering plays in our nation's food supply and economy as well as to hear from stakeholders that could be affected by State-specific regulations of product labeling. Finally, the hearing will allow members to discuss H.R. 4432, Safe and Accurate Food Labeling Act of 2014, introduced by Rep. Mike Pompeo (R-KS) and Rep. G.K. Butterfield (D-NC).

I. WITNESSES

Panel One

- Michael M. Landa, Director, Center for Food Safety and Applied Nutrition, U.S. Food and Drug Administration.

Panel Two

- Alison Van Eenennaam, PhD, Cooperative Extension Specialist, Animal Genomics and Biotechnology, Department of Animal Science, University of California, Davis;
- Scott Faber, Senior Vice President of Government Affairs, Environmental Working Group;
- Rep. Kate Webb, Assistant Majority Leader, Vermont House of Representatives;
- Stacey Forshee, Fifth District Director, Kansas Farm Bureau; and,
- Tom Dempsey, President and CEO, Snack Food Association.

II. BACKGROUND

Genetically modified organisms, or "GMOs," is a term that has been used in connection with food or food ingredients produced from, containing, or consisting of plants, including, but not limited to, corn, canola, and soybean, that have been genetically engineered to exhibit certain traits or characteristics such as increased crop yield or enhanced nutritional profile.

FDA regulates the safety and labeling of all foods and food products from plant sources, including food from genetically engineered plants. The agency currently has a pre-market consultation process in place for developers of such technology to ensure that any safety or other regulatory issues related to the food are resolved before commercial distribution. As of December 2012, FDA has completed ninety-five such consultations, and no such food products have gone on the market until all of the agency's safety questions have been resolved.[1]

H.R. 4432 would prohibit genetically modified plants (or seeds, fruits, or any other part thereof) intended for a food use or application to be introduced into interstate commerce prior to complying with a safety review process at the FDA. Under the bill, if FDA were to find a material difference between the product and its comparable marketed food and that disclosure of such difference is necessary to protect health and safety or to prevent the labeling from being false or misleading, the agency could require such labeling. Otherwise, under the bill, any labeling that would indicate bioengineering was or was not used in the production of a food product would have to meet a specified set of Federal standards, preempting State-specific regulation.

III. STAFF CONTACTS

Should you have any questions regarding the hearing, please contact Carly McWilliams or John Stone at (202) 225-2927.

[1] http://www.fda.gov/food/foodscienceresearch/biotechnology/ucm346030.htm