U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE

June 16, 2015

TO: Members, Subcommittee on Health

FROM: Committee Majority Staff

RE: Hearing entitled "A National Framework for the Review and Labeling of Biotechnology in Food"

I. INTRODUCTION

On June 18, 2015, at 10:00 a.m. in 2123 Rayburn House Office Building, the Subcommittee on Health will hold a hearing entitled "A National Framework for the Review and Labeling of Biotechnology in Food." The hearing will provide Members with an opportunity to learn about the role genetic engineering plays in our nation's food supply as well as to hear about State-specific labeling regulations and their potential impact on interstate commerce and consumers. Further, Members will review an amendment in the nature of a substitute to H.R. 1599, the Safe and Accurate Food Labeling Act, authored by Rep. Mike Pompeo (R-KS) and Rep. G. K. Butterfield (D-NC).

I. WITNESSES

- Rick Blagden, President and Chief Executive Officer, Council of Supply Chain Management Professionals;
- Todd W. Daloz, Assistant Attorney General, Office of the Vermont Attorney General;
- John Reifsteck, Chairman of the Board and President, GROWMARK, Inc.;
- Gregory Jaffe, Biotechnology Project Director, Center for Science in the Public Interest; and
- L. Val Giddings, Senior Fellow, Information Technology & Innovation Foundation.

II. BACKGROUND

A genetically modified organism, or "GMO," is a term that has been colloquially used in connection with food products or ingredients derived from 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.

The U.S. Food and Drug Administration (FDA) regulates the safety of foods from all plant varieties, including those bred using genetic engineering. Foods from genetically engineered plants must meet the same requirements, including those related to safety, as foods

from traditionally bred plants. FDA currently has a consultation process in place where developers of new breeding technologies engage with scientists at the agency before bringing their products to market. Generally, the developer identifies the distinguishing attributes of new genetic traits and assesses whether any new material that a person consumed in food made from the genetically engineered plants could be toxic or allergenic. The developer also compares the levels of nutrients in the new genetically engineered plant to traditionally bred plants. This typically includes such nutrients as fiber, protein, fat, vitamins, and minerals. FDA teams of scientists knowledgeable in genetic engineering, toxicology, chemistry, nutrition, and other scientific areas as needed carefully evaluate the safety assessments taking into account relevant data and information.[1]

As FDA testified before the Health Subcommittee in December, this process "provides for a rigorous food safety evaluation" and "[s]ince the process was created, developers of [genetically engineered] plants have completed the process more than 100 times as they sought to introduce plants into the U.S. market."[2] No developer has gone to market without a letter demonstrating that FDA has evaluated the food and has no further questions about its safety.[3] FDA further testified that the agency has "found that there have not been [material] differences" between genetically engineered ingredients and those derived from traditionally bred crops and that "there is a consensus" about the science behind the safety of foods derived from genetically engineered plant varieties.[4]

In addition to FDA evaluating the safety of food from genetically engineered plants before they go to market, the U.S. Department of Agriculture (USDA), under the Plant Protection Act, is responsible for reviewing such agricultural products for their impact on domestic agriculture.[5] Further, pursuant to the Organic Foods Production Act, the USDA has established a set of standards and requirements that must be met in order for products to be labeled "organic."[6]

Representatives Pompeo (R-KS) and Butterfield (D-NC) have circulated a draft amendment in the nature of a substitute (AINS) to H.R. 1599, the Safe and Accurate Food Labeling Act. This legislation would ensure developers of genetically engineered plants consult with FDA to conduct a safety review of all new plant varieties before they are introduced into commerce; establish Federal standards governing the use of labeling claims regarding either the absence or use of genetic engineering in food; and permit those who wish to label their products as having been produced or developed without the use of genetic engineering to do so through a voluntary USDA-accredited certification process, consistent with USDA's National Organic Program.

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[1] http://www.fda.gov/Food/FoodScienceResearch/Biotechnology/ucm346030.htm
[2] http://energycommerce.house.gov/hearing/examining-fdas-role-regulation-genetically-modified-food-ingredients
[3] http://www.fda.gov/Food/FoodScienceResearch/Biotechnology/ucm346030.htm
[4] http://energycommerce.house.gov/hearing/examining-fdas-role-regulation-genetically-modified-food-ingredients
[5] *See* 7 U.S.C. §7701 et seq.
[6] *See* 7 U.S.C. § 6501 et seq.

III. STAFF CONTACTS

If you have any questions regarding this hearing, please contact John Stone or Carly McWilliams with the Energy and Commerce Committee at (202) 225-2927.