

Congress of the United States
House of Representatives
Washington, DC 20515

June 20, 2014

Brian Ronholm
Acting Under Secretary for Food Safety
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

RE: Labeling of Organic Foods by Food Safety Inspection Service (FSIS)

Dear Acting Under Secretary Ronholm:

We write to urge reconsideration of proposed language to communicate a non-GMO production claim, consistent with the USDA National Organic Program (NOP). For over a year, organic companies have submitted various iterations of labels for FSIS approval, all of which have been rejected because of the use of the term “non-GMO”.

The USDA Organic Seal is a public program created by Congress under the Organic Foods Production Act of 1990, and is federally administered by the NOP. The NOP disallows “excluded methods” – one of which is a specific prohibition on the use of genetically modified organisms. To be certified organic under the NOP, an operation must undergo a thorough process of certification by USDA-accredited agents to verify that GMOs are not used in production or processing. We appreciate that FSIS now allows companies to state on their labels truthful claims regarding genetic engineering as long as the parties meet a third-party certifying organization’s standards, and we understand that FSIS has appropriately recognized the NOP as an example of a third-party certifying organization. However, we are concerned that FSIS has inappropriately impinged on the organic industry’s ability to communicate with its consumers by refusing use of the term “non-GMO” or “produced without GMOs”, while allowing other labels/seals that directly reference the term “non-GMO”.

First, FSIS only approved organic labels which substitute “genetically engineered” for the more common terms “genetically modified organisms” and “GMOs”. Consumers are more likely to recognize and seek label statements that indicate “genetically modified” and “GMO” rather than “genetically engineered” and “GE.” In a 2014 survey of organic consumers conducted by the Organic Trade Association (OTA) and Kiwi Magazine, parents were asked to characterize their knowledge of a set of acronyms used to refer to genetically engineered foods. This study revealed a higher level of knowledge and confidence in the acronym “GMO” (51% “know

exactly what this is”) than the acronyms “GM” (39% “know exactly what this means”) or “GE” (36% “know exactly what this means”). Data also reveals that when shopping for organic products, parents are most likely to look for the term “organic” (63%) on packaging labels. The next two terms most identified by organic consumers were “Non GMO” (34%) and “Produced without GMOs” (34%). Organic buyers are least familiar with “produced without biotechnology” (20%) followed by “Non-GE” (19%). Therefore, if the intent of labels is to provide consumers the truthful information that they seek and will understand, “non-GMO” is clearly the appropriate term to use.

Second, with the approval of the Non-GMO Project Verified Label, FSIS approved a non-GMO statement on the front of package in the form of a vibrantly colored and captivating logo for the Non-GMO Project. We are concerned that, given consumers’ desire to see a non-GMO statement, refusing the organic industry the right to incorporate a non-GMO front of package statement while approving the front of package use of the Non-GMO Project logo puts the organic industry’s products at a disadvantage. We believe this is unlikely the intent of FSIS, especially given Secretary Vilsack’s stated goal of increasing the number of certified organic operations.

We urge FSIS to resolve this issue quickly. While this labeling falls under FSIS jurisdiction, it also involves the NOP, which is overseen by the Agricultural Marketing Service (AMS) and thus requires coordination at the highest level. Therefore, we urge FSIS to support the use of the NOP label in conjunction with a front of package non-GMO claim, and facilitate entry of organic meat, poultry, and egg products into the marketplace using this label.

We respectfully ask for a positive and expedited response to this issue so companies producing organic meat, poultry, and egg products will no longer be disadvantaged.

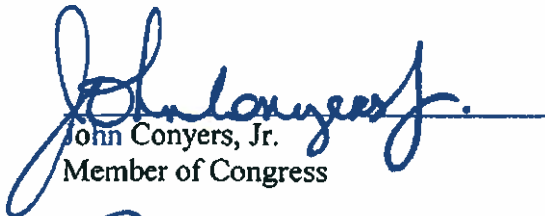
Sincerely,



Rosa L. DeLauro
Member of Congress



Peter A. DeFazio
Member of Congress



John Conyers, Jr.
Member of Congress



Charles B. Rangel
Member of Congress



George Miller
Member of Congress



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CC: Mr. Ed Avalos
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