

Comments:

Seikatsu Club Consumers' Co-operative Union is a consumers' co-operative in Japan with a membership of 390,000 households and annual sales of 87.1 billion yen (approximately 770 million dollars). As USDA is now developing the rule for mandatory GM food labeling, we are sending you our comments on the proposed rule.

As Japan imports a great deal of food in the form of farm products from the US, we are one of your major export markets. Our co-operative provides members with food mainly produced from domestically grown ingredients, but we import non-GM corn and soy meal from the US to feed our animals, these imports of non-GM corn from the US amounting to 26,000-27,000 tons every year. The trend of GM labeling in the US will have a huge impact on Japanese consumers and manufacturers as well. That is why we have decided to send you our comments on this occasion.

(1)All processed foods produced with the use of genetic engineering must be included: The vast majority of GM foods are not whole foods, but processed foods, made with GM commodity crops such as corn, soy, canola, and sugars derived from GM corn or GM beets, including cooking oils, sodas, and candies. If these products are left out, it's possible that hundreds of GM foods will not be disclosed. This would be grossly misleading and confusing. Any meaningful standard must include these GM products regardless of how highly refined they are.

(2)GMO labeling must be clear and printed on the package, using text and not a QR code: QR codes require a smartphone and a reliable broadband connection. According to a survey by the Ministry of Internal Affairs and Communications of Japan in 2017, 56.8% people have a smartphone, but only 13.1% of people in their 70s own a smartphone. Even people who do own smartphones are not guaranteed consistent access to the internet. At the end of the day, if GMO labeling were to be carried out through QR codes, a substantial number of consumers would be deprived of their right to know. USDA's own 2017 study illustrated a similar situation in the US. Access to information via on-package website URLs or text messaging should also be opposed, as these are unavailable to some as well as being impractical to others, since many people are charged per texts sent and received. These methods are time-consuming and act as a disincentive for true transparency. In terms of international trade, the Codex Committee on Food Labelling has not approved QR codes. No other country labels this way. Only on-package labeling provides easy access to all consumers. In order to ensure information disclosure for consumers in a fair manner, GMO labeling must be on the package, using text and not a QR code, and/or an easily understood symbol to maximize the benefits of required disclosures to all consumers.

(3) Well-established labeling terms, such as GE or GMO must be permitted: USDA proposes to restrict the terms “genetic engineering,” and “GMO,” despite their use for 30-plus years by consumers, companies, and regulators. The term “bioengineered,” and the entirely unfamiliar acronym “BE,” is misleading and confusing. In Japan, the term “GMO” is commonly used. “BE” labeling would be very confusing for Japanese importers. Companies are already out in the marketplace labeling products using the well-established terminology “GMO,” or “GE,” and USDA should permit that to continue. Failure to do this would likely have international trade impacts.

(4) Neutral symbols must be required: The disclosure law permits the use of symbols instead of text. However, two of three symbols proposed by USDA have a “smiley face” and a sun. These symbols can be seen as pro-biotech propaganda. If the products with these symbols were to be imported from the US and marketed in Japan, Japanese consumers might perceive these products in a misleadingly positive way. USDA should eliminate these biased symbol options, and again, must allow the symbol to include the acronym “GMO”.

(5) Ensure future food products made with newer forms of genetic engineering are covered: Companies are currently experimenting with newer forms of genetic engineering, such as gene-editing. Foods such as oranges, cacao, potatoes, soy, and canola “bioengineered,” with CRISPR are in development. USDA must ensure that any foods made with these newer forms of GM are required to be labeled.

(6) Disclosure should not be postponed to 2022: The labeling law requires regulations be finalized by July 29, 2018. However, USDA is proposing that companies may use labels without GMO content information that are printed up to January 1, 2020 until these remaining label inventories are used up, or until January 1, 2022, whichever date comes first. This is an entirely unreasonable delay. Many companies are already labeling. Companies must be required to use GMO content labels by January 1, 2020.

Thank you for your consideration of these comments.