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U.S. House bill seeks to halt states' GM food labeling efforts

'DARK' Act a 'slap in the face of all average citizens,' says Stonyfield's Hirshberg

by *Sustainable Food News*
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Federal legislation introduced Wednesday would prohibit, at both the state and federal levels, mandatory labeling of foods made with genetically modified (GM) ingredients, essentially denying consumers the right to know what's in their food.

Due to cross-contamination and pollen drift, very few products in the United States are completely free of genetically modified organisms (GMOs). More than 90 percent of all soy, corn, sugar beet and canola is now grown using GM seeds.

Estimates put the amount of processed foods containing GM ingredients - including cornmeal, oils and sugars - on grocery store shelves to be over 75 percent with consumers largely unaware of what they are eating.

With some polls showing 93 percent of Americans supporting the labeling of GM foods, it's not hard to see why nearly 30 states have pending legislation and ballot initiatives aimed at requiring mandatory GM labeling.

'DARK Act' spells trouble for pro-GM labeling camp

Introduced by U.S. Rep. Mike Pompeo (R-Kan.), the [Safe and Accurate Food Labeling Act of 2014](#) was quickly dubbed by GM-labeling proponents the "Deny Americans the Right-To-Know Act" (DARK Act), since it would preempt states' rights to legally mandate the labeling of foods nullifying efforts in over two dozen states to require labeling of GM foods.

"The majority of consumers want the right to know what's in their food. The DARK Act would take away this right by making it impossible for the FDA or individual states to ever mandate GM labeling," said Gary Hirshberg, co-founder and chairman of Stonyfield Farm and, chairman of the [Just Label It campaign](#). "This act is a slap in the face of all average citizens who simply want the right to know what we are eating and how it is grown."

Hirshberg and other GMO labeling proponents hailing from groups including Just Label It, the Environmental Working Group and Center for Food Safety, converged on Capitol Hill Monday and Tuesday to meet with more than 100 offices to convince members of Congress, including House Minority Leader Nancy Pelosi, Reps. Joe Courtney, Betty McCollum, Gene Green, Lloyd Doggett, Tim Ryan, Hakeem Jeffries, Grace Meng, Jared Huffman, Carol Shea-Porter, Elizabeth Etsy, George Miller, Suzan DelBene and Rosa DeLauro. The groups also met with Sen. Ron Wyden.

The groups are backing two pro-GMO labeling bills - HR 1699 and S 809 - introduced in April 2013 by Rep. Peter DeFazio (D-Ore.) and Sen. Barbara Boxer (D-Calif.), respectively.

Voluntary labeling system a failure

[Pompeo's legislation](#) would prevent the U.S. Food and Drug Administration (FDA) from enacting any federal GM labeling actions by codifying a 13-year-old voluntary labeling

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enacting any federal GM labeling actions by carrying a 10-year-old voluntary labeling program for GE ingredients in foods. The bill would prevent the agency from requiring firms to disclose the presence of GE ingredients if they attest to them being separated from GM crops, and if the company does not imply that its product is safer than foods containing GMOs, according to the legislation.

If passed, the legislation would require the FDA to develop a maximum threshold for GMO presence in foods bearing a voluntary non-GMO label.

“Voluntary labeling of GE foods has not worked,” said Darren Mahaffy, vice president of marketing at Nature’s Path Foods. “Companies have been able to disclose the presence of GE ingredients since 2001, and not one company has done so. This leaves consumers more confused than ever. It’s time for FDA to require mandatory GE labeling.”

GMOs are 'natural'?

The legislation would also block any attempt by states to make it illegal for food companies to put a “natural” label on products that contain GM ingredients.

“The Pompeo bill will leave consumers even more confused, not less,” said Sarah Bird, chief marketing officer at Annie’s, Inc. “Allowing genetically engineered ingredients to be included in products label ‘natural’ will undermine consumers’ trust in the growing, vibrant natural products industry. This bill sends us backwards in terms of addressing consumer confusion.”

FDA to finalize rule on voluntary labeling of GMOs

Still, the FDA has already signaled its preference for a voluntary approach to GMO labeling. Just recently, FDA Commissioner Margaret Hamburg said the agency plans to soon finalize guidance on the voluntary labeling of GMOs.

“Mandatory labeling really is appropriate when there is a fault claim. The fact that a product contains GE ingredients does not change the material content of the product,” she said during a hearing on Capitol Hill.

Hearings on Pompeo’s legislation are expected this summer.

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