

Consumer Hot Buttons

Is it 'Plain and Simple' or is it 'Pure and Simple'?

Transparency & The Trust Factor

- Why Does It Read Like a Chemistry Assignment?
- Consumers Desire for Recognizable Ingredients
 - 91% of US consumers believe recognizable ingredients are healthier
- Clean(er) Label Presents \$180 billion global opportunity

The Movement Has Reached Washington

- The National Bioengineered Food Disclosure Standard (P.L. 114-216)
- USDA Proposal to Amend 7CFR Part 340 regulation of GE Plants
- Nutrition Facts Panel
 - Vending Machine Labeling, Restaurant Menu Labeling

The Definition of Bioengineering

BIOENGINEERING.—The term ‘bioengineering’, and any similar term, as determined by the Secretary, with respect to a food, refers to a food—
“(A) that contains genetic material that has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques; and “(B) for which the modification could not otherwise be obtained through conventional breeding or found in nature

How is that definition applied?

- “(B) determine the amounts of a bioengineered substance that may be present in food, as appropriate, in order for the food to be a bioengineered food; “(C) establish a process for requesting and granting a determination by the Secretary regarding other factors and conditions under which a food is considered a bioengineered food; “(D) in accordance with subsection (d), require that the form of a food disclosure under this section be a **text, symbol, or electronic or digital link, but excluding Internet website Uniform Resource Locators not embedded in the link, with the disclosure option to be selected by the food manufacturer;**

Rulemaking Timeline

- **January 2017**
 - New Administration
- **Spring/Summer 2017**
 - Electronic Disclosure Study released for comment
 - ANPR published
- **Winter 2017**
 - Public Comments
- **Summer 2018**
 - Final rule published

Part 340

- USDA proposed update to its biotechnology regulations
- 7 CFR Part 340 Regulations
- Regulatory Scope
- Changes to the assessment paradigm
- Gene editing exemption

The Unresolved Issues

- **Definitions**

- Bioengineered food
- Gene editing/Plant breeding
- Highly refined oils/sugars, processing aids, enzymes

- **Disclosure**

- Text/symbol/QR size, location, etc.
- Nomenclature (e.g. GMO, GE, Bioengineered)

- **Organic Consistency**

- Non-GMO

- **Retailer Study**

- Access to broadband

New Secretary. New Questions

- Will the rulemakings be a priority?
- What will be exempted?
- What legal action will be taken pursuant to the final rules?