

## Digest of Comments on Adding BE Sugarcane to List of BE Foods

The Agricultural Marketing Service received 17 responses to its July 24 request for comments on “Updates to the List of Bioengineered Foods.” This *Federal Register* notice asked for comments on several products and noted that AMS presently intended to add sugarcane to the list. However, a separate rulemaking process, with an additional comment period, would be required before AMS could actually add sugarcane.

Several individuals who chose to be anonymous or give only their last names favored adding BE sugarcane to the list, with some evidently confused about exactly what such an addition entails (e.g., one commenter apparently thought it was tantamount to U.S. approval of the insect-resistant trait). Only two commenters, SUA and UNICA, opposed adding BE sugarcane to the list. Two major food trade associations and a major seed trade association commented on other aspects of AMS’s request for comments, but not on BE sugarcane.

The 17 comments were as follows:

- **Anonymous:** Favors adding BE sugarcane to the list. “Plant genetic engineering, the process of inserting new genes and modifying existing ones, promises to turn sugarcane into a more efficient producer of sucrose and novel biofuels and compounds with medical and industrial uses.”
- **Anonymous:** States that he or she has allergies and must be aware of the presence of bioengineering in foods. Does not clearly state support adding BE sugarcane to the list, but context suggests he or she would be in favor.
- **Anonymous:** Favors adding BE sugarcane to the list. Comments favorably about biotechnology and appears to be under the impression that addition to the list constitutes regulatory approval of the trait, although these are two entirely separate processes.
- **Anonymous:** Favors adding BE sugarcane to the list.
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- **Anonymous:** Supports banning BE food.
- **Consumer Brands Association:** No comment on BE sugarcane. Calls for uniform effective date for all additions to list during any two-year period, with 18 months for compliance.
- **UNICA (Brazilian Sugarcane Industry Association):** Opposes adding BE sugarcane to the list. Asserts that currently, insect-resistant sugarcane is being used “primarily to produce more plants for further cultivation, and not for sugarcane processing.” Also states that company developing the variety “recently confirmed to UNICA that it does not currently intend to sell these insect-resistant varieties for commercial cultivation in any other country.” Also argues that sugarcane should not be added since USDA “concluded that sugar produced from bioengineered sugarcane do not contain genetic material from the bioengineered plant and are, therefore, not bioengineered foods.”
- **Smith (first name not given):** Favors adding BE sugarcane to the list.
- **Sweetener Users Association:** Opposes adding BE sugarcane to the list at this time. SUA “requests that AMS delay any rulemaking in this area for at least one to two years in order to

better determine the extent, if any, of actual commercial adoption of BE technology in the Brazilian sugarcane industry.”

- **Sial (first name not given):** Does not specifically mention BE sugarcane but supports “proposed changes in the proposed rule, so context suggests he or she would be in favor.
- **American Seed Trade Association:** Comments on squash, sweet corn and other issues but does not mention BE sugarcane.
- **Anonymous:** Criticizes President Trump but does not comment on AMS document.
- **Wells (first name not given):** Indicates support for “the proposed rule” but does not mention BE sugarcane.
- **Publiee (first name not given):** Criticizes BE foods but does not mention BE sugarcane.
- **SNAC International:** No comment on BE sugarcane. Asks AMS to “establish the effective date so that the corresponding compliance date (18 months later) is spaced with sufficient time following the January 1, 2022 compliance date” and to “provide greater detail on anticipated timing for future updates to the List to provide greater certainty to regulated entities.”
- **Anonymous:** No comment on BE sugarcane; supports use of “modifiers” in labeling.