



# New Food Labeling Standards Bioengineered Foods

## EXTENSION

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Food transparency is of great importance to modern U.S. consumers, especially when it comes to making a purchase decision. To help consumers locate genetically-altered foods in the market place, Congress passed The National Bioengineered Food Disclosure Law in July 2016. Beginning January 2022, it is mandatory to identify food that is bioengineered (BE) or contains BE ingredients.

The National Bioengineered Food Disclosure Law amended the United States Department of Agriculture's, Agricultural Marketing Act of 1946, to establish a "national mandatory standard" for labeling foods that are or may be bioengineered to some degree. The law utilized the word "bioengineered", instead of genetically modified organism (GMO). [Improved science methods now allow for "precise" gene editing of only sections of DNA, versus GMO technology, which utilizes "imprecise" methods of genetic modification of an organism.] In the law, "bioengineered" (BE) was defined as a food that has been genetically modified in a way that could not be obtained through conventional breeding or found in nature. In 2018, the United States Department of Agriculture, Agriculture Marketing Service, (USDA-AMS) announced the new food labeling standard, intended to bring a uniform methodology in displaying if a food is bioengineered or contains bioengineered ingredi-

ents. The Standard requires food manufacturers, importers and certain retailers to disclose on their label if a food or ingredients are BE. This can be done in the form of text, a pre-designed graphic, an electronic/digital link or a phone number consumers can text. The location of the information must be displayed on the food label information panel, adjacent to the manufacturer or distributor information or on the principal display panel.

### Examples of BE food label graphics:

#### Symbol:

Display a USDA approved symbol.



#### Electronic/Digital Link:

"Scan here for more food information" along with a phone number and a statement "Call...for more food information".



### Examples of BE food label text:

#### "Bioengineered food":

Used for single ingredient item or food that contains all bioengineered ingredients.

#### "Contains a bioengineered food ingredient" or "Contains bioengineered food ingredients":

Used for foods that contain combination of bioengineered and non-bioengineered ingredients.

#### "Derived from bioengineering":

Used on highly refined products on a voluntary basis where the food is derived from BE ingredients but the food has non-detectable amounts of genetic material, basically no DNA not normally associated with that particular food.

#### Text Message Disclosure:

"Text [command word] to [number] for bioengineered food information".

## Conclusion

Exemptions exist in the National Bioengineered Food Disclosure Standard. Under the following conditions, BE foods do not need to be labeled: (1) foods served in a restaurant (2) food manufacturers with annual receipts of less than \$2.5 million (3) food certified under the USDA National Organic Program (4) a food that contains 5% or less of each bioengineered ingredient.

An official “List of Bioengineered Foods” is available through the USDA-AMS at the following website: <https://www.ams.usda.gov/rules-regulations/be/bioengineered-foods-list>. Foods/crops on the list: Alfalfa; Apple (Arctic varieties); Canola; Corn; Cotton; Eggplant (BARI Bt Begun varieties); Papaya (ringspot virus-resistant varieties); Pineapple (pink flesh varieties); Potato; Salmon (AquAdvantage®); Soybean; Squash (summer); Sugarbeet. The List is updated annually. It is important for the consumer to understand non-bioengineered forms of all foods/crops are additionally available in the marketplace, just not BE forms.

Information sourced from the USDA-AMS



**Figure 1. Product packaging showing a BE food label.**

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