Bio BIOTECHNOLOGY INDUSTRY ORGANIZATION

Testimony of the
Biotechnology Industry Organization (BIO)

Hearing of the House Committee on Health, Education and Welfare
April 13, 2011

Regarding Rhode Island House Bill 5629:

"AN ACT AMENDING THE RHODE ISLAND FOOD, DRUGS, AND COSMETICS ACT"

The Honorable Joseph McNamara, Committee Chair
The Honorable Grace Diaz, Committee Vice-Chair
And the Members of the Committee on Environment and Agriculture:

Chair McNamara and Members of the House Environment and Agriculture Committee, on behalf of the member companies of the Biotechnology Industry Organization (BIO), please accept our statement in opposition to House Bill 5629.

BIO is a national trade organization, based in Washington, D.C., representing more than 1,200 biotechnology companies, academic institutions, state biotechnology centers, and related organizations across the United States and 31 other nations. BIO members are involved in the research and development of healthcare, agricultural, industrial and environmental biotechnology products. BIO represents virtually all of the biotech seed manufacturers in North America. In Rhode Island, BIO works closely with the BIO Group of the Tech Collective of Rhode Island, the State's own local voice for the life sciences community.

BIO opposes HB 5629 as it is nothing more than a solution in search of a problem. Food labeling requirements should be science-based to give consumers meaningful information about the foods they buy and eat. U.S. law limits affirmative labeling requirements for food to situations where there is a scientifically valid and constitutionally reasonable rationale for protecting the public, such as making nutrition information available to promote healthy food choices or warning about a common food allergen to protect susceptible populations.

Therefore, under current statutes and regulations of U.S. Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA), changes to foods require labeling

1201 Maryland Ave SW, Suite 900 · Washington, DC 20024-2149 · Phone 202.962.9200 · Fax 202.488.6301 · *www.bio.org*

only if the product has been significantly changed nutritionally or if there have been changes in other health-related characteristics of the food (allergenicity, toxicity, or composition). The FDA even provides an extensive website that is meant to "address the labeling requirements for foods under the Federal Food Drug and Cosmetic Act and its amendments". National labeling standards and explanations are readily available to all consumers at http://www.fda.gov/food/labelingnutrition/default.htm.

To require the labeling of foods that are indistinguishable from foods produced through traditional methods would mislead consumers by falsely implying differences where none exist. It also risks diverting attention from important safety and nutritional information. Food companies have the right to voluntarily place claims on their products and often do so. However, federal law is very clear that the burden of truthfulness and non-misleading statements of the claim falls on the food company.

Furthermore, according to the 2010 Consumer Survey by the International Food Information Council (IFIC), consumer satisfaction with current information on food labels remains high. Only 18 percent of consumers supported additional info on food labels, with only three percent supporting the labeling of biotech foods. The majority of Americans support the current FDA labeling policy.

Finally, the labeling requirements in HB 5629 far exceed true customer education, and is designed to apply a misleading 'warning label' to foods that are a produced from a safe and thoroughly regulated process. BIO has and will continue to fully support the law and regulations administered by FDA and USDA that require food labeling to be truthful and not misleading.

We hope you will consider these points and the real impacts of HB 5629.

Respectfully submitted,

Brian O'Connor
Biotechnology Industry Organization (BIO)
202.962.6637

1201 Maryland Ave SW, Suite 900 · Washington, DC 20024-2149 · Phone 202.962.9200 · Fax 202.488.6301 · *www.bio.org*