

June 19, 2012

The Honorable Harry Reid  
Majority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, D.C. 20510

Dear Majority Leader Reid and Minority Leader McConnell,

The Biotechnology Industry Organization (BIO), which represents more than 1,100 biotechnology companies, academic institutions, state biotechnology centers, and related organizations around the world, **strongly opposes the Sanders-Boxer Amendment** (#2310) to the Farm Bill. This amendment would pre-empt the U.S. Food and Drug Administration's (FDA) science-based voluntary food labeling policy by allowing states to implement their own food labeling laws relating to food containing ingredients derived from modern biotechnology. Such an action would defy science that shows seeds and crops derived using modern breeding techniques are safe and would be costly to family farmers, businesses, and consumers.

The Sanders-Boxer Amendment perpetuates a myth that crops and foods derived from modern breeding techniques, such as biotechnology, are unsafe. Science has shown otherwise. Scores of studies published in peer-reviewed journals around the world support the safety of biotech foods, as does the 2004 report by the National Academy of Sciences.<sup>1</sup> A recent comprehensive report on the safety of biotech crops, which included more than 130 research projects by 500 teams at the cost of \$425 million<sup>2</sup>, concluded that "GMOs, are not per se more risky than conventional plant breeding technologies." This study confirms a 2001 European Commission (EC) report of a 15-year study conducted by 400 research labs, in which the EC stated, "the GM plants and derived products so far developed and marketed... have not shown any new risks to human health or the environment, beyond the usual uncertainties of conventional plant breeding. **Indeed, the use of more precise technology and the greater regulatory scrutiny probably make them even safer than conventional plants and foods.**"

Furthermore, the U.S. Department of Agriculture, the FDA, and the U.S. Environmental Protection Agency have all found seeds and crops derived from modern biotechnology to be safe for humans, animals, and the environment. The American Medical Association agrees and believes biotech plants have the potential to improve nutrition, and the World Health Organization says seeds and crops improved using modern biotechnology help developing nations overcome food security problems. Experts indicate that by 2050, the global population will reach 9.1 billion. The Obama Administration's recently published *National Bioeconomy Blueprint*, which recognizes the value of agricultural biotechnology, states that "a growing (global) population and limited arable land require new approaches

<sup>1</sup> National Research Council (2004). *Safety of Genetically Engineered Foods*.  
<http://www.nap.edu/openbook.php?isbn=0309092094>

<sup>2</sup> European Commission (2011). *A Decade of EU-funded Research* [http://ec.europa.eu/research/biosociety/pdf/a\\_decade\\_of\\_eu-funded\\_gmo\\_research.pdf](http://ec.europa.eu/research/biosociety/pdf/a_decade_of_eu-funded_gmo_research.pdf)



to meeting the world's nutritional needs" and that a growing U.S. population needs a new and more potent bioeconomy fueled by innovative ideas and practices that can help secure more sources of food, animal feed, and fiber in more powerful ways.<sup>3</sup>

FDA's longstanding food labeling policy requires food labeling information to be science-based and accurate, not misleading, fraudulent, or deceptive. When FDA concludes that a food made with ingredients derived from modern biotechnology is as safe and nutritious, and can be cooked and handled in exactly the same way as food made with conventional crop ingredients, no special label is required. **Permitting a label for ingredients that do not pose a health issue would incorrectly imply a difference in food safety and undermine consumer confidence.**

However appealing the argument for government-mandated labeling might seem to some consumers who are interested in seed production information, courts have found laws requiring food labeling to be unconstitutional when they simply seek to satisfy this type of consumer curiosity or are designed to serve a marketing purpose. Mandatory food labeling should be reserved for FDA's communication of science-based information relevant to the food's safety, nutrition, and proper handling. According to its own finding, **"FDA has no basis for concluding that bioengineered foods differ from other foods in any meaningful or uniform way, or that, as a class, foods developed by the new techniques present any or greater safety concern."**

**The Sanders-Boxer Amendment would be costly to farm families, businesses, and consumers** by creating a state-by-state patchwork of food labeling requirements that would hinder interstate commerce, disrupt the U.S. farm and food industry, and raise food prices. Additional costs to comply with complex recordkeeping and labeling mandates for businesses would be astronomical, and previous analyses of similar proposals have shown these costs would be passed on to consumers. Further costs would be carried by state governments that would be asked to enforce new rules and regulations.

BIO is committed to the U.S. government's science-based regulatory process, which is why we support the FDA's current voluntary food labeling policy that is based on scientific decision-making and why we strongly oppose the Sanders-Boxer Amendment.

Sincerely,

A handwritten signature in black ink that reads "Jim Greenwood". The signature is fluid and cursive, with the first name "Jim" and last name "Greenwood" clearly legible.

James C. Greenwood  
President and CEO  
Biotechnology Industry Organization

cc: The Honorable Margaret Hamburg, M.D.

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<sup>3</sup> National Bioeconomy Blueprint (2012)  
<http://www.whitehouse.gov/blog/2012/04/26/national-bioeconomy-blueprint-released>