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House Bill 1421 - Food, Drugs, and Cosmetics - Gene Structure- and Function-Modifying Products – Labeling

Committee: Health & Government Operations

DMAA position: Unfavorable

Delaware-Maryland Agribusiness Association represents the nutrient, seed and pesticide manufacturers and local retailers in our state. DMAA opposed HB1421 which would require labeling of “gene structure- or function-modifying products” in a prominent and conspicuous manner along with all potential risks, side effects, adverse effects, and other reasonably possible effects. We interpret this to include food grown from genetically modified seed.

In 2016, Congress passed and President Obama signed into law the Bioengineered Food Disclosure Law that which requires standard national disclosure for all food for human consumption that may be genetically engineered or bioengineered. Food manufacturers, retailers and importers are required to ensure that food products containing genetically modified components be appropriately labeled. The U.S. Food and Drug Administration put forth a consistent symbol, text, QR code and link for labeling.

The Bioengineered Food Disclosure Law also preempts state and local laws requiring disclosure of food produced through genetic modification which this bill seems to propose.

Furthermore, this bill would require labeling of any potential risks, side effects and reasonably possible effects. The U.S. Food and Drug Administration, U.S. Environmental Protection Agency and U.S. Department of Agriculture have since 1986 regulated biotechnology in agriculture including research and commercialization to make seeds and food available. All genetically engineered seed used to grow food undergoes an extensive review process to determine whether they are safe for human consumption. Non-scientific labeling of “reasonably possible effects” creates consumer fear and confusion.

Based on the duplication of this bill and the Bioengineered Food Disclosure Law and its preemption of state labeling laws, DMAA would urge your unfavorable report on HB1421.