

2003

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Recommended Citation

Jean Halloran, *Remarks on Genetically Modified Foods and International Regulation*, 10 Rich. J.L. & Tech 17 (2003).
Available at: <http://scholarship.richmond.edu/jolt/vol10/iss2/12>

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**REMARKS ON GENETICALLY MODIFIED FOODS
AND INTERNATIONAL REGULATION**

Remarks by: Jean Halloran*

Cite As: Jean Halloran, *Symposium: Remarks on Genetically Modified Foods and International Regulation*, 10 RICH. J.L. & TECH. 17 (2004), at <http://law.richmond.edu/jolt/v10i2/article17.pdf>.

{1} I will try and be brief since everybody has heard from me already. I'm just going to talk about something which probably none of you have heard of. Ten or twenty years ago, people had really not heard of it but after GATT, the general arrangements for tariffs and trade, it acquired special status, which was that if you are using a food safety standard in which you can develop byproducts, then it is assumed that your standard is a legitimate one and you cannot be challenged by the World Trade Organization on that standard.

{2} So suddenly this rather sleepy organization and branch of the U.N. that set food safety standards by consensus got catapulted, and it's been trying to grapple the genetic engineering issue. In one area, it has been quite successful, yet in another area, it has not been successful at all. A special committee was created called the Ad Hoc Task Force on Foods Derived From Biotechnology to establish safety standards and setting protocols for evaluating the safety of genetically engineered food. Within a period of what I guess has been three years now, which is really lightning speed for a committee, it reached an agreement on several protocols. It reached agreements on principles of risk analysis, it reached agreements on guidelines for evaluating safety of genetically engineered plants, and probably today as we speak, in Tokyo, they're reaching agreements on a protocol on microorganisms, things used to make beer, yogurt, wine, yeast, bread, and the like. My organization and Consumers International participated actively in those discussions and was very unhappy with the outcomes.

{3} There are also regulations on food labeling where they have tried to develop international consensus on what to do about labeling. After several very contentious years of discussion, about two years ago the organization came up with a draft statement that basically said there are three approaches to labeling foods. One is the U.S. approach, which is no special labeling. A second is what is known as the Australian approach, which is to confirm presence of a GMO through a test and that catches everything with protein or DNA in it. The third is what is now known as the European Union approach, which is comprehensive labeling. Under the European Approach, you label everything if it tests positive, and if you don't have a test for it, then you use a paper trail to confirm whether it's from a genetically engineered source or not.

{4} There was a draft that said that these three approaches exist and essentially said a country could use any of these three approaches. It proved impossible to reach an agreement on that draft, primarily because of the objection of the United States. One has to assume that the U.S. objections have to do with the desire to lay groundwork for a WTO challenge against EU labeling. Otherwise, I would think that they would consider it reasonable to lay out these three approaches and at least regularize international trade in terms of these three approaches.

{5} So, that's where those discussions are stuck at this point, and from the consumer prospective,





Food Biotechnology: A Legal Perspective-Jean Halloran

we think it's unfortunate and really think that perhaps things could move forward better if an agreement could be reached on the labeling as far as safety. Finally, looking at the Ad Hoc Task Force and safety regulations, there was approximately four years of discussions about a footnote on traceability, and after great effort, an agreement was reached on a sentence that said that product tracing can be used as a tool in risk management. This was in fact quite a breakthrough and allowed agreement on that document, so we hope that that can be a basis for an international agreement in that area. Thank you.

* Jean Halloran serves as the Director of the Consumer Policy Institute (CPI), a division of Consumers Union, the publisher of Consumer Reports. With over twenty years of experience in dealing with public issues, her work at CPI has included dealing with projects on food safety, biotechnology, hazardous pharmaceuticals, toxic chemicals and health care for elderly and poor consumers. She is currently on the Steering Committee of the Genetic Engineering Action Network (GEAN) USA, formed in 1999 to promote mandatory labeling and safety testing. She also helped to organize the Transatlantic Consumer Dialogue (TACD), a coalition of groups in the U.S. and Europe which call for safety and labeling of genetically modified foods. Ms. Halloran has spoken widely on genetically modified foods and other food safety issues. Ms. Halloran came to CPI in 1981, after serving on President Carter's Council on Environmental Quality. She received her B.A. with Honors in English Literature from Swarthmore College in 1967.