

**Joint Letter and Briefing from the Canadian Organic Sector
to the Minister of Agriculture**

*Transparency and Traceability for Organics:
The need for government oversight of a mandatory listing for all
genetically engineered seed and feed in Canada*

November 15, 2022



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Delivered electronically

The Honourable Marie-Claude Bibeau, P.C., M.P.
Minister of Agriculture and Agri-Food
1341 Baseline Road, Ottawa ON K1A 0C5
aafc.minister-ministre.aac@canada.ca

RE: Joint briefing from Canadian Organic Sector on transparency and traceability of genetically engineered seed and feed in Canada

Dear Minister Bibeau:

The Canadian organic sector is united in urging Agriculture and Agri-Food Canada to implement a mechanism for the creation of a comprehensive listing of all seed and feed originating from plants that have undergone gene-editing. The listing should be mandatory for all manufacturers and have federal government oversight.

Recent proposals to update regulatory guidance around the notification and safety assessments related to Part V of the *Seeds Regulations* pose a major risk to undermine the credibility, transparency, and ultimate survival of organic farms, operations, and the organic system in Canada. We have attached a briefing document to further explain the detrimental impact these changes would have on the organic sector and our recommendations to resolve the issue.

We greatly welcomed your recent statement that *“The integrity of the organic certifications must be guaranteed at the end of the work and that is a very clear directive that I gave to the agency”*.

As the assurance system of organic is the foundation of organic, we are anxious to resolve this issue and recommend practical solutions that will protect our equivalency arrangements, Canada’s reputation and allow the continued viability and growth of the sector to meet consumer demands.

On behalf of the organic sector in Canada, we respectfully request a meeting at your convenience to discuss this important matter further. Please communicate with My-Lien Bosch at mbosch@canada-organic.ca or by phone at 613-482-1717 ext. 208 to set up a meeting with our delegation. Thank you for your consideration.

Sincerely,



Tia Loftsgard
Executive Director, Canada Organic Trade Association

Cc:

Donald Boucher, Director General, AAFC
Francis Drouin, Member of Parliament
Ashok Menghi, National Manager, CFIA
Valeriya Staykova, Lead Auditor, CFIA

Joint Briefing from the Canadian Organic Sector

Transparency and Traceability for Organics: The need for government oversight of mandatory listing for all genetically engineered seed and feed in Canada

SUMMARY

Current Canadian Food Inspection Agency (CFIA) proposals for updating regulatory guidance on whether a plant is subject to *Part V of the Seeds Regulations* pose a profound risk to the economic viability and ultimate survival of the organic sector in Canada. Organic farmers and food businesses require transparency and traceability of all genetically engineered (GE) seed and feed, as defined in the Canada Organic Standards.

BACKGROUND

Organics is an economically important and fast-growing sector

Canada is a world leader in organic. In 2021, the Canadian organic sector (comprised of 7,998 certified operators) generated annual sales of over \$9.35 billion dollars, with more than 180,000 metric tonnes in export. The value of the global organic marketplace is greater than \$163 billion and provides a huge economic opportunity for Canadian companies to meet the strong demand for organic. Canada is the 5th largest consuming nation worldwide accounting for 4% of organic sales, with 2/3rds of Canadians purchasing organic each week, spending an average of \$184/week on organic food. Regulations in Canada and the development of a trusted Canadian organic brand are fundamental to the recognition and credibility of domestic organic products and with Canada's trading partners.

The organic sector benefits Canadians by contributing to a strong economy and sustainable agriculture sector.

The Canada Organic Standards prohibit the use of genetic engineering

One of the key underlying principles of organic production globally is the prohibited use of genetic engineering (GE) which, as defined in the Canada Organic Standards, includes gene-editing techniques. These criteria, outlined in the Organic Standards (clause 1.4 of CAN/CGSB-32.310), are expected to be maintained at all stages of production, from the development of seed to the final consumable product. Organic certification is an international assurance system that is regarded by domestic and global government partners and consumers as the most reputable sustainability product claim.

IMPACTS ON TRANSPARENCY & TRUST

Proposed guidance updates would obstruct traceability

In 2021 consultations and subsequent 2022 post-consultation communications, the CFIA proposed regulatory guidance updates for determining whether a plant is subject to Part V of the *Seeds Regulations*. The updates as currently proposed would result in a loss of CFIA regulatory authority over many new GE seeds and a resultant loss in transparency and traceability in the supply chain. The presence of foreign DNA in seeds is proposed as an explicit regulatory trigger. This means that those genetically engineered

seeds that have no foreign DNA would be exempt from Part V if product developers also deem that they do not pose an environmental safety risk as outlined by the five pillars of CFIA. Because these GE seeds would not be defined as “Plants with Novel Traits” (PNTs) and therefore not be subject to Part V, they would also not be listed by the CFIA as approved PNTs.

All the genetically engineered seeds currently sold in Canada have been regulated as PNTs, allowing the organic sector to track GE seeds in the market (because the PNT listing also notes which products are “Living Modified Organisms” and provides basic information including the name of the product developer). The current proposal to rely on product developers to voluntarily disclose all of their GE seeds intended for sale (those not subject to Part V/unapproved by CFIA) will result in a critical loss of transparency, traceability and ultimately, organic certification and sales.

The need for reliable GE seed identification

In the organic value chain, there is no tolerance for contamination with genetically engineered products. Past GE contamination events (with GE canola and GE flax, as examples) have decimated the organic market for these products domestically and internationally.

The organic industry in Canada must be able to identify food and seeds produced with gene-edited techniques, to meet domestic needs, as well as the certification requirements for global trade. This identification must be reliable and consistent.

Without the risk management tool of reliable mandatory identification, the impacts are:

- damage to Canada’s reputation abroad if sensitive markets consider that Canada is not able to ensure organic integrity
- overall loss of public trust of the Canadian organic sector and the Canada Organic Regime, which would impact organic equivalency arrangements and sales
- high risk of unintentional contamination or fraud through GE seed or feed being introduced into the organic supply chain
- loss of organic certification necessary for the export and trade of Canadian organic products
- limitations to the federal government’s GE seed and feed traceability capabilities if a recall or other actions are required

PROPOSED SOLUTION

To guarantee the integrity of Canada’s organic systems and certifications, resolving the issues identified must involve a mechanism that includes all of the following:

1. Require the clear identification of GE seed and feed
2. Require the mandatory participation of all seed and feed developers
3. Be regulated by the federal department, as many consumers and foreign jurisdictions require oversight from a national authority to be credible

The Canadian organic sector is calling for the creation of a special committee of government officials to define options and implement a solution to the problem. The sector is fully prepared to work with all parties to ensure a mandatory identification system for GE products meets the requirements to protect the organic sector with a framework that recognizes innovation and risk-based decision-making.