

## **Codex Task Force Report and Comments:**

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The Codex Task Force meeting on Biotechnology has ended and the current round of the discussions is over. Japanese consumers are concerned about the issues under discussion regarding food from GMO animals as well as the GM contamination problem.

During the Codex TF meeting held here in Japan, Consumers International stated its position that CI is against the use of antibiotic resistant marker genes in animals, and that they should not be allowed. In fact, the current Codex language on the controversial marker genes is already five years old, based on science that is even older. Japanese consumer delegates feel strongly that all antibiotic resistant marker genes should be banned totally.

The current text for animals is similar to the guideline for plants. We feel even more strongly that in the case of animals, there are ethical considerations that must be taken into account. The fact that “Other Legitimate Factors” (OLF), such as ethical concerns, environmental issues and animal welfare problems are not clearly mentioned in the text is a very big problem. Any attempts to refer OLFs to be dealt with by other international organizations are also insufficient as we have no idea about their willingness or capability in this field.

Another topic was a text about foods modified for “nutritional and health benefits”. We were especially watching how Codex would deal with foods engineered for a health concern, in case the food is also lower in other nutrients. In case a GM food is promoted as having health benefits, consumers may be misled to eat a less healthy diet based on false and misleading claims. In addition, it is likely that unintended or unexpected effects will occur. Terms such as “nutritional disadvantage” or “nutritional risk” were suggested, but finally, the term “adverse nutritional effects” was agreed upon by the delegates, and the Codex language is as follows:

*When evaluating the exposure, it is appropriate to consider information on whether the composition of the modified food could lead to adverse nutritional effects as compared to consumption of the food that it is intended to replace.*

Finally, the biggest issue of the entire Codex TF meeting: How should countries deal with normal foods that have been contaminated with GM traits? We feel that this issue should not be covered by Codex at all. Each importing country should be able to make its own rules without fear of a WTO challenge.

The United States and other food exporting countries have tried to water down the proposals at previous meetings, but in the end, countries agreed to language that in some cases should make it possible for importing countries to control GM contamination.

For example, if a US company accidentally exports soybeans that are found to be contaminated with Roundup Ready soy, then the importing country can ban the import and make sure such foods are not sold to consumers. Since this only applies to GM traits that have been approved, countries can actually apply their own rules to crops such as Bt10 corn or LL601 rice. Since they have not been approved in any country, they are not covered by Codex standards or guidelines, which means importing countries will not face a WTO challenge if they stop the import.

Interestingly, since the United States only has a sloppy “voluntary safety consultation” system for GM crops, foods from the US can still be banned if they are found to be contaminated with low levels of GM traits. An important victory is that countries should be able to access a database with detection method protocols and DNA reference material. This is a key point when dealing with GM contamination, but we feel that the data that will be made public is probably going to be very limited. For example, biotechnology companies are already limiting access to a large amount of data on genetic modification that they claim is industrial secrets.

There will not be a fourth meeting of the Codex TF since all the documents could be completed, and they will be sent to Codex for approval (at Step 5/8). From our perspective, irregardless of whether this Codex guideline is approved or not, we will not eat GM foods, and make every attempt to stop genetic modification of animals for food production.

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