To:
Hakuo Yanagisawa, Minister of Health, Welfare and Labour
Chieko Ikeda, Director of the Office of International Food Safety, MHWL

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Regarding the Japanese government's comments for the Codex biotechnology meeting

On September 24-28, 2007, the TFFBT will be held at Makuhari, Chiba in Japan. The following items regarding the provisional Agenda Item 6 will be discussed. Each country is asked to submit comments before the July 20 deadline. Consumers and citizens organizations, hoping that the Codex standard will truly protect consumers, are asking the Japanese government to take the following points into account.

Demands:

We think that it is basically impossible to make a safety evaluation of foods derived from GM animals using substantial equivalence. There are many difficulties when basing the discussion regarding health and enhanced nutritional properties of GMOs on conventional plants. For example, the safety assessment of pigs with inserted genes from spinach, or the salmon with additional growth hormone effect, will not be substantially equivalent to food from ordinary pigs or salmon. These are new living organisms that have never previously existed on Earth and such species should undergo a completely new safety evaluation. Specifically, genes from bacteria and virus are often used as vectors. We are concerned about the risks associated with using such methods for GM animals. When the nutritional aspects of the GM food are altered, unexpected effects and genetic instability may occur. Consequently, the Japanese government should base its comments on the concerns of consumers and citizens, and consider the following facts:

Regarding the TFFBT discussion of the Guideline for the conduct of food safety assessment of foods derived from GM animals (provisional Agenda Item 4): As long as there is a risk related to marker genes that are resistant to antibiotics, in order to guarantee the safety of consumers, no matter whether other alternative technologies exit or not, the precautionary principle should be adhered to, and antibiotic resistant marker genes or reporter genes should be banned. In paragraph 64 of the same draft Guideline, regarding the case when alternative technologies exist, we do not think it is sufficient to limit the use of antibiotic marker genes to the case when they have been removed from the final product. We feel that the current view of food safety is based on making industry profit possible, which is contrary to the basic purpose of Codex, which is to “protect the health of consumers”.

The report of the FAO/WHO Joint Expert Consultation (CX/FBT 07/7/3 Add. 1 June 2007) notes that many non-antibiotic resistant marker genes exist. However, when we apply antibiotic resistant marker genes to foods, we must perform animal experiments to prove its safety. In the case of non-hereditary applications, virus vectors are often used. In such cases the virus are causing mutations, and there is a risk that harmful substances will be produced.

Regarding provisional Agenda Item 5, (Food Safety Assessment of Foods Derived from Recombinant-DNA Plants Modified for Nutritional or Health Benefits) the Japanese government should emphasize that it is impossible to evaluate the safety of such foods just by applying the GM Plant Guideline. The reason is that for such foods, there are no conventional counterparts, so it is impossible to use the principle of substantial equivalence. We consider that such nutritionally altered foods and foods intended to be healthy are close to medical products. We think the

Japanese government should insist on strict long-term animal testing as part of the Codex standard for such foods.

In the discussion of provisional Agenda Item 6 (Food Safety Assessment of Foods Derived from Recombinant-DNA Plants on Low-level Presence of Recombinant-DNA Plant Material) the Japanese government should emphasize that for food-importing countries, contamination of GM food which has not been approved in the importing country, is considered illegal and such emergency cases should not occur. The Japanese government should also add a point in the Codex Guideline text that in the case of low-level contamination, the importing country (especially developing countries) should not be under pressure from the exporting country (such as the BSE case when the United States has applied strong pressure on countries to accept US beef products). Furthermore, we insist that the Japanese government should make sure that exporting countries and exporting companies should disclose all information, including DNA detection technology, as soon as the importing country has first approved a product, under a “Data Information Joint Ownership System”.

(Signed)

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