

AB 88 – LABELING GENETICALLY ENGINEERED FISH

Assemblymember Jared Huffman

Coauthors Assemblymembers Allen, Ammiano, Blumenfeld, Chesbro, and Monning

IN BRIEF

AB 88 would require labeling of any genetically engineered fish or fish products sold in California.

BACKGROUND

A proposal to approve, genetically engineered salmon for human consumption is currently pending before the U.S. Food and Drug Administration (FDA). If approved, it would be the first genetically engineered animal approved for sale for human consumption. In the event the sale is approved by FDA, to inform California consumers AB 88 would require labeling of any genetically engineered salmon, as well as any future genetically engineered fish and fish products, sold in California.

Genetically engineered fish and fish products could pose serious risks to wild fish populations, many of which are currently threatened or endangered. Proponents acknowledge that genetically engineered fish could remain fertile and be able to mate with wild fish if they escape. Each year millions of farmed salmon escape and pose threats to wild populations through spread of disease and competition.

Research indicates that consumers overwhelmingly want to know whether the food they purchase and consume is genetically engineered for a variety of reasons, including risks to our native fish species; the potential transfer of allergens and other health risks; concerns about potential environmental risks; and religiously or ethically based dietary restrictions.

Given the environmental concerns, as well as other personal, health and societal concerns, consumers should be able to choose whether or not to buy genetically engineered fish and fish products, even if genetically engineered salmon is approved by the FDA.

Labels placed on salmon can provide consumers with adequate information on whether the salmon they are purchasing is genetically engineered without misrepresenting the nutritional value or any other attribute associated with the salmon. Without labeling, consumers may unknowingly purchase genetically engineered salmon despite lingering concerns. Consumers should have transparency so they can make informed decisions about the salmon they buy. California has an established policy to ensure consumers have knowledge about food choices based on the disclosure of information concerning the makeup of that

food or how the food was produced. For example, organically grown food sold in California is labeled or sold as “organic” to inform consumers how that food product was grown.

THE PROBLEM

The FDA has stated publicly that it does not think labeling for genetically engineered foods is necessary because it does not consider genetically engineered foods to be materially different from conventionally grown foods.

In September 2010, the FDA considered a decision to approve genetically engineered salmon. A decision to approve this hybrid farmed Atlantic salmon as the first genetically engineered animal for human consumption is a risky precedent and a threat to the future of California wild salmon. Approval and commercial use of this transgenic fish poses serious risks of harm to the environment and biological diversity around the world. There is also a lack of publicly available research or a comprehensive national framework to address the full suite of environmental concerns of genetically engineered salmon.

Scientists from both the Fish and Wildlife Service and the Department of Interior expressed concerns to FDA over the agency’s review of environmental impacts and risks, saying the FDA fell short in providing a reliable environmental risk assessment.

If the FDA approves genetically engineered salmon for sale for human consumption, these fish products should be labeled to inform California consumers. Approval of genetically engineered salmon could also set a precedent for approval of other genetically engineered animals in the future without any clear label informing consumers.

THIS BILL

AB 88 would require labeling on any genetically engineered fish or fish products, as defined, sold in California. The bill classifies as “misbranded” any genetically engineered fish or fish product that is not conspicuously labeled as genetically engineered, and thereby makes it unlawful under the Health and Safety Code for any person to manufacture, sell, deliver, hold, offer for sale, or receive in commerce any genetically engineered fish or fish product that is not labeled.

SUPPORT

California State Grange (sponsor)
Center for Food Safety (sponsor)
Ocean Conservancy (sponsor)
American Anti-Vivisection Society
Blue Ocean Institute
Bon Appétit Management Company
Breast Cancer Action
California Advisory Committee on Salmon and Steelhead
California Church Impact
California Trout
California Coastal Protection Network
California Coastkeeper Alliance
Center for Environmental Health
Clean Water Action California
Coast Action Group
Coastal Environmental Rights Foundation
Commercial Fishermen's Organization of Morro Bay
Community Alliance with Family Farmers
Consumers Union
Crab Boat Owners Association
Defenders of Wildlife
Dixon Ridge Farms
Farm Sanctuary
Fishermen's Marketing Association of Bodega Bay
Food & Water Watch
Friends of the Earth U.S.
Golden Gate Fishermen's Association
Half Moon Bay Fishermen's Marketing Association
Heal the Bay
Humboldt Fishermen's Marketing Association
In Defense of Animals
Institute for Fisheries Resources
Institute for Responsible Technology
Monterey Bay Aquarium
Monterey Fisherman's Marketing Association
Moss Landing Commercial Fishermen's Association
Natural Resources Defense Council
New Leaf Community Markets
Ocean Beach People's Organic Food Market
Oceana
Organic Farming Research Foundation
Pacific Coast Federation of Fishermen's Associations
Pacific Environment
Paw PAC
Port San Luis Fishermen's Association

Pro-Troll Fishing Products
Salmon Trollers Marketing Association
San Diego Coastkeeper
Santa Cruz Fishermen's Marketing Association
Sierra Club California
Small Boat Commercial Salmon Fishermen's Association
Southern California Trawler's Association
South Yuba River Citizens League
Trout Unlimited

OPPOSITION

BIO
CalChamber
California Farm Bureau
California Grain and Feed Association
California League of Food Processors
California Seed Association
Grocery Manufacturers Association
Western Plant Health Association

FOR MORE INFORMATION

Paige Brokaw, (916) 319-2715
Paige.Brokaw@asm.ca.gov