

Backgrounder

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Improving the Regulation of Genetically Modified Foods and Other Novel Foods in Canada Report to the Government of Canada Biotechnology Ministerial Coordinating Committee

At its inaugural meeting in October 1999, the Canadian Biotechnology Advisory Committee (CBAC) identified the robustness of Canada's systems for assessing and regulating the application of biotechnology innovations as a topic requiring study and evaluation. CBAC identified three sub-topics for special consideration: the science base underpinning the regulatory system, the governance and organization of regulatory processes and the social, ethical, legal, economic and environmental aspects of food biotechnology.

In December of 1999, following consultations with CBAC, the Minister's of Health, Agriculture and Agri-Food, and Environment announced their intention to establish an Expert Scientific Panel on the Future of Food Biotechnology. Its mandate was to provide Health Canada, the Canadian Food Inspection Agency and Environment Canada with advice on Canada's regulatory system and the scientific capability that the federal government required into the 21st century to ensure the safety of new food products being developed through biotechnology.

Given the proposed establishment of an Expert Scientific Panel, CBAC concentrated its own efforts on the governance and organization of regulatory processes and on the social, ethical, legal, economic and environmental aspects of food biotechnology.

In early 2000, CBAC initiated a research program on the regulation of genetically modified (GM) foods. Following discussions with a reference group of stakeholder representatives, the committee began a series of public consultations based on a widely distributed consultation document. Roundtable discussions were held in five cities across Canada attended by more than 90 members of various stakeholder groups. Some environmental groups decided not to participate in the consultation process, but their views on various issues were accessible by other means.

After deliberating on the input received during the consultations, CBAC in August 2001 released an interim report containing draft recommendations and solicited comments from all interested parties. The comment period closed January 31, 2002.

The current report represents the views of the committee on improving the regulation of genetically modified foods and other novel foods after having taken into account the results of commissioned policy research studies, sector roundtables, review of public opinion research, multi-stakeholder consultations, the work of the Expert Scientific Panel of the Royal Society, and responses to the Interim Report of August 2001.

The observations and recommendations in the report are organized under four main themes:

Good Governance: Good governance is the key to a regulatory regime that is efficient and effective in protecting the health and safety of citizens and the environment. Under this theme, the report deals with legislative accountability, effective separation of regulatory functions and improved communications with the public. The multiple responsibilities of the federal government relative to foods, as in many other areas, include both regulatory and promotional functions, however, the government currently does not provide clear information explaining how GM foods are regulated and decisions made, the roles of the regulatory bodies, or the information considered during safety assessments. Therefore, CBAC recommends that the government enhance the system's accountability and communication with the public, in part through the creation of a single authoritative spokesperson to oversee and coordinate the communication of government policies and practices with regard to GM foods and through increasing public involvement in the decision making process.

Precaution: Precaution is the cornerstone of an approach to the regulation of GM and other novel foods when knowledge is incomplete

With the exception of one member, CBAC supports Canada's approach in which plants and foods with novel traits are subject to rigorous regulatory assessments whether the novel traits are introduced through modern approaches to genetic modification or by other means. The committee endorses the precautionary approach to risk management currently utilized in Canada and recommends that:

- \$ An examination of existing standards be undertaken to ensure that research is being done in a precautionary manner, and that a study be conducted to determine whether the guideline approach to regulation in this area is effective or whether stronger measures are required;
- \$ The government strengthen its commitment to basic research into long-term health effects related to the consumption of specific foods, including GM products. That it initiate a comprehensive food consumption data program for both conventional and GM foods, and that this new information be incorporated into regulatory decisions and risk management strategies; and
- \$ Auditing programs be implemented at both the field-testing and post-approval stages to ensure compliance with risk mitigation measures.

Information and Consumer Choice: Respect for diversity and autonomy entails allowing consumers to make informed choices regarding the foods they eat. To enhance consumer choice, CBAC recommends that:

- \$ A centralized consumer food information service be established to provide information on all aspects of foods and food production, including relevant laws and regulations, research and development activities, current scientific knowledge, perspective on ethical and social issues, and ways citizens can help develop policies; and
- \$ The federal government adopt a voluntary system of labelling for GM foods for matters other than health and safety, and that five years after a Canadian standard has been implemented that it be evaluated to determine whether it has been effective in providing choice to consumers. (One member of the committee expressed a strong preference for a mandatory labelling system.)

Broader Social and Ethical Considerations: There are social and ethical aspects of public policy related to GM foods beyond those that relate specifically to the foregoing themes. They include aspects pertaining to international cooperation and potential impacts on the developing world.

The government is called upon to consider the important ethical issues that are not explicitly taken into account in the regulatory approval system or in the development of policy on GM foods. These are complex matters involving principles of justice and beneficence, respect for cultural diversity and traditional knowledge, religious convictions and beyond. The dialogue between those who support GM crops and foods and those against them is hindered by a lack of suitable tools to consider systematically, and evaluate on an ongoing basis, the social and ethical factors that influence public acceptability of a specific food or technology. Therefore CBAC recommends that approaches and mechanisms be developed to facilitate dialogue on social and ethical issues, to support initiatives for clarifying the issues and options, and to develop suitable policies in both the domestic and international arenas.

CBAC is a body of external experts in the fields of science, business, nutrition, law, the environment, philosophy, ethics and public advocacy, established by the Government of Canada to provide public policy advice on a range of biotechnology issues. CBAC reports to the federal ministers of Health, Agriculture and Agri-Food, Environment, Natural Resources, Fisheries and Oceans, Industry, and International Trade.