

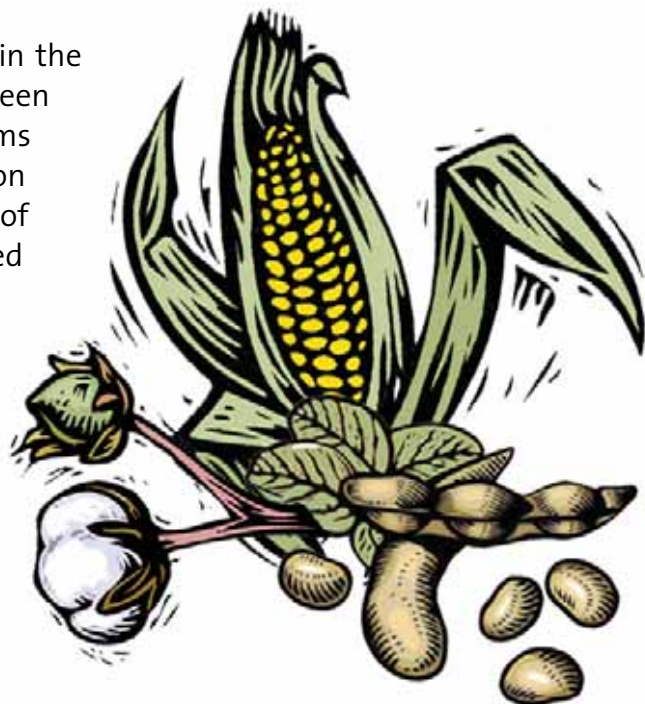
Labelling of genetically modified food in South Africa

Food labelling – your 'right to know'

It is a consumers' right to know what is in their food and to make informed choices about what they eat. Yet, South Africans have been eating genetically modified (GM) food for more than a decade without their knowledge or consent. The producers of genetically modified (GM) foods say that these foods are perfectly safe, but many scientists disagree and consumers do not want to take the risk. About 40 countries in the world label GM foods or have banned them altogether.'

Health is not the only concern that consumers have – some people don't want to buy GM food because they have religious or ethical concerns. For example, some people feel that moving genes from one species to another is tampering with God's creation. Others do not want to support the large corporations that are gaining control over our food supply and undermining small-scale and natural farming systems. Consumers want to know if their food is genetically modified for a wide variety of reasons and it is their right to know.

When the biotechnology industry talks about GM foods in the media they often say that people in South Africa have been eating these for ten years without there being any problems with people's health. This statement is not based on scientific facts because no one has monitored the effect of GM foods on our nation. GM foods have not been labelled in this country, so if someone does fall sick as a result of eating these foods, there is no way of tracing the illness back to the GM food consumed. Many scientists also believe that if GMOs do cause problems, it could take many years for symptoms to show, and in some cases it may only show up in the next generation.



GMOs in South Africa Series

What foods are genetically modified in South Africa?

- Maize – e.g. mielie meal, breakfast cereals containing maize, corn chips. Many processed products will also contain maize as an additive, especially as a thickener. Whenever you see maize on a label it may be GM because as much as 77% of maize in South Africa is GM.
- Soya – e.g. soya milk, soya mince. Many breads and cereals contain soya. It is also the basis for many food additives, for example, lecithin is a common one.
- Cotton – cottonseed oil is used in some processed products, as the oil in canned seafoods and to fry fast foods.
- Canola – e.g. cooking oil or margarine. South Africa does not grow GM canola but may import these processed Canola products from the USA or Canada.

There are no GM fruit or vegetables on the market. The above foods are the only ones containing genetically modified crops that are allowed to be grown in South Africa.

GM Labelling in South Africa

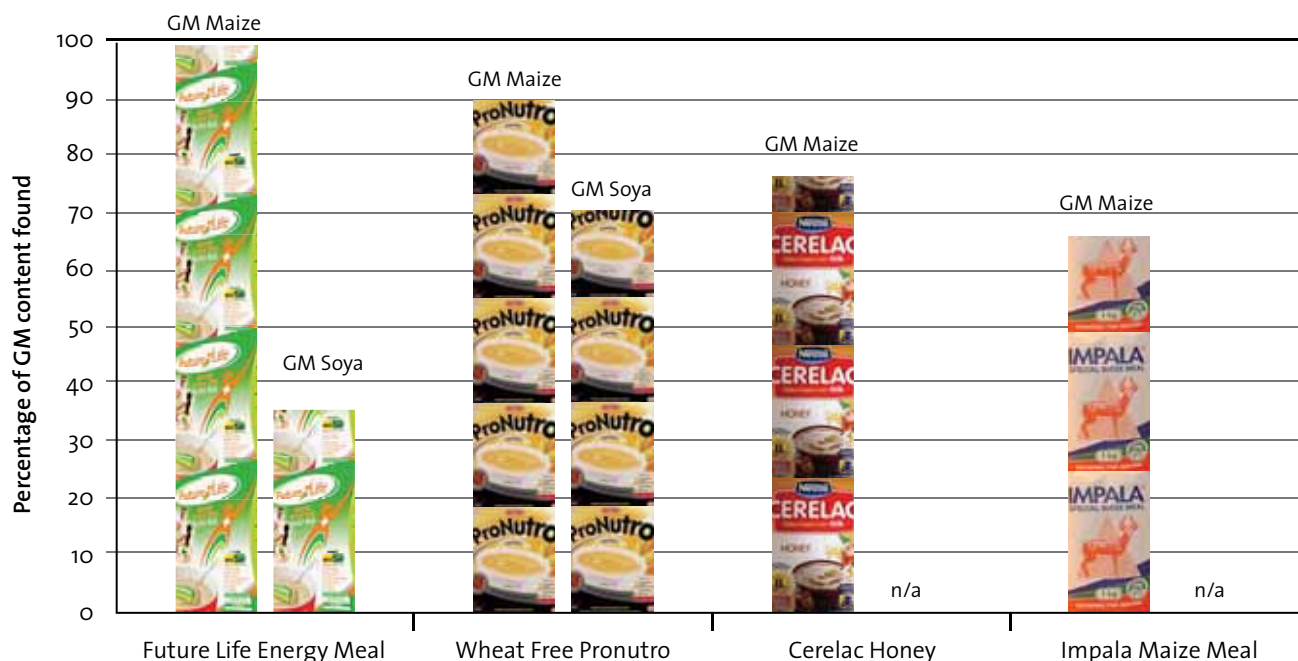
South Africans have been eating GM maize, soya and products preserved or containing GM cotton seed oil for more than a decade without even knowing it. This is because up until 2011 there was no obligation to label GM foods and provide consumers with information to make a choice. This changed in 2011 when the Consumer Protection Act came into force. According to the law, all foods containing 5% or more GM content must be labelled.

Despite this law, only a handful of companies are beginning to label, the majority are not.

GM Maize and Soya content in four tested products

In March 2012, the ACB had four products tested for GM content - Cerelac Honey infant cereal, Wheat Free Pronutro, Impala Maize Meal and Future Life Energy Meal. They found very high levels of GMOs but no label!

Graph showing the percentage of GMO content found in popular foods tested by the ACB



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The ACB sent a formal letter to the National Consumer Commission (NCC) alerting it to these results. We also sent an attorney's letter to the Consumers Goods Council of South Africa (CGCSA), as well as the four companies whose products were tested, asking that they comply with the law and label their GM products. The ACB warned that it would lay a formal complaint with the NCC if they failed to start labelling.

The Consumer Goods Council responded to the ACB in a press release, saying that the food industry is not under any obligation to label GM food because the Consumer Protection Act is not clear as to whether the law applies to processed food.² The CGCSA claims that the labelling laws only apply to live GMOs such as whole kernels of maize. This view means that majority of the food containing GMOs on our market will not be labelled.

Consumers in South Africa have also been pressurising food producers and the NCC to ensure immediate labelling. During June 2012, the NCC established a task team made up of various government departments involved in GMO decision making. The job of this task team is to assist the NCC to draft guidelines that will state exactly what food must be labelled. If these guidelines limit the labelling laws only to live GMOs, then the ACB will seek legal assistance to gain the view of our courts.

The ACB has obtained legal advice on the law and in our opinion it is clear that all foods and products containing over 5% GM content must be labelled.

What the GM labelling laws provide

From 1 October 2011 food producers, importers and packagers are required to label foods that contain GMOs or are derived from GMOs with one of three mandatory labels.

Mandatory labels:

- Contains GMOs - if there is 5% or more GM content. For example, if the cereal in Kellogg's corn flakes are made up of 5% or more GM maize.
- Produced using genetic modification - when the food comes directly from a GM source. For example, mielie meal produced from GM maize.
- May contain GMOs - when the manufacturer can show that it is impractical to test and suspects that it is GM.

We are not happy about this 5% threshold because many food products that contain small amounts of GM soya such as lecithin in chocolates, may escape labelling.

Food producers can also use the following voluntary labels:

Voluntary labels:

- Does not contain GM content – if there is less than 0.9% GM content
- GM content is less than 5%

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Labelling exemptions and restrictions

According to the law the following are not labelled:

- Animals that are fed on GM foods, for example GM grain-fed chickens.
- Products from animals fed on GM feed, such as eggs from GM fed chickens.

Food producers may not use the label “GM Free” if there are no corresponding GM products available. For example, labelling GM tomatoes “GM Free” is problematic because GM tomatoes are not available and therefore all tomatoes are GM Free.

Responding to claims made by the GM industry

The GM industry has fought the labelling of GM foods in SA tooth and nail. AfricaBio, a South African based pro-GM lobby group say that the law gives a false impression that there are health risks associated with GMOs. They also claim that such a law prevents starving Africans from accessing a technology that is desperately needed.

The false reasons given by the biotech industry for not labelling include the following:

Industry false statement: “don’t label because: South Africans have been eating them with no ill effect “

In a statement on the labelling law, AfricaBio claims that, “in the past 14 years [that] biotechnology products have been commercially available in South Africa, there has been no evidence that such products, which are thoroughly evaluated, have had any adverse effects on humans and animals”.³

This statement is untrue for various reasons:

- No one has checked what impacts eating GMOs has had on our population. There have been no studies carried out. In addition, without any labelling, consumers can never link health problems to eating GMOs because they don’t know what they are eating.
- GM foods are not thoroughly evaluated. A GM company like Monsanto applying for a permit prepares the safety tests and hands this to government authorities. Independent assessment of this safety data is difficult because much of it is protected under Confidential Business Information legislation. No independent experiments are done. Many scientists believe that the current risk assessment procedure does not look hard enough for problems.

Industry false statement “don’t label because: GMOs have been declared safe”

AfricaBio claims that “generally, food products are labelled when there are nutritional value, health and safety concerns”. They go on to say that because GMOs have been accepted as safe by government there is no need to label them.⁴



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This statement is also not true, for example, 'halaal' and 'kosher' labels have nothing to do with safety; these labels are about consumer choice. Don't forget that all ingredients listed on products today have been declared safe for sale by our government, or they would not be allowed on the shelves. Despite this, we know that some of these are not healthy foods or are foods that consumers reject on ethical or environmental grounds. Labels allow consumers to decide for themselves what they believe to be healthy and acceptable foods.

Industry false statement: "don't label because: if consumers reject GMOs Africans will not access the technology".

AfricaBio tries to emotionally blackmail consumers into eating GMOs by saying that labelling "will have negative consequences on food security, as these modern technologies have been proven to have a huge potential to increase agricultural productivity for farmers".⁵ Their argument is that if GM foods are labelled, consumers might boycott them. If the products are boycotted, the technology will not be made available to farmers and they will not be able to produce good yields.

In truth, AfricaBio and the GM industry that it represents are very worried that labelling will have a negative impact on their bottom line: the profits that companies like Monsanto make.

They are worried that the "enabling environment for trade in biotech products" which they have shaped in South Africa will be "jeopardized by the Consumer Protection Act mandatory labelling requirements".⁶ Will the Consumer Protection Act ultimately protect Consumers or Industry?

To lodge a complaint about the lack of GM labelling contact:

National Consumers Commission of South Africa

National Consumers Commissioner:

Tel: 086 026 6786

Fax: 086 151 5229

References and notes

- 1 Gruere G.P, and Rao, S.R. (2007). **A Review of International Labeling Policies of Genetically Modified Food to Evaluate India's Proposed Rule.** *AgbioForum*, 10(1):51-64
- 2 Consumer Goods Council of South Africa. **2012 CGCSA's Response To The African Center For Biosafety Regarding Product GM Labelling And Trade Descriptions Dated 23rd Of March 2012.** http://www.cgcsa.co.za/index.php?option=com_content&view=article&id=151:cgcsas-response-to-the-african-center-for-biosafety-regarding-product-gm-labelling-and-trade-descriptions-dated-23rd-of-march-2012&catid=3:media-statements&Itemid=81 accessed 17 August 2012
- 3 AfricaBio (10 July 2012). **Insight into Africa's GM product labeling.** <http://www.africabio.com//pages/posts/insight-into-africansquos-gm-product-labeling156.php> (accessed 8 July 2012)
- 4 ibid
- 5 ibid
- 6 Africabio 10/07 2012 Insight into Africa's GM product labelling <http://www.africabio.com//pages/posts/insight-into-africansquos-gm-product-labeling156.php> accessed 8 July 2012