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Germany Proposes Changes to the "Without Biotech" Food Label Standard

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Report Highlights:

German Government proposes a new 'without biotech' food label mainly targeted for livestock products originating from animals not fed with biotech plant feeds. The label will be voluntary. Government and NGOs hope that the industry develops a new third product market aside from conventional and organic foods where the consumer can choose between biotech-free and biotech food products.

Includes PSD Changes: No
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Germany Considering Changes to its “Without Biotech” Labeling Regulations for Foods

SUMMARY: Germany is considering changing the standards for the use of the term “without biotech” on food products. There has been serious disagreement between Parliament members, Government officials, NGO’s and industry on this proposal. Sources indicated that given that production costs and prices for “without biotech” products will likely be higher, additional demand for these products might be limited.

Germany Proposes Changes to “Without Biotech” Food Label Standard

On January 14, 2008, the German Government publically released a proposal to change the standard for labeling foods as “without biotech.” This new labeling proposal is an effort by the Coalition Government to encourage the German livestock industry to develop a new market for livestock products labeled “without biotech.” This proposal amends a current labeling option that has existed in German legislation since 1998 but seldom used because the standard was very strict (i.e. no biotech grain, oilseeds, or additives, enzymes or processing aids from bioengineered microorganisms in the animal feed and no use of biotech medicine). Supporters of the new labeling proposal contend that consumers should have the option to chose between (1) organic products, (2) conventional products including products originating from animals fed with biotech feeds, and (3) products labeled ‘without biotech’ where the animals were not fed with feeds originating from biotech plants

The standards for the new proposed ‘without biotech’ labeling option are much less stringent. They only ban the feeding of animals with feedstuffs, which need to be labeled ‘contains GMO’ according to EC 1829/2003 and EC 1830/2003. The use of feed ingredients such as vitamins, amino acids and other feed additives as well as medicine, which is not subject to EU biotech labeling requirements, does not disqualify the final food product from the ‘without biotech’ labeling option.¹ Actually, the proposed standards only ban the use of biotech feeds in the twelve months prior slaughter in the case of beef cattle, four months for hogs and three months for dairy cows. This implies that the animals may have been fed biotech soymeal or biotech corn before the exclusion period begins.

Under the new proposal, the use of the label would remain voluntary and the market would determine the premium price for these products.

Parliament Debates Proposal

On January 16, 2008, the German Bundestag (lower house of parliament) held a public hearing on the proposal. The official witnesses during the hearing represented both NGOs and the food industry. The hearing was quite controversial and widely covered in the media. Industry experts told lawmakers that they do not see any need for altering the current strict ‘without biotech’ labeling regulations. Most of them argue that current rules fully match consumers’ interpretation and expectation in a ‘without biotech’ label and that the proposed change could mislead consumers. NGO’s argued that the change would lead to greater consumer choice and would force the livestock industry and food manufacturers to provide additional products and information to consumers.

Next Steps

The German Ministry of Agriculture plans to present the regulation formally for consideration to the Bundestag (lower house of Parliament) prior to the end of January. If adopted, the next step would be a discussion and reading in the Bundesrat (the upper house of Parliament) as early as February 15, 2008. Once it is published in the Federal Gazette (Bundesanzeiger) the rule becomes effective.

¹ For the processing and blending of foods the proposal requires that none of the used ingredients or additives may have come in touch with biotechnology, however, with one exception, which refers to the new EU organic rules EC 834/2007. The use of biotech ingredients and additives, which are permitted on the base of the EU organic rules, do not prevent the use of the ‘without biotech’ label. However, the processing and blending sector is not the main target for the proposed rule.

Comment

It is questionable whether German consumers are prepared to pay higher prices for foods labeled as “without biotech” under any definition. Those consumers who are already anti-biotech are likely purchasing organic products. The organic community also opposes the use of pesticides in crop production and not only the application of biotech.