

Don't Mandate Labeling for Gene-Altered Foods

By Cass R. Sunstein

Should the government require companies to label food that contains genetically modified organisms?

Last November, California voters rejected a ballot initiative that would require such labeling, but bills that would do so were recently introduced in both the U.S. House and Senate. Invoking "the right to know," a lot of people support those bills.

In the abstract, the argument for compulsory labeling seems exceedingly powerful. But there is a risk that a compulsory label for GM food would confuse, mislead and alarm consumers, potentially causing economic harm, not least to consumers themselves.

To see the problem, we need to step back a bit. The World Health Organization defines GMOs as "organisms in which the genetic material (DNA) has been altered in a way that does not occur naturally." As a result of the underlying technology, sometimes called "recombinant DNA technology" or "genetic engineering," certain individual genes are transferred into one organism from another. GM food can potentially grow faster, taste better, resist diseases, lower reliance on pesticides, cost less and prove more nutritious.

In the United States, GM food has become pervasive. Tomatoes, potatoes, squash, corn, sugar beets and soybeans frequently have GM ingredients. As much as 90 percent of corn, sugar beet and soybean crops are now genetically modified. In American supermarkets, genetically modified ingredients can be found in about 70 percent of processed foods. Among them are pizza, cookies, ice cream, salad dressing, corn syrup and chips. Should they all be labeled?

The argument for labeling GM foods would be compelling if they posed risks to human health. This is, of course, a scientific question, and most scientists now believe that GM food, as such, doesn't pose health risks. Last October, the American Association for the Advancement of Science spoke unequivocally. In its words, "the science is quite clear: crop improvement by the modern molecular techniques of biotechnology is safe."

The American Medical Association has similarly proclaimed, "The main conclusion to be drawn from the efforts of more than 130 research projects, covering a period of more than 25 years of research and involving more than 500 independent research groups, is that biotechnology, and in particular GMOs, are not per se more risky than e.g. conventional plant breeding technologies."

The World Health Organization, the National Academy of Sciences, and the Royal Society in Great Britain basically agree.

There would also be an argument for labeling if GMOs created ecological risks, rather than dangers to human health. But in 1988, the National Academy of Sciences concluded that the environmental hazards associated with GMOs are not essentially different from those associated with unmodified organisms. It found that assessment of the risks should be based not on whether the organism is genetically modified, but "on the nature of the organism and the environment into which it is introduced."

The American Medical Association recently endorsed this finding.

To be sure, some people, including some scientists, continue to think that GM food poses risks to human health or the environment. They don't

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accept the conclusions of official organizations. At the very least, they insist that absence of evidence isn't the same as evidence of absence, and they contend that labels are appropriate so long as the jury is out.

More broadly, they contend that people have a right to know what they are eating. They also think that genetic modification raises ethical concerns. Suppose that people don't want to buy food with genetically modified ingredients; aren't they entitled to information that would help them decide?

These arguments aren't unreasonable, but they run into a serious problem, which is that GM labels may well mislead and alarm consumers, especially (though not only) if the government requires them. Any such requirement would inevitably lead many consumers to suspect that public officials, including scientists, believe that something is wrong with GM foods — and perhaps that they pose a health risk.

Government typically requires labeling because it has identified such a risk (as in the case of tobacco) or in order to enable people to avoid or minimize costs (as in the case of fuel-economy labels).

A compulsory GM label would encourage consumers to think that GM foods should be avoided. This concern is hardly speculative. In Europe, compulsory labels have lead many retailers, anticipating an adverse consumer reaction, not to include GM foods on their shelves. In the U.S., the result could be economic damage to producers and consumers alike. And if consumers want to avoid GM foods, they can already purchase foods labeled "100 percent organic," which lack GM ingredients.

In the abstract, it is hard to disagree with the claim that consumers "have a right to know." But with respect to food, there are countless facts that people might conceivably want to know, and government doesn't require them to be placed on labels. Unless science can identify a legitimate concern about risks to health or the environment,

the argument for compulsory GM labels rests on weak foundations.

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