October 26, 2015

Comments to the Animal and Plant Health Inspection Service (APHIS), US Department of Agriculture (USDA)
Docket No. APHIS–2015–0070, Changes to Requirements for Field Testing Regulated Genetically Engineered Wheat

Submitted by the Canadian Biotechnology Action Network and the Organic Agriculture Protection Fund of the Saskatchewan Organic Directorate
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In the interests of minimizing the contamination risk to Canadian farms from US field trials of genetically engineered (GE) wheat, the Canadian Biotechnology Action Network (CBAN) and the Organic Agriculture Protection Fund (OAPF) of the Saskatchewan Organic Directorate are writing in support of the use of a permit system, as proposed, with regards to the regulation of GE wheat field trials in the US.

Field trials of genetically engineered wheat in the US pose a contamination risk that could include a threat to Canada, with important negative economic and social consequences for Canadian farmers, the Canadian economy and society, and our environment. CBAN and OAPF therefore provide these comments to the USDA in support of the regulation of GE wheat field trials under a permit system as proposed. Such regulation would not remove the risk of contamination but would minimize this risk.

As long as field tests continue, they must be tightly regulated. Any field-testing poses a level of risk – such risk should be minimized unless it is to be entirely avoided via a moratorium or ban.

In 2013 and 2014, APHIS investigated two contamination incidents with unauthorized genetically engineered wheat, in Oregon and Montana. The source of the GE wheat contamination in Oregon was not determined. In Montana, contamination was found at a previous field trial location. These incidents clearly point out the risk of contamination and pressing need to regulate field trials.

The Canadian Food Inspection Agency regulates field trials in Canada including requiring a detailed map to the Agency of where GM plants are grown, implementation of isolation distances, and monitoring. There are rules that govern the amount of time after the trial is over that the land cannot be used to plant similar species ("post-harvest land use restriction"). Agency inspectors are granted access to inspect trials during the growing season and after harvest, to check compliance with any terms and conditions. The Agency also has access to field trial records including information about current

season and post-harvest site monitoring, the disposal of all plant material, and experimental data. Even with these measures, the risk of contamination persists - however such regulation mitigates the risk and provides important, necessary oversight.

There should also be detailed record-keeping of all seeding, transport, storage, and harvesting equipment used, including a record of the next three uses (and locations) of this equipment. This should be accompanied with written cleaning manifests and photographic evidence of cleaned equipment.

Requiring isolation distances is critical. In 2001, the Canadian Food Inspection Agency increased the buffer zones required to isolate wheat field trials from 3-10 meters to 30 meters; and in 2004 the buffer zone was increased to 300 meters.

- An additional measure, that is currently not included in Canadian regulation, is the need to inform farmers nearby as to the locations of such trials, to enable those farmers to implement increased cautions as deemed necessary and to monitor for potential contamination.

In addition to providing information on endangered species at or near the trial site, as required in Canada, there is additional mapping that should be required including migratory bird routes as well as possibilities for extreme weather events.

- In 2013, the Canadian press reported a containment breech of GM wheat research trials at Agriculture Canada's Ottawa Experimental Farm by a flock of Canada Geese. The geese landed at the field trial site in the summer of 2012, ate the GM wheat growing there, and then flew away, possibly spreading viable undigested GM wheat seed through their droppings.

GE wheat field trials, there is a need for enforceable standards, active monitoring and testing to ensure compliance. All field trials need to be evaluated, inspected and monitored.

The proposed plan to implement oversight of genetically engineered wheat field trials via permits is welcomed as a necessary step to minimize the risk of GE wheat contamination.

Further precaution could include an assessment of the contamination risk and the potential impacts of any contamination before any GE wheat trial permit is granted.