

Obama Signs New Federal GMO Labeling Law

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On July 29, President Obama signed the National Bioengineered Food Disclosure Standard (S. 764) into federal law. This law will establish national standards for the labeling of food containing genetically engineered (“GE”) ingredients or genetically modified organisms (“GMOs”). The law specifically preempts any GE labeling law established by a state, including the recently enacted Vermont GMO Labeling Law.

With the signing of this law, food manufacturers no longer must abide by the Vermont labeling standards. Manufacturers may now wait for the U.S. Department of Agriculture (“USDA”) to establish the new national standards for GMO labeling. The USDA has two years to publish the national standards and print the rules of implementation.

While we do not yet know exactly what needs to be labeled, we do know that food manufacturers will be able to choose the method of GMO disclosure between text, symbol, or digital link (such as a QR code that could be scanned with a smartphone). Concerning the digital link option, the Secretary of Agriculture will conduct a study on the viability and sufficiency of this disclosure method. If the study reveals that consumers will not have sufficient access to the GMO disclosure, food manufacturers will be given comparable options to disclose the information.

Currently, food manufacturers must wait for the USDA to establish the labeling standards and rules. A copy of the law can be found [here](#).

If you have any questions on this topic please contact a member of Benesch's [Corporate & Securities Practice Group](#).