

October 13, 2022

Hon. Marie-Claude Bibeau
Minister of Agriculture and Agri-food
House of Commons
Ottawa, Ontario,
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Dear Minister. Bibeau

RE: CFIA President must be replaced in light of CropLife Canada apparent involvement in writing regulations

Public confidence in our food and agriculture sector depends on regulatory oversight that operates transparently and in the public interest at all times. As you know, on September 19, 2022, Radio-Canada reported that the Canadian Food Inspection Agency (CFIA) has circulated a summary of an important regulatory proposal via a document that originated with CropLife Canada, the biotechnology industry lobby group. The article, [OGM : Ottawa présente sa réforme en utilisant les fichiers d'un lobby agrochimique](#), provides alarming evidence of inappropriate collaboration between our public regulator and the private corporations whose products it regulates, to the point that it appears CropLife is effectively directing the CFIA. The document sets out CFIA proposals for how regulations governing many gene-edited seeds are to be interpreted, and puts forward a system that would benefit the multinational seed corporations by allowing them to release many new gene-edited seed varieties without independent government safety assessments or other government oversight, and without disclosing they are gene-edited to government or the public, including farmers.

The proposed system would harm Canadian farmers who need to know what they are planting in order to manage their farms and maintain access to sensitive markets. The proposed regulatory guidance would also weaken public trust in our food regulatory system by preventing independent scientific evaluation by government regulators before these products are sold, and allowing them to be released with no reporting to government or the public.

This market and public trust issue can only be resolved by CFIA maintaining its regulatory authority over all gene-edited seeds and establishing mandatory systems of reporting for public transparency.

The CFIA's statement of values includes "We maintain our regulatory independence from all external stakeholders. We have the courage to make difficult and potentially unpopular decisions and recommendations, free from personal bias." The National Farmers Union's 2021 [Submission to CFIA on Gene Editing Regulatory Guidance](#) notes that the CFIA participated in a Health Canada-Industry working group established to "inform the development of draft guidance for the Novel Food Regulation, focussed on plant breeding in advance of the official consultation." This Working Group consists of representatives from Health Canada, CropLife Canada, Canada Grains Council, and Canadian Seed Trade Association (now Seeds Canada), with Agriculture and Agri-food Canada and CFIA personnel with gene-editing related regulatory responsibilities invited as observers. CropLife and Seeds Canada are lobby groups that represent the regulated parties – seed developers seeking to commercialize gene-edited crops. The Vice-Chair of CropLife Canada sits on the Canada Grains Council board,

and its membership includes CropLife, Seeds Canada, and the multinational companies leading the biotech industry lobby.

The biotechnology companies these associations represent will be the main beneficiaries of regulatory guidance that excludes gene-edited plants from government safety assessments and public disclosure.

It appears that key aspects of the proposed guidance, such as voluntary pre-market disclosure and excluding modifications that have no foreign DNA from triggering regulation under Part V of the Seeds Regulations, were requested by self-interested industry groups and have been incorporated into the CFIA regulatory guidance. Thus, the proposed regulatory guidance appears to have been developed in the interests of the regulated parties with the result that neither the concerns of farmers, nor the broader public interest have been properly addressed.

As a public regulator, empowered by laws and regulations passed by democratically elected Members of Parliament, the CFIA is accountable to the public, not to the companies it regulates. It has a duty to protect the public interest and to respect Parliament. Contrary to the intent of Part V of the Seeds Regulations, the proposed regulatory guidance removes the CFIA from its assigned responsibility by creating a mechanism to minimize its oversight of gene-edited seed.

The revelation that a document summarizing the CFIA's regulatory proposal was produced on a computer owned by Jennifer Hubert, Director General, Plant Biotechnology, CropLife Canada, is a wake-up call regarding CFIA's improper collaboration with CropLife and its sister lobby groups, Seeds Canada and the Canada Grains Council. The CFIA shows a long-standing pattern of deference to the regulated parties which has caused us to lose confidence in the CFIA's ability to protect the public interest. We therefore ask that the President of the CFIA be replaced with a new leader who will uphold an unwavering commitment to protecting the interests of Canadians, our food and our environment in order to restore the CFIA's reputation and credibility.

Sincerely
Katie Ward,
President, National Farmers Union



and the following organizations:

Canadian Biotechnology Action Network
Council of Canadians
Ecological Farmers Association of Ontario
Ecology Action Centre
Environmental Defence
Farm Folk/City Folk
Friends of the Earth Canada
Greenpeace Canada

Safe Food Matters
Sierra Club BC
Union Paysanne
UFCW (United Food and Commercial Workers
Union)
Vigilance OGM
Young Agrarians