



Consumer Coordination Council

(AN ISSUE BASED NATIONAL COALITION OF CONSUMER ORGANISATIONS)

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To,

✓ Dr. Manmohan Singh
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✓ Smt. Jayanthi Natarajan
Minister of State (Independent Charge)
Ministry of Environment and Forests,
Government of India

Dear Sir,

Sub: Withdraw the BRAI (Draft) Bill 2011 in its current form and while consumer concerns remain unaddressed

Greetings! As members of Consumer Coordination Council and representatives of consumers from across India, we are writing to you with respect to the Biotechnology Regulatory Authority of India (BRAI), 2011 Draft, which has been proposed by the Ministry of Science and Technology and to be tabled in the parliamentary session this year.

Established in March 1993, Consumer Coordination Council (CCC) comprises a group of consumer activists representing 75 Consumer Organisations from across India to work as one body, to raise one voice on issues related to consumer interests and various Government policies and programmes affecting the interest of the consumers. It is the primary objective of all the members to collectively work towards one vision: Consumer Sovereignty.

As we gear up for the 7th National Consumer Conference to be held on November 25th and 26th at Chandigarh, where a number of consumer organisations from across the nation will be represented, and discuss, and debate on various consumer related issues, we will discuss in detail especially those relating to Genetically Modified Foods and what it means for the consumer. As CCC, we had also raised our concerns about Bt brinjal specifically and Genetically Modified Foods in general in 2009, and continue to underscore the fundamental rights and wellbeing of the consumer. After much deliberation on this subject, we collectively believe that, as representatives of the most prominent stakeholder group – consumers, it becomes incumbent upon us to highlight the concerns with the Biotechnology Regulatory Authority of India, 2011 draft, which

is taking away the focus from increased scrutiny, paving way for a simpler approval process, while completely undermining the consumer.

BRAI concerns: The Biotechnology Regulatory Authority of India, 2011 Bill draft in its current form is fundamentally flawed, undermining completely both health of people and consumer rights. It is already evident from the Bt brinjal fiasco and from the few independent studies conducted by scientists from across the world that Genetically Modified crops are known to adversely affect health. The new bill, which is designed to replace the current Genetic Engineering Appraisal Committee rather than increase the scrutiny of both the regulatory system, and foods, will fasttrack approvals of all the GM crops. Some of the major concerns on the proposed BRAI Bill, 2011, keeping in mind consumer health and sovereignty are as follows:

- a. **Bill with a wrong mandate** - By suggesting that “it is for promoting safe use of Modern Biotechnology and to set up a regulatory body for that in the introduction, it clearly **indicates that the new proposed body will play the role of a promoter as opposed to that of a regulator. This blanket approach of having 'promoting' modern biotechnology undermines the fact that GMOs have been embroiled in controversy across the world, and that independent scientists have raised concerns about its safety for humans in the long run.** On the contrary, the bill should focus on the consumers for whom it is being introduced, and recommend GMOs only as a last resort, as has also been recommended by MS Swaminathan.
- b. **Regulators with a conflict of interest** – The Ministry of Science and Technology, which houses the Department of Biotechnology whose very mandate is to promote biotechnology has proposed the bill, and is clearly a conflict of interest.¹
- c. **Ministry of Health and thus health concerns missing** – Despite the fact that genetically modified crops have been mired in controversy since they were introduced in the nineties, and are associated with long-term and chronic ailments^{2,3,4,5}, the BRAI has little room for the Ministry of Health to play a crucial decision making role about the use of GMOs. Prior to considering any GMO for environmental release, it has to be established by independent organisations, institutions and scientists that a GMO is acceptable for release.

¹ http://dbtindia.nic.in/uniquepage.asp?id_pk=10

² Dr. A. Velimirov, C. Binter and J. Zentek (November 2008). *Biological effects of transgenic maize NK603xMON810 fed in long term reproduction studies in mice*. Austrian Federal Ministry for Health, Family and Youth Forschungsberichte der Sektion IV, Band 3/2008
(http://www.bmgfj.gv.at/cms/site/attachments/3/2/9/CH0810/CMS1226492832306/forschungsbericht_3-2008.pdf)

³ Young, Emma, GM causes allergic damages in mice, Australia

⁴ Dr. A. Velimirov, C. Binter and J. Zentek (November 2008). *Biological effects of transgenic maize NK603xMON810 fed in long term reproduction studies in mice*. Austrian Federal Ministry for Health, Family and Youth Forschungsberichte der Sektion IV, Band 3/2008
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⁵ Royal Society (2002) Genetically modified plants for food use and human health – an update. Policy document 4/02. February 2002, Available at: <http://www.royalsoc.ac.uk>

This is especially crucial since contamination from GMOs is irreversible and uncontrollable.

- d. **Contamination irreversible, uncontrollable** The above mentioned concerns become more worrisome in the light of the ability of GM crops to cross pollinate and contaminate other regular varieties of non-GM crops. This is a serious threat to the diversity, which is the very foundation of agriculture and will enable us to survive in a world stressed with climatic changes. Once released, GMOs can never be traced back or controlled in case there are any causes of concern in the future and will thereby seal the fate of the nation.
- e. **Open to rigging by vested interests** - In the past the civil society in the country has pointed to the systemic rigging of the regulatory system for GMOs. With the new regulatory body, the power is concentrated in the hands of a fewer individuals. The innumerable advisory bodies also leave room for individuals from the industry (read conflict of interest) to be part of the panels. Concerns remain, both on inadequacy of the existing protocols to give a final answer on the safety of GM crops and also on the manner in which the system has been designed.
- f. **Absence of long-term multi-generational studies** – Like with the GEAC, the proposed BRAI mentions nothing of long-term studies. The longest studies done for ascertaining the safety of GMOs is only up to 90 days in healthy adult animals. This gives no indication of the long-term impacts of consuming GMOs by people of all age groups and physical conditions. The absence of multi-generational studies is also a major concern.
- g. **Lack of transparency** – The GM regulatory system has been notorious for its lack of transparency and bias towards the Biotech seed industry. This has been reiterated in the current draft of the BRAI Bill 2011, which leaves little room for consumers to seek information pertaining to GMOs, which are being considered for research and/or approval, giving corporations and commercial interest more importance than consumers. The benefit/concern of the people clearly outweighs commercial interest, and hence, all bio-safety studies should be publicly available as was done in the case of Bt brinjal.
- h. **Consumer choices violated:** If any GM crop is approved, consumer choices will be violated forever. They will have no way of knowing whether the fruits/vegetables/cereals/milletts have been derived from Genetically Engineered methods since these will appear the same as non GMOs. This will be a violation of their right to know, right to safe food and right to informed choices with regard to food. Right now, no labeling regime exists and in any case, in a country like India, labeling cannot cover the majority of consumers since most consumption is from unpackaged foods. Moreover if approved in a few years contamination by cross pollination would ensure that there are no non-GM varieties of that particular plant available in our country. Cotton is a clear example of this, which is the only GM crop cultivated in India.
- i. **Lack of public consultations** – Since the end consumer of the product/s include the public at large, individuals from all walks of life – consumers, academics, scientists, media persons, farmers, ecologists, health specialists etc. should be consulted through a transparent forum in a public space such as public consultations and take into account concerns before rushing into approvals. Like in the case of Bt brinjal, these should be transparent, open to public and recorded keeping larger public interest in mind.

Is there a need for GM crops: It is not clear to this day why we need GM crops, when there are existing methods to increase productivity to ensure food security. And when safer, affordable, sustainable and farmer-controlled alternatives exist for pest management. Reports indicate that the NARS (National Agricultural Research System) studies show that non-chemical IPM (Integrated Pest Management) and Non Pesticidal Management (NPM) alternatives exist and work quite well for pest management. Further, hundreds of practicing farmers have scores of such practices reported, which should be extended to other farmers. For instance, there is a large programme being run by the Rural Development Department of the Government of Andhra Pradesh, implemented through women's self help groups all over the state, where farming is being done on around 20 lakh acres in 2009-2010 without the use of chemical pesticides at all and with an NPM approach (Non Pesticidal Management of crops).

Growing GM-free World: That more and more regions and entire countries are rejecting GM foods – crops/processed foods, entirely, is an unmistakable reality. A huge majority of the countries of the world has not approved the cultivation of the GM crops owing to public concerns.

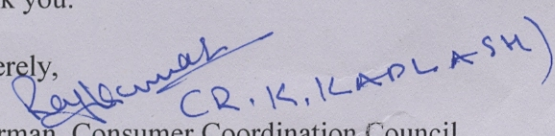
Demands to ensure Consumer Safety and Sovereignty: As a consumer organisation, we would urge you to:

Withdraw the BRAI Bill 2011 in its current form, and instead put in place a legislation to ensure safety of the citizen from risky technologies like Genetic Engineering. In the process, wide spread public consultations should be held where all stakeholders are heard to before coming up with such a legislation.

We believe that a precautionary approach with GM crops/foods is the only way forward to uphold the best interests of Indian farmers and consumers.

Thank you.

Sincerely,


Chairman, Consumer Coordination Council

Cc.

1. Minister for Consumer affairs
2. Chairman, FSSAI