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GMOs: Ottawa Presents Its Reform Using Files from an Agrochemicals Lobby

September 19, 2022. Translated from the Radio-Canada story *OGM : Ottawa présente sa réforme en utilisant les fichiers d'un lobby agrochimique*

With this controversial reform proposal, the seed industry would be exempt from controls and transparency obligations

Did the agrochemical lobby participate in the drafting of controversial federal reforms to facilitate the marketing of a new generation of genetically modified organisms (GMOs)? Two embargoed documents from the Canadian Food Inspection Agency (CFIA), obtained by Radio-Canada, raise questions among the interest groups that received them.

Jennifer Hubert, executive director of the CropLife Canada lobby, which defends the interests of companies that market seeds, pesticides, fertilizers and fertilizers, appears as the author of the government's Word files, in which the reform is presented.

The recipients of the embargoed document presenting the reform proposal include agri-food interest groups, as well as officials from Health Canada and Agriculture Canada.

The origin of the files, attributed to Jennifer Hubert according to Word properties, does not show whether the final version of the written content originated with her. The French file was created on August 4 and last modified by the CFIA the following day. The English file was created on July 29 and last modified by the CFIA on August 5.

Among the recipients of the federal document was Vigilance OGM, an organization that campaigns for more transparency and for the application of the precautionary principle in all areas related to GMOs. According to the organisation's coordinator, Thibault Rehn, the name of one of CropLife Canada's executive directors is not there by chance.

"Even if we don't know what part she played, it's still scandalous that the industry is behind this document," he says.

"I can understand that these people would be consulted, but we hope that the government does not use documents drafted by the GMO and pesticide lobbies directly as the basis for major regulatory changes."

GMO seeds make it possible to grow plants that are resistant to one or more herbicides, which enables other undesirable plants to be killed without harming the crop. They contribute to increasing the use of pesticides.

The proposed reform aims to exempt from safety assessments certain seeds derived from genome editing, a new generation of genetically modified organisms. In addition, the seed industry would no longer be required to report that these seeds were genetically modified. Instead, there would be “voluntary transparency.”

The Québec government, the Union des producteurs agricoles (UPA) and the Conseil de la transformation alimentaire (CTAQ) are concerned that this reform threatens the integrity of organic products, since it would no longer be possible to prove that their production was not the result of genetic engineering.

The federal government continues to work on its reform proposal and says it is “evaluating options to facilitate the maintenance of organic certifications...”

“As the document is still under development and consultations are ongoing, it is too early to comment on any conclusions.” – Joint Statement of the Offices of the Federal Ministers of Health and Agriculture

Jennifer Hubert says she provided modifications

When contacted by Radio-Canada, Jennifer Hubert initially replied that she had not written the document. “There may be a mistake,” she said by phone.

“We certainly sent them [CFIA] documents [CFIA] documents with information to consider for the draft guidelines, but there is definitely some sort of mistake. [...] I can tell you, 100 per cent, that they were not created by me.” – Jennifer Hubert, Director General, Plant Biotechnology, CropLife Canada

As the discussion about the document progressed, however, Jennifer Hubert said that “maybe at some point I provided modifications.” She added: “We provided suggestions and recommendations” and “we definitely worked with CFIA in the last few years on these guidelines”.

“We have worked with CFIA to make sure the language is clear to plant developers [...]. We’ve done it at different phases and on different documents.” – Jennifer Hubert, Director General, Plant Biotechnology, CropLife Canada

She later backtracked and said, “I wouldn’t say we provided revisions, but rather suggestions on how we interpret what’s in the guidelines. And, issues of clarification.”

Before working for CropLife, Hubert was employed by Syngenta and Monsanto.

The day after our phone call, the lobby sent us an email saying that “CropLife Canada employees were not involved in the creation of this document.”

Vice President of Communications Erin O’Hara added that “however, as a trade association representing the plant science industry, CropLife Canada regularly contributes to government policies that impact our members,” before referring us to the CFIA for more details.

The agency maintains that it drafted the document

INDEPENDENCE: A FUNDAMENTAL VALUE OF THE CFIA

The following appears on Canadian Food Inspection Agency's website, in its Statement of Values: "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 CFIA, which is part of Health Canada, says that its "Plant Biosafety Office [wrote] the initial version of the document" and that "external parties, including industry associations, are not the authors of CFIA documents."

"The draft document was used as the basis for discussions with many key stakeholders in the summer of 2022, including CropLife Canada, as well as non-profit organizations and organic associations. A copy of the document was shared with industry associations representing seed developers for their initial feedback." – Canadian Food Inspection Agency

The agency explains that it developed its responses to the comments in one of the copies it received, which would explain why the metadata indicates Jennifer Hubert as the author.

THE OPINION OF AN IT EXPERT

François Daigle, a computer security expert at Okiok, points out that the author of a file is not necessarily the author of the final content of that file. All the lines may have been changed.

But, according to him, it is not a good practice to follow, especially in government: "Usually, when an official document, a final document, is issued, these properties and the history are deleted, and only the final author of the content appears.

Furthermore, "it's rare to start from a blank file during iteration, discussions and exchanges between partners."

Stakeholder groups were not consulted

The Conseil des appellations réservées et des termes valorisants, which accredits the inspectors who certify organic products, states it was not consulted by the federal government in the preparation of this reform.

Christine Jean, vice-president of the Conseil de la transformation alimentaire du Québec (CTAQ), which represents 13 associations and 600 businesses, says that they were never consulted either.

"The news came out of left-field. Which is shocking, because processors are directly concerned." – Christine Jean, vice-president of the Conseil de la transformation alimentaire du Québec

Ms. Jean draws a parallel with the federal government's proposal to increase the amount of pesticides allowed for legume crops, an issue that led to outrage in the summer of 2021. Ottawa admitted that it was the pesticide industry that had requested the change.

For its part, Filière biologique du Québec was consulted, but its regulatory monitoring consultant, Christian Legault, notes that CFIA officials "did not take [its] comments into account at any time."

According to him, the reform only serves the seed industry. “It doesn’t serve consumers, it doesn’t serve processors, and it certainly doesn’t serve organic producers.”

Vigilance OGM denounces “revolving doors”

Thibault Rehn, from Vigilance OGM, denounces the close links he perceives between the public service and the lobby, through what he calls “revolving doors.”

By browsing the LinkedIn network, Radio-Canada found four CropLife executives who had worked for the federal government on related files.

- Ian Affleck, Vice-president, Plant Biotechnology, was an executive with the Canadian Food Inspection Agency until 2014.
- Pierre Petelle, President and CEO, was with Health Canada on the pesticide file in the Pest Management Regulatory Agency until 2008.
- Terri Stewart, Executive Director, Chemistry, was with Health Canada working on agriculture issues until 2019.
- Émilie Bergeron, Vice-President, Chemistry, was with Agriculture Canada until 2017. Afterward, she was responsible for the pesticide file at Global Affairs Canada until 2018.
- Darell M. Pack, Director, Provincial Regulatory Affairs, who left his position a few days ago, was previously a director at Agriculture and Agri-Food Canada.

“Federal regulators make decisions based on science,” the lobby responds. “CropLife Canada’s staff, who come from a variety of backgrounds, draw on a wealth of scientific knowledge and expertise that they use to assist the development of government policies that support sustainable agriculture.”

Forty-four lobbying meetings in eight months

Between November 2021 and June 2022, the federal lobbyist registry shows that there were 44 CropLife meetings with the federal government, including 17 with Health Canada and 2 with Prime Minister Justin Trudeau’s cabinet.

A Vice-president of the Canadian Food Inspection Agency, Sylvie Lapointe, was involved in one meeting. In addition, on June 6, CropLife met with François-Olivier Picard, political advisor to the Minister of Health, Jean-Yves Duclos, who is responsible for the CFIA.

In the CropLife 2020-2021 annual report, the lobby suggests that it convinced the federal government to make the change: “This advocacy culminated in Health Canada putting forth scientifically sound policies that encouraged innovation to the Canadian public for consultation. Health Canada publicly declared gene editing to be safe and to be treated like conventional breeding [...]”

Health Canada had previously been criticized for relying heavily on industry-submitted studies and documents to maintain the registration of glyphosate in 2017.

In an interview with Radio-Canada, the department also admitted to authorizing pesticides based on manufacturers’ studies.