

**Genetically modified organisms and
derived products – Labelling of food and
feed**

TECHNICAL COMMITTEE REPRESENTATION

The following organizations were represented on the Technical Committee:

Ministry of Livestock Development — Department of Veterinary Services
Ministry of Agriculture
Kenya Plant Health Inspectorate Service
Ministry of Public Health and Sanitation
Kenya Agricultural Research Institute
National Council for Science and Technology
Consumer Information Network
Pest Control Products Board
Seed Trade Association of Kenya
University of Nairobi — Department of Public Health and Pharmacology and Toxicology
Kenyatta University — Department of Biochemistry and Biotechnology
National Cereals and Produce Board
Kenya National Federation of Agricultural Producers
Kenya Industrial Research and Development Institute
Ministry of Trade-Department of External Trade
Bidco Oil Refineries Ltd
Proctor and Allan (EA) Ltd
Kenya Bureau of Standards

REVISION OF KENYA STANDARDS

In order to keep abreast of progress in industry, Kenya Standards shall be regularly reviewed. Suggestions for improvements to published standards, addressed to the Managing Director, Kenya Bureau of Standards, are welcome.

© Kenya Bureau of Standards, 2009

Copyright. Users are reminded that by virtue of Section 25 of the Copyright Act, Cap. 12 of 2001 of the Laws of Kenya, copyright subsists in all Kenya Standards and except as provided under Section 26 of this Act, no Kenya Standard produced by Kenya Bureau of Standards may be reproduced, stored in a retrieval system in any form or transmitted by any means without prior permission in writing from the Managing Director.

Genetically modified organisms and derived products – Labelling of food and feed

PUBLIC REVIEW DRAFT

KENYA BUREAU OF STANDARDS (KEBS)

Head Office: P.O. Box 54974, Nairobi-00200, Tel.: (+254 020) 605490, 602350, Fax: (+254 020) 604031
E-Mail: info@kebs.org, Web:<http://www.kebs.org>

Coast Region

P.O. Box 99376, Mombasa-80100
Tel.: (+254 041) 229563, 230939/40
Fax: (+254 041) 229448

Lake Region

P.O. Box 2949, Kisumu-40100
Tel.: (+254 057) 23549, 22396
Fax: (+254 057) 21814

Rift Valley Region

P.O. Box 2138, Nakuru-20100
Tel.: (+254 051) 210553, 210555

KS 2225: 2009

Foreword

This Kenya Standard was prepared by the Biotechnology Technical Committee under the guidance of the Standards Projects Committee, and it is in accordance with the procedures of the Kenya Bureau of Standards.

It provides guidelines for ensuring that labelling of food, feed and ingredient derived from genetically modified organisms (GMOs) provides clear and factual, information to protect consumer's health and ensure fair practices in trade. Labelling plays an important role in providing information to consumers and thereby facilitating informed consumer choice. The information should be provided in a manner to avoid misleading the consumer.

During the preparation of this standard, reference was made to the following documents:

Biosafety Act No 2. 2009.

CAC/GL 1-1979, General Guidelines on Claims

CAC/GL 2-1985, Guideline on Nutritional Labelling

Codex Stan 1-1985, General Standard for Labelling of Pre-packaged Foods

KS CAC/GL 23-1997, Guidelines for Use of Nutrition and Health Claims

KS CAC/GL 44-2003; Principles for Risk Analysis of Foods Derived from Modern Biotechnology

KS CAC/GL 45-2003, Guidelines for the Conduct of Food Safety Assessments of Foods Derived from Recombinant-DNA plants

KS CAC/GL 46-2003, Guideline for the Conduct of Food Safety Assessment of Foods Produced Using Recombinant-DNA Microorganisms

KS CAC/GL 68-2008, Guideline for the Conduct of Food Safety Assessment of Foods Derived from Recombinant-DNA Animals

Standard 1.5.2, Food Produced Using Gene Technology Issue 112; Australia New Zealand Food Standards Authority

KS-40 Parts 1-2:1990, Labelling of Pre-packaged Foods

Regulation (EC) No 1829/2003 of the European parliament and the Council on Genetically Modified Food and Feed

KS 2182:2009, Code of Practice for handling; transfer and use of Genetically Modified Organisms and Derived Products

Acknowledgement is hereby made for the assistance derived from these sources.

Genetically modified organisms and derived products – labelling of food and feed

1 Scope

This standard provides guidelines for labelling of genetically modified organisms (GMOs) and derived products intended for use as food, feed or ingredients

2 Application

2.1 This standard shall apply to labelling of genetically modified food, feed or ingredients that have been authorized for consumption but

2.2. Shall not apply to:

- a) Fully refined foods, feed or ingredients, with altered characteristics, where the effect of the refining process is to remove the genetically modified protein or gene.
- b) Food, feed or their ingredients containing genetically modified organisms and derived products in proportions of less than 5% of the total weight of the product.

3 Normative references

The following referenced documents are indispensable in the application of this standard:

KS-40 Parts 1-2: 1990, *Labelling of Pre-packaged Foods*

KS CAC/GL 23-1997, *Guidelines for Use of Nutrition Claims*

KS CAC/GL 44-2003, *Principles for Risk Analysis of Foods Derived from Modern Biotechnology*

KS CAC/GL 45-2003, *Guidelines for the Conduct of Food Safety Assessments of Foods Derived from Recombinant-DNA plants*

KS CAC/GL 46-2003, *Guidelines for the Conduct of Food Safety Assessment of Foods Produced Using Recombinant-DNA Microorganisms*

KS CAC/GL 68-2008, *Guidelines for the Conduct of Food Safety Assessment of Foods Derived from Recombinant-DNA Animals*

KS 2182:2009, *Code of Practice for handling, transfer use of Genetically Modified Organisms and Derived Products*

4 Definitions

For the purpose of this standard, and in addition to the terms defined in KS 40 Parts 1-2: 1990 and KS 2182: 2009, the following definitions shall apply:

4.1

Conventional counterpart

shall be a related organism/variety, its components and/or products for which there is experience of establishing safety based on common use as food, feed or ingredient.

4.2

Denomination

KS 2225: 2009

4.3

Food, feed or ingredient derived from genetically modified organism

shall be a food, feed, or ingredient produced from, in whole or in part from genetically modified organisms.

4.4

Genetic modification

shall be a collection of techniques which are used to alter the heritable genetic material of living cells or organisms in a way that does not occur naturally by multiplication and/or recombination.

4.5

Labelling

shall be any written, printed or graphic matter that is present on the label, accompanies the food or is displayed near the food including that for the purpose of promoting its sale or disposal.

4.6

Unique identifier

shall be a simple numeric or alphanumeric code which serves to identify a GMO on the basis of the authorised transformation event from which it was developed and providing the means to retrieve specific information pertinent to that GMO.

5 General requirements

Labelling of food, feed or ingredients containing genetically modified organisms or products derived from genetically modified organisms shall be considered after they have undergone appropriate food safety assessment in accordance with KS CAC GL 44: 2003, KS CAC GL 45: 2003, KS CAC GL 46: 2003 and KS CAC GL 68: 2008.

5.1 Food, feed or ingredient derived from genetically modified organisms offered to the consumer shall be authorized for use in Kenya in accordance with KS 2182:2009.

5.2 Any person offering food, feed or ingredient derived from genetically modified organisms for sale shall demonstrate that it has been authorised in accordance with section 5.1.

6 Labelling requirements

Labelling of food, feed, or ingredients containing or derived from GMOs shall be consistent with the requirements of KS 40 Parts 1-2:1990, KS CAC/GL 1-1979 and KS CAC/GL 23-1997.

6.1 Where food, feed or ingredient containing or derived from genetically modified organisms is displayed for sale, labelling shall include the statement “genetically modified”.

6.2 Labelling information shall indicate a change in composition, nutritional value, intended use, and any other characteristics or properties which the food, feed, or ingredient derived from genetically modified organism differs from the conventional counterpart.

6.2.1 Where a food or feed consists of a single ingredient or where there is no list of ingredients; the words “genetically modified” or “produced from genetically modified (name of the ingredient or organism) shall be in the labelling information. For example;

“Soybean (genetically modified)”

“Maize flour produced from genetically modified (maize)”

“Soy protein isolate (genetically modified)”

6.2.2 Where a food or feed consists of more than one ingredient the words “genetically modified” or “produced from genetically modified (name of the ingredient) shall appear on the list of ingredients to indicate the ingredient that is genetically modified. For example:

Ingredients: Soy protein isolate (genetically modified)
Maltodextrin
Vegetable oil
Emulsifier
Water

6.2.3 Where food, feed or ingredient derived from genetically modified organism contains a new factor known to cause allergic response in particular sections of the population, the presence of the allergen shall be declared in the labelling information.

6.2.4 Where the food, feed, or ingredient derived from genetically organism differs in intended use, mode of storage, preparation or cooking; clear instructions shall be given on its use, storage and preparation.

6.2.5 Where the origin of genetic material used in the modifications may raise objections based on religious or cultural dietary restrictions, such origin may be declared.

6.3 Where there is common knowledge on the identity of the product by way of a unique identifier or a denomination or any other internationally accepted identifier, that identity may be indicated.

7 Prohibition on Claims

7.1 Claims which cannot be substantiated

7.2 Claims that are not in conformity with the suitability of the food, feed or ingredient in conformity with KS CAC/GL 23-1997

7.3 Claims which could give rise to doubt about the safety of similar food or which could arouse or exploit fear in the consumer.