



WHOLE FOODS MARKET

GMO Labeling Policy FAQ

VERSION 5.1
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If you do not find your question here or have additional questions, please email your primary contact at Whole Foods Market and cc quality.standards@wholefoods.com.

General Labeling Policy

Q: I'm uncertain about which type of labeling is required (vs. optional) if my packaged product contains a risk ingredient. Can you clarify?

A: If a food product contains any risk ingredients (for example, corn or soy or their derivatives), it must have one of these GMO-related labels, either:

a. A general "may contain ingredients produced with genetic engineering" type declaration statement

OR

b. A logo or non-GMO claim backed up by non-GMO verification or testing from a Whole Foods Market-approved verifier, certifier or tester

OR

c. A "non-GMO" statement for the ingredient in the ingredient list on the product label or with an asterisk on the ingredient (e.g. corn*) in the ingredient list and below the list the associated asterisked statement: *non-GMO.

Q: Does the September 1, 2018 deadline refer to when our products must be in compliance and have any new labels taken care of or does it mean all products on the shelf in your stores must be in compliance with any new labels taken care of?

A: The latter. When customers enter our stores to shop on September 1, 2018, all food in our stores that may contain GMOs must be labeled as such, and all non-GMO claims on any product in the store must be verified.

Q: I supply some of your stores with both a retail-ready packaged version (under my own brand) and a bulk version of my product that is repackaged and sold either as a Whole Foods Market product or merchandised in unpackaged form in your stores. How does this work with your policy?

A: Within our policy, there are slightly different stipulations for supplier-branded, retail-ready packaged products and bulk products that appear to be made by Whole Foods Market (such as cookies for our self-serve cookie case or prepared dishes in our self-serve hot bar). Your bulk product must meet stricter qualifications than your retail-ready product. The bulk product must be formulated to avoid having to make a "may contain GMOs" statement. Therefore any GMO risk ingredients in that bulk product must either be organic or certified non-GMO by one of our approved third-party verifiers, and the bulk product label must specify that status so that product ingredient signs and labels we create will be able to state that as well.

Risk Ingredients

Q: What are GMO risk ingredients?

A: A risk ingredient in a food product is any ingredient derived from any genetically engineered food. As of October 2017, the risk foods approved for market are: corn, soy, sugar beets, canola/rape, cotton, alfalfa, zucchini, summer squash, papaya, potatoes, Arctic brand apples and salmon. **Please see the list of potential risk ingredients on the Supplier Portal for further details.**

Q: If my product has no risk ingredients or derivatives, what do you suggest the label say?

A: The label doesn't have to say anything about GMOs if there are no risk ingredients. If it's a single-ingredient (or single ingredient plus salt and/or water) product, you are welcome to state, for example, "Quinoa is not a GMO food." However, if you want to make a "non-GMO" claim on your label, you will have to get verification by one of our approved third-party verifiers.

Verifications, Certifications and Testing

Q: Which non-GMO verifications are approved by Whole Foods Market?

A: These programs are approved:

- USDA Organic (and equivalent international organic programs)
- Non-GMO Project
- NSF True North

The Nutrasource IGEN program is allowed on a limited basis for dietary supplements only. See the "Dietary Supplements" section of our policy document for more information.

Q: My product has a single risk ingredient. Does that ingredient need to be verified under an approved program such as the Non-GMO Project, or can I just have it tested?

A: To establish that a risk ingredient is not genetically modified (and thus not required to be declared as GMO), you must use one of these methods:

- Verification under The Non-GMO Project standard
- Verification under the NSF True North standard
- Certification to the USDA National Organic Program Standard, or equivalent international programs
- Certification by the Organic Materials Review Institute as allowed in organic products
- Certification by the Washington State Department of agriculture as allowed in organic products
- Test results for GMO presence by a laboratory accredited under ISO Standard 17025, using testing methods within the scope of the ISO 17025 accreditation and using a representative sampling methodology; Testing must target all relevant GMO events of the crop source in question
- Certification under the SGS Non-GMO Supply Chain Standard or the SGS No GE Ingredients Supply Chain Process Verification Standard (US Version)

- Statement of Conformity with EU Regulation (EC)1830/2003 and EU Regulation (EC)1829/2003 by a credible third party

Q: Is it possible that additional non-GMO verifiers will be added to your approved list?

A: Yes, it's possible that we may add more verifiers; however, it would be very carefully. The programs already in place have gone through a rigorous approval process. Any additional programs we consider must provide the same level of scrutiny and standards upheld by the existing programs.

Q: Our company has a comprehensive internal testing program, which includes testing and threshold levels. If you approved our standards, will you accept our self-verification?

A: No. All non-GMO claims must be verified as such by a *third-party* verification program approved by Whole Foods Market. A company's own internal self-verification program would not meet these criteria.

Q: Our product is grown in a country where GMO crops are not allowed, and we have a letter from the government of that country verifying that that is the case. Can we make a non-GMO claim?

A: No. Under our GMO Transparency Policy, all products making a non-GMO claim must be verified under a Whole Foods Market-approved third-party verification program. Currently, those programs are NSF True North, The Non-GMO Project, and USDA Organic (and equivalent international organic standards). In order to make a "non-GMO" claim, your product must be verified under one of these programs. The letter you cite is not sufficient verification of the product's non-GMO status.

Q: We have a statement from our chocolate supplier declaring that their chocolate is non-GMO. Is this acceptable to use as confirmation that the ingredient is free of a GMO risk?

A: No, if the document your supplier provided only states that the ingredient is non-GMO, with no supporting documentation of that claim, then that is not sufficient. We require that your supplier has verified non-GMO status per one of Whole Foods Market's approved third-party programs.

Q: What about biodynamic certification? Do you consider that the same as organic certification as far as your policy goes?

A: Yes. Because biodynamic certification prohibits GMOs, if your product is certified biodynamic, that certification serves as transparency under our policy.

Q: What's your recommendation about getting dual certification, both organic and non-GMO?

A: You are welcome to do it, but we don't require it. USDA and equivalent organic programs prohibit GMOs so we consider organic certification sufficient for GMO transparency. Some suppliers are choosing to alert consumers about this on their packaging, with labels such as "Organic is always non-GMO" or "Organic is non-GMO and more."

Q: My company's body lotion is certified organic to NSF/ANSI 305. Can we make a non-GMO claim on packaging?

A: Yes, the NSF/ANSI 305 standard prohibits GMOs, so products certified under that standard can make a non-GMO claim.

Q: I have products that are 70% organic certified. Since GMOs are prohibited from organics, can I make a non-GMO claim?

A: Yes, products that are certified at the 70% (“made with organic X”), 95% or 100% are all considered non-GMO due to the prohibition of GMOs in organic production, so a product with organic certification at any of those levels can make non-GMO claims, per our policy.

GMO Declarations

Q: My product has a few risk ingredients, but all of them are non-GMO verified. Do I have to make a “May contain GMOs” declaration?

A: No. If all risk ingredients in the product are verified under a Whole Foods Market-approved program, then you do not have to make a “may contain GMOs” statement. However, you must identify the ingredients as non-GMO in the ingredient listing, by using “non-GMO” to modify the ingredient name (e.g. “non-GMO canola oil” or “canola oil (non-GMO)”), or by using an asterisk to denote the non-GMO ingredients in the list with “*non-GMO” stated with the list.

Q: My product only has one risk ingredient and I want to avoid having to make a “may contain GMOs” statement. Do I have to get the entire product verified as non-GMO?

A: No. You have the option of verifying the single risk ingredient or the entire product (see above for more information about acceptable testing and verification methods for single ingredients). If you don’t get the entire product verified as non-GMO you must identify the ingredient as non-GMO in the ingredient listing by using “non-GMO” to modify the ingredient name (e.g. “non-GMO canola oil” or “canola oil (non-GMO)”), or by using an asterisk to denote the non-GMO ingredients in the list with “*non-GMO” stated with the list. If only the risk ingredient is verified as non-GMO, rather than the full product, then you may not make a “non-GMO” claim other than with the ingredients listing.

Q: My product contains an unverified GMO risk ingredient, and we are required to make a declaration such as “Partially produced with genetic engineering.” Where on the label should this statement be placed?

A: Our policy allows you to place the language anywhere on the label, provided that it is conspicuous, meets all relevant regulatory requirements, and is consistent with the requirements of the United States’ Nutrition Labeling and Education Act:

Nutrition Labeling and Education Act of 1990 (as revised): General/Formal & Print Size [21 CFR 101.9(d)]: Print must be in both upper and lower case in an easy to read type style and with sufficient contrast to assure readability. All nutrients listed must be printed in at least 8 point type. Smaller type size is permitted on packages < 12 square inches of available space [101.9(j)(13)].

Many brands have chosen to place the language “Partially produced with genetic engineering” immediately below the ingredient statement; this approach is compliant with our policy.

Non-GMO Claims

Q: Can an organic product make text claims such as “non-GMO,” “Organic means no GMOs,” and similar?

A: Yes. The USDA Organic Standard and its international equivalents prohibit the use of GMOs, so text claims such as “non-GMO” are acceptable on organic products.

Q: If my product doesn't have any GMO ingredients in it, can I label it "made with non-GMO ingredients"?

A: No. The only way a product can make an overall non-GMO claim on the label is if the product - not individual ingredients within the product - has been certified organic or has been verified under one of the Whole Foods Market-approved programs. However, any GMO risk ingredients that are organic or verified non-GMO must be identified in the ingredient listing or via asterisk. Or, if your product is a single-ingredient (or single ingredient plus water and/or salt), the label can state, for example, "Blueberries are not a genetically engineered food."

Q: Our artisanal pasta is made in the EU from ingredients only produced in the EU. We can make a "non-GMO" claim, right?

A: No. For EU certified products, we maintain our policy requirement that all products making "non-GMO" claims be third-party verified. While the EU does require labeling of GMO food sold in the EU, this set of regulations exempts animal ingredients and does not apply to products produced in the EU solely for export. We are requiring that any product making a "non-GMO" claim, even those from the EU, be verified under a Whole Foods Market-approved program (NSF True North, The Non-GMO Project or USDA Organic and equivalent organic standards). Since the EU organic standard does have an equivalency arrangement with the U.S., then your organic products would be able to make non-GMO claims without further verification.

Q: If my product is non-GMO verified, can I make non-GMO claims on the front of the packaging?

A: Yes, if the product is verified under an approved program, you can say "non-GMO" anywhere; and we're open to other types of non-GMO claims with the exception of "GMO-free" claims.

Q: My product line is pasta and all varieties are only made of wheat, salt and water. Can I make a non-GMO statement on my packaging?

A: No. You can only make a "non-GMO" claim on a label if the product is verified by one of our approved third-party verifiers. However, for products such as your pasta, which is made from only a non-risk, single-ingredient (or single ingredient plus salt and/or water), you are welcome to state, for example, "Wheat is not a GMO food."

Q: We have a "made with organic x" product. Can we say "non-GMO" on the package?

A: Yes. The USDA National Organic Program (and other organic program equivalents) prohibit GMOs at all levels of organic certification, including those certified for "made with organic x" labeling, so any type of non-GMO statement on packaging is permitted by our policy.

Exemptions

Q: I understand that animal ingredients are exempt. I am using pepperoni as topping on a frozen pizza. It contains beef, corn syrup, spices and salt. Is the pepperoni completely exempt, or just its animal sub-ingredients?

A: For a product like sausage or pepperoni that contains both animal and non-animal ingredients, the animal ingredients are exempt from the labeling product but the non-animal ingredients are not exempt. You would need to make a declaration for any GMO risk ingredients (sugar, corn derivatives, etc.) that are not verified as non-GMO

Q: My product line includes cheeses made with vegetable rennet and with added ingredients such as herbs and dried fruits. Do I need to make a GMO declaration?

A: It depends. Milk, as an animal ingredient, is exempt, as are microorganisms (such as in rennet) but other ingredients in the cheese may be at risk for GMOs. There are no GMO herbs, but dried fruit may have been produced with GMO risk ingredients such as sugar or oil, and would have to be reviewed to ensure compliance with our policy. A cheese with added risk ingredients other than milk or microorganisms will need to make a “may contain GMOs” type statement on the label unless the risk ingredients or the product itself is verified by one of our approved third-party verifiers.

Q: I know that dairy ingredients, as animal ingredients, are exempt from labeling, so are Non-GMO Project and NSF also exempting animal ingredients, and we can get our dairy product verified?

A: No, animal ingredients such as dairy are only exempt from making a “may contain GMOs” label claim. This exemption does not allow for a non-GMO label claim, and each of our approved non-GMO verification programs prohibit animal ingredients from animals fed GMO feed. For verification, all ingredients, including animal ingredients, must be verified.

Q: I understand that all food products that may contain GMOs must be labeled, but supplements are exempt. How do I determine if my product is considered a food or a supplement?

A: If your product has a Supplements Facts Panel it is considered a supplement and is therefore exempt from disclosing possible GMOs at this time. If it has a Nutrition Facts Label, it is considered food for purposes of our GMO Labeling Policy, and therefore must meet the requirements of the policy.

Q: One of our products is a vodka sauce for pasta, which is primarily tomatoes, but contains other ingredients, including vodka, which can be made from corn, a GMO risk ingredient. I understand that alcohol is exempt, so what do we need to put on our label?

A: Our policy exempts alcohol from having to make a “may contain GMOs” declaration, so the vodka in your sauce does not have to be taken into account as you review your ingredients for compliance with our policy. However, all other ingredients should be reviewed to ensure compliance, and if you wish to make a non-GMO claim, the entire product must be verified by one of our approved third-party verifiers.

Q: I provide mixers (Bloody Mary mix, daiquiri mix, etc.) to you for making cocktails sold in the bar in one of your stores. Does your policy’s alcohol exemption apply to my products?

A: No. Only alcohol (as a packaged alcoholic beverage or as an ingredient in a non-alcoholic food or beverage) is exempt from our policy.

Q: The bottled sangria I sell to your stores is made from wine, fruit juice, sugar and citric acid. I know alcohol is exempt, but, to meet your policy, do I need to worry about whether the sugar is GMO or not?

A: No. Products pre-packaged as alcoholic beverages, regardless of additional ingredients, are exempt from our labeling policy.