



Consumer Federation of America

March 4, 2021

Lauren K. Roth
Acting Principal Associate Commissioner for Policy
U.S. Food and Drug Administration

RE: Request for information pertaining to the labeling of foods comprised of or containing cultured seafood cells

VIA ELECTRONIC SUBMISSION

The Consumer Federation of America appreciates the opportunity to submit comments in response to the U.S. Food and Drug Administration's ("FDA") request for comments regarding cell cultured food products derived from seafood. CFA is an association of nearly 300 non-profit consumer organizations that was established in 1968 to advance the consumer interest through research, advocacy, and education. We commend FDA for soliciting public comment now to ensure that, someday, consumers may purchase cultured seafood products with full awareness of the nature of these products, and with confidence that these products meet adequate safety standards.

CFA acknowledges that these products, if made affordable and shown to be safe, could help to address important challenges in the food system. Conventional seafood products pose significant safety risks from microbiological and chemical contamination. Overfishing and overharvesting present an increasing strain on wild seafood stocks, including on species used as inputs in aquaculture, and aquaculture implicates its own set of safety and environmental risks, such as those associated with the overuse of antibiotics. Cell cultured seafood products could help to alleviate some of the pressure in meeting rising global demand for seafood, as well as help the U.S. to become less dependent on foreign suppliers, which currently import 94% of the seafood consumed domestically.¹ However, cell cultured seafood products will make little impact on these trends if they lack consumer trust, which labeling and naming conventions will serve a critical role in establishing.

The notice asks first (Question 1) whether the name or statement of identity of foods comprised of or containing cultured seafood cells should inform consumers about how the animal cells were produced. Our answer is an emphatic "yes." Cell cultured seafood should carry clear labels that do not mislead consumers. Where a product is derived from a particular species, e.g. "tuna," the label should indicate that fact, but the label must also make consumers aware that the products are derived from cellular agriculture, not conventional fishing or aquaculture. Labels should provide pertinent information about the production process, including the source of the animal cells, and the use of genetic engineering. Labels on cell cultured seafood products should ensure that consumers, many of whom may have strong

¹ <https://www.fda.gov/food/importing-food-products-united-states/fda-strategy-safety-imported-food>

fears or aversion surrounding these products, do not inadvertently consume them, and they should contain sufficient information for consumers to assess allergenicity risk.

The notice further requests comment on consumer understanding of terms that have been suggested for the names or statements of identity of foods comprised of or containing cultured seafood cells. Although this letter uses the term “cell-cultured seafood,” FDA may want to choose a different term, such as “lab grown” to describe these products, if the data indicates that significant consumer confusion exists around more “impartial” descriptions like “cell-cultured.” In 2018, Consumer Reports conducted a survey in which respondents indicated that labels with the terms “lab-grown meat” and “artificial or synthetic meat” would be most accurate.² However, as these products have become more ubiquitous, popular consumer understanding may have shifted. FDA should avoid referring to these products with terms like “cultured” (as opposed to “cell-cultured”) that could easily invite confusion with existing processes, such as fermentation or aquaculture. FDA should also explore the use of a disclaimer and a standard icon that denotes cell-cultured seafood.

Consumers must understand that these products are grown in a laboratory. Describing them with the name or names of whatever species whose cells were used to grow the tissue is desirable both to avoid allergic reactions and to inform consumers more generally. Insofar as the cell-cultured product and the “real thing” are nutritionally or chemically distinct, labeling should make that apparent. However, consumers can judge for themselves whether the taste, texture, aroma, and other characteristics of these products indeed approximate the “fillets,” “steaks,” etc. harvested from actual animals.

Regardless of what labeling FDA requires, past experience indicates that many consumers may unwittingly purchase cell-cultured seafood, assuming these products become widely available and affordable. Given that reality, a pre-market approval process is essential to avoid a consumer backlash. As we have indicated in previous comments, FDA should not consider cell-cultured meat to be “generally recognized as safe” or “GRAS.”³ Seafood or other meat produced by in vitro cultivation of animal cells is clearly not “generally recognized as safe.” Moreover, relying on the GRAS process virtually guarantees uncertainty because it leaves open the possibility that some cell-cultured seafood product manufacturers will proceed under secret GRAS determinations, made by company hired researchers with an inherent conflict of interest. Finally, an effective and efficient pre-market approval process would not only protect consumers directly, it would provide critical information to FDA in the design of an appropriate inspection regime for cell-cultured seafood production facilities.

Thank you for your consideration of these comments.

Sincerely,

Thomas Gremillion
Director of Food Policy
Consumer Federation of America

² See [Consumer Reports survey: Consumers want clear labeling to distinguish “lab grown meat” from conventional meat](#) (2018).

³ <https://consumerfed.org/wp-content/uploads/2018/12/cfa-comments-cell-culture-technology.pdf>