



# Safeguarding the Future of Mustard

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January 15th, 2026

## M21– *Why we can't co-exist in W. Canada*

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Threat. **GMO *Brassica juncea*=BASF InVigor Gold**

Historical. BASF, WCC/RRC, PGDG-PRCO, PBO

Rational. Pollen flow, Weediness, Market impacts

Status.

Next Steps.

# Mustard 21 - Background

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*Brassica juncea* is the species which is Brown and Oriental condiment mustards

Mustard must be produced free of GMOs & currently no GMO *B. juncea* varieties are licensed in Canada.

BASF's GMO canola quality *B. juncea*: Rf3  
Liberty crossed from *B. napus* canola Rf3

# Mustard 21 - Background

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BASF now has the same species as Brown and Oriental mustard with canola quality and Liberty resistance.

BASF calls it InVigor Gold or yellow canola which is confusing and implies it is the same species (*B. napus*) as the canola grown now.. IT IS NOT.

## Mustard 21- Background

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The correct term is canola quality *Brassica juncea* carrying Rf3 Liberty resistance.

InVigor Gold lacks the distinctive glucosinolate content and taste of condiment mustard. The glucosinolates have been lowered to levels found in canola *B. napus*.

## Mustard 21- Background Rf3 France

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French regulations for traditional condiments like **Dijon mustard** are highly restrictive.

Brown mustard end users are Dijon mustard producers in the Dijon region of France

Dijon mustard is fundamental to French Cooking.

## Mustard 21- Background Rf3 France

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France enforces strict standards for protected status foods (Protected Designation of Origin [PDO]/Protected Geographical Indication [PGI]). These standards typically exclude the use of GM ingredients to maintain traditional production methods.

## Mustard 21 - Historical

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- Dec 2021 CMA contacted by Japanese Mustard Association re: Rf3 *Brassica juncea*
- Assurances no GMO *B. juncea* varieties are registered for sale in Canada. No need to increase testing.
- For ASIA certified letters stating no GM OK.

# Mustard 21- HISTORICAL BASF

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High level direct communication

Respecting sensitive nature.

- 2022-Present CMA/M21/SMDC ... BASF
  - BASF North America, Raleigh North Carolina
  - Discussions ceased when we would not sign Non-Disclosure Agreement (NDA)

# Mustard 21- HISTORICAL BASF

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- Various media with BASF information. M21 clarifies in media.
- BASF USA press release for 2027 launch – incorrect information
- M21 reacts and corrects. Potential for damage to condiment industry.
- BASF Canada claims not aware prior?

# Mustard 21- BASF Mtg In person Calgary

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- Present: BASF Rf3 Team leads/Canola Council/Mustard industry
- BASF requests that we avoid the media.
- BASF restates they are a responsible partner in the industry.
- M21/CMA presents why we cannot co-exist and outlines liabilities.

# Mustard 21- BASF Mtg In person Calgary

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- **BAD NEWS**
- **X=** BASF/Canola Council will push for co-existence
- **X=** The mustard industry needs BASF to voluntarily withhold from the market until Rf3 is approved by Condiment mustard buyers in EU and Japan.
- Agreed to disagree

# Mustard 21- BASF Mtg In person Calgary

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- **GOOD NEWS**
- ✓= BASF agrees not to destroy the condiment mustard industry.
- ✓= In Canada BASF will keep Rf3 voluntarily confined for 2026 at five locations where it has been tested since 2020

## Mustard 21 HISTORICAL

- April 2025 WCC/RRC “Notification of Harm to the Mustard industry posed by GM *Brassica juncea*”

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- Mandate ...canola varieties that could ..harm in traditional canola channels undergo contract registration.
- CCC has voluntary guidelines .. For introduction of GM.. balanced with need to protect value of existing markets. [CANOLA ONLY] **No mandate for Condiment mustard markets.**
- WCC/RRC Review pertaining to Co-existence underway with public/private Scientists..?

# Mustard 21 - HISTORICAL

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- June 2025 PGDC-PRCO/M21 to Wendy Jahn  
Seed Registrar CFIA
- Re: “CFIA Authorization of Recommending  
Committee terms and conditions”
- Sept 2025 Reply: “Authority of Rec. Comm.  
Based on END USE”
- No regulatory solution for situation we face.

# Mustard 21 - HISTORICAL

- Nov 2025 PRCO/M21 to W. Jahn CFIA
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- Align with Seeds Regs: 1 spp.= 1 expert comm
  - *B. juncea* to reside with PRCO. Expertise added for each intended use.
  - All uses of that single species are then considered and all harm established for all uses. Contract registration is used when harm clearly established for one or all uses.

# Mustard 21 - HISTORICAL

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- July 2025 Cindy Pearson Plant Biosafety Office (PBO) authorization clarifications
- 1996 Decision Document 96-17 (DD96-17) Plant Genetic Systems *Brassica napus* Rf3. Interspecific cross policy. Approved confined for confined trials 2020. Unconfined 2025. Now under voluntary confinement by BASF

# Mustard 21 - HISTORICAL

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- Nov 2025 C. Pearson PBO “M21’s request for PNT reassessment of Rf3 Liberty Link *B. juncea* produced by conventional crossing of Rf3 from *B. napus*”
- Review confined and unconfined decisions based on increased weediness

## Cannot Co-Exist –Rational pollen flow

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- **Pollen Flow.** Honey Bees and Bumblebee pollinators have a flight range of 5 miles+
- This is the same species therefore no barriers to normal seed set.
- Any pollen reaching a condiment mustard field of the same species may result in pollination, seed set and opportunity to produce volunteers.

## Cannot Co-Exist – Normal volunteers

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- **Normal appearing.** Volunteer plants are identical in appearance but resistant to Liberty.
- Unknown contamination of production fields
- Producers can be impacted with never have grown InVigor Gold.
- Will BASF offer to clean up as with RR??

## Cannot Co-Exist – Normal volunteers

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- The risk of pollination between plants of the same species is many orders of magnitude greater than pollinations between species.
- Between species crosses ie. *B. napus* and *B. juncea* are rare result in plants which do not contribute to the seed bank due to poor seed

## Cannot Co-Exist – Normal volunteers

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- Plants which flower are a possible pollen source
- Spills, screenings, equipment, errors, holes in tarps are some of the sources.
- Plants which are allowed to flower past 2 weeks are a risk to produce some viable seed.

## Cannot Co-Exist –Rational Weediness

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- **Weediness** : Volunteers are tolerant to Liberty herbicide and fully viable.
- If Liberty herbicide is used alone to save \$ to control RR tolerant kochia volunteers are selected for.
- This is now done in Brown soil zone ie multiple burn offs.

# Cannot Co-Exist –Rational Weediness

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- Authority requires moisture, too dry gives poor control and acres of heavy kochia are abandoned
- Increase in GM in production fields will occur over time.
- Current testing does not distinguish between GM from Liberty Rf3 *B. napus* and *B. juncea*. *B. napus* contamination will be assumed but not seen in Certs of analysis. Indistinguishable.

## Mustard 21 – Rational Market Impact

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- **RUMOR:** Just the rumor of GMO research will impact markets.
- The presence of a licensed GMO variety would be a strong negative of unknown magnitude.
- Yellow mustard will also be affected as Oriental seed is a common contaminant in commodity production.

## Mustard 21 – Rational Market Impact

- **TESTING:** First each primary load delivered would require GM testing greatly expanding costs.
- Cost will need to be absorbed in the value chain. Less \$ to producers, more risk to contractors and end users. Higher cost of doing business in Canada.
- Currently testing is done only once per 60 MT prior to final end user delivery.

# Mustard 21 – Rational Market Impact

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- **GRADING:** There is no ability to visually distinguish seeds.
- InVigor Gold will be identical to Oriental mustard.
- Certificates of Analysis will not reflect presence of these seeds only canola seeds of *Brassica napus*
- Canadian Grain Commission must alter grade tables as currently *B. juncea* reduces the grade of *B. napus* (canola)

# Mustard 21 – Rational Market Impact

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- **QUALITY:** The quality of mustard from Canada is unmatched.
- End users love it and ask how do we produce such a consistent product.
- The risk is that they may be forced to substitute from other countries due to the cost/benefit analysis of GM contamination.

# Mustard 21 – STATUS

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- M21 will continue to lobby for accountability
- BASF in Canada on hold 2026 in vol confined trials.
- BASF may be collecting 1st private data. Tbc.
- BASF continues to promote co-existence in media
- WCC/RRC has revised contract registration rules based on co-existence review. Without input from mustard scientists.
- BASF will launch in USA in 2027

## Mustard 21 – NEXT STEPS

- CFIA Variety Registration – Seed Registrar Wendy Jahn. Jan 2026 Reply excerpts..
- Seed regs f) no other committee is approved for that species, kind or **type** of crop...
- Even though these are the same species, Wendy is indicating these are two types of crop, one condiment end use and one oil, meal end use. Thus, two committees and the seed regulations are being followed.

## Mustard 21 – NEXT STEPS

- CFIA Variety Registration – Seed Registrar Wendy Jahn. Jan 2026 Reply excerpts..
- “To be eligible for registration ...cannot be detrimental to...the environment.”
- Harm>Contract Registration. “unique ..characteristics that distinguish it from the majority of registered varieties of the same kind or species, and would have adverse effect on the identity of the registered variety”

## Mustard 21 – NEXT STEPS

- GoC Plant Biosafety Office – Heather Shearer  
~~Policy & Program Mgr. Jan.'26 Reply excerpts..~~
- “assessment..limited to environmental impacts of an introduced trait”
- “evaluation compares...its counterpart..”
- “do not have a mandatory consultation or public comment period”
- “Interspecific.policy..=specific use & safety.env.”

## Mustard 21 – NEXT STEPS

- GoC Plant Biosafety Office – Heather Shearer  
~~Policy & Program Mgr. Jan.'26 Reply excerpts..~~
- Call: No expectation decision will change without strong scientific evidence.
  - Weediness associated with Herbicide Tol...Control with extra herbicides...
  - Will not consider extra herbicide costs in evaluation...?? Is this reasonable...??
  - Follow up meeting Feb 2026.

# Mustard 21 – NEXT STEPS

- BASF April 2026 2<sup>nd</sup> Face to Face
- CFIA Variety Registration – Seed Registrar meeting Feb 2026
- CFIA Deputy Director – Stakeholder meeting Jan/Feb 2026
- GoC Plant Biosafety Office – Manager/ Team Lead meeting Feb 2026
- Follow up on request for revised Contract Registration rules from WCC/RRC. (Western Canadian Canola Rapeseed Recommending Com.)



# Questions

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THANK YOU!