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GMO (In)digest

Issue 15 of the GMO Campaign Newsletter

EU Work:

Renationalisation proposal (Opt-out)

See (GMO (In)digest 14) The political agreement on the renationalisation, or “opt-out” proposal has been formally adopted at the Council of General Affairs on 23rd July, and officially transmitted to the European Parliament (EP) on 15th September, triggering the 3-month (+1) deadline to reach a compromise. A first exchange of views happened in the Environment, Public Health and Food Safety Committee (ENVI) on 3rd September, where the main concerns about the Council text and its differences with the Parliament’s views were outlined: A mandatory phase 1 has been introduced in the process. Before the authorisation of a GMO is granted, a Member State that does not want this GMO to be grown on its territory must request the company (through the Commission) that its territory be excluded from the geographical scope of the EU authorisation. It is only if it has applied for a territorial exemption and been refused by the company that the Member State is allowed to ban the GMO on its territory. This is completely unacceptable as it puts the biotech companies at the same level as elected governments on the decision of the geographical scope of an EU authorisation. It gives these corporations a tremendous power that does not exist in EU laws and would set a terrible example; The legal base of the proposal should be changed, from Article 114 TFEU to 192 TFEU (from single market legislation to environment legislation)

that allows a Member State to go further than the minimum EU environmental requirements and to use the precautionary principle, as had been asked by the EP in 1st reading. Article 192 would also leave more space for a Member State to use environmental grounds (provided they do not contradict EFSA's risk assessment) to ban a GMO; The necessity of mandatory anti-contamination measures, particularly in border areas, as well as liability measures for GMO manufactures or growers, should be included in the text; The concerns on the legality of the grounds a Member State may invoke to enact a national ban have not been alleviated. It is of great concern that these grounds may not be compatible with the EU internal market rules as well as with WTO and trade agreements rules. This concern is exacerbated due to the negotiations of the TTIP that may lower EU standards and regulations on food and agriculture. Lastly, it seems clear that this renationalisation proposal that is primarily aimed at ending the EU deadlock on GMOs and giving more support to the Commission to authorise new GMOs cannot be a substitute for the necessary improvement of the whole EU authorisation process, which is clearly failing today. The new head of the Commission, Mr Juncker has clearly acknowledged that the EU authorisation process is not satisfactory and needs to be revised. Indeed, this revision (within 6 months) is the only specific task in the mission letter of designate SANCO Commissioner Mr. Andriukaitis. ALDE MEP Frédérique Ries, rapporteur, has sent out her report on 29th September. While providing much improvement from the Council proposal and re-tabling some good elements of the EP 1st reading agreement, it keeps the disastrous phase 1 process, albeit now optional. Amendments to the report were due 16th October and the Greens/EFA group has provided numerous amendments to improve the text, and particularly to get rid of phase 1. Amendments will be voted on 5th November, after which trilogues will begin until the votes on the ENVI agreement in January.

EFSA's opinion on French ban: how surprising!

See (GMO (In)digest 13) On 1st July, the European Food Safety Authority (EFSA) released its statement on the French ban on cultivation of GMO maize MON 810. Not surprisingly, EFSA remains faithful to its earlier positive opinion on this GMO maize and considered that the documentation submitted by France in support of its request, the scientific publications cited in the documentation and the arguments put forward by France did not reveal any new information that would invalidate the previous risk assessment conclusions and risk management recommendations made by the EFSA GMO Panel. The Authority concludes that there is no specific scientific evidence, in terms of risk to human and animal health or the environment that would support the adoption of an emergency measure on the cultivation of maize MON 810. Once more, EFSA has not considered new independent scientific studies. The same body that approved cultivation of MON 810 would not question its previous opinion. As a consequence, the ECJ may rule again against the French law that banned GMO maize cultivation, and France may be obliged to let farmers grow this GMO. This may well explain why the French government, which used to oppose the renationalisation process is suddenly in favour of a proposal that is far worse than earlier versions, but would allow it to use other and non-scientific grounds to ban it. EFSA Journal 2014;12(8):3809 [18 pp.]. doi:10.2903/j.efsa.2014.3809

Questions for written answer to the Commission

Following the publication of a scientific study that warns that the cultivation of GMO soybean Intacta (MON 87701 × MON 89788) could promote the spread of specific harmful pest insects, Green MEPs Bart Staes, José Bové and Martin Häusling have asked 2 separate questions to the Commission related to Monsanto GMO soybean Intacta: 1. Will the Commission consider the results of this scientific study, with regards to the identified unintended effects of the genetic modification, for the revision of the risk assessment procedure that EFSA currently uses in regards to GMOs? 2. Will the Commission request EFSA to re-consider its opinion on soybean Intacta in the light of this scientific findings, using the highest possible scientific standards? And is it prepared to put a ban on the use and import of soybean Intacta, until there is sufficient scientific research conducted on the possible risks involved using the soybean, in particular with regards to the unintended effects that the publication suspects?

Member States

Germany

German supermarkets want return to non-GMO poultry feed

See (GMO (In)digest 14) Following an unilateral statement from the German poultry producers association GTZ that they would no longer require GMO-free feed, supposedly due to a shortfall in supplies of non-GMO product and the risk of cross-contamination, leading supermarket chains have reacted strongly and requested that they return to the use of only non-GMO feed for poultry and eggs as of 1st January. It seems that this strong reaction, endorsed by chains such as Kaufland, Rewe and Edeka, as well as doubts from important members of ZTG such as Plukon and Deutsche Frühstücksei, set the conditions for a renewed dialogue on the issue. Given the consensus within retailers chains and the continued demand from German consumers, ZTG declared that they are not categorically against GMO-free feed, but that the conclusions of an industry working group should be taken into consideration before a final decision is made. If GMO-free feed is considered possible, the starting point could be the next soya harvest in 2015. However, even though Brazilian non-GMO soybean producers have repeatedly signaled that they were able and ready to supply EU poultry producers with the desired amount of non-GMO soybean, it seems that no new contract from Germany has been signed yet.
https://www.agra-net.net/agra-europe/policy-and-legislation/biotechnology/german-supermarkets-want-return-to-non-gm-poultry-pledge-453403.htm

Around the world

China

China slows down on GMO rice and maize

China's Ministry of Agriculture has decided not to renew biosafety certificates that allowed research groups to grow GMO rice and corn. The permits to grow two varieties of GMO rice and one of GMO maize expired on 17th August. The ministry had approved the GMO Bt rice certificates in August 2009. It has also approved a GMO maize that contains phytase, a feed additive that boosts growth, developed by the Chinese Academy of Agricultural Sciences' Biotechnology Research Institute in Beijing. The certificates were valid for 5 years. There was no official explanation for not renewing the biosafety certificates. Greenpeace believes that loopholes in assessing and monitoring GMO research, as well as public concern around safety issues are the most important reasons that the certifications have not been renewed. Agricultural economics may also have influenced the decision. Having nearly reached self-sufficiency in producing rice using conventional varieties, China does not see a need to commercialize Bt rice in the near future, so there was no point in renewing the certifications, according to Huang Jikun, director of the Chinese Academy of Sciences' Center for Chinese Agricultural Policy, who also feels that rising public concerns about the safety of GMO rice may also have played a role. In any case, this decision is a real relief. Indeed, according to many observers, the biggest and most imminent danger for the global fight against GMO crops was a possible and imminent authorisation of growing a GMO crop that is the basic food for 60% of the world population. Up to now, GMO crops have been used mainly for animal feed or fiber, with marginal use in human food. The commercialisation of GMO rice would have had a huge impact on the GMO industry. Following the rejections of hundreds of thousands of tons of maize shipments from the USA because of their contamination with an unauthorised GMO maize from Syngenta (MIR 162), this may be another sign of China being more cautious about the hazards of this unpredictable technology. And they have created a chain reaction in the USA, where Syngenta is now facing class actions in 3 States on the grounds that Syngenta destroyed the export of US maize to China in releasing a GMO variety that was not approved for exports to China and contaminated the whole supply chain although it was grown only on about 3% of the maize area. These class actions follow a first lawsuit from trading giant Cargill that claimed that Syngenta recklessly contaminated the US grain supply and cost him more than 90

million dollars because of returned shipments. These lawsuits may represent billions of dollars for the Swiss multinational company. http://news.sciencemag.org/asiapacific/2014/08/china-pulls-plug-genetically-modified-rice-and-corn

Brazil

Pest insects acquire resistance to GMO maize 1507

While GMO maize 1507 may be approved anytime by the Commission after failing to get a qualified majority against it in Council (GMO (In)digest 13), a new study has shown yet another potential problem with this poorly assessed GMO. It has found that populations of fall armyworm (*Spodoptera frugiperda*) are becoming resistant to this maize line only few years after market approval, in the federal states of Bahia and Rio Grande do Sul. According to the authors, development of resistance in fall armyworm was first noticed in 2012, the third year after the start of cultivation of maize 1507 in Brazil. Fall armyworm is the most important maize pest in Brazil.

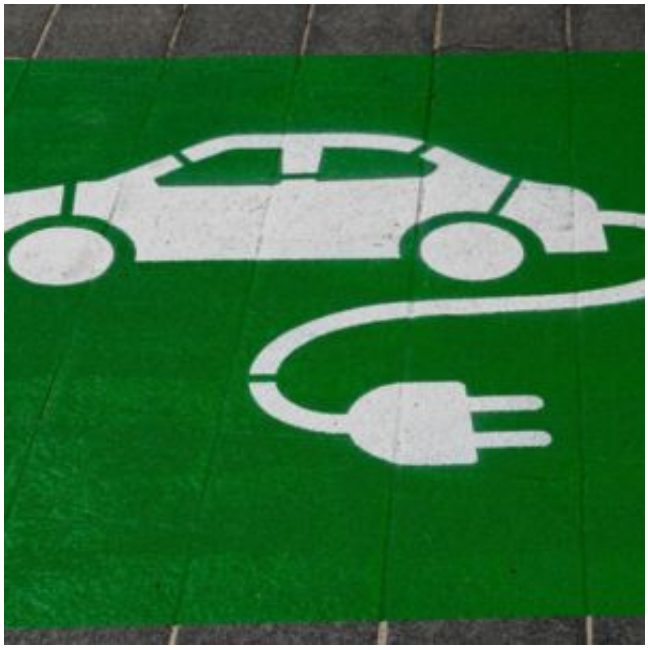
South Korea

Biosafety Protocol

The 7th meeting of the Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (or COP-MOP 7) was held in Pyeongchang, Republic of Korea, from 29th September to 3rd October. The protocol aims at ensuring the safe transfer, handling and use of living modified organisms (LMOs) that may have negative effects on biodiversity. Adopted on 29th January 2000 and entered into force on 11th September 2003, it has now 168 Parties. Big GMO exporting countries, USA, Argentina and Canada are not Parties to the Protocol, but nevertheless send lobbyists to the meeting and an increasing number of Parties are becoming also big GMO exporters, such as Brazil or Paraguay. Mirroring the EU debates, the discussions are very tense between Parties that consider that GMOs require careful regulation and the “pro-GMO” countries that want minimal regulation. One should not be surprised then that only modest progress can be achieved during the negotiations, and this COP-MOP was not different on this respect. Among the outcomes was a decision inviting governments and other stakeholders to use the Guidance on Risk Assessment of LMOs developed by an expert group that was established by the governing body of the Protocol in cases of risk assessment and as a tool for capacity-building activities in risk assessment. A mechanism for revising and improving the Guidance was also agreed with a view to having an improved version of the Guidance by the 8th meeting of the Parties in 2016. The Parties also agreed to continue to identify LMOs intended for direct use as food or feed, or for processing that are subject to transboundary movement (read labelling) with the very controversial labelling « may contain » that does not require precise identification of the LMOs, nor even precise determination whether the shipment actually contains LMOs or not. Despite these loopholes that prevent real risk management measures, the MOP decided that further review of the labelling issue was not necessary. Socioeconomic considerations were so contentious that the Parties could only agree to reconvene a group of experts to further develop clarity on this issue and to develop an outline for guidance on this subject. The next COP-MOP will be in Mexico in 2016.

Recommended

Press release



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