



EcoNEXUS



FIAN Portugal



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Contact for IFOAM EU:

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Recipient: Vice-President Katainen

Copy send to: President Juncker, Commissioner Andriukaitis, Commissioner Hogan, Commissioner Vella

Subject: Work programme for the next European Commission

Mr Vice-President Katainen,

On behalf of a broad coalition of civil society groups, we ask that in your preparations for the new work programme for the next Commission you ensure that the European Commission actively implements the legal requirement that all new genetic engineering techniques are included in the existing legislation on genetically modified organisms (GMO).

On 25 July 2018¹, the European Court of Justice (ECJ) (C-528/16) confirmed that older and newer generations of GMOs are defined as GMOs and clarified the legal status of new techniques. The ruling stated, 'only organisms obtained by means of techniques/methods of mutagenesis which have conventionally been used in a number of applications and have a long safety record' are excluded from

¹ ECJ, Confédération Paysanne and others, 15 July 2018, [C-528/16](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62018CJ0528).

the scope of the GMO legislation. This means that techniques with no long record of safety fall into the scope of the GMO legislation. We welcome the clarification brought by this ruling regarding the GMO legal status of organisms derived from those techniques. Indeed, many different stakeholders, such as the organic sector², consumers³, farmers⁴, the GMO-free sector⁵, retailers⁶, scientists⁷ and environmental groups⁸ have called for an efficient regulation of new genetic engineering techniques, in line with the existing legislation on GMOs.

It is now crucial that the European Commission and the EU Member States efficiently implement the ruling all over the European Union. With the ruling, European consumers, breeders, farmers, food processors and retailers obtain the legal assurance that conventional and organic products cannot be contaminated with undeclared new GMOs. The EU commission and national governments must strictly implement the ruling that GMOs obtained from new genetic engineering techniques must be marketed only with prior authorisation, must be labelled, and require detection methods to be provided by applicants, according to Directive 2001/18/EC. Urgently, the EU Commission needs to ensure that imports from third party countries have certificates that they do not contain unauthorised new GMOs⁹.

This is an imperative requirement to enable the organic, GMO-free and conventional sectors to avoid contaminations. Thus, the European Union must support a research programme to develop methods of detection of undeclared and unlabelled GMOs.

Any attempt to modify the current process-based GMO legislation or the seed legislation in order to exempt GMOs derived from new techniques would be unacceptable. It would run counter to the desire of consumers for more transparency about food. It would be contrary to the freedom of choice of consumers, farmers and processors. It would be contrary to the European Union objectives of protection of the environment and human health. And finally, it would be contrary to the intent of the legislator to create a protective legal framework regarding the modification of living organisms. The European Commission must take a leading role to protect people and the environment and resist the lobbying intended to benefit particular interests and undermine well-founded EU laws.

Sincerely yours,

Jan Plagge, President of IFOAM EU



On behalf of:

Georg Janßen, National Secretary of Arbeitsgemeinschaft bäuerliche Landwirtschaft (AbL)
Joana Rocha Dias, Coordinator, ACTUAR

² IFOAM EU and IFOAM Organics International: [‘The organic food and farming movement calls for the regulation of new genetic engineering techniques as GMOs’](#).

³ TACD: [‘New policy resolution on consumer concerns about new genetic engineering techniques’](#).

⁴ European Coordination Via Campesina: [‘Stop new GMOs’](#).

⁵ [Open letter](#) VLOG and ARGE Gentechnik-frei.

⁶ [Open letter](#) VLOG and ARGE Gentechnik-frei.

⁷ [ENSSER](#) statement on new genetic modification techniques.

⁸ [Open letter to Commission President Juncker 2018 from different organisations from civil society](#).

⁹ Same approach as the EU Commission is applying to linseed imports from Canada:

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_modif-genet_20180319_sum_ann2.pdf.

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