

23.06.2023

Re: The leaked legislative proposal to deregulate new genomic techniques
We demand the EU Commission to retain safety and transparency standards for *all* NGTs

Dear Commission President von der Leyen,

Dear Vice-President Timmermans,

Dear Commissioner Kyriakides,

Dear Commissioner Wojciechowski,

Dear Commissioner Sinkevičius,

We would like to urge you, as the Commissioners responsible, to reject and withdraw DG Sante's legislative proposal on NGTs.

The leaked proposal is meant to water down or even abolish the current safety and transparency standards for all NGTs. It would undermine the precautionary principle and is an attack on the GMO-free agriculture and food production in the European Union - and thus go against the will of the majority of the EU food sector and EU citizens.

It creates a new class of NGTs (equivalent to conventional breeding), called NGTs category 1, based on incomprehensible, arbitrary criteria, for which any risk assessment is to be dropped. The risk assessment for category 2 NGTs will be severely restricted. This is not in the interest of the food sector. Of all economic sectors, it would be most affected by such deregulation - after all, most NGTs would end up in food. The food sector is responsible and liable for every product it places on the market. It has positioned itself accordingly in the EU Commission's public consultation process.

Because the position of the food sector is misrepresented in the leaked legislative proposal, we quote the relevant passage from the summary of the public consultation.

"The view that the risk assessment requirements of the current GMO legislation should be maintained was expressed by 22% (480) of total respondents. Among the economic sectors, this view was expressed by the majority of organic and GM-free operators and the large majority of food retail/services; it was also the most selected reply of the food processing/manufacturing sector."

The leaked legislative proposal largely abolishes the right to know about genetic engineering in agriculture and food for business operators and consumers for category 1 NGTs and thus for the majority of NGTs. DG Sante proposes for category 1 NGTs to label only plant reproductive material, and for there to be transparency only for breeders and farmers. In addition, a publicly accessible database should contain information on the NGT status of seeds. This means that traceability and labelling will only apply to a very limited extent. Both traceability and labelling are vital transparency requirements which form the basis for GMO-free farming and coexistence between agriculture and

food production with and without genetic engineering. Moreover, the coexistence measures to be developed by member states are only to apply to NGTs in category 2.

With this proposal, the Commission is paving the way for the end of GMO-free production in the EU. Without traceability and labelling for *all* NGT products (not only for seeds) and for *all* operators (not only for breeders and farmers) and without comprehensive coexistence rules, it will be impossible for conventional, Non-GMO and organic business operators to keep their value chains GMO-free and to meet consumers' demands for GMO-free products. NGT contamination would be omnipresent.

In the public consultation, the majority of the food sector spoke out in favor of maximum transparency for NGTs. Here too, the leaked proposal misrepresents the position, which is why we quote the relevant passage:

"Transparency for consumers and operators: The most selected responses were that transparency can be achieved via physical label on the final product (29%)."

"Achieving transparency via a physical label was expressed by the majority of organic, food retail/services and the great majority of GM-free and organic sectors; it is also the view most expressed among food processing/manufacturing."

Should the Commission proceed further with the leaked proposal, untested and invisible GMOs would be released onto European fields, into the supermarkets and on to people's plates. The entire food sector would be threatened by a loss of control over all value chains and by a loss of consumer's trust. For the Non-GMO sector, its very business model depends on the knowledge of which products are made with GMOs in order to be able to label its products as Non-GMO. Therefore, its whole market would be massively affected by this proposal – a market that is worth billions of euros per year, with sales in Germany of 16 billion in 2022 and in Austria of 2.5 billion.

We call on the Commission to ensure that *all* GMOs remain subject to risk assessments and labelling – it is what the EU food sector wants and it is what European citizens want.

Yours sincerely,



ENGA Secretary General