
Subject: FW: follow GMO issues
Attachments: Legal opinion GM1507 FoEE [REDACTED] w letter.pdf

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From: [REDACTED]@foeeurope.org]

Sent: Wednesday, March 18, 2015 6:56 PM

To: CHAZE Nathalie (CAB-ANDRIUKAITIS)

Subject: follow GMO issues

Dear Ms Chaze,

[REDACTED]

At the moment in Brussels intense rumours are running what you will suggest to implement the tasks for a more democratic acceptable authorisation system for GMO. What some people are saying is that they EC would have a preference for develop an approach that governments should get the rights to constrain the use of GM food and feed on their territory.

This approach raises legal and implementation questions:

- the main regulation for GMO authorisation is 1829/2003 and here the main legal definitions are 'use' and 'placing on the market' as defined in article 2. The term 'use' include, handling, transport, processing . I would simplify and say this means everything what you are doing with GM food and feed. Hard to imagine how a legal definition could disctinct between 'circulation' and 'use' for GM food and feed. The act to import and to trade with a GMO is defined as 'use' by this regulation. Our preliminary assessment would say this would require to rewrite and amend the whole regulation 1829/2003 and not only the authorisation procedure.

- implementation on national level of national bans for specific GMOs.

So far the main market for GM products in the EU are GM feed, mainly imported from Americas as maize, soy and to a small rapeseed compound feed. GM food is allowed in the EU, due to consumer rejections food processors and food retailers do not sell GM food.

For several years Brazilian exporters and the EU food market have worked on segregations systems for Non-GM feed chains. Several countries as the Netherlands or Germany are importing feed via big harbours and then re-export them to neighbour countries to large extend. Majority of these feed imports are entering the EU as bulk goods and transported in open storage then. This means that for most part of the EU, feed markets are including several member states and it would hardly feasible to renationalise the feed markets. I would recommend to ask the Hogan Cabinet for some date about the intra-EU feed markets and statistics for re-exports.

Kind regards,

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