

Review of the EU's decision-making process to authorise GMOs for food and feed uses

The **core principles** supported by the following associations representing the whole EU food and feed chain:



Brussels, 30 March 2015

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The **EU food and feed chain** would like to contribute their views to the discussion relating to the review of the EU's decision-making process to authorise Genetically Modified Organisms (GMOs) for food and feed uses, as announced in the European Commission's work programme for 2015.

The European Union is one of the largest grain producers in the world and plays an important role in both exporting and importing cereals, oilseeds and their derived products. Europe consumes around 414 million tonnes of grains and derived products per year, catering for food, feed and industrial needs: 339 million tonnes of these agricultural goods are produced in the EU and 75 million tonnes are imported from third countries. Despite EU producers' efforts to increase their productivity, demand outstrips supply and thus EU operators are dependent on imports from the world market.

Bearing this in mind, the **EU food and feed chain** would like to share its views on the principles that should guide EU policy-makers' discussions on the Commission's upcoming proposal relating to the EU's decision-making process to authorise GMOs for food and feed uses.

Executive summary

- The current EU legislative framework for GMO authorisations for food and feed uses, if administered correctly, contains all of the necessary elements to secure a balance in the supply of food and feed, as well as to work efficiently to preserve legal certainty and the competitiveness of EU agri-food operators.
- **The balance of the EU's supply is threatened when the system is not administered efficiently as a result of non-adherence to science-based principles and to the established timetable.** Experience has shown that undue delays in market authorisations of GM products result in legal uncertainties and high costs along the EU's supply chain, and undermine the economic growth and competitiveness of the EU food, feed, breeding and livestock sectors¹. Should the current stalemate in the authorisation of new GM products continue², the likelihood of recurrent food and feed supply crises is bound to increase.
- **Reviewing the EU's decision-making process for GMO authorisations for food and feed uses should focus on timely EU authorisations for safe GM products.** The EU must ensure that the existing obligations and timetables laid down under the EU legislative framework for GMOs are respected, and must also adhere to its obligations under the WTO agreement on the application of sanitary and phytosanitary (SPS) measures.
- **Any attempt to nationalise the EU decision-making process should be avoided.** This would lead to serious threats to the EU's single market and would inevitably result in upsetting the balance of EU supply for food and feed uses, regardless of whether the products are GM, conventional or organic.

¹ DG SANTE evaluation report on the EU legislative framework in the field of GM food and feed, July 2010, http://ec.europa.eu/food/food/biotechnology/evaluation/docs/evaluation_gm_report_en.pdf

DG AGRI study on the "Implications of asynchronous GMO approvals for EU imports of animal feed products", December 2010 http://ec.europa.eu/agriculture/analysis/external/asynchronous-gmo-approvals/full-text_en.pdf

² EuropaBio update on the delays to EU approvals of safety assessed GM crops for import, January 2015 http://www.europabio.org/sites/default/files/position/undue_delays_update_january_2015_final.pdf

1. No retroactive changes and allow approvals while the review is in progress

Independent of the review, it is of paramount importance for the European Commission to guarantee both the functioning of the regulatory framework to support EU production and access to the global supply of agricultural products for food, feed and seed uses. Regardless of the outcome of the review, the conclusions must not be applied retroactively. Furthermore, during the review process, existing legal provisions must be respected. As a first step in this direction, the European Commission should lift the current “de-facto” moratorium on GM authorisations for food and feed uses³ without delay.

2. Risk assessment based only on scientific advice from the European Food Safety Authority (EFSA)

Scientific matters must be referred to EFSA, whose independent and expert opinions form the basis of decisions on risk management. Any non-scientific interference in the risk assessment process must be avoided. EFSA must remain fully in charge of and responsible for this phase and should aim to establish efficient procedures.

3. Risk management decisions and processes based on risk assessment

Risk managers should not question EFSA's scientific advice. Doing so would undermine stakeholders' trust in EFSA and their confidence that risk-based decisions are rational, sound and based on scientific evidence.

4. A workable, efficient and predictable regulatory framework

EU food and feed operators seek an efficient and predictable regulatory framework that provides the necessary legal certainty to operate on the EU market and on the international stage. GM products that have passed EFSA's risk assessment must be authorised in a timely and predictable manner, according to the obligations and timetables set out by EU law.

5. Regulatory framework enabling the effective functioning of the EU's internal market

The EU agri-food sector requires an EU GMO authorisation system for food and feed uses that allows the free and smooth movement of food and feed throughout the EU's internal market. This can only be achieved by a uniform implementation of EU legislative requirements and decisions related to GMO authorisations for food and feed uses. Any attempt to deviate from an EU-wide decision-making process would cause uncertainty on the markets. Renationalising GM market authorisations would exacerbate competition between the Member States and jeopardise the founding principle of the European Union, i.e. the single market.

6. Policies enhancing the competitiveness of the food and feed chain on the global market

EU policies must enable EU food and feed operators to compete on a level playing field in a world of increasing production efficiency and globalised supply chains. In the medium to longer term, EU farmers and manufacturers need better access to key enabling technologies to improve productivity.

7. Policies administered in line with the WTO agreement on applying sanitary and phytosanitary (SPS) measures

The EU must take note of the fact that biotechnology is already embraced at a rapid pace around the world. EU policy makers must fully respect their obligations under the WTO SPS agreement on efficiently and effectively applying EU legislation on biotech products.

The **EU food and feed chain** cautions the European Commission that deviating from these core principles would ultimately lead to a loss of competitiveness for EU food and feed chain operators and would jeopardise any potential growth and job creation, to the detriment of the EU's economy.

Independently of the review, we wish to remind the European Commission that the development of biotechnology the world over affects plant breeding, seed production and the seed trade. EU policies have not yet addressed the issue of the low-level presence of GM products in seeds, thus limiting the possibilities of EU breeders to work efficiently on seed production and causing serious legal uncertainty for seed companies and farmers. The European Commission is not getting closer to logically extending the existing technical solution for feed also to food and hence bringing coherence into the way test results on not-yet-authorised GM events are interpreted for demonstrating “zero” tolerance.

³ Press release: EU missing GM import authorisations: a ticking bomb. EU needs to unlock the GM authorisations system for imports to safeguard vital food and feed supply and preserve competitiveness of the EU livestock sector
http://www.coceral.com/data/1423152634COCERAL_FEDIOL_FEFAC_PR_EU%20missing_GM_import%20authorizations_ticking_bomb.pdf

A.v.e.c. is since 1966 representing and promoting the interests of the European poultry meat sector. Members are national organisations representing poultry processors and the poultry trade in 16 EU countries with about 95% of the EU poultry meat production. The European poultry meat business employs more than 300 000 citizens and has a turnover of more than 32 billion Euros.

COCERAL is the European association of cereals, rice, feedstuffs oilseeds, olive oil, oils and fats and agrosupply trade. It represents the interest of the European collectors, traders, importers, exporters and port silo storekeepers of the above mentioned agricultural products. COCERAL's full members are 26 national associations in 18 countries, and 1 European association [Unistock]. With about 2500 companies as part of COCERAL national members, the sector trades agricultural raw materials destined to the supply of the food and feed chains, as well as for technical and energy uses.

Copa-Cogeca is the united voice of farmers and agri-cooperatives in the EU. Together, they ensure that EU agriculture is sustainable, innovative and competitive, guaranteeing food security to half a billion people throughout Europe. Copa represents over 23 million farmers and their families whilst Cogeca represents the interests of 22,000 agricultural cooperatives. They have 66 member organisations from the EU member states.

ESA European Seed Association is the voice of the European seed sector, representing those active in research, breeding, production and marketing of seeds. Its membership consists of more 36 national seed associations, representing more than 7000 seed businesses, and of more than 60 individual company members.

EuropaBio is the European Association of BioIndustries. Our members are involved in research, development, testing, manufacturing and commercialisation of biotech products and processes in human and animal healthcare, diagnostics, bioinformatics, chemicals, crop protection, agriculture, food and environmental products and services. EuropaBio also counts a number of National Biotech Associations in its membership who in turn represent more than 1800 biotech SMEs.

The **European Flour Millers'** association is the voice of the European flour milling industry. It gathers the national associations from 28 European countries. They represent 3 800 companies employing some 45 000 people. With some 45 million t of agricultural commodities processed in the EU each year, the sector is the largest single food user of EU domestic wheat, rye and oats.

EUVEPRO is the European Vegetable Protein Federation representing the interest of the producers of vegetable proteins for human consumption in the EU.

FEDIOL, the EU vegetable oil and proteinmeal industry association, represents the interests of the European seed and bean crushers, meal producers, vegetable oils producers, refiners and bottlers. FEDIOL's members are 12 national associations and associated company members in 5 other EU countries. With about 150 facilities in Europe the sector provides 20.000 direct employments. Its members process approximately 36 million tonnes of basic products a year, both of EU origin and imported from third country markets.

FEFAC is the European Compound Feed Manufacturers' Federation. FEFAC represents 24 national Associations in 23 EU Member States as well as Associations in Switzerland, Turkey, Croatia, Serbia, Russia and Norway with observer/associate member status, and is the only independent spokesman of the European Compound Feed Industry at the level of the European Institutions. The European compound feed industry employs over 110,000 persons on app. 4,000 production sites often in rural areas, which offer few employment opportunities.

The **Federation of European Rice Millers** is the voice of the European rice milling industry. FERM is made up of 21 company members from around Europe as well as 3 national rice milling associations of Italy, Spain and Portugal. In representing over 90% of the milling capacity in Europe it is able to reflect credibly and authoritatively the interests of the industry.

FoodDrinkEurope represents the European food and drink industry, the largest manufacturing sector in the EU in terms of turnover and employment. It aims to promote the industry's interests to European and international institutions, contributing to a framework addressing, inter alia, food safety and science, nutrition and health, environmental sustainability and competitiveness.

Starch Europe is the trade association which represents the interests of the EU starch industry both at European and international level. Its membership comprises 24 EU starch producing companies, together representing more than 95% of the EU starch industry, and in associate membership, 7 national starch industry associations. Before October 2014 Starch Europe was called the AAF.

The **European Livestock and Meat Trades Union (UECBV)** represents national federations of livestock traders, meat industry, and meat traders. Through its 52 national member federations, UECBV is the voice for some 20,000 trading and industrial companies.

Unistock Europe is the only European association of professional storekeepers for agribulk commodities in the European Union. Unistock Europe full members are present in 11 countries. With a total of approximately 79 port silos facilities Unistock Europe proactively represents the united voice for the agri-bulk storage sector towards the EU authorities. Unistock Europe is a full member of COCERAL.