



they can also add precision compared, for instance, to random mutagenesis techniques, which are already exempted today from the requirements of the GMO legislation. It is therefore warranted to examine different options for a new, fit-for-purpose legislation for plants obtained by NGTs, as the Commission is currently doing through the on-going work on the impact assessment.

I also note the commitment of Austria to support organic and GM-free food production. Impact on and coexistence with the organic and GM-free sector are an integral part of the impact assessment, which will consider the most appropriate approach to ensure choice in GM-free supply chains. In addition, addressing the challenges faced by our agrifood systems calls for a variety of responses and tools, and these include both organic production and the use of biotechnology to deliver improved varieties. I believe we should create the conditions for both to contribute.

You also consider that legal aspects concerning the open access to seeds need to be clarified and ask the Commission to conduct a study for discussion by the Council. I would like to clarify that the NGT initiative does not cover patent protection of biotechnological inventions, which is regulated by Directive 98/44/EC on the legal protection of biotechnological inventions and the European Patent Convention. However, concerns relating to the patent protection of NGT plants have been raised by different stakeholders, and a reflection is ongoing in the Commission to assess the issues at stake and, if necessary, explore possible solutions.

Through numerous consultations, meetings and events in the preparation of the 2021 Commission study and now in the context of the impact assessment, we have engaged with Member States and stakeholders to develop our policy on NGTs in an evidence-based, inclusive and transparent process. We consider that it is time to move the discussion to the Council and the Parliament to decide on the most appropriate regulation for NGTs in the EU.

I look forward to working with you and with the Council in the most constructive way possible on this priority initiative in the context of our work to support a sustainable and productive European agriculture.

Yours sincerely,

A large grey rectangular box redacting the signature of the official.