



French GM cultivation ban illegal, according to European Court of Justice

Brussels, 8 September 2011

Today the European Court of Justice judged the French ban on the cultivation of genetically modified crops (GM) illegal. In response, EuropaBio views the Court's judgment as a step towards choice in Europe. French farmers should no longer be denied the choice to use this GM maize.

The ECJ ruling has confirmed the arguments raised by the French farmers and seed companies that the 2008 French government order suspending MON810 use by French farmers did not follow applicable procedural regulations.

In addition, ECJ indicated that emergency measures can be invoked only in case of the existence of a situation which is likely to constitute a clear and serious risk to human health, animal health or environment, this was not the case when the French government acted. Over the last 15 years, this GM maize has been cultivated worldwide and has proven agronomic, economic and environmental benefits. Its safety has been consistently confirmed.

Carel du Marchie Sarvaas, EuropaBio's Director of Green Biotechnology Europe, commented, "The European Court of Justice has given a clear verdict today: EU member states cannot ban GM based on myths and hearsay. In fact, French farmers had three years of experience planting GM crops prior to this ban. European scientists have shown again and again that GM crops pose no risk to health or the environment and, in fact, have health, socio-economic and environmental benefits. After all, they are grown on nearly 150 million hectares worldwide by over 15 million farmers, 90% of whom are resource-poor farmers working in developing countries."

In 2007, pending the authorization renewal for MON810 maize under Regulation EC 1829/2003, the French government banned its cultivation, citing risk to health and the environment. The top legal advisor to the European Court of Justice, Advocate General Paolo Mengozzi, gave his opinion that only the EU itself could institute such bans and that the French government did not have the authority to adopt the ban. Advocate General Mengozzi also underlined that risk cannot be hypothetical.

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