ENGA AISBL
Rue du Monastère 10-12
1000 Bruxelles
+32 (0) 493 33 5491

Inception Impact Assessment on New Genomic Techniques - Input ENGA

ENGA does not see any necessity to change the current EU GMO legislation for new GMOs. The EC should respect the ruling by the ECJ and implement the EU GMO legislation for NGTs, as interpreted by the ECJ.

All new GMOs have to remain subject to a comprehensive risk assessment

To our understanding the EC suggests that products derived from targeted mutagenesis and cisgenesis shall be excluded from the current GMO legislation. This would affect app. 95 % of all new GM plants currently in the pipeline, according to data from the JRC.

We do not see any justification for such a deregulation. An a priori conclusion on the general safety of whole groups of plants cannot be drawn without a comprehensive and compulsory risk assessment. In accordance with the precautionary principle, a thorough, process-based case-by-case risk assessment for each individual new GM plant must be guaranteed.

The European food sector (producers and retail) bears responsibility and liability for all its products (towards the full value chain and consumers) and depends on a comprehensive safety regime for all new GMOs.

Freedom to conduct business has to be ensured for the conventional and organic Non-GMO sector

New GMOs restrict and threaten the freedom to conduct business for conventional and organic Non-GMO economic sectors. This applies to both regulated and deregulated products.

Regulated new GMOs would have to be strictly barred from Non-GMO value chains (just like old GMOs). Since no polluter-pays principle exists in the EU, Non-GMO producers have to bear the costs for segregation, analysis and certification. The more new GMOs receive EU authorisation, the more complex and costly segregation measures become.

Deregulated new GMOs would contaminate Non-GMO value chains in an uncontrollable way, due to abolished traceability and labelling. Not being able to identify and exclude new GMOs the conventional Non-GMO sector would face serious financial losses, with threat of full collapse. The food and retail market in at least eight EU countries where Non-GMO labelling systems are in force would be heavily impacted. The same applies to organic products, as the ban on GMOs is an important selling point. The ambitious targets for organic production in the Green Deal would be jeopardized by deregulation.

To ensure freedom to conduct business for the Non-GMO sector

- labelling and traceability for all new GMOs have to remain mandatory and implemented by EU and national authorities.

European Non-GMO Industry Association

ENGA AISBL
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- strict and comprehensive coexistence rules between agriculture and food production with and without GMOs have to be implemented, including clear liability rules in case of contamination.

Development and implementation of a thorough traceability and labelling system for new GMOs have to be top priority of the impact assessment

GMO-free agriculture and food are based on traceability and labelling of GMOs. The same applies to consumer's rights to make informed choices - which includes a right to say "no" to GMOs in food.

The EC needs to assist EU member states in the enforcement of EU GMO law, provide budgets and research capacities and coordinate all relevant endeavors in an efficient manner. This includes detection methods for new GM plants already on the market. Research needs to focus on detection of the individual technology used to create a new GMO. The EC has to establish a transparency register for new GMOs, with a focus on GM plants derived from targeted mutagenesis. Countries exporting agricultural or food products to the EU need to mandatorily participate in the register.

In addition, the EC has to establish traceability systems for new GMOs. Traceability does not depend on the ability to distinguish GM products from Non-GM products using laboratory methods. Experience with EU labels for regional specialties and organic food shows that it is possible to build robust traceability systems even when the information displayed on the label cannot be verified in a laboratory.