

# European Seed Association



**Position Paper  
on  
Traceability and labelling of GMOs  
and  
GM food and feed  
(COM 182/2001 and COM 425/2001)**

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1. More than 50 million hectares are grown annually with genetically modified varieties worldwide. With more and more species being modified and more countries using the new technology, there is from year to year an increasing area of cultivation of GM-varieties.

On the contrary, Europe is living under the so-called political moratorium so that there is almost no production with GM-crops at all. ESA feels that Europe is losing its strong position in research and restricts future options to develop sustainable agriculture and competitive production of food and feed.

2. Although there is almost no cultivation within Europe, the European consumer is faced with genetically modified products being imported as commodities to be processed for food and feed or with products being produced by the use or with the help of gene modification technology. ESA therefore considers the theoretical option of a GM-free Europe to be unrealistic.

3. The European Commission has proposed a new labelling and traceability system to enable the consumer to decide on the consumption of GM food. As biotechnological innovations have great advantages for production and products, ESA generally accepts the concept of labelling of products as long as it is practical and consistent, not misleading and as long as it provides meaningful information for the consumer.

4. The Commission's intentions on labelling in the proposed regulations concerning GM-Food and Feed and GM Traceability and Labelling are based on the idea to achieve a process-oriented labelling system. It is planned that even those products, which are indistinguishable from GM-products, should be labelled if gene technology has been used in their production process. ESA points out that this often will mislead and deceive the consumer, especially since not all such products (e.g. enzymes) will be labelled under the current proposals. Therefore ESA is in favour of a labelling system based on reliable results of analysis.

5. With regard to the proposed traceability system planned for GM-food and feed, ESA believes that any traceability concept should in principle cover all food and feed. The requirements of such a traceability concept must be workable within already existing documentation systems and should avoid the addition of any specific new system. However, ESA underlines the concerns of farmers and traders that the proposed traceability concept will lead to severe problems to keep bulk commodities traceable. Especially the majority of the small and medium sized farms, which have to put smaller quantities together to come to a tradable lot, will face economic disadvantages for not having available bulk quantities which could be traded, stored and processed

separately.

6. Another issue of the proposed traceability system being only foreseen for GM-products is that, with the additional costs, it will lead to a discrimination against GM-products as long as traceability for non-GM products is not included.

7. Furthermore, ESA is asking the following points to be considered:

a) For consistency and legal certainty for all stakeholders of the food/feed chains and for consumers, ESA requests that the scope of the proposed regulations on GM Food and Feed as well as on Traceability / Labelling must be the same as the scope of Directive 2001/18/EC for deliberate release and placing on the market of GMO.

Therefore, the definition should specify: "GMO as defined in Directive 2001/18/EC excluding organisms obtained through the techniques of genetic modification listed in Annex I B".

b) Thresholds are needed for exemption from labelling and traceability of adventitious and technically unavoidable traces of GMOs. ESA points out that because of technical and biological reasons a threshold of at least 1 % is needed for food, feed and seeds.

c) The scope of the proposed Regulation on Traceability and Labelling explicitly concerns the traceability of GMOs including seeds. Therefore, for seeds, a specific provision concerning the adventitious presence of GMOs should be included in the Regulation.

d) ESA proposes to include all those transgenic events that

- have been approved for deliberate release under Directive 2001/18/EC
- have been approved under comparable legislation in third countries
- have received a positive opinion of a Scientific Committee or of the European Food Safety Agency.

e) A system of international equivalence for product safety assessment must be established especially for adventitious and technically unavoidable presence of GM products in internationally-traded bulk commodities.

f) Sampling and analysing as well as statistical methods for the examinations of products for the purpose of traceability and labelling and determination of adventitious and technically unavoidable presence must be harmonised internationally. Until now there is no agreement about such methods thus leading to confusing results, incoherent decisions and disruptions in the marketplace.

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