

**Position  
on**

**Thresholds for the adventitious and  
technically unavoidable presence of  
GMOs in conventional seed**

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On behalf of the European seed and biotech industries, ESA and EuropaBio renew their request for the setting of labelling thresholds for the adventitious and technically unavoidable presence of GMOs in seed lots of conventional plant varieties and urge the European Commission to present a respective proposal without further delay. The continuing growth of the use of GM technology in plant breeding and commercial farming in absence of such thresholds places European plant breeders, seed producers and farmers at serious economic and legal risks and uncertainty.

ESA and EuropaBio call upon Commission and Member States to resolve this situation by adopting practical and sustainable legislation in line with the following principal considerations:

- Definition of threshold

The proposed labelling of conventional seed containing trace levels of GMOs is supposed to provide customer information and choice as well as to strike a balance between such information and related costs and practicality. This principle approach is clearly also the one being followed by Regulations 1829/2003 and 1830/2003 on the traceability and labelling of GMOs and on GM food and feed. The issue at stake thus is not safety or specific conditions of use but solely labelling for information.

- Scope: all GM events that received a positive scientific risk assessment by the EFSA

The proposal must cover all GM events that are authorised for cultivation in the European Union.

In addition, it should also cover those events that are authorised for import, food and feed use and that have already received a positive scientific risk assessment for their release into the environment from the EFSA European Food Safety Authority, but where the authorisation for cultivation is not yet granted.

All these events have undergone the full scientific risk assessment for environmental release as well as consumption and are thus considered safe at 100% levels in European environment and feed and food without any concern and subject solely to a labelling requirement. Clearly, where these events are adventitiously present at trace levels below a defined threshold, this should be equally accepted subject solely to a labelling provision and thus similarly to the provisions of the GM food and feed Regulation.

- Scope: a uniform labelling threshold for all species

The future labelling threshold for the presence of GMOs in seed of conventional plant varieties should be uniform, i.e. apply to all species. This approach is in line with the existing labelling provisions as contained in the GM food and feed and traceability and labelling legislation.

- Level of labelling threshold: 0.9% as for GM food and GM feed

For consistency and compatibility of the future labelling threshold for seed and the one already established for food and feed, ESA and EuropaBio propose that the level of such a threshold should be set at 0.9%. It is important to underline that it would cause major confusion and might lead to serious questions of potential fraud and related control if on the basis of different labelling threshold levels, material is qualified as GM provided it is used as seed but would be qualified as conventional or even organic in case used as feed or food.

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- Other issues to be resolved

ESA and EuropaBio reiterate their position that further legislation is required to deal with the practical realities of presence of GMOs in commercial seed. Such legislation must cover GMOs authorised for field trials (so-called part B events) as well as events authorised for cultivation in third countries but not, or not yet, authorised in the EU. Similarly e.g. to the situation in feed imported from third countries where the asynchronous approval of GMOs in these countries and the EU leads to significant disruptions of trade, also plant breeding research, variety development and seed production is hampered by incompatible or non-aligned regulatory approaches. Irrespective of the urgent need to adopt legislation for a labelling threshold as outlined above, ESA and EuropaBio therefore call upon the Commission to develop further proposals to deal with the presence of events not (yet) assessed and/or approved in the EU.

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**ESA** is the voice of the European seed industry. ESA's membership comprises more than 35 national seed associations, representing several hundreds of seed companies, and more than 50 company members.

**EuropaBio** is the voice of the biotechnology industry in Europe, representing 70 corporate companies and over 2000 SMEs active in the field of biotechnology.