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Commission proposes a fresh start for GM policy – and abandons its responsibility for the Internal Market

ESA is the voice of the European seed industry, representing those active in research, breeding, production and marketing of seeds of agricultural and ornamental plant species. It represents 32 national seed associations (and with that more than 1000 seed businesses in the EU, most of them SMEs) and 42 direct company members.

ESA's mission is to work for fair and proportionate regulation of the European seed industry, freedom of choice for customers in supplying seeds as a result of innovative, diverse technologies and production methods and for effective protection of intellectual property rights relating to plants and seed.

Contact:

ESA

European Seed Association

Tel. 0032-2-7432860

secretariat@euroseeds.org

www.euroseeds.org

The European Commission presented its long awaited proposals for a new policy for the authorisation and use of GMOs in Europe at a press conference today. The proposals will also be explained in detail to Members of the European Parliament at EP Committee meetings today and tomorrow. The proposals mark the practical delivery on the general announcement of Commission President Barroso in his policy guidelines for the new Commission that he would work for a better balance of responsibilities between EU and Member States in the area of GM cultivation. To do so, the Commission has now changed its guidance to Member States on the coexistence of GM and non-GM farming; while in the past national measures were subject to Commission scrutiny and had to be based on science, such measures may now be taken by any region and only need to be notified to the Commission. Most notably, regions may work for thresholds lower than the one set by Council and Parliament in the respective EU Regulation. Critics fear a patchwork of arbitrary rules and obligations on seed suppliers, farmers and other operators that will even further increase their legal uncertainty instead of providing a practical and fair guidance. "What is most striking is that the Commission seems to give up on its established policy not to favour one production model over the other.", Garlich von Essen, Secretary General of ESA European Seed Association comments on the new guidelines. "This is no longer a coexistence guideline but a guideline to justify any measure that makes such coexistence of GM and non-GM farming impossible, both in practice and legally.", von Essen adds in view of the proposed change to the authorisation legislation for GMOs. According to a legislative proposal published with the new coexistence guideline, Member States would be allowed to ban the planting of any GM crop on their territory, irrespective of environmental safety or public health concerns, while the import and use of the very same GM crops would still be authorised on EU level. The proposal is heavily criticised as setting a precedent for a disintegration of the Internal Market. "The Commission is supposed to safeguard the internal market and the European rule of law, not to abandon it. And the Commission is supposed to propose legislation that solves problems and does not create new. Without practical rules for the unintended presence of GMOs in non-GM products, regardless whether we look at seed, feed or food, this policy of re-nationalisation of the GM policy will continue to put Europe's seed industry and Europe's farmers at severe legal and economic risk.", von Essen points out the shortcoming of the Commission's approach, concluding that "This must be addressed now, either with a new proposal or by adding amendments in the further debate at the level of Member States and Parliament".