STELLA KYRIAKIDES
MEMBER OF THE EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY

Rue de la Loi, 200
B-1049 Brussels – Berl 10/380
stella.kyriakides@ec.europa.eu

Brussels, 29 June 2021

Dear Ms Moldenhauer,

I would like to thank you and the co-signatories of the letter of 26 May 2021[1] addressed to Executive Vice-President Timmermans, Commissioner Sinkevicius, Commissioner Wojciechowski and myself, informing us about the retailers' view on a possible policy action on new genomic techniques (NGTs).

In your letter you express concerns, in particular related to safety and labelling, and on impacts of a possible deregulation of products derived from NGTs. In your view the current legislation has proven its worth ensuring that GMOs are authorised before placing on the market and ensuring consumers freedom of choice through labelling. Therefore you call for maintaining the current GMO legislation unchanged.

I have carefully read the resolution of retailers and taken note of it. As you know, the Commission has announced a policy action based on the recently published Commission study[2] on the status of NGTs, which was requested by the Council of the European Union[3]. One of the key findings of the study is that these techniques have the potential to contribute to sustainable agri-food systems in line with the objectives of the European Green Deal and Farm to Fork Strategy. As regards safety, the study shows that NGTs are a diverse group of techniques that can achieve different results, from limited and well-characterised modifications that might also occur naturally, to more extensive and less-known alterations. This variety of outcomes calls for case-by-case risk assessment and more flexibility in the legal framework. In addition, based on EFSA scientific opinions and a

[1] Our reference Ares(2021)3483654
[2] https://ec.europa.eu/food/plants/genetically-modified-organisms/new-techniques-biotechnology/ec-study-new-genomic-techniques_en
[3] Decision (EU) 2019/1904

Ms Heike Moldenhauer, Secretary General
European Non-GMO Industry Association
Rue du Monastère 10-12
1000 Bruxelles, Belgium
info@enga.org

significant part of scientific bodies, the safety profile of certain NGT plants does not differ from that of conventionally bred plant.

The study also identified implementation challenges and legal uncertainties as regards the application of the GMO legislation to these new techniques, and concluded that there are strong indications that the current GMO legal framework is not fit for purpose for some NGTs products, and that it needs adaptation to scientific and technological progress.

The safety and consumer information concerns you raise have also been identified and highlighted in the study. The study noted, based on national and EU-wide surveys, that the public has limited knowledge of NGTs.

The Council also requested the Commission to submit a proposal (accompanied by an impact assessment), if appropriate, in view of the outcome of the Commission's study on NGTs under Union law, or otherwise to inform the Council on other measures required as a follow-up to the study.

The Commission considers that action needs to be taken in the field of NGTs, to address the current challenges that were at the origin of the Council request, and are further confirmed by the study. Based on the available information and the outcome of the study, the Commission has concluded that there is sufficient evidence and scientific basis to initiate an impact assessment aiming at a targeted policy action on plants derived from targeted mutagenesis and cisgenesis.

The envisaged impact assessment will look into the design of a proposal that maintains high levels of safety with clear added value to society and the environment, taking also into account the concerns identified in the study, including those raised in your letter regarding non-GMO and organic sectors. The impact assessment will look at all of the issues raised in your letter, namely coexistence with non GMO and organic sectors and information to consumers, and will be accompanied by various opportunities for public consultation and feedback. In this context, I invite you to provide data and evidence supporting your views based on your experience on the matter.

Finally, I would like to conclude that the Commission's intention is not to deregulate products derived from these techniques, but that the policy action will aim at a proportionate regulatory oversight, which would maintain a high level of protection of human and animal health and the environment and allow reaping benefits from innovation, in particular to achieve the goals of the European Green Deal and Farm to Fork Strategy.

Looking forward to further constructive exchanges on this important topic.

Yours sincerely,

D. Kyprianides