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FOREIGN AGRICULTURAL SERVICE
U.S. MISSION TO THE EUROPEAN UNION

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Genetically Modified Food and Feed

The breakdown in the EU's approval process for products made from modern biotechnology has blocked most U.S. exports of corn and hinders trade in other products. Food processors and exporters are either reformulating or seeking non-biotech sources, and the prospect of new mandatory traceability and labeling requirements is causing enormous uncertainty in the feed and seed sectors. Problems exist for both approved products and products currently undergoing the approval process. Biotechnology continues to be more of a political than a scientific issue in Europe and the prospects for improvement remain dim.

Reports & Articles

…**Recent Biotech Developments in the EU** GAIN report E35044: The new EU Commission has decided to engage in a policy debate on biotech sometime during the next 2 months. Faced with a number of challenges to its regulatory approach to biotech, the Commission's decision to undertake the debate has likely been prompted by a number of contentious and unresolved issues: --the inability to get member states to approve biotech events and to overturn marketing bans dating back to 1997; --the emergence of trade-restricting member state proposals for national coexistence laws; --Hungary's recent banning of the planting of MON810; --the absence of seed labeling legislation for the presence of biotech seed; --and finally, about 30 biotech events in the pipeline awaiting approval.

Twenty EU Regions Defend Right to Ban Biotech Production GAIN report E35026: 20 EU regions met in Florence, Italy on February 4 to sign a charter proclaiming their right to declare themselves "GMO-free" regions. The regions intend to work within the current EU legal framework to ban biotech production. This could mark a shift in strategy stemming from previous setbacks. In 2003, Upper Austria's attempt to impose a ban met with failure when the EU Commission ruled that Austria failed to provide sufficient scientific evidence to justify a ban. Similarly, the EU Commission has

raised legal concerns about Germany's new coexistence law. Josef Stockinger, Upper Austria's agriculture minister commented "... that in Berlin recently, Agriculture Commissioner Marianne Fischer-Boel recognized that there are insecurity and doubts related to the coexistence of crops. Without the intervention of the Commission, nothing serious can be done."

The EU's Biotech Regulatory System - Who's Being Protected? GAIN report E35008: European policymakers unfailingly invoke consumer concerns and food scares (BSE and dioxin) to justify the EU's onerous regulatory system for biotech products. NGOs repeatedly assert that consumers distrust the safety of biotech food products and will not buy them. The EU views its all encompassing labeling and traceability regulations as critical to assuaging consumer concerns. Or so it seemed. But then in a change of heart, the Commission relented and exempted from labeling a number of products produced from genetically modified microorganisms, including vitamins. With sales estimated at nearly US$ 6 billion, Europe's vitamin and mineral supplement manufacturers were thus spared the fate of slapping a GM label on a product so widely consumed in Europe.

The EU Biotech Regulatory Process - A New Tower of Babel GAIN report E34096: The EU's embrace of the precautionary principle underpins much of the current thinking on agricultural biotechnology and food safety in general. While the EU pays homage to implementing regulatory measures that are proportionate to the alleged risks, the reality for biotech and other food products is often far different. In a rather surprising admission, David Byrne, the EU's former Commissioner of Health and Consumer Protection recently commented: "Germany sees the right to smoke as an issue of freedom, but how can you be free if addicted? It is extraordinary to me that you have states that express concern about genetically modified foods--when there's been no evidence of danger--but the same states are completely unconcerned about smoking, which we all know causes thousands of deaths each year."

. . . **"Ducking The Truth About EU GM Policy" (EU Reporter Business Journal - page 6)**