EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Brussels,
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SUMMARY RECORD OF THE APPEAL COMMITTEE

Genetically Modified Food and Feed

12 NOVEMBER 2020

Chair: Claire Bury

1. Adoption of the Agenda

The agenda was adopted without amendments.

2. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize MON 87427 × MON 89034 × MIR162 × NK603 and genetically modified maize combining two or three of the single events MON 87427, MON 89034, MIR162 and NK603, and repealing Commission Implementing Decision (EU) 2018/1111 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council.

The Chair introduced the draft Decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize MON 87427 × MON 89034 × MIR162 × NK603 and genetically modified maize combining two or three of the single events MON 87427, MON 89034, MIR162 and NK603, and repealing Commission Implementing Decision (EU) 2018/1111, which was the same as that presented to the Standing Committee on 15 September 2020.

The Chair established whether any Member States had any further comments.

No Member State raised questions.

The Committee agreed to vote in written procedure in accordance with Article 3(5) of Regulation (EC) No 182/2011.

Vote taken by written procedure: no opinion

Reasons for the negative vote or abstention:
- No agreed national position
- Negative public opinion
- Political reasons
- Precautionary principle
- Risk assessment deemed not sufficient

In accordance with Article 6(3) of Regulation 182/2011, it is now for the Commission to decide on adoption of this Implementing Decision.

3. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize MON 87427 × MON 87460 × MON 89034 × MIR162 × NK603 and genetically modified maize combining two, three or four of the single events MON 87427, MON 87460, MON 89034, MIR162 and NK603, pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council

The Chair introduced the draft Decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize MON 87427 × MON 87460 × MON 89034 × MIR162 × NK603 and genetically modified maize combining two, three or four of the single events MON 87427, MON 87460, MON 89034, MIR162 and NK603, which was the same as that presented to the Standing Committee on 15 September 2020.

The Chair established whether any Member States had any further comments.

No Member State raised questions.

The Committee agreed to vote in written procedure in accordance with Article 3(5) of Regulation (EC) No 182/2011.

Vote taken by written procedure: no opinion

Reasons for the negative vote or abstention:
- No agreed national position
- Negative public opinion
- Political reasons
- Precautionary principle
- Risk assessment deemed not sufficient

Hungary endorsed the written statement issued by Austria to the Standing Committee for Plants, Animals, Food and Feed, section Genetically Modified Food and Feed on 15 September 2020.

"Austria is of the opinion that the risk assessment which has been carried out is affected by uncertainties unsuitable to give a scientific proof for the safety of this product and, therefore, objects the placing on the market of genetically modified maize MON87427xMON87460xMON89034xMIR162xNK603 for the following reason:

a. The genetically modified maize MON87427xMON87460xMON89034xMIR162xNK603 is carrier of an antibiotic resistance marker gene (i.e. nptII) which may facilitate the dissemination of antimicrobial resistance in soil and gut bacteria. Considering the current crisis in antibiotic resistance, we cannot support a deliberate fueling of the environmental antibiotic resistance gene pool by this product.

b. By not removing this resistance gene from the commercialized product – although technically possible by the implemented cre-lox system - the applicant is violating Commission Implementing Regulation 503/13 on the "insertion of marker genes and other nucleic acid(s) sequences not essential to achieve the desired trait" and Directive 2001/18/EC on phasing out of antibiotic resistance genes."

In accordance with Article 6(3) of Regulation 182/2011, it is now for the Commission to decide on adoption of this Implementing Decision.

4. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision authorising the placing on the market of products containing, consisting of or produced from genetically modified soybean SYHT0H2 (SYN-ØØØH2-5), pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council

The Chair introduced the draft Decision authorising the placing on the market of products containing, consisting of or produced from genetically modified soybean SYHT0H2, which was the same as that presented to the Standing Committee on 15 September 2020.

The Chair established whether any Member States had any further comments.

No Member State raised questions.

The Committee agreed to vote in written procedure in accordance with Article 3(5) of Regulation (EC) No 182/2011.

Vote taken by written procedure: no opinion

Reasons for the negative vote or abstention:
- No agreed national position
- Negative public opinion
- Political reasons
- Precautionary principle
- Risk assessment deemed not sufficient

Written statement issued by Sweden:

"The authorization of placing on the market of products containing, consisting of, or produced from genetically modified maize is on the agenda on the meeting mentioned above. The authorization does not include cultivation. Soja bean SYHT0H2 is tolerant to glufosinate-ammonium-based herbicides.

The Swedish Board of Agriculture and the National Food Agency make the same conclusion as stated by Efsa i.e. this product is safe for human and animal health as well as for the environment. Sweden therefore votes in favour of granting the product authorization according to the Commission proposal.

This does not preclude the Swedish vote on a possible future granting of authorization of cultivation of seeds that are tolerant to glufosinate-ammonium.

Glufosinate-ammonium has very serious properties and is classified as a substance toxic for reproduction in category 1B which means that it does not fulfil the approval criteria for active substances according to the Regulation (EC) No 1107/2009.

In our view, potential use and cultivation of genetically modified organisms in Sweden should not have a negative effect on biodiversity and, as far as possible, not lead to an increased use of pesticides."

In accordance with Article 6(3) of Regulation 182/2011, it is now for the Commission to decide on adoption of this Implementing Decision.