

Opinion of the Scientific Committee on Plants, adopted on 18 May 1999, on the Invocation by France of Article 16 ('safeguard' clause) of Council Directive 90/220/EEC with respect to a genetically modified oilseed rape notification C/UK/95/M5/1 (Agrevo) - (SCP/GMO/149-final)

Background

The Scientific Committee on Plants was consulted by the Commission on the dossier for a genetically-modified oilseed rape line derived from Topas 19/2, transformed to show tolerance to the herbicide glufosinate-ammonium, and published its opinion on 10 February 1998. The Commission subsequently adopted a Decision on 22 April 1998 (98/291/EC) concerning the market importation of seeds of the Agrevo genetically modified oilseed rape for processing only.

The French Competent Authority informed the Commission in a letter dated 20 November 1998, of its decision to invoke Article 16 of Directive 90/220/EEC. By means of a decree, which took effect on 16 November 1998, the importation of Agrevo oilseed rape seed into France is prohibited. The justification of this prohibition is concern over the environmental impact of genetic escape through volunteers and hybrids with wild *Brassicae* and the agricultural consequence of the spread of herbicide tolerance in both cultivated and non-cropped habitats. The Scientific Committee on Plants has been asked to advise the Commission:

- (a) Whether the information submitted by France constitutes new relevant scientific evidence which was not taken into account by the Committee at the time its Opinion was delivered?
- (b) Would this information cause the Committee to consider that this product constitutes a risk to human health and the environment?

Comment

The SCP's advice to the Commission on this application was for the importation of oilseed rape seed into Europe for processing and not for cultivation and production within Member States. The potential for the loss of seed during transport and the possible establishment of feral plants in uncultivated habitats e.g. roadside verges was considered in the risk assessments carried out by the SCP in forming its opinion of February 1998. In the absence of the use of glufosinate ammonium to apply selective pressure, modified rape is no more invasive than unmodified rape plants. Spring oilseed rape plants are susceptible to stress during growth. In northern Europe, they may be killed by cold weather during the winter and in southern Europe plants may be adversely affected by heat and drought during the summer months, either killed or have reduced seed set.

Spring oilseed rape exhibits a variable level of outcrossing through insect and wind pollination. Whilst there may be a low frequency of hybridisation with related wild *Brassicae*, poor vigour and high sterility of hybrids will limit spread. The risk of genetic escape from this

market consent was considered by the SCP to be small and the current information submitted by the French authorities does not change that assessment.