Ms Kyriakides
Commissioner for Health and Food Safety
The European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels

6 February 2020

Dear Commissioner Kyriakides,

First of all, congratulations on your appointment as Commissioner for Health and Food Safety. We look forward to working with you over the coming years in our capacity as MEPs on the Parliament's Environment, Public Health and Food Safety (ENVI) Committee.

We welcome that the European Green Deal has been put forward as an integral part of the Commission's strategy to implement the United Nation's 2030 Agenda and the Sustainable Development Goals and that the Commission recognises that, to achieve the aims of the Green Deal, it is essential to increase the value given to protecting and restoring natural ecosystems, to the sustainable use of resources and to improving human health, including in relation to food and agriculture.

With this in mind, we write to you now about the use of Genetically Modified Organisms (GMOs) for use as food and feed in the EU.

The Parliament's objections

As you will know, the Parliament has objected to the past 42 GMO authorisations that have been proposed by the Commission (3 against GMO cultivation and 39 against GMO imports).

Yet, despite these objections, and the fact that there is never a qualified majority of Member States in favour of authorisation, the past Commission continued to give the green light to GMO imports for food and feed.

The concerns on GMOs, as outlined repeatedly in the Parliament's objections, centre on risks to health and the environment that we do not believe are satisfactorily dealt with by the EU risk assessment and we urge to you look into, and take up, our concerns as a matter of urgency.

Furthermore, the Commission is failing to take into account how these authorisations may undermine the EU's obligations under prominent international agreements, such as the UN Sustainable Development Goals (SDGs) and the Paris Climate Agreement.

For example, authorisation of GM soybeans (which are a key driver of deforestation in countries such as Brazil and Argentina) and GM glufosinate[1] tolerant crops (likely to lead to increased exposure to workers in third countries in comparison to non-GM crops) could be undermining the EU's obligations under, for example, UN SDG 15[2] and Target 3.9[3] respectively.

The fact that GM herbicide tolerant crops result in increased herbicide use and the associated impacts on biodiversity in the countries of cultivation also requires attention. However, the Commission has, until now, simply not taken these factors into account in the decision-making process.

The Commission, as risk manager, and in addition to EFSA's opinion, has a responsibility to assess how these GMO authorisations may impact the EU's obligations under major international health and environmental agreements[4]. **We urge you to ensure that this assessment takes place.**

New GMOs

Despite all the hype and the hypothetical benefits touted by industry, the development of new GMOs[5] are in direct contradiction to the transition towards a sustainable food system that the Commission plans to develop under the new Farm to Fork Strategy. There is a very real risk that they will not represent a move away from traits such as herbicide tolerant crops, but will further entrench the current industrial agricultural system, with all the incumbent negative effects on biodiversity, health and the environment.

Regardless of the intended traits, these GMOs come with risks to public health and the environment. Simply put, they need to be assessed for any adverse effects and, importantly, labelled to safeguard consumer choice. In that regard, we welcome the ruling of the European Court of Justice of 25 July 2018 and are convinced that the current GMO law is fit for purpose.

As you will be aware, the Commission has recently been requested by the Council to produce a study in light of the Court of Justice's judgment. However, we are concerned that the Commission presents this work as a study of the "status of new genomic techniques (NGTs) under Union law". After all, the determination of the legal status resides with the European Court of Justice, which has ruled clearly that these techniques fall under EU GMO law. Further, the list of stakeholders to be consulted appears unbalanced, giving much more room to industry than to civil society.

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[1] Glufosinate is classified as toxic to reproduction and its use is no longer allowed in the EU. EFSA found that the estimated operator exposure to glufosinate when used for weed control in GM maize exceeded the acceptable operator exposure level (AOEL) even when personal protective equipment was used.

[2] https://sustainabledevelopment.un.org/topics/forests

[3] Target 3.9: By 2030, substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination

[4] Regulation (EC) No 1829/2003 states that genetically modified (GM) food or feed must not have adverse effects on human health, animal health or the environment, and requires the Commission to take into account any relevant provisions of Union law and other legitimate factors relevant to the matter under consideration when drafting its decision

[5] Including GMOs derived from genome editing techniques such as CRISPR/Cas, TALENs, ODM.

We would like reassurance that the study will in no way undermine or call into question the ruling of the ECJ and that the public interest will be fully taken into account in the study, which should also fully assess the risks of these new technologies on human health and biodiversity, impacts on agricultural practices, increased concentration in the breeding sector and the right of consumers to make informed choices.

Pending cultivation authorisations

Finally, of the 42 objections that the Parliament has adopted, three relate to cultivation of GM crops within the EU. The Commission has yet to take a decision on these three authorisations, but we expect that there will be pressure on the new Commission to authorise them.

We therefore take this opportunity to urge you to reject these authorisations, on the basis of the arguments laid out in the Parliament's resolutions[6].

We look forward to hearing back from you for a meeting at your earliest convenience, and trust that, in the light of the Commission's commitments made under the European Green Deal and in order to safeguard health and the environment, our requests can be swiftly acted upon.

Yours sincerely,

Tilly Metz MEP

Sirpa Pietikäinen MEP

Günther Sidl MEP

Anja Hazekamp MEP

Eleonora Evi MEP

[6] https://www.europarl.europa.eu/doceo/document/TA-8-2016-0388_EN.html?redirect, https://www.europarl.europa.eu/doceo/document/TA-8-2016-0386_EN.html?redirect and https://www.europarl.europa.eu/doceo/document/TA-8-2016-0387_EN.html?redirect