

Contribution to briefing for Commissioner Kyriakides for meeting with Mr Sonny Perdue, Secretary of Agriculture of the United states on 27.01.2020 (CAB- 31)

Speaking points

If asked about the European Court of Justice ruling on new mutagenesis

- Inform Mr Perdue that the Commission has discussed several times with Member States the implementation of the current GMO legislation as the Court has interpreted it.
- Inform Mr Perdue that last November, the Council requested the Commission to submit a study regarding the status of “novel genomic techniques”.
- Note that the Commission has not yet decided on the actual content of the study. The process involves targeted consultation of EU stakeholders. Any potential policy action in this field - as a follow up to the study - will be assessed at a later stage by the Commission.

State of play/Background information

The CJEU ruling on mutagenesis

In July 2018, the Court of Justice of the EU (CJEU) concluded that organisms obtained by means of new mutagenesis techniques/methods fall within the scope of this Directive. The ruling has not extended the scope of the legislation but clarified how it should be read.

On 8 November 2019, the Council adopted a Decision requesting a Commission study, by 30 April 2021, on the status of novel genomic techniques under Union law and in light of the judgement. The study may be followed by a proposal and an impact assessment or other measures, if appropriate.

Inter-service Steering Group, led by SANTE, has met in December to organise the work. The final content of the study will be for the new Commission to decide, as well as any policy action based on its outcome. DG SANTE will also consult targeted stakeholders (Member States and EU-level stakeholders) for gathering information and data.