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Brussels,

Dear [REDACTED],

I would like to thank you and the co-signatories for your letter of 17 September 2020 in which you express a number of concerns on the ongoing study on new genomic techniques and your wish to modify the authorisation procedure of genetically modified organisms (GMOs).

I have taken note of your concerns and would like first to reassure you that the Commission has not decided on any new policy initiative on new genomic techniques. The outcome of the Commission's ongoing study is not prejudged. Indeed, once the study is finalised and the outcome clarified by the Commission, it will be followed up as requested by the Council.

As to the scope of the study, the Council's request clearly refers to the practical questions related to the implementation and enforcement of the legislation, as interpreted by the EU's Court of Justice, and mentions in particular the consequences to "*the Union's industry, in particular the plant breeding sector, research and beyond*". The request for the study is therefore not limited to implementation and enforcement issues. In my view, it is very important that such a study also includes the broader picture and notably assesses the potential benefits of new genomic techniques (for example, to improve sustainability along the food chain as mentioned in the Farm to Fork Strategy), the potential concerns (for example the risk for coexistence with other types of agriculture) as well as any other important matters (such as safety, ethical aspects and consumer's freedom of choice).

I would also like to underline that the questions, including those referring to the broader picture, were extensively discussed and finalised with all participating stakeholders and with

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the Member States in two dedicated meetings. The responses sent in reply to these questionnaires will be examined on their own merits and reflected in the overall analysis of the study. Further, the original responses will be made publicly available together with the finalised study.

As to your call for obligatory labelling rules on animals fed with GM feed, it is worthwhile to recall that the provisions for GMOs<sup>1</sup> were adopted after a thorough debate between the Council and the European Parliament, and full consideration was given to the issue of products originating from animals fed with GM feed. The co-legislators agreed that it was not appropriate to include such products in the scope of the GMO legislation. As you may know, the EU legislation does not prevent the use of voluntary "GM-free" labels provided that they respect the general rules on food labelling. Indeed, many 'GM-free' labelling certification schemes operate in several Member States and some of them have already significant market share.

Regarding the authorisations of GMOs, I regret that the inter-institutional discussions on the Commission's proposal<sup>2</sup> to increase accountability of Member States in the authorisations of GMOs have not been progressing sufficiently. The Commission will continue to encourage the co-legislators to pursue the negotiations on this proposal to achieve a genuine democratic process and ensure the full accountability of the Member States. In addition, the Commission is reflecting on a new approach based on sustainability considerations that is aligned to the political ambition set by the European Green Deal and the Farm to Fork Strategy. Meanwhile, the Commission will continue processing the outstanding applications for GM food and feed under existing rules to uphold its legal commitments.

Finally, I consider it important to recognise the increased transparency in the scientific assessment of GMOs, resulting from the new Transparency Regulation<sup>3</sup>, which should help to reinforce trust in the safety of the authorised GMOs

I look forward to further constructive exchanges on these important topics.

Yours sincerely,



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<sup>1</sup> Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed, (OJ L268 18.10.2003, p.1- 23)

<sup>2</sup> Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers COM(2017)85 final, 2017/0035 (COD)

<sup>3</sup> Regulation (EU) 2019/1381 of the European Parliament and of the Council of 20 June 2019 on the transparency and sustainability of the EU risk assessment in the food chain and amending Regulations (EC) No 178/2002, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 2065/2003, (EC) No 1935/2004, (EC) No 1331/2008, (EC) No 1107/2009, (EU) 2015/2283 and Directive 2001/18/EC (OJ L 231, 6.9.2019, p. 1-28).