

To:
Subject:

Art. 4.1(b)-privacy AGRI
22/11/2018 Art. 4.1(b)-privacy
Art. 4.1(b) privacy VIB

Present:

Dermot Ryan, CAB HOGAN; Art. 4.1(b) privacy, DG AGRI; Art. 4.1(b) privacy, DG AGRI
Art. 4.1(b) privacy VIB (Gent); Transparency Register:
Identification number: 370604532778-04 Section: IV - Think tanks, research and academic institutions

- VIB is a life sciences research institute, based in Flanders, Belgium comprising 1600 staff performing basic research with a strong focus on translating scientific results into pharmaceutical (knockout mice, tissues etc.), agricultural (GMOs by gene edition) and industrial applications (bacteria etc.).
- Art. 4.1(b) privacy motive for visiting the CAB of Commissioner Hogan was the ECJ ruling on a question brought forward by the FR Conseil d'Etat whether plants produced by new directed mutagenesis techniques fall under the GMO Regulation. Finally the Court decided that new mutagenesis has to be considered GMO.
- VIB Scientists see their position as link between developing basic research into market applications under threat. They intend to continue with basic research (including GMO research), however for them developing promising results further becomes more burdensome by the Court ruling.

Points raised by VIB:

- A vast array of knowledge about genes and genomes and their functioning had been gathered in the past years. This knowledge could be exploited by the CRISPR technology. However the Court ruling would slow down or stop certain initiatives mainly for small and medium sized companies. Only large internationals could stem the onerous pre-market evaluations as requested by EU GMO legislation. This is why they consider products produced by gene editing when introducing small amendments into the genome without foreign genetic material not being a GMO. GM labelling would be avoided.
- According to VIB such products could also be obtained by conventional techniques but to a lower speed and with higher safety concerns as unintended genetic amendments occur. The example of the pink flesh grapefruit was given. When this fruit is produced by traditional mutagenesis it is exempted from the GMO legislation. When it is produced by gene editing it is a GMO. Both fruits would be in the shelf but one would have to be labelled as GMO the other not.
- VIB is e.g. working on maize varieties with larger leaves which makes them more robust and secures harvests also under less favourable conditions. Other applications could be envisaged e.g. disease tolerant vine varieties which would not loose variety rights etc.
- Product characteristics are more important for safety assessments than the method used for their production.
- Products produced by direct mutagenesis cannot be distinguished from the ones occurred spontaneously and this leads to problems in international trade. Exporting countries market varieties they have decided not to regulate. The EU is the second biggest importer of agricultural products.

- Gene editing creates new varieties which can be used in the breeding process and would enhance biodiversity by enlarging genetic variety.
- On the initiative of the VIP, 100 research centres within the EU have signed up to a position paper.
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Request by VIB:

- Small genetic changes introduced by gene edition with no-foreign genetic material shall not be considered GMO
- The definition of GMOs as contained in the Cartagena Protocol to which also the EU signed up should be applied in the EU

VIP informed that they will also see the CAB of Commissioner Andriukaitis beginning of December 2018.

Mr. Ryan (CAB HOGAN) thanked the visitor for the interesting information given and suggested that VIB should continue to explain their view to NGOs, political parties and MS. Their activities should also take into account the political Brussels calendar with the Commission mandate ending in 2019, and upcoming EP elections in May 2019. After the clouds will have settled VIB could continue to continue their information efforts in the new institutional environment.

Art.4.1(b) privacy