



EUROPEAN UNION
Permanent Mission
to the World Trade Organization
The Head of Delegation

Geneva, 26 April 2019
D (2019)

NOTE TO
MR. JEAN-LUC DEMARTY, DIRECTOR GENERAL - DG TRADE
MR. LUIS ROMERO REQUENA, DIRECTOR GENERAL – Legal Service

Subject: WTO – Regular DSB meeting, 26 April 2019

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Next DSB meeting: Tuesday, 28 May 2019. The deadline for items on the agenda closes on Thursday, 16 May 2019.

Detail

The EU was represented by [Art. 4.1(b)] and [Art. 4.1(b)]. Most EU Member States were present. A co-ordination meeting with EU Member States took place in advance.

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C. European Communities – Measures Affecting the Approval and Marketing of Biotech Products: Status Report by the European Union (WT/DS291/37/Add.132)

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Regarding the public statement issued by the EU's Group of Chief Scientific Advisors,

the US said that the statement speaks to the lack of support for the regulatory framework under the EU Directive 2001/18. For the US, the statement clearly does not reflect a mere reaction from a group of stakeholders, as the EU asserts, but it rather reflects scientific advice provided to the Commission in response to its request for such information. The US asserted that the statement notes "that current scientific knowledge calls into question the definition of "GMOs" under the Directive and notes that mutagenesis, as well as transgenesis, occur naturally". The US urged the EU to finally bring into compliance the measures at issue. Also, the US recalled that "in view of the Court's ruling, it becomes evident that new scientific knowledge and recent technical developments have made the GMO Directive no longer fit for purpose." Finally, the US urged the EU to act in a manner that will bring into compliance the measures at issue in this dispute.

The EU intervened as per instructions on all issues raised by the US.

The Chair concluded that the DSB took note of the statements and will revert to this matter.

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Enclosures: Statements by Australia, Brazil, Canada, China, Colombia, EU, Japan, Korea, Mexico, Norway, New Zealand, Pakistan, Philippines, Singapore, Switzerland, Taiwan, Ukraine, and the US.