Brussels, October 23rd , 2001

EUROPABIO

The European Association for Bioindustries

Key Issues raised in the Commission's proposal for a Regulation concerning

Traceability and Labelling of GMOs

European Parliament resolution on the Future of the Biotechnology Industry: The Committee on Industry, External Trade, Research and Energy – the "Purvis Report": February 2001

"..supports efforts to develop biotechnological and genetic engineering procedures in the EU as one way of improving the economic viability of agriculture and food production in a manner which is at the same time environmentally sustainable."

EuropaBio strongly supports the long term vision, clearly stated over the past year by the European Commission, the European Parliament and Council, that biotechnology is a key component of the long term strategy to move Europe forward as the leading knowledge based economy by 2010.

Traceability:

EuropaBio vigorously promotes a rigorous, transparent and workable regulatory system for GMOs and derived products that safeguards human health and the environment and maintains consumer confidence in these products. In this respect EuropaBio reiterates that:

- The prime justification for any traceability scheme should be the efficient and effective withdrawal of a GM product **in the unlikely event** that unforeseen adverse effects warrant this.
- **Traceability systems in the food/feed chains already exist** to allow the withdrawal of products. GMO traceability should fit within these and **should not be duplicative.**
- **The first line of defence** in any traceability scheme is a rigourous EU regulatory system for safety assessment of GM products to ensure they are safe when placed on the market.

The Commissions proposals unnecessarily go far beyond the practical and essential considerations

outlined above.

Trade considerations:
In order to ensure that unnecessary and ineffective burdens are not placed on the international trading system:

- For documentation of GMOs (e.g., bulked commodity grains) destined for food, feed or processing, **EuropaBio supports the proposal for documentation indicating the approved GMOs which the consignment "may contain."**
- EuropaBio **expresses concern that the proposed traceability requirements for processed GM food and feed will be practically unenforceable** by Member States authorities when imported from third countries.

Adventitious presence:
Adventitious presence is an unavoidable reality of nature and is recognised in Member State, Community and third country law making.

- Technically unavoidable traces of GM products will be present in other products as a result of normal agricultural crop production, transport and processing.
- EuropaBio supports the proposal to recognise the realities of nature and **legally admit technically unavoidable levels of GM materials that are present** in non-GM material.
- **EuropaBio considers that practical thresholds must be set** for the adventitious presence of GMOs and derived products at all points in the chain and below which they would not be subject to the traceability regulation.
- Community legislation on seeds, foods and feeds **must ensure a consistent and workable approach for the adventitious presence of GM products**, **including those approved as safe for commercial use in third countries.**

Labelling:
Product labelling has two purposes: (i) to identify for consumers the content of products, especially where there may be an *identified* danger from the use of that product (generally a regulatory matter), and (ii) as a means by which consumers can be provided with choice (most often product claims are a market place activity).

- **Any market-based claims must be analytically verifiable using validated methods for the detection of GM material** in the final product.
- The Commission's proposal to require **process-based labelling of foods**, **where such labelling is not analytically verifiable, will be difficult to enforce and will undermine consumer confidence and trust in the labelling system.** For labelling provisions to be enforceable**,** reliable, validated methodology must be applied for detection of the presence of GM foods and feeds.

Validated test methods:
The detection of specific GM products in the market place is a pre-requisite for their identification, tracing and eventual withdrawal from the market, should unforeseen adverse effects be established.