



## The principal victims of this indecision are small and medium-sized firms in the conventional seed sector

Adventitious presence thresholds are not primarily an issue for companies that are purely or predominantly biotech-based.

It is a concern principally for small and medium sized companies that are heavily involved in conventional plant breeding and seed production. Europe's seed industry is particularly characterized by this SME dominated structure.

The current lack of thresholds places these conventional seed companies at a significant competitive disadvantage. They cannot directly benefit from the technology, and at the same time they are victims of a regulatory approach that creates substantial legal uncertainty and financial burdens. Smaller firms in Europe find this far more difficult to sustain than larger companies.

## There are ample data to support the setting of thresholds for seeds – and for setting them at a realistic level

The European seed industry has provided and continues to provide the Commission with detailed data on the compliance costs of thresholds. These data were by and large confirmed by the Joint Research Centre. The data also confirm the findings of the Scientific Committee on Plants of 2001 that a threshold level of 0.1% ("detection level") is impossible to achieve and to economically sustain under regular seed production conditions<sup>1</sup>.

It is therefore essential to set thresholds at levels that will be practical and economically viable for seed producers not just now, but when GM crop and seed production in the EU reach levels comparable to those in other parts of the world.

<sup>1</sup> All studies and all practical experience demonstrate that excessively low threshold levels (e.g. at detection level) are practically and economically unattainable. See: inter alia Scientific Committee Opinion of 2001; results of farm scale trials in the UK; German large scale trials of 2004 and 2005; JRC study of 2006; Reckenholtz study of 2005/2006 and N. Kalaitzandonakes economic studies of 2004 and 2005.

## About ESA European Seed Association

ESA European Seed Association is the voice of the European seed industry. It represents the interests of those active in research, breeding, production and marketing of seeds of agricultural, horticultural and ornamental plant species.

ESA has more than 30 national seed associations and more than 50 direct company members.

## About EuropaBio

EuropaBio, the European Association for Bioindustries, has 78 direct members operating worldwide, 12 associate members and 5 bioregions as well as 25 national biotechnology associations representing some 1800 small and medium sized enterprises involved in research and development, testing, manufacturing and distribution of biotechnology products.

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# Key messages on adventitious presence in seed





## Key messages for the industry's adventitious presence initiative

**Indecision is eroding the EU seed market – and damaging the European industry's competitiveness**

**The incidence of adventitious presence is bound to increase – and policy decisions must take account of that.**

**The principle of thresholds is established for the food and feed sector – highlighting the illogicality of the continued failure to set thresholds for the seed sector.**

**The principal victims of this indecision are small and medium-sized firms in the conventional seed sector**

**There are ample data to support the setting of thresholds for seeds – and for setting them at a realistic level**

### **Indecision is eroding the EU seed market – and damaging industry competitiveness**

The setting of thresholds for adventitious presence of GMOs in conventional seed is a matter of utmost urgency for the European seed industry. The industry faces increasing legal uncertainty in a European market that is disintegrating, due to decisions which are politicised, disproportionate and arbitrary, at national, regional or even local level.

We have made the Commission aware of the current divergences in legal interpretation and administrative action in Member States, which have eroded the EU single market for seed. The industry is now at the mercy of ad-hoc decisions which lack consistency and proper legal base.

The seed industry supports the conclusions of the Agriculture Council of spring 2006 that thresholds for the adventitious or technically unavoidable presence of GM seeds in seeds of non-GM varieties must urgently be proposed by the Commission.

### **The incidence of adventitious presence is bound to increase – and policy decisions must take account of that**

Seed is a truly global and highly competitive business. Seed companies make use of counter-seasonal production locations in the southern hemisphere in order to speed up product development and shorten innovation cycles. Its wide network of production locations allows the industry to manage seed production and the on-demand supply in the most effective way. Over recent years, these well-established seed production practices have been seriously disrupted, principally so as to avoid adventitious presence of GMOs:

#### **a. Adventitious presence from non-EU sources (seed import and international breeding)**

Progress in commercialising GM crops will likely increase the disruption. There is an ever wider global acreage of an increasing number of authorised GMOs (the worldwide acreage of GMOs is today already twice the total acreage of cereals in the entire EU 25). More and more countries are adopting plant biotech in agriculture - in particular in regions that are widely used for plant breeding and seed production. This trend is intensified by the lack of cultivation approvals in the EU since 1998. The consequence is that there will be only one way to avoid any

occurrence of adventitious presence of GMOs at trace levels in Europe: it would require cutting off EU seed companies and farmers from this technology - and from international markets and trade.

#### **b. Adventitious presence from EU sources**

GM crops – both for production and for trialling – are a reality today in the EU. There is cultivation in Spain, the Netherlands, Germany, Czech Republic, Hungary, Portugal and France, the largest maize seed producer in Europe, where plantings increased to some 5,000 ha in 2006 and are expected to increase significantly.

In total, it is estimated that some 75,000 ha of GM maize were planted in Europe in 2006. As a result, adventitious presence from domestic sources will continue to increase. So the limited cultivation of today provides no proper base for making decisions on what would be a sustainable threshold for the future.

In general, the likelihood of adventitious presence in European production from non-EU sources and from the EU itself will significantly increase over the coming years. In recognition of this, practical thresholds must anticipate a situation of coexistence of GM and non-GM farm production.

### **The principle of thresholds is established for the food and feed sectors – highlighting the illogicality of the continued failure to set thresholds for the seed sector**

It is widely acknowledged throughout the food and feed production chain that thresholds for seed are an indispensable element for establishing coexistence and for organising GM and non-GM markets in Europe. This was the unanimous position of seed, feed and food industry and trade at the Vienna conference on Coexistence of April 2006, and the position was subsequently endorsed by the EU's Agricultural Council.

Because of the general agreement that a certain degree of admixtures is inevitable in view of international trade and exchange of goods, thresholds have been established for conventional food and feed products containing trace levels of GMOs.

It is illogical, and indeed incomprehensible, that there is still hesitation over meeting the same need for the products at the very base of this chain.

