

New documents reveal US pressure for more GMOs in Europe

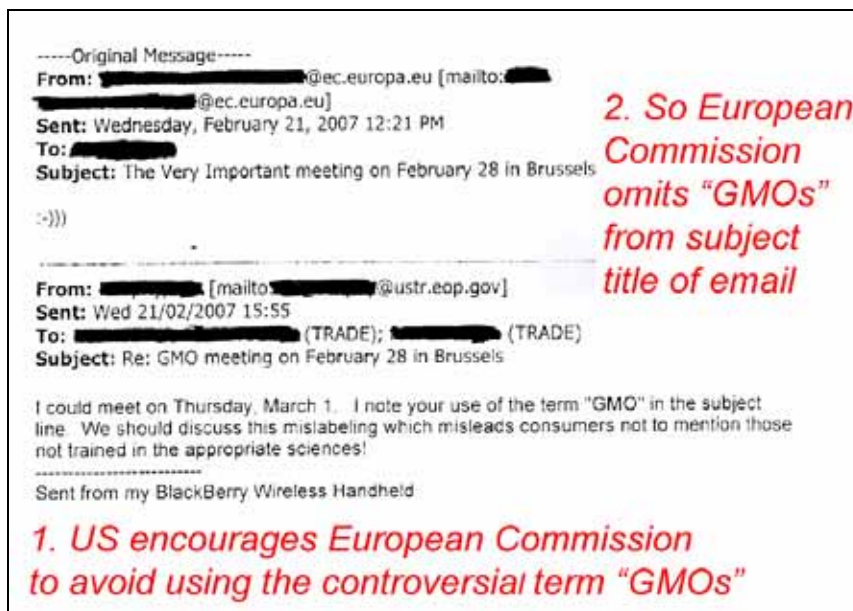
But avoid the dirty GMO word! advises US official

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Documents obtained by Friends of the Earth Europe under the European Commission's freedom of information policy have revealed that the United States continues to put heavy pressure on the EU to **overturn national GMO bans, speed up the approval process of new GMOs by EFSA, fast track approval of GMOs of commercial interest to the US and lower contamination standards.**

This pressure from the US should be considered in the context of the WTO's verdict on whether the EU's moratorium on GMOs and its national GMO bans were illegal. Although the US loudly claimed that the EU had lost the dispute, the WTO in fact did accept the EU's right to use strict legislative frameworks and GMOs bans to protect its citizens' health and environment.

US officials even insisted that the EU should steer clear of the term "GMOs" in order to minimize public opposition to its policies. See below:



The set of documents comprise:

- Annex 1: An email exchange between the US and the European Commission (excerpt above)
http://www.foeeurope.org/GMOs/2007/Annex1_US_EC_Emails.pdf
- Annex 2: Minutes of a meeting between a US delegation and the European Commission on the GMO WTO dispute
http://www.foeeurope.org/GMOs/2007/Annex2_EC_US_WTO_dispute_meeting.pdf
- Annex 3: A letter from the European Commission's DG trade to the US ambassador
http://www.foeeurope.org/GMOs/2007/Annex3_Letter_EC_to_US.pdf
- Annex 4: A reply from the US Ambassador to the Commission's DG Trade
http://www.foeeurope.org/GMOs/2007/Annex4_Reply_US_to_EC.pdf

Within the documents, the European Commission has deleted some key words and sentences which is why the excerpts below are blacked out in places. Friends of the Earth Europe has appealed these omissions and requested reinsertion of the deleted sections

1. Fast-tracking of GMOs of commercial interest to the US

The US is asserting pressure on the EU to agree to fast-track GMOs that the US wants to be sold in Europe, listing which GMOs are of particular commercial interest:

Main products of US economic interests: maize (exports of corn gluten feed, possibly maize as well), cotton, sugar beet (for processed food), maize seeds. The US mentioned their interest not only in product approvals but also in the issue of adventitious presence of unapproved products.

The European Commission has agreed to tell EFSA which GMOs should be a priority:

- The Commission will draw the attention of EFSA to economically important applications

2. Request for high-level EU support for GMOs

The US requests that top EU decision makers commit to allowing GMOs into the EU:

- The US asks for a letter sent at the appropriate level (Commissioners or DGs) confirming the EC's engagement following this first technical meeting.

3. Lowering of contamination standards?

The US addresses the EU's tight standards for contamination of food with those GMOs that are not authorized in the EU:

"Zero tolerance and Adventitious presence in the following situations: (1) absolute zero tolerance for non approved GMOs (including those that have been favourably risk assessed by EFSA), (2) discontinued products that have been approved in the EU, (3) discontinued products that have never been approved in the EU.

And a conclusion from the meeting indicates that the European Commission may be giving in to the pressure. The deleted second half of the sentence probably originally read "but"..

- Zero tolerance for non-approved GMOs is a firm principle

4. Strategic approvals to give the message that the United States is winning the battle of ideas

The United States is pushing for the authorization of a controversial genetically modified oilseed rape as proof that the Commission is backing down under US pressure

- Although of no interest for the US, the approval of the pending oilseed rape (Ms8xRf3) would be a signal that the orientation debate did not establish a new moratorium.

5. Speeding up EFSA's approval process of new GMOs

The US also requests that GMOs are pushed quickly on the EU market and that EFSA's work is accelerated. (Annex 2 page 1 "Key issues discussed")

This ignores the criticisms of EFSA that were made by EU Environment Ministers and the European Commission last year. EFSA is supposedly undergoing a reform to improve the quality and the independence of its work and which may be under threat if pressure from US trade interests continues.

6. European Commission commits to overturning GMO bans

The US demands that the European Commission gets the national GMO bans overturned, expressing frustration at the “*lack of political will to operate EU approval systems of GMOs (MS [member state] opposition)*” (annex 2 page 1, Scene Setting). The meeting between the European Commission and the US concluded that the EC was determined to lift national bans (annex 2 page 2):

– The Commission is determined to lifting national bans; [REDACTED]

The WTO dispute: background and final ruling

In 2003, the US, Argentina and Canada launched a complaint against the EU on GMOs at the World Trade Organisation (WTO). Their aim was to that the EU’s de facto moratorium on GMOs and the EU’s national GMO bans should be declared illegal.

When the interim ruling was sent, confidentially, to all parties, in February 2006, the US claimed victory and threatened the rest of the world “*against following the European lead in throwing up bans or partial bans against genetically modified crops.*”¹

However, the claim to victory and the threats were very misleading and Friends of the Earth leaked the interim ruling with an initial analysis to counter the US spin (http://www.foeeurope.org/publications/2006/WTO_briefing.pdf)

The final ruling was issued in September 2006:

- The EU’s regulatory and policy regime on GMOs was not put into question, nor was the right of countries to introduce strict regulatory frameworks at the national level.
- The moratorium in place at the time was found not to be illegal *per se*;
- The WTO panel of experts did not question the right for EU member states to ban GMOs.
- The national bans under the complaint were only found to lack one specific element of risk assessment requirements under the WTO SPS (sanitary and phytosanitary) agreement
- The ruling was therefore nuanced, without clear winners or losers

It is therefore astonishing that the EU continues to threaten the EU on GMOs. Friends of the Earth Europe GMO Campaign Coordinator Helen Holder said:

“Even after they failed to win at the WTO, the US, and their friends in the biotech industry are still trying to force feed European citizens GMOs. The European Commission must stand firm, and put European citizens’ health, the environment and the right to GM-free food and farming before the interests of a few big corporations”

For more information, please contact:

Rosemary Hall, Communications Officer at Friends of the Earth Europe:
Mobile +32 485 930515 , rosemary.hall@foeeurope.org

Helen Holder, Coordinator of the Friends of the Earth Europe GMOs campaign:
Mobile +32 474 857638 , helen.holder@foeeurope.org

¹ *The Wall Street Journal*. “EU loses a round on biotech crops”. 9 February 2006.