SPEECH/03/339

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"Traceability and labelling of GMOs "

Second reading by the European Parliament

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Mr/Mrs President, Honourable Members of the European Parliament,

We all know that the GMO issue is a political as well as a technical one. As policy makers and legislators we have a clear responsibility to provide high levels of safety for Europe's citizens and to enable them to exercise choice. The EU has been building a system which allows us to base decisions on whether or not to authorise the use and release of GM products on the best available scientific and technical advice. Once that base is secured, it is then a matter of ensuring that the consumer is correctly informed so that he/she is able to choose whether or not to buy GM products.

The two proposals now being considered in second reading are important parts of the overall design of our system for dealing responsibly with GM products and they have been fully debated inside all the political groups and different committees. In the course of these discussions the question of co-existence has been raised. I believe that, thanks to the hard work of the rapporteurs, we have a workable basis for progress. Therefore I believe that all the conditions are now met which should allow the Parliament to agree both proposals in second reading.

Turning to the proposal for which I am responsible, I would like to thank the rapporteur (Mr Trakatellis) and the Presidency for their efforts to finalise the Proposal on labelling and traceability. I hope that the Parliament and Council will be able to agree on the amendments to be adopted later in Plenary so that we can reach agreement on both Food and Feed and Traceability and Labelling in this session. These proposals will provide an important complement to the existing regulatory framework.

You will all be aware of the difficult negotiations leading up to adoption of the Common Position. The gap between the different positions has narrowed as many of the amendments adopted in first reading were introduced into the Common Position.

As was to be expected, the issue of co-existence has surfaced as a key issue in the second reading of both Proposals. The new article to be introduced into the Directive under the political agreement for the Proposal on GM Food and Feed will provide for a legal base under which to work. This, linked with the forthcoming initiative from the Commission on guidelines for co-existence, will provide Member States with the possibility to implement appropriate measures to deal with co-existence.

It is obviously very important to ensure complete coherence between these two pieces of legislation. Therefore I would ask you to deal with the amendments on co-existence tabled under the Proposal on labelling and traceability in line with the political agreement covering this issue under the Proposal on GM Food and Feed.

Certain other amendments on the table provide some clarification of the Common Position and can be supported by the Commission. We must, however, avoid the introduction of amendments into the text that would impinge on the equivalent provisions agreed for the future Regulation on GM Food and Feed.

For this reason the Commission cannot support amendments that seek to remove the exemptions from the labelling and traceability requirements for adventitious traces of GMOs via the thresholds.

Similarly, the Commission cannot support those amendments that seek to change the scope of the Proposal or the traceability requirements, particularly for imported and processed products. The introduction of these amendments risk making the Regulation unworkable and unenforceable.

Key Issues

In terms of the key issues, the Commission can support the amendments that provide clarification of the Common Position.

These include:

Amendment 3, which refers to reporting obligations of the Commission

Amendment 4, which expands on the requirement for consumer choice

The first parts of **Amendments 8 and 13**, which highlight the need for standardised procedures for the holding of information by operators and which should assist inspecting authorities.

The second part of **Amendment 17** with respect to the need to 'publish' guidelines on sampling and testing methodology

Amendment 18, which refers to a central register to assist inspecting authorities although I should point out that such registers will already have to be established under Directive 2001/18/EC and the Proposal on GM Food and Feed

Amendments 24, 26 and 27, which clarify the scope of the exemptions for adventitious traces of GM material

The Commission can also support **Amendment 1**

In terms of co-existence, **Amendment 16**, in a similar manner to an amendment under the Proposal on GM Food and Feed, seeks to introduce text to address this issue into a new Article 26(a) of Directive 2001/18/EC. However, the text of **Amendment 16** is not in line with that proposed for this new article under the political agreement for the Proposal on GM Food and Feed. We cannot amend Directive 2001/18/EC in different ways to address the same issue and as such this amendment cannot be supported.

Conversely, **Amendments 22, 23, 25 and 28** seek to introduce text on co-existence that is identical to that which will be laid down in Directive 2001/18/EC and the Regulation on GM Food and Feed. The Commission considers this to be duplication but we could accept it.

The remaining amendments, the majority of which are re-tabled from first reading, cannot be supported These amendments were not acceptable to the Commission at that time and were not accepted by the Council in the Common Position. To re-open such difficult issues in conciliation would be counter-productive.

Amendments 2, 9, 10, 14 and 15 refer to exemptions via thresholds. Acceptance of these amendments would undermine the political agreement reached on the Proposal on GM Food and Feed. As I have previously said, consistency and coherence between the two Proposals must be ensured.

In addition, the first part of **Amendment 15** seeks to re-instate national provisions for traceability under Directive 2001/18/EC. To accept this would only create legal uncertainty given that the Proposal on the table will provide Community rules for traceability as well as labelling.

Amendment 7 refers to the 'may contain' clause for food and feed products in the original Commission Proposal. This was also the subject of much difficult debate and to re-open it now would have serious consequences for the operability of our system and the forthcoming WTO Panel.

Amendment 6, which refers to the definition of the placing on the market, was also subject to considerable debate in the Council following adoption of the same amendment in first reading. The wording of this amendment was included in the Common Position via reference to the full definition of placing on the market from Directive 2001/18/EC. The Commission cannot support further amendment of this definition, particularly as the tabled amendment would contradict definitions already laid down in Community legislation.

Amendments 5 and 29 refer to the precautionary principle. I would point out that the Council addressed this amendment in the Common Position, as supported by the Commission. The precautionary principle relates to risk assessment, which is why it appears in Directive 2001/18/EC and the Proposal on GM Food and Feed. Traceability is a 'facilitating measure' but is not based on risk assessment. To go further than the current wording of the recital is not appropriate and the Commission cannot support these amendments.

Amendments 11 and 12 refer to traceability and labelling requirements for processed products and acceptance would again impinge on the agreement reached under the Proposal on GM Food and Feed, which covers such products.

The second parts of **Amendments 8 and 13** seek to extend the time period for the holding of traceability information from 5 years to 10 years. Even if traceability were still possible after 10 years this information would be of no practical value.

Amendment 20 addresses reporting obligations of the Commission, which are duplicated in **Amendment 3**. Reporting obligations are already reflected in Article 12 of the Common Position and further requirements are not necessary.

Amendment 21 refers to the date of application of the Regulation. It should be noted that the applicability of the Regulation was referred to in the Council and Commission statement accompanying the Common Position.

CONCLUSIONS

To conclude, there has been a very intensive debate on the whole issue of how the EU should handle GMOs. With some difficulty we have put together a system which will offer security and choice to our citizens. The proposal on traceability and labelling we are now debating will strengthen consumer choice by giving us Community rules. A workable compromise is on the table and I hope that it will be supported so that we can adopt this proposal in second reading and make sure that we have full coherence between this proposal and the political agreement reached on the food and feed proposal. It is important to decide now so that we can show our own citizens, and the rest of the world, that the EU can deal responsibly with this difficult issue.

Thank you.