EUROPEAN COMMISSION

HEALTH & CONSUMERS DIRECTORATE-GENERAL

SUMMARY RECORD OF THE STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH

Held in Brussels on 15 November 2010

(Section Genetically Modified Food & Feed and Environmental Risk)

Chair: Dorothée André

All member states were represented.

Adoption of the agenda

The draft agenda was adopted.

1. Draft Commission Decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize MON 89034 × MON 88017 (MON-89Ø34-3xMON-88Ø17-3) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (Right of scrutiny of the European Parliament - Regulation (EC) No 1829/2003, Articles 7(3) and 19(3)).

A representative of EFSA provided a summary of the opinion as well as more detailed information related to the main questions asked by Member States during the consultation period. Further clarifications were provided by EFSA during the discussion with Member States which expressed additional comments on the toxicological and nutritional assessment including studies performed on the stacked events. Member States appreciated EFSA's presentation and also the further clarifications provided.

A Commission representative introduced the draft Decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize MON 89034 X MON 88017 pursuant to Regulation (EC) No 1829/2003 on genetically modified food and feed. This Decision was submitted to the Committee for an opinion.

Vote: no opinion (154 votes in favour, 138 votes against, 53 abstentions).

The following reasons were mentioned by Member States Competent Authorities for not supporting the draft Decision:

- the European Food Safety Authority (EFSA) opinion was not considered as fully satisfactory;

- the Regulation on GM food and feed is not considered as the right legal basis to authorise products other than food and feed containing and consisting of GMOs;

- the precautionary principle was invoked;

- the absence of agreement for the quantification of stacks;

- the negative public opinion with respect to GMO;

- political reasons.

The Chairman indicated that the Commission would be invited to submit a proposal to the Council in accordance with the Regulatory procedure.

2. Draft Commission Decision amending Decision 2006/197/EC as regards the renewal of the authorization to place on the market existing feed produce from genetically modified maize 1507 (DAS-Ø15Ø7-1) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (Right of scrutiny of the European Parliament - Regulation (EC) No 1829/2003, Articles 7(3) and 19(3)).

A representative of EFSA provided a summary of the opinion as well as more detailed information related to the main questions asked by Member States during the consultation period. EFSA also replied to some specific questions asked by Member States during the meeting such as the robustness of the studies and the evaluation of the equivalence. Member States appreciated EFSA presentation and also the further clarifications provided.

After this discussion a Commission representative introduced the draft Decision regarding the renewal of authorization to place on the market existing feed produced from genetically modified maize 1507. pursuant to Regulation (EC) No 1829/2003 on genetically modified food and feed. This Decision was submitted to the Committee for an opinion.

Vote: no opinion (183 votes in favour, 73 votes against, 89 abstentions).

The following reasons were mentioned by Member States Competent Authorities for not supporting the draft Decision;

- the European Food Safety Authority (EFSA) opinion was not considered as fully satisfactory;

- the precautionary principle was invoked;

- the negative public opinion with respect to GMO;

- political reasons.

The Chairman indicated that the Commission would be invited to submit a proposal to the Council in accordance with the Regulatory procedure.

3. Commission Regulation laying down the methods of sampling and analysis for the official control of feed as regards the presence of genetically modified material for which an authorization procedure is pending or the authorization of which has expired.

A Commission representative provided a detailed presentation of the draft Regulation. The objective of the Regulation is to harmonise the official control of some non authorised GM material in feed. The availability of a quantitative method validated by the EU Reference Laboratory in collaboration with the national reference laboratories as well as the availability of certified reference material are two essential requirements to enable robust controls. As a consequence, only GM material which is subject to an application under the Regulation on GM food and feed or of which the authorisation has expired are covered by the draft. The Regulation also includes detailed requirements on how the sampling and analysis shall be performed. Considering that 0.1% is the lowest limit where sampling and analysis can be performed in a reproducible and reliable manner, it sets that feed shall only be considered as non compliant when, taking into account uncertainty, the presence of non authorised GM material exceeds this limit.

The principle to harmonise the official control regarding the zero tolerance for non authorised GMOs was welcomed by the Committee. All Member States indicated that they would need more time to analyse the draft in detail and to determine their final position. In this context, several Member States indicated that they were supportive on the principles of the proposal and many of those indicated that they would support an extension of this proposal to food. Few Member States indicated a negative stance.

Preliminary comments suggested to harmonise sampling requirements of the draft Regulation to the sampling requirements of Regulation 152/2009 for the official control of feed. Clarifications were also requested regarding the use of the method of analysis. It was also suggested to extend the scope of the measure to GMOs for which the authorisation would not be renewed in the future due to the phasing out of their commercialisation.

Some Member States took the view that the draft Regulation should only apply to products which were subject to an EFSA opinion. The chairman of the Committee recalled that the objective of this proposal was to harmonise the control of GMOs for which the principle of zero tolerance applies and is not related to a safety assessment.

The technical discussion will continue at the next meeting of the Standing Committee.