

International Confederation of European Beet Growers

CONFEDERATION INTERNATIONALE
DES BETTERAVIERS EUROPEENS
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EUROPEJSKICH PLANTATORÓW BURAKA

Sent per email

D.134c/29.6.2023

To Commissioner for Health and Food Safety Stella Kyriakides
European Commission



Brussels, 29 June 2023

RE: Commission proposal on plants obtained by NGTS

Dear Commissioner,

CIBE (International Confederation of European Beet Growers) takes note of the Commission's draft proposal, publicly available, on plants obtained by NGTs and welcomes the proposed move to differentiate the conventional-like NGTs plants from transgenic plants in terms of requirements for their approval. This is crucial if we want crop varieties obtained through such techniques to become available for EU growers. The clear recognition of their potential benefits and the fact that Member States would not be allowed to prohibit the cultivation of such varieties are also positive elements.

However, we would like to highlight the following concerns which arise from this draft:

1. Keeping conventional-like NGTs plants (Category 1) in the GMO regulation opens the door to legal uncertainty and risk in terms of traceability, especially vis-à-vis third countries which will continue to consider these plants as conventional. It has also some implications, notably as regards organic production, which we are questioning.
2. There is indeed a contradiction in considering that despite the fact that Category 1 NGT plants will not be subject to the rules and requirements of the EU GMO legislation, they should remain subject to the prohibition of use of GMOs in organic production to meet the demand of the sector. Maintaining this approach in organic production for all NGTs plants in the EU is disproportionate and again could represent a difficulty vis-à-vis possible imported organic products obtained by NGTs in third countries.
3. The criteria based on the number of modifications to qualify a variety for Category 1 (Annex 1, Substitution or insertion of no more than [20] nucleotides) seems arbitrary, extremely restrictive, not in line with the multiple challenges on the ground and not science based. The number of genetic changes is not an indicator of risk or category (thousand of genetic changes could happen during conventional breeding, with little impact on the final product). In addition, we would like to recall that one of the big advantages of NGTs is precisely to allow addressing several and complex targeted traits within the same varieties: for example, there are several viruses responsible for sugar beet Virus

Yellows. Many conventional sugar beet varieties are already tolerant to two diseases, a smaller number are even tolerant to three. While conventional breeding has taken and would continue to take a very long time to develop such varieties, NGTs could in fact help to significantly reduce the time required. Considering varieties based on number modifications as Category 2 would prevent their development and would limit their contribution towards achieving the goals.

As stated in the explanatory memorandum, “the European Food Safety Authority (EFSA) concluded that, as regards risks for human and animal health and the environment, there are no new hazards specifically linked to targeted mutagenesis or cisgenesis compared to conventional breeding”.

4. To promote traits that can contribute to a sustainable agri-food system is a good intention (a “specific objective” as stated in the explanatory memorandum), but it should be based on science and facts. Excluding automatically herbicide-tolerant varieties obtained by NGTs from Category 1 (even if these NGTs varieties fulfil the criteria of equivalence to conventional plants) is questionable and not proportionate when such varieties do in fact allow a significant herbicide use reduction in crop cultivation where the weed issue cannot be solved solely by non-chemical - mechanical or hand - weeding. It would limit availability in terms of quality and diversity of choice which is the aim of this legislation. Furthermore, it puts the current herbicide-tolerant plants obtained by conventional breeding at risk of being considered as plants with traits with a negative impact on environmental, economic and social sustainability which is absolutely not the case in practice. Indeed, such conventional varieties already available to growers can demonstrate substantial results in terms of herbicide use.

It should be recalled that the primary policy objective of the proposal is to ensure that plants, animals, and food and feed products developed using NGTs are regulated proportionately to risk and that the objective of the proposal for a regulation on the sustainable use of plant protection products (SUR) is not to eradicate the use of chemical plant protection products.

5. The notification process should be in line with those applied in other third countries to avoid discrimination against the development of NGTs in the EU. The possibility given to a Member State to raise “reasonable objections” gives rise to many uncertainties. In addition, this notification should not in any case be an open door to labelling or traceability requirements for Category 1 varieties that are not required for conventional varieties.

We hope that these elements will be taken into consideration, and we urge the Commission to adopt as soon as possible a very clear and robust proposal to help our sector to tackle the multiple challenges it is facing.

Yours sincerely,

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[Redacted name]

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