



**Friends of
the Earth
Europe**

GREENPEACE

Wednesday September 13th 2006

**REF: Regulatory Committee vote on Hungarian 2001/18 safeguard clause for GMO
Maize MON810**

Dear Commissioner Dimas,

On 18 September, there will be a regulatory committee vote on Hungary's decision, published on January 20th 2005, to provisionally prohibit the production, use, and sale in Hungary, and import into the territory of Hungary, of Monsanto's genetically modified (GM) MON 810 Bt maize seeds.

In our opinion, there are a number of reasons why the Hungarian provisional prohibition under Directive EC/2001/18 should not be challenged at the current time and we urge you to remove this agenda item from Monday's committee meeting. In particular, the Hungarian Government has only this week submitted its official response to the EFSA opinion on its use of the safeguard clause, and time is needed for this response to be considered.

Futhermore, as you know, genetic pollution is difficult to contain, as increasing cases of seed, crops and food contamination – most recently with rice – show. Hungary is one of the EU's leading seed producers for maize and it is therefore vital, if freedom of choice for farmers and consumers is to be ensured, that it can continue producing uncontaminated seed stocks.

There are a number of other points that we are feel are important to take into account when assessing the MON810 ban:

1) MON810 authorisation ignores specificities of Hungarian ecosystems

At the time of the original approval for MON 810, Hungary was not yet a member of the European Union. The environmental risk assessment serving as a basis for the permission for the placing on the market of this maize was only done on the territory of the EU-15 member states. Hungary was therefore not included. However, Hungarian ecosystems are part of the Pannonian biogeographical region, which has different environmental characteristics than the ecosystems in the EU-15 member states. Therefore the existing risk assessment cannot be considered valid for Hungary.

2) New scientific evidence ignored

Since the original risk assessment of MON 810 in 1998 a host of new studies on Bt maize have shown potentially damaging results, such as less beneficial insects in fields where Bt maize is grown and weight loss in earthworms feeding on litter from Bt maize

3) The authorization of MON 810 is based on outdated legislation.

The permission for MON 810 to be placed on the market was given in 1998, under the old EU Directive 90/220. Under this Directive there was no obligation to carry out a thorough environmental risk assessment. The new EU Directive 2001/18 demands a risk assessment that includes looking at long-term and indirect effects of growing GMOs. However, MON 810 has not yet been reassessed under the new Directive (see also 4) below).

4) MON810 up for review in 2007: decision should be delayed until then

In 2007 there will be a reassessment of the EU authorization for the growing of MON 810. This reassessment will take place under EU Directive 2001/18. It is likely that MON 810 will not meet the stricter environmental impact assessment requirements of the Directive 2001/18, especially with regard to cultivation. Even the European Commission has admitted that *"it is a reasonable and lawful position that no Bt crops should be planted until all the effects on the soil are known."*¹

5) Real reform of EFSA needed before a decision

EFSA's lack of regard of long term environmental impacts has recently been questioned both by Council and Commission College levels. Only once a real reform of the Authority has been carried out, including the need to address impacts on non target organisms in the case of Bt crops, should its opinions be taken into consideration.

Please do not hesitate to contact us if you require any further information,

Yours sincerely,

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¹ http://www.foeeurope.org/biteback/EC_case.htm