



**Friends of
the Earth
Europe**

GREENPEACE

Monday September 11th 2006

**REF: Commission proposal to overrule Hungarian 2001/18 safeguard clause for GMO
Maize MON810**

Dear Sir, Dear Madam,

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.

We urge you to not support the proposal of the European Commission to lift the Hungarian safeguard measures. There are a number of reasons for the Hungarian ban to stay in place, and the Hungarian Government's official response to the EFSA's Opinion on Hungary's use of the safeguard clause – which has only just been submitted - should first be examined before considering any possible response.

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.

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.
- 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3) The authorization of MON 810 is based on outdated legislation.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 (Monsanto's MON 810 maize is a Bt crop) 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 should its opinions be taken into consideration.

We urge you to take these points into account and to vote against the Commission's proposal to act against Hungary's right to a provisional prohibition of MON810.

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

Yours sincerely,

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Friends of the Earth Europe

Geert Ritsema
Greenpeace International

Attached documents:

Briefing on Bt crops, Greenpeace

Analysis of the Commission's report to the WTO, section on Bt crops pp 9-11, Friends of the Earth Europe and Greenpeace

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