

Media advisory

Friends of the Earth Europe urges European Parliament to vote for genuine rights to ban GM crops

Who?

European Parliament Environment Committee

When and where?

Tuesday November 11, Brussels

What?

On November 11 the Environment Committee of the European Parliament will agree on new rights for governments to constrain or prohibit genetically modified (GM) crops on their territory.

The vote will define the parliament's position for negotiations with the European Council and the European Commission, which aim to find a final agreement by mid January 2015.

Friends of the Earth Europe has warned about the danger of the new rules being a 'poisoned chalice' which could give unprecedented power to biotech companies. The group is urging MEPs to close the loopholes in the law and make sure countries have genuine rights to ban GM crops.

Mute Schimpf, food campaigner for Friends of the Earth Europe, says: *"Governments need solid legal rights to ban the cultivation of GM crops in their countries, without the interference of big companies with vested interests. This is great chance for parliamentarians to improve EU legislation and give member states genuine tools to protect the environment and promote genuinely sustainable farming.*

Why do governments need new rights to ban GM crops?

The cultivation of GM crops is controversial, with 8 EU countries banning their cultivation and the only crop permitted, Monsanto's GM maize, restricted to some areas of Spain and four other countries.

The existing national bans have been challenged by the European Commission as well as the biotech industry, resulting in many national Environment ministers supporting proposals to improve the legal rights to ban GM crops. In addition, a ruling of the European Court of Justice strongly limited the existing regulatory tools for governments, due to a shift in the legislation used to authorise GM crops (joint cases C-58/10 to C-68/10).¹

The story so far

¹ <http://curia.europa.eu/jcms/upload/docs/application/pdf/2011-09/cp110086en.pdf>

The Commission initiated the new directive with the aim of overcoming blockages on the authorisation of new GM crops by offering GM critical governments new tools to ban their cultivation at the national level (2010/0208 (COD)). Since the proposal was released, Friends of the Earth Europe has been calling for it to be strengthened.

The European Parliament agreed an original position in 2011, supporting stronger legal grounds for bans on genetically modified crops based on supplementary scientific environmental checks as well as on socio-economic considerations.

Environment Ministers however came to a different conclusion in their first position earlier this year, supporting weaker legal rules for countries who oppose GM crops to ban them, and extreme bias to companies who profit from GM technology.

Main controversies

The main loopholes and areas of controversy in the current proposal are:

- **Legal base** – disagreement exists on whether the directive should be based on environmental or on internal market rules in the Lisbon treaty. The parliament insists on environmental law.
- **Role of biotech companies** – The Council wants to give biotech companies the first say in the decision-making process. Friends of the Earth Europe calls on the parliament to agree that sovereign states, acting as risk managers, should have the right to restrict the cultivation of GMOs in their territory without being obliged to first ask permission from the same companies profiting from the cultivation of GM crops.
- Disagreement exists on whether countries can ban crops due to negative environmental impacts at the regional level, which is not currently covered by the EU-wide safety assessments. The parliament's rapporteur is now proposing that based on the EU's risk assessment, governments should be able to use the potential negative environmental impacts as grounds for a ban.
- Several countries do not yet have any rules to protect farmers and food companies from **GM contamination**. The parliament proposes to make this obligatory, especially in border areas.

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