

Brussels, 23. 07. 2009
D(2009) 824

Dear Dr Lucas,

Thank you for your letter of 29 April 2009 to Commissioner Fisher-Boel on genetically modified (GM) LLRice62 in the EU. As this topic falls under my responsibility, your letter was forwarded to me.

I would like to clarify that the scope of the application concerning LLRice62 covers the placing on the market of LLRice62 for food and feed uses only and not for cultivation.

Concerning the future of rice cultivation in Europe, this does not appear likely to be put at risk by the use of LLRice62 for food and feed uses, as GM rice that would be imported would be processed. Appropriate management systems would be foreseen in the environmental monitoring plan, in case of an authorisation, to prevent seeds of LLRice62 entering cultivation as recommended in the European Food Safety Authority (EFSA) opinion. My services have already been in contact with the rice industry in this regard and I understand that no concern was raised by the EU rice industry on the risk of contamination of EU fields.

With regard to the use of glufosinate in plant protection products, this is authorised in the EU until 2017 under Directive 91/414/EEC concerning the placing of plant protection products on the market.

The new Regulation on plant protection products, which will hopefully soon be adopted by the Council, will exclude in future from approval substances which are classified as carcinogenic, mutagenic or toxic to reproduction (category 1 and 2 according to Directive 67/548/EEC on the classification, packaging and labelling of dangerous substances), as well as endocrine disruptors. The new Regulation also foresees that "*for active substances already approved, the criteria should be applied at the time of renewal or review of their approval*". Glufosinate will be carefully assessed in the light of these new criteria.

Under current legislation, the maximum residue level (MRL) for glufosinate in rice is 0.1 mg/kg. As long as no new MRL application is submitted at EU level, evaluated by the EFSA and eventually adopted by the Commission the current MRL of 0,1 mg/kg has to be respected in all imports of rice.

../..

Dr. Caroline Lucas
Green Party for South East of England
European Parliament
ASP-8G103
Rue Wiertz, B-1047 Brussels

Other than exchanging views, the European Commission has no say in the choices made by countries outside the European Union. For this reason we have no competence on the decisions of non-EU farmers or governments as regards agricultural biotechnology and more specifically as regards LLRice62.

Having said that, it is important to point out that Regulation (EC) No 1829/2003¹ on genetically modified food and feed defines the procedures and the requirements for authorising the placing on the market of GM products.

A very important part of the Regulation is devoted to the definition of labelling rules whose aim is to ensure that consumers are informed of the GM characteristic or nature of the products, thus providing them with an effective right to choose between GM and non-GM products.

The Commission considers the protection of health and the environment as a top priority and is committed to ensure that GM seed, food and feed are authorised only when they do not have adverse effects on human health, animal health or the environment.

It is important to emphasize that Europe has the world's strictest system of approval for genetically modified organisms (GMOs) which is transparent, science-based and ensures that GMOs authorised in the EU are safe for animal and human health and for the environment following a case by case analysis.

The way the application for the authorisation of LLRice62 has been dealt with, clearly shows the attention that the Commission devotes to the assessment of GM food and feed. In particular, even after the favourable opinion published by the EFSA on LLRice62 and given the nature of rice as staple food, the Commission requested EFSA to reconsider the need for an additional study on rats with a view to providing additional assurance of the LLRice62 safety. EFSA confirmed its previous favourable safety assessment on LLRice62 and explained in further detail the nature and basis of its favourable risk assessment.

I hope this information goes some way towards allaying your concerns. I would also like to inform you that following a meeting of my Cabinet with Greenpeace who raised similar points, I have asked my services to meet with them to discuss further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'A. Vanillo', with a horizontal line underneath it.

¹ Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed, OJ L 268, 18.10.2003