

Towards a **GM free** Europe

Halting the spread of GMOs in Europe



Caroline Lucas attends a demonstration against GMOs

The Green Party is campaigning for a GM-free Europe, and an end to the genetic modification of our food. GM crops pose unpredictable and irreversible long-term risks to the environment and human health. We therefore oppose the release of genetically modified (GM) crops into the environment, and reject the use of GMOs as food or animal feed. As a Green Member of the European Parliament, I am working to prevent the spread of GMOs across the European Union, and to ensure European legislation minimises the risks they pose.

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What are genetically modified crops?

GM crops have their genetic make-up modified by adding genes from other species, in order to make them resistant to insects or disease, or tolerant to pesticides. This is very different to traditional plant breeding techniques, which have been limited by natural barriers which stop different species of organisms from breeding with each other. Genetic engineering is imprecise and unpredictable. By inserting foreign genes into the DNA of a host, new life forms are created that have never occurred in nature. The long-term impacts of doing this are completely unknown.

The threats posed by GM crops and food

- GM crops are living organisms and, once released, can spread in the environment via insect- and air-borne pollen and seeds, contaminating other crops and wild plants
- New 'super-weeds' may evolve which will be difficult or even impossible to eradicate
- Wildlife may be harmed by toxins in the environment or changes in agricultural practices
- The new GM characteristics may cause allergies
- If antibiotic resistant 'marker' genes are used, they may be passed from food to bacteria in people's guts, thus reducing the effectiveness of antibiotics in protecting human health
- The GM process may have unintended effects on the plant, which may affect food safety

EU Moratorium on GM products under threat

The European Union has the responsibility for granting approvals for GM foods to be sold in Europe and the UK. This is currently done through two different legal regimes, the Deliberate Release Directive, which was revised in 2001, and the Novel Food Regulation, which came into force in 1997. Under the Novel Food Regulation, a safety assessment of any GM food, together with consideration by all member states, is required before it can be sold.

The Novel Food Regulation also contains a fast track route for processed GM foods, which requires a less in-depth assessment. Instead, simply by claiming that its food is 'substantially equivalent' to its non-GM counterpart, companies can notify the European Commission that it plans to start selling the food in the EU.

But although some GMOs, and even more processed GM products, have been approved for use in food in the EU, most supermarkets and



EU legislation

(cont.) food manufacturers in the UK have removed GM ingredients from their produce.

Indeed, as a result of rising public concerns about the safety of GM crops, the EU suspended the authorisation of new GMOs in 1998 and, since then, has been under pressure to maintain this 'de facto' moratorium on approving any new GM products – either for import or for commercial growing – while it prepares stronger safeguards in the form of new legislation, particularly on the traceability and labelling of GM products.

However, the EU is now under intense pressure to lift that moratorium – both because the new laws are nearly in place and because the US has challenged the EU position at the World Trade Organisation.

Greens are campaigning to keep a moratorium, since the new legislation will still be inadequate: not only does it fail to address the question of liability, it does not resolve the major problem: the risk of contamination of non-GM and organic agriculture with GM varieties.

It is crucial that we work towards a GM-free Europe now – in a matter of months, it could be too late!

If and when the moratorium is lifted, we could see the first new GM products on the market early in 2004, or perhaps even sooner.

Traceability – Traceability means that it should be possible to trace back each GM product to its original source. Green MEPs want to ensure that the new legislation is as tough as possible. We are trying to achieve full traceability of all GMOs, and of all products produced from GMOs.

Labelling – Greens recently scored a victory by defending the Commission's proposal that labelling be mandatory for all food or feed derived from GMOs, irrespective of whether genetic material or proteins of the GMO can be detected in the final product. Currently, processed GM feed does not have to be labelled at all!

Government Opposition to EU safeguards – The UK Government, by contrast, has been obstructing the legislative process. Recent reports suggest that Ministers want to 'kill off plans by Brussels to bring in a comprehensive regime for labelling genetically modified foods'.¹ Leaked cabinet papers reveal that the Government fears 'negative fallout' from Washington if they back European plans to tighten GM food labels.

No Liability Laws – However, just because it is traceable and is labelled does not make GM safe. Critically, none of this new legislation addresses the issue of liability - and the question of who pays compensation if non-GM crops are contaminated with GM varieties.



"Our [US] government should respect the preferences of consumers in other parts of the world. Other countries have a right to develop their own pre-market safety testing and labelling regulations to protect their consumers, without having to endure bullying tactics from other governments."

Jean Halloran, Director, US Consumers Union Consumer Policy Institute

The threat from the US

On May 13 2003, the US announced that it would file a case at the World Trade Organisation against the EU's 'illegal' moratorium on approving GM crops. US officials claim that the EU is violating its WTO obligations by not basing its decision on 'sufficient scientific evidence', and that it has erected a trade barrier unwarranted by the European Commission's own scientific analysis.

The Commission has responded that the US challenge was 'legally unwarranted' and 'economically unfounded', and that the EU's regulatory system for GMO authorisation is in line with WTO rules, since it is clear, transparent, and non-discriminatory.

Since the European Commission

has made it known it plans to lift the moratorium once the new legislation on traceability and labelling is in place, such a WTO challenge may seem to be strangely timed: the WTO will take at least 18 months to make its ruling, whereas the moratorium could be lifted in a matter of just a few months. In that case, some predict that the US will alter the focus of its challenge away from the moratorium and onto the new legislation itself – which it claims will be 'burdensome' – while others suggest that the main aim of the US action is less to change EU behaviour, and more to send a clear signal to other countries which might have been planning to follow the EU's example.

In particular, US officials claim that

the EU's moratorium is slowing down the adoption of GM crops by developing countries, who – they argue – could be helped to feed their people by introducing them. In the case of Africa, they accuse the EU of forcing some countries to reject US food aid, partly for fear that GM contamination would jeopardise future exports to Europe. Yet the reality is that the root cause of hunger is not absence of food per se, but lack of access to food – often for complex social and economic reasons. After all, many famines take place in countries which have a food surplus. A technological fix like GMs will merely increase the profits of the companies when they force farmers to pay royalties for using GM seeds.

GM crops will not solve problems with hunger

According to Action Aid, the evidence it has gathered in its work in countries like Mozambique, Brazil and Pakistan suggests that GM crops will not solve hunger in these countries. To the contrary, the main beneficiaries are likely to be the Biotechnology giants as they increase their control over markets. Action Aid believes that if the EU moratorium is overturned, it will put more pressure on developing countries to accept GM crops.ⁱⁱ

The threat of GM contamination

The commercial introduction of GM crops could ultimately take away people's choice to eat non-GM foods, since widespread GM contamination would be an almost inevitable consequence. There are three main sources of GM contamination on the farm:

- seed, bought as organic or non-GM, may have been contaminated during growing or transport;
- cross pollination may occur during growth of the crop on farm;
- or seed may be spilled from equipment used to harvest or transport GM crops.

GM-contaminated seeds have already been found in the UK, Sweden, France, Italy, Spain and Greece, even though GM crops are not yet widely grown in Europe. If commercial-scale planting of GM goes ahead in the UK and the rest of the EU, contamination will be much more widespread. A recent EU report concluded that if GM crops are grown at the same rate as in the US, the background levels of GM pollen will mean that even farmers who are not growing GM crops might have to label their crops as GM, while some organic farmers may lose their livelihoods altogether.ⁱⁱⁱ

It will also be even more difficult to ensure that seed stocks remain GM-free. It has been estimated that in countries with widespread growing of GM crops, almost all of the non-GM seeds being sold to farmers contain some GM material.^{iv} In the case of oilseed rape, researchers have shown that the pollen from oilseed rape can travel up to 4km and can escape from fields even when they are surrounded by barrier crops

to prevent this.^v The Government's separation distance requirements between GM and non-GM crops are completely inadequate to deal with this. These only require farmers to leave a distance of 50-200m for oilseed rape and maize, and 6-600m for sugar/fodder beet.

Gene-flow between different crop varieties is not always predictable, since random factors such as storms can produce unexpected cross pollination. There have already been several incidents of GM contamination, despite the fact that GM crops are only grown by a minority of farmers worldwide.

A recent study by the European Environment Agency emphasised the risk of widespread contamination if GM crops are grown commercially, and concluded that 'at farm and regional scale, gene flow can occur over long distances and therefore complete genetic purity will be difficult to maintain.'^{vi}

A study by the UK Department of Environment, Food and Rural Affairs came to a similar conclusion.^{vii} The report, sneaked out on Christmas Eve 2002, revealed that:

- If GM oilseed rape is grown on a large scale in the UK, then gene flow will occur between fields, farms and across landscapes
- Seed spillage and failure to clean combine harvesters is likely to be a significant source of GM contamination
- GM oilseed rape volunteers (weeds in the following year's crops) survived for at least four years, and wild oilseed rape growing close to crop trial fields was contaminated.



Contamination incidents

In Spring 2000, the seed company Advanta discovered that batches of oilseed rape seeds sold to farmers in the UK, France, Germany and Sweden were contaminated with a GM oilseed rape variety, produced by Monsanto, which was not authorised for cultivation in the EU.

In the same year, StarLink, a GM maize not approved for human consumption, contaminated foods across the USA. Consumers reported suspected allergic reactions, and more than 300 brands of crisps, taco shells, and other maize products had to be withdrawn from shops, costing the US economy hundreds of millions of dollars.

GMOs: a liability – growing the uninsurable

At the moment, there is no law that requires GM companies to pay compensation to farmers affected by GM contamination. But if GM companies are so sure their products are absolutely safe, why won't they accept liability for them? Insurance companies are also refusing to provide liability cover against damage caused by GM crops and it is unlikely that the biotech companies will voluntarily pick up the bill.

From the polluter pays to the polluted pay

Biotech companies are seeking to protect their innovation by patenting them. As a result, farmers in North America have found themselves subject to legal action and massive fines from companies claiming the farmers have illegally grown 'their' GM plants – even when the plants in question have grown as a result of inevitable cross pollination and have been entirely unwanted by the farmers.

The need for new liability legislation is therefore urgent. Commission proposals for an Environmental Liability Directive are currently going through the European Parliament, but while the environmental damage caused by GMOs is likely to be covered by this new law, the economic damage caused by GM contamination will not. As Greens MEPs, we successfully ensured that the Parliament adopted an amendment which demands new and separate legislation dealing with this vital issue. This is needed even if the EU moratorium is kept, since compensation may also be necessary for contamination caused by crop trials, or by any accidental or illegal import of GM products into the EU.

A new liability regime must therefore:

- Ensure compensation for those adversely affected by GM contamination;
- Provide clear proof than any entity seeking consent to release GMOs into the environment, producing and selling seeds, growing GM crops, processing them, importing them, and selling them has adequate insurance or adequate financial resources to cover future potential indemnities;
- Include a compensation fund, in case the entity responsible cannot be identified, possibly funded by a GM tax to be paid by the biotech industry.

Europe at a GMO crossroad

Since widespread GM contamination appears virtually inevitable, and since nothing like the liability measures proposed to address such contamination are anywhere near the statute books, the conclusion is clear: an EU moratorium remains vital.

But – as this briefing has shown – the EU is under pressure to lift the moratorium, and the UK Government has made no secret of its own support for GM production. Its so-called 'consultation' on whether GM crops should be grown commercially in the UK has been criticised as a sham. Underfunded, and little publicised, it has added weight to the belief that Government Ministers have already decided in favour of GM cultivation.

Yet public opposition to GM food and crops remains high. In April 2003, a MORI poll revealed that 56% oppose GM food, while just 14% support it. Furthermore, 70% of the European public don't want GM food, and 94% want to be able to choose whether or not they eat it (Eurobarometer 2001).

The choice before us is clear. Either we have a moratorium and move towards a GM-free Europe – or we risk a future of permanent GM pollution.

Greens in the European Parliament will continue to work to prevent the spread of GMOs across the European Union, and ensure European legislation minimises the risks they pose.

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This briefing also draws on research by Friends of the Earth Briefing: *Genetically modified crops and food*, London, January 2003 and Greenpeace, *The GM Public Debate*, London May 2003.

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