



European Commission
Agriculture and Rural Development



Coexistence of Genetically Modified Crops with Conventional and Organic Farming- Report from the Commission to the Council and the European Parliament

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EU Regulatory Framework for GMOs

Full harmonisation at EU level	GMO authorisation and assessment of risks to the environment and health (Directive 2001/18/EC; Regulation (EC) No 1829/2003)
	Labelling and traceability of GMOs and food and feed derived from GMOs (Regulation (EC) No 1830/2003)
National competence	Coexistence between GM and non-GM crops; economic implications of the cultivation of authorised GM crops, (Commission Recommendation 2003/556/EC)



Commission Recommendation for national strategies to ensure coexistence (2003/556/EC)

- Non-binding
- List of **general principles**
 - crop-specific
 - proportionality (Refer to the **legal labelling threshold**)
 - priority to farm-level management measures
- **Voluntary GMO-free zones** are possible – as well as GM production zones
- List of technical measures to be adapted to **local conditions**



Council Conclusions – May 2006

- Community labelling **thresholds for seeds**
- Develop **guidelines** for crop-specific co-existence measures
- Importance of **cross-border issues**
- Develop approaches for **regions** where coexistence is difficult to achieve
- Study **national liability systems** relating to the potential admixture of GM in non-GM crops
- **No Community legislation** at the moment, but continue to explore whether further steps towards harmonisation should be taken



Results of the Coexistence Report

Adopted and published on 2 April 2009

- Overview of Commission's activities in relation to mandate provided by Council conclusions
- State of play of national and regional coexistence measures



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Establishment of European Coexistence Bureau (ECoB) (start 2008)

Objectives:

- Elaboration of **crop-specific guidance documents** for co-existence measures
- Proposals for preventing **cross-border problems** and
- Recommendations for **regions**, where farm-level co-existence difficult to achieve

Structure:

- **Secretariat:** Institute for Prospective Technological Studies (IPTS) of the JRC
- Crop-specific **Technical Working Groups** composed of representatives of Member States
- **Stakeholders** consulted via Advisory Groups



Study on National Liability and Compensation Schemes

- Economic damage due to GMO admixture covered by **civil law** of Member States
- All Member States: minimum of protection in cases of damage under the regular conditions of **tort law**
- **New solutions** for compensation: e.g. funds (DK, PT, BE)
- **No insurance** available at the moment



National Coexistence Legislation

- National coexistence measures have to be notified to the Commission under **Directive 98/34/EC**
- **15 Member States** have **adopted** specific legislation on coexistence: AT, BE, CZ, DE, DK, FR, HU, LT, LU, LV, NL, PT, RO, SE, and SK
- **3 Member States notified** draft legislation to the Commission: FI, PL, SI
- In some Member States (AT, BE) competence lies at **regional level**



Information, Registration and Training Procedures

Large differences amongst Member States:

- Range from **case-by-case approval** for cultivation of GM crops (AT, HU, LU) to simple **notification** to competent authorities
- Majority of Member States requires **information** of immediate neighbours, operators sharing machinery and land owners
- **Public registers** may include extensive information, or aggregate information
- Compulsory **training** or educational requirements: (AU (some regions), BE (Flanders), EE, DK, HU, LT, LV, NL, PT, SI, SK)



Technical Segregation Measures

- In all Member States segregation measures have to be applied by **GM crop growers**
- Coexistence measures of most Member States designed such that the **legal labelling threshold** of 0.9% is not exceeded (BE (Flanders), DE, DK, EE, ES, FR, LT, LV, NL, RO, SK, SV)
- In some Member States (NL, CZ, DE, SK, PT) segregation measures are **more stringent** towards **organic production** than towards conventional production



- **Spatial segregation:**
 - **Isolation distances** (from 25m to 600m for GM maize production towards conventional maize and from 50m to 600m towards organic maize)
 - **Buffer zones:** zones of sexually compatible non-GM crops which are treated as GM plants, additional to or replacing isolation distances
- Use of different **flowering times** provided for by two Member States (PT, RO)
- Some MS regulate segregation during different agricultural operations, others only at field level



Restrictions on Cultivation of GM Crops

- In some Member States possibility of establishing GMO-free regions on socio-economic reasons,
 - Would have to be notified to the Commission
- Certain regions declared themselves GMO-free,
 - Political nature, not legally binding
- Possibility of designating zones with either only GM or non-GM varieties of a given crop based on voluntary decisions by all concerned farmers
 - In line with Commission Recommendation



Commercial Experience with GM Maize Cultivation

- Procedures for enforcement and monitoring of coexistence measures started only in Member States where GM crops are actually grown
- MON810 only GM crop cultivated in EU
- Cultivation in 6 Member States (CZ, DE, ES, PT, RO, SK) on a surface of approx. 100.000 hectares in 2008 (1.2% of total maize acreage in EU27 in 2008)



Conclusions (1)

- **Significant progress** by Member States in developing coexistence legislation since 2006
- **Moderate expansion** of cultivation surface of GM crops
- So far **no** reports on **economic damages** concerning crop production



Conclusions (2)

- Coexistence measures **differ largely** between countries
- No interference with **national liability provisions** by the Commission
- **Subsidiarity-based approach** on coexistence will be continued



Actions

- Develop crop-specific **technical guidance documents** on coexistence measures
- Continue activity of **COEX-NET**
- Conclude economic impact assessment for **seed thresholds** and propose appropriate legislative follow-up
- **Report** again on situation concerning coexistence in Member States **in 2012**