

Briefing document

EU policy on GMO cultivation

Background:

EU policy on GMOs has been deadlocked for years as Member States remain strongly divided about the use of agricultural biotechnology. Back in July 2010, the Commission attempted to overcome these differences with [a proposal](#) amending Directive 2001/18/EC on deliberate release into the environment of GMOs to confer to Member States the freedom to allow, restrict or ban the cultivation of GMOs on part or all of their territory. In Council, despite efforts of consecutive Presidencies and, most particularly, of the Danish Presidency in 2012, no agreement could be reached due to the blocking position of a minority of Member States.

At the beginning of 2014, the Greek Presidency got the agreement to re-open the debate on the basis of a [new Presidency text](#) which maintains an EU-wide approval scheme but allows national cultivation bans. [Directive 2015/412](#) on GMO cultivation finally entered into force on 2 April 2015.

The new rules:

The newly adopted Directive (EU) 2015/412 gives Member States more flexibility to decide on the cultivation of genetically modified crops, under certain conditions, at two distinct points in time:

- During the authorisation procedure: A Member State can ask to amend the geographical scope of the application to ensure that its territory will not be covered by the EU authorisation;
- After a GMO has been authorised: A Member State may prohibit or restrict the cultivation of the crop based on grounds related among, others to, environmental or agricultural policy objectives, or other compelling grounds such as town and country planning, land use, socio-economic impacts, coexistence and public policy.

The arguments raised will, however, need to be distinct from those considered in the EU harmonised authorisation process. Thus, it is hoped that, at EU level, Member States

would be more willing to base their decisions on the authorisation of new crops on scientific evidence, knowing that they would now have greater autonomy to restrict or prohibit cultivation on their own territory if they so wished on other grounds.

Worth knowing:

- Only one strain of GM maize is currently authorised for cultivation in the EU. In 2013, MON 810 maize was cultivated in five Member States (Spain, Portugal, Czech Republic, Romania and Slovakia), with a total coverage of almost 150 000 hectares (of which 137 000 hectares are in Spain)
- In November 2015, 19 [countries had requested to be excluded from sales of GM crops for cultivation](#): Latvia, Greece, Croatia, Hungary, France, Austria, the Netherlands, Poland, Lithuania, Belgium (Wallonia) and UK (Scotland, Wales and Northern Ireland).

What's next?:

Just a few weeks after the adoption of the Directive on the cultivation of GMOs, the Commission adopted a [proposal reviewing the legislation on GMO use for food and feed](#).

The idea is to complement the rights already given to Member States in respect of GMOs for cultivation by giving them the possibility to also decide on whether to opt out from allowing an authorised GMO to be used in their food chain.

The proposal has now been sent to European Parliament and the Council for discussion. It is expected to be adopted in 2016.

Worth knowing:

As of today, 58 GMOs are authorised in the EU for food and feed uses (covering maize, cotton, soybean, oilseed rape, sugar beet). The list of authorised GM plants and the precise scope of their authorisation is available in the [EU register of GM food and feed](#).

Further Information:

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