

New Genomic Techniques: commodity traders' viewpoint

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COCERAL's point

- **Short-term goal:** to avoid trade disruption due to uneven playing field vs Third export countries.
 - It is Important **New Genomic Techniques are covered** by **compatible regulatory provisions** in **the EU and abroad**
 - **Proportionate burden of compliance** for Food Business Operators (FBOs), coherent with the needs of commodity trade
 - “Trace what can be *identified and detected* or otherwise *enforced*” (including *value proposition*)
- **Mid-to-Long-term goal:** to allow NGTs play a role
As a tool for the agri-food system, in line with the goals of the Green Deal and Farm to Fork.
 - in maintaining EU production meeting the required level of food security
 - In sustaining the much-needed R&D capacity in the EU



New Genomic Techniques

- The NGTs Draft regulation has been leaked. The scope is about targeted mutagenesis; cisgenesis and intragenesis (referred then as “NGTs”)
 - for some varieties (Category 1) there will not be hard requirements of traceability and labelling; also, for some varieties the risk assessment will be kept low (notification only). coherently with EFSA evaluation
 - For other varieties (Category 2), a light-GMO risk assessment, plus traceability and labelling will be in place
- It is still a preliminary document, and could take a different shape later in the discussion because of the European Parliament and Council



New Genomic Techniques

- It is a ***regulation***, directly applicable in all the Member States and delivering **certainty of the law – free circulation** in the **internal market**
- But It is a ***lex specialis***, derogating from the GMO legislation - for aspects not clearly expressed, the *GMO legislation retains its power*

Derogation to the GMO framework (and definition), but with derogations... bringing back the GMO framework (and definition)

- **The Commission Study (2021) stressed the need to better define some concepts referring to the *GMO definition***
- **This has not been done and could bring surprises**



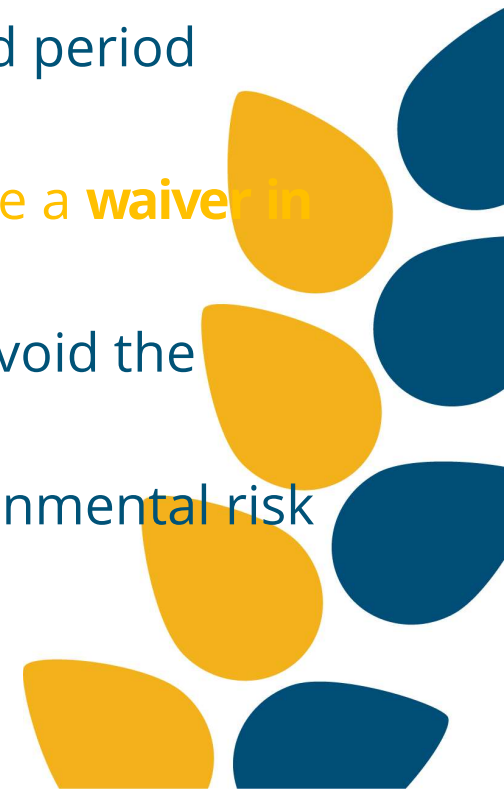
New Genomic Techniques

- **For Category 1**
- **Conventional-like NGTs** (matching criteria of Annex I) consisting of limited number of genetic intervention- **(notification system only; no risk assessment; no traceability; no labelling requirements (but for PRP material))**
- However, for the **organic production, these will be still considered GMO**; the same applies to herbicide-tolerant traits; an exception is also made for varieties that could give rise to Novel Foods considerations).
- **! Uncertainty about the regulatory destiny (non-GMO but GMO) and compliance requirements**



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- For **Category 2 NGTs**
- Category 2 varieties **will be considered GMO** and not usable in organic production.
- **Authorisation will be in place** (art.15-, 21, 22, 23) but for unlimited period once approved) - (caveat - renewal possible for 10 years)
- **! When a validated detection method is not available, there will be a waiver in place (resulting in no obligation of detection).**
- Member States are required to adopt **coexistence measures** to avoid the unintended presence of such NGT plants in other products.
- However, a monitoring plan would not be required if after environmental risk assessment demonstrates there are no risks.



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• First reflections

- ***Circular and incoherent legal definitions*** (are NGTs GMO ? - and exempted from the GMO requirements; or are not GMO ?)
- ***Third countries could consider as conventional NGTs treated as GMO in Europe***
- ***This could have far-reaching consequences for trade and ultimately, for the functioning of contemporary food and feed supply chains***



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• First reflections

- It is a long-held tenet in agriculture that the **crop with unique functional attributes isolates its supply chain** from the commodity supply chain.
- **Identity-preservation systems** or similar programs can produce grain with particular attribute(s) **under controlled conditions**.
- While crops and products with unique functional attributes can be highly profitable, the development, management and maintenance of separate supply chains to maintain their value, and protect the fungibility of global commodity supply chains, **can be complex and costly**.
- **These systems cannot and should not replace the current bulk handling** system for grain, a critical source of affordable nutrition for the world.



New Genomic Techniques

- **First reflections**
- **Regulatory coherence** - We believe that **coherence with existing regulatory approaches around the world** should be a priority.
- The **lack of compatibility** with legal frameworks globally would **create challenges for the supply chains** when shipping agricultural commodities to other markets if requirements are different.
- The **lack of detection and traceability methods** for NGTs would impact **international traders**, as EU traders will not be, in most cases, in the position to properly detect and segregate the NGT-derived commodities. from third countries.
- Under such circumstances, **food security issues may arise**



Some reflections in the current debate

- **“NGTs are the new GMOs”**

- this is not even comparing apples with pears: *it is like comparing a Tesla with a Route 66* - they belong to different domains of reality, one being a *process*, the other a *product*.

- The **“*technology curse*”** narrative, AKA, **“*there are not free meals*”**

- **“allowing NGTs is opening a *pandora box* with unforeseen unintended consequences for public health; the environment, the societal structure...”**
- ***Disruptive technologies have the potential to improve life quality for all*** (Pasteur and invention of vaccine; electric bulb and Edison, Ford T1....) if given a chance and if the market structure is well regulated (accessibility)

- **“There is **no need of technology-intensive resources**, as just a holistic farming approach will be useful-sustainable “**

- **NGTs will march *hand in hand* with the sustainability horizon of the Farm to Fork and Green Deal – *don't have a separate goal of their own***



Some reflections in the current debate

- The “**Freedom of Choice**” argument
- *Freedom of choice* is a very **mercantile and democratic concept**, and as traders, we are much supportive of it.
- Rightly so; ***freedom of choice should allow everyone to make their own decision; including within the organic sector*** (if there are farmers wanting to use NGTs).

