

**To:**

Executive Vice-President Frans Timmermans  
Commissioner Stella Kyriakides

**cc:**

Commissioner Janusz Wojciechowski

DG Sante, Deputy Director-General, Claire Bury

DG Sante, Head of Unit Biotechnology, Irene Sacristán Sánchez

Brussels, 14 November 2022

***Re: Policy Proposal for New Genomic Techniques***

Dear Vice-President,

Dear Commissioner,

The undersigned value chain partners welcome the Commission's plans for an Initiative on New Genomic Techniques (NGTs) and support the proposal for an enabling regulatory framework. We fully concur with the conclusions of the Public Consultation where almost 80% of the participants responded that the existing provisions of the current GMO legislation are not adequate for plants obtained by targeted mutagenesis or cisgenesis. This is a clear request of relevant stakeholders for a new framework for plants obtained by NGTs.

Considering the increasing global challenges in view of the productivity of sustainable agriculture, climate change and food security, we deem that the EU should not further delay its initiative and fall even more behind on the issue. There is a growing number of countries that globally implement enabling policy approaches for NGTs, and European agriculture and some other of the EU's most innovative sectors are at risk of being deprived of scientific progress, putting them at a competitive disadvantage compared to their counterparts. Consequently, Europe's leading position in innovative breeding is at stake, as are EU sustainability goals, jobs in agriculture, bioindustries and their associated value chains, and international trade flows. This does not only concern plant production but is also valid for the livestock sector and the fermentation industry.

We welcome the Commission's conclusion from the NGT Study in 2021 that a differentiated regulatory approach is needed. Indeed, NGTs are versatile and can be applied in different ways. The resulting products can be like GMOs or indistinguishable from conventional plant varieties.

We nevertheless have the impression that the scenarios as presented by the Commission during the targeted stakeholder consultation, as well as the recent EFSA statement on the criteria for risk assessment<sup>1</sup>, neglect this differentiated approach and consider a mandatory risk assessment step as necessary for all plants obtained by targeted mutagenesis, cisgenesis and intragenesis. The signatories of this letter consider any such approach as disproportionate and unworkable, specifically for SMEs and highlight that under such conditions, NGTs will not deliver on the goals of the Farm to Fork and Biodiversity strategies.

The Commission proposal should reflect these similarities with existing product categories (conventional/ GMOs) in their regulatory proposal to avoid regulatory discrimination of similar products. This is specifically important also in view of the global perspective, considering the trade related challenges that might arise in case the EU proposal would not align with the growing number of policies in other countries. It would have strong implications for the competitiveness of the EU Agri-Food value chain as well as the enforceability of regulations.

Plant breeding has a track record of providing safe and sustainable options to the agri-food value chains. Nevertheless, a sustainability assessment of individual plant characteristics resulting from NGTs risks being reductionistic, hence failing to capture the complexity of sustainability in all its dimensions (socio-economic, environmental) and with that potentially being misleading to customers and consumers. Any sustainability assessment of new plant varieties should be context-dependent, science-based and non-discriminatory in view of the breeding tools that have been used. We regret that there isn't yet an agreed, harmonised, international approach to sustainability. This makes it difficult to achieve a common understanding about what could represent a sustainable plant characteristic which also depends on the agricultural context and environment e.g., in third export countries, where the crops are grown.

The undersigned agri-food value chain partners are committed to contributing to societal and consumer expectations in terms of healthy diets, biodiversity and a sustainable agricultural model. The NGT study confirmed that "several of the plant products obtained from NGTs" can contribute to various goals of the European Green Deal by saving land resources, allowing a more sustainable use of crop protection products and antibiotics, improving food/feed quality and reducing emissions while stabilizing and increasing crop yields, improving animal health and welfare and ensuring food security.

Given that discussions on the status of NGTs have been going on for more than 14 years, we call on the Commission to ensure that an ambitious policy proposal is presented in a timely manner to enable access to those innovations to EU farmers and the food chain as well as to consumers as soon as possible.

While we strongly welcome the prospect of further policy action in plants, we also would like to encourage the Commission to promptly initiate discussions with the relevant stakeholders, notably the livestock and fermentation sectors, on the review of the regulatory approach in other sectors, in the EU and on a global level.

Yours faithfully,

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<sup>1</sup> <https://www.efsa.europa.eu/de/efsajournal/pub/7618>

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