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Change in voting behavior may lead to GE crops not being approved

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Report Highlights:

A shifting political landscape in the EU has led to fears that voting “against” import authorization of Genetically Engineered (GE) crops is becoming perilously close to a new norm. In particular, the changing political compositions of national governments and consequent positions on biotechnology, coupled with the UK’s likely departure from the EU in March 2019, are of concern. This report highlights changing EU Member States votes and their possible impacts on GE approvals. The paper concludes with updates on recent EU approvals for GE products.

General Information:

The GE Import Approval Process

After a GE crop has been deemed by the European Food Safety Authority (EFSA) to be as safe as its conventional counterpart with regards to its impact on human or animal health and the environment, Member States (MS) experts then vote on a European Commission proposal to authorize its import into and processing on the EU market. A qualified majority (QM) of votes cast “in favor” or “against” at the Standing Committee is required to either authorize or reject the proposal. Where no QM is achieved, MS’ representatives vote on the Commission’s proposal again at a higher level forum called the Appeal Committee. If the Appeal Committee fails to reach a QM, the proposal goes to the College of Commissioners for a final decision. MS votes are weighted by the population of the country.

MS Voting Behavior for GE Import Approvals

For many years, MS’ votes have tended to reflect the political and philosophical sensitivities associated with biotechnology in their respective countries. For example, Poland, Hungary and Bulgaria have historically voted “against” GE authorizations, while the UK, Spain and the Netherlands have voted “in favor.” Germany, France and Italy typically “abstained” from voting, but as noted below, France and Italy recently voted against GE authorizations under review this past year.

To date, the sum of this voting behavior has never resulted in a QM “in favor” or “against” a Commission proposal to allow importation and processing of a GE crop. As such, although the GE authorization procedure has been and remains needlessly lengthy, GE crops are eventually authorized by the College of Commissioners.

Within the past year, four countries have now begun to vote “against” the GE crop under review for importation at the Committee stages. In the past, France and Italy had generally “abstained” from voting while Portugal and Slovakia had generally voted “in favor.” Recently, all four countries have voted against GE authorizations. Their changes in position may reflect the results of Parliamentary elections in Portugal in 2015, Slovakia and Italy in 2016, and France in 2017. Even with those four MS voting “against,” the total vote falls short of achieving a QM against. However, Brexit further complicates matters.

Looking Ahead

Having four MS change their votes to “against” this past year is ominous for proponents of GE, but these voting changes alone will not lead to GE authorizations being denied by the Commission. The more populous MS have the greatest sway in Commission voting. Thus having Germany, Spain, and the UK vote “in favor” or “abstain” continues to be very important for GE approvals—this is especially true if France and Italy continue to vote “against” as noted above.

Ensuring a pro-GE majority with the UK voting “in favor” and for Germany to “abstain” or vote “in favor” is complicated by Brexit and perhaps the German federal elections in September 2017. If Germans elected a government that is anti-GE, their “against” vote coupled with Brexit would tip the scales for non-authorizations of GE products—all things being equal. Another scenario that would tip the scales against GE approvals in a post-Brexit world would be if Spain and another smaller MS

changed their votes to “against.” FAS USEU analysis sees this combination as highly unlikely given Spain’s agricultural economy and dependence on access to safe and inexpensive feed. Also GE corn is cultivated there—Spain being one of the few MS to cultivate GE. Thus it is difficult to imagine that the Spanish Ministry of Agriculture would vote “against” GE technology. The German federal election is far more likely to affect EU GE import and processing decisions going forward.

Recent developments in GE authorizations

As reported in GAIN Report E1708 of 2/24/2017 “*EC Proposes Changes in Comitology Rules in Effort to Hold Member States more Accountable*”, the Commission’s legislative proposal to amend the decision-making rules which were published on February 14, 2017 led stakeholders to fear a *de facto* moratorium on approvals of GE crops while the EU institutions were considering the proposal. This has not happened.

More specifically, on July 4, 2017, three GE corn events (Dow herbicide tolerant; Syngenta insect resistant/herbicide tolerant; Monsanto insect resistant - renewal) and two GE cotton events (Bayer insect resistant/herbicide tolerant; Dow insect resistant/ herbicide tolerant) were approved for import and processing.

Dow’s GE corn has already been approved in China and its authorization in the EU will facilitate its large-scale launch and cultivation in the United States in 2018. The event comprises new technology; the application for its approval was initially made to EFSA in 2010. It is of significant importance to U.S. production.

Syngenta’s GE stacked corn is already being cultivated in the United States. It has not been approved in China as that country only approves single events. Syngenta’s GE stacked corn represents current technology and was initially presented to EFSA for its scientific opinion in 2011.

Monsanto’s renewed GE corn is older technology and was resubmitted to EFSA for re-authorization in 2007. It is effective against the corn borer both in Europe and in the United States, and is extensively used in stacks in the United States and is cultivated in Spain.

“No opinion” was given on the proposal to authorize the import and processing of Dow’s herbicide tolerant soybean at the Appeal Committee of July 12, 2017. The soybean which is based on new technology is not yet cultivated in the United States and has not been approved in China. Dow initially made its request for approval to EFSA in 2011. It is likely to be of moderate importance to the United States. It now rests to the College of Commissioners to give a final decision on the proposal. At the time of writing, we have no information as to when the college will consider the issue.

The Standing Committee of July 17, 2017 gave “no opinion” on two GE soybean events (Dow herbicide tolerant; Bayer herbicide tolerant) for import and processing. These files will be considered at the Appeal Committee scheduled for September 14, 2017.

The next Standing Committee is scheduled for September 14, 2017. At the time of writing we have no details of which events will be considered at the meeting. Currently, the following five GE events are waiting for action at the Standing Committee: Bayer and Monsanto herbicide tolerant rapeseed stack (food/feed only); Pioneer herbicide tolerant, high oleic acid soybean stack (import); Syngenta herbicide

tolerant corn (cultivation); Syngenta insect resistant/herbicide tolerant corn stack (import); Dow insect resistant soybean (import).