

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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POLICY

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FAS saves U.S. trade from EU ban

Report Categories:

Export Accomplishments - Other

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Report Highlights:

FAS outreach in EU Member States enabled Council members to successfully stand up to Parliament in its campaign to ban products from clones and offspring, thus saving U.S. animal product exports from potential disruption.

General Information:

After almost three years of negotiations, a proposal to revise the EU novel foods regulation failed to be approved by the European Parliament and Council as they could not agree on how to handle food from clones and their offspring. The most contentious element of the novel foods proposal was the issue surrounding cloning and products of clones. At stake was U.S. trade in beef, pork, dairy, animal genetics and processed products containing these commodities.

Despite concerted efforts by USG (FAS, USTR and FDA) and U.S. industry over the last three years to explain the science and allay fears on food safety concerns, the European Parliament voted overwhelmingly to ban food from clones and their offspring and was adamantly opposed to this element in the novel foods proposal. Council members from the Member States (MS) had concerns but were less intransigent.

By law, the Parliament and Council were required to achieve consensus on the novel foods proposal by March 29, 2011 or the proposal would not be adopted. Under FAS leadership and support from Mission colleagues, USG launched an all-out campaign in an ultimate effort to save our trade. Beef exports alone were valued at an estimated \$142 million in 2010, even with EU restrictions on hormones. Dairy exports were valued at \$93.4 million, while pork accounted for about \$38 million and bovine semen and embryos provided about \$35 million in trade with the EU in 2010.

FAS Posts in Member States, in coordination with FAS/EU and FAS/Washington, made a huge push up to the final moment to reach MS officials in agriculture and other relevant ministries in almost every Member State, delivering FAS/Washington talking points, in an effort to improve awareness of MS officials and ultimately the Council. FAS tapped STATE colleagues to deliver the message in MS where FAS had no representation, while FAS/EU and USTR carried the torch in Brussels.

In the end, the Parliament and Council failed to achieve consensus at their ultimate deliberation, well into the night of March 28, 2011, and so the novel foods proposal failed. Post has learned from MS representatives that but for USG efforts in the MS, the Council would have been unprepared to successfully hold its ground against the

Parliament.

BACKGROUND

Under EU legislative procedures, the European Parliament and Council had to achieve consensus on the proposed novel foods revision. During the three years of negotiations, FAS/USEU provided essential information on the status of the legislative procedure to the USG agencies involved (FAS, FDA and USTR), identified key players to target in the different EU institutions and joined efforts with third country representatives. The ultimate deadline for reaching agreement on the novel foods revision was March 29, 2011. Without an agreement the proposal could never become law. FAS/USEU in coordination with FAS posts in the Member States and FAS/Washington made a huge push up to the final moment to reach the relevant Member State officials, delivering talking points to make Council aware of the potential trade disruptions and subsequent retaliatory measures that would result from EU legislation on clones and offspring.