Resolution on the draft Commission implementing decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified soybean 305423 × 40-3-2 (DP-3Ø5423-1 × MON-Ø4Ø32-6)

2017/2906(RSP) - 24/10/2017 - Text adopted by Parliament, single reading

The European Parliament adopted by 433 votes to 202, with 31 abstentions, a resolution **objecting** to the draft Commission implementing decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified soybean 305423 × 40-3-2 (DP3Ø5423-1 × MON-Ø4Ø32-6) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council on genetically modified food and feed.

The resolution was tabled by the Committee on the Environment, Public Health and Food Safety.

On 20 September 2007, Pioneer Overseas Corporation submitted an application for the placing on the market of foods, food ingredients and feed containing, consisting of, or produced from **genetically modified soybean 305423 × 40-3-2** to the national competent authority of the Netherlands.

One of the parental plants, soybean 305423, was genetically engineered with the intention of changing the oil composition in plants and to be resistant to acetolactate synthase (ALS)-inhibiting herbicides. Soybean 40-3-2, incorporates the EPSPS gene to make it resistant to glyphosate-based herbicides.

While the European Food Safety Authority (EFSA) expressed a favourable opinion, Member States submitted many **critical comments** during the three-month consultation period stressing that:

- **it is not possible to give a favourable verdict**, from the perspective of human or animal nutrition, on the safety profile of products derived from soya varieties carrying transformation events 305423 and 40-3-2;
- it is not possible to draw conclusions on the **allergenicity** of this stacked soybean;
- sufficient data and appropriate comparators are missing for assessing potential risks of soybean 305423 × 40-3-2;
- the applicant provided a 90-day toxicological feeding study which was **rejected** by EFSA due to its insufficient quality.

Members stressed that soybean 305423 × 40-3-2 is cultivated in Argentina, Canada and Japan and that the devastating impact of the use of glyphosate on health in Argentina has been widely documented.

In 2015 the WHO's International Agency for Research on Cancer (IARC) classified **glyphosate as a probable carcinogen for humans**.

In light of the above, Parliament considered that the Commission implementing decision is **not consistent with Union law in that it is not compatible** with the aim of Regulation (EC) No 1829/2003 which is to provide the basis for ensuring a high level of protection of human life and health, animal health and welfare, the environment and consumer interests in relation to genetically modified food and feed, while ensuring the effective functioning of the internal market.

Therefore, Parliament called on the Commission to **withdraw its draft implementing decision**.

On a procedural note, Members recalled that since the entry into force of the current authorisation procedure for GMOs, authorisation decisions have been adopted by the Commission without the support of the Standing Committee on the Food Chain and Animal Health.

The **return of the dossier to the Commission for final decision**, which is very much the exception for the procedure as a whole, has become the norm for decision-making on genetically modified food and feed authorisations.

That practice has also been deplored by Commission President Juncker as **not being democratic**.

Parliament asked the Commission to **suspend any implementing decision** regarding applications for authorisation of genetically modified organisms until the authorisation procedure has been revised in such a way so as to address the shortcomings of the current procedure.

It also called on the legislators responsible to advance work on the Commission proposal amending Regulation (EU) No 182/2011 to ensure that if no opinion is delivered by the Food Chain and Animal Health Standing Committee with respect to GMOs approvals, either for cultivation or for food and feed, the Commission will withdraw the proposal.

Parliament called on the Commission:

- **not to authorise** any herbicide-tolerant genetically modified plants (HT GMP) without full assessment of the residues from spraying with the complementary herbicides and their commercial formulations as applied in the countries of cultivation;
- **to request much more detailed testing** to determine health risks relating to stacked events such as soybean 305423 × 40-3-2;
- **develop strategies** for health risk assessment and toxicology, as well as post-market monitoring, that target the whole food and feed chain;
- **fully integrate the risk assessment** of the application of the complementary herbicides and their residues into the risk assessment of HT GMP, regardless of whether the genetically modified plant is for cultivation in the Union or for import for food and feed.