Resolution on the draft Commission implementing decision renewing the authorisation for the placing on the market of products containing, consisting of or produced from genetically modified cotton LLCotton25 (ACS-GHØØ1-3) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council

2019/2856(RSP) - 14/11/2019 - Text adopted by Parliament, single reading

The European Parliament adopted by 448 votes to 189, with 28 abstentions, a resolution objecting to the draft Commission implementing decision renewing the authorisation for the placing on the market of products containing, consisting of or produced from genetically modified cotton LLCotton25 (ACS-GHØØ1-3) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council.

Commission Decision 2008/837/EC authorised the placing on the market of food and feed containing, consisting of, or produced from genetically modified cotton LLCotton25. On 2 October 2017, the initial authorisation holder, Bayer CropScience AG, submitted to the Commission an application for the renewal of that authorisation.

While the human consumption of cottonseed oil may be relatively limited in Europe, it can be found in a wide variety of food products, including dressings, mayonnaise, fine bakery wares, chocolate spreads and chips. Cotton is fed to animals mainly in the form of cottonseed cake/meal or as full fat cottonseeds.

Member State comments

Member States submitted many critical comments to EFSA during the three-month consultation period which followed the publication of a favourable opinion from the European Food Safety Authority (EFSA) adopted on 17 October 2018.

These comments concern: (i) the effects of glufosinate residues and metabolites were not considered; (ii) the results of the toxicity test can be considered correct, that neither allergenicity nor toxicology has been thoroughly assessed; (iii) monitoring reports produced by the applicant do not provide any data to support the conclusions that there have been no adverse health or environmental effects associated with the import and use of LLCotton25; (iv) the general surveillance plan proposed by the applicant does not meet the requirements of Annex VII to Directive 2001/18/EC of the European Parliament and of the Council.

Lack of assessment of glufosinate residues

Recalling that LLCotton25 has been made tolerant to glufosinate-based herbicides, Members highlighted that a number of studies show that herbicide-tolerant GM crops result in a higher use of those herbicides, in large part because of the emergence of herbicide-tolerant weeds. Crops of LLCotton25 will be exposed to both higher and repeated doses of glufosinate which will potentially lead to a higher quantity of

residues in the harvest. Glufosinate is classified as toxic to reproduction 1B and the approval of glufosinate for use in the Union expired on 31 July 2018.

Under the latest coordinated multiannual control programme of the Union (for 2020, 2021 and 2022), Member States are not obliged to measure glufosinate residues on any products, including cotton.

According to Members, it cannot be excluded that LLCotton25 or products derived from it for food and feed will exceed MRLs, which have been put in place to ensure a high level of consumer protection.

Undemocratic decision-making

Members stressed that the Commission recognised the fact that GMO authorisation decisions continue to be adopted by the Commission without a qualified majority of Member States in favour, which is very much the exception for product authorisations as a whole but has become the norm for decision-making on GM food and feed authorisations, is problematic. That practice has, on several occasions, been deplored by the Commission President as not being democratic.

On the basis of these comments, Parliament called on the Commission:

- to withdraw its draft implementing decision;

- in the meantime, to stop authorising GMOs when no opinion is delivered by Member States in the Appeal Committee, whether for cultivation or for food and feed uses, in accordance with Regulation (EU) No 182/2011;

- not to authorise herbicide-tolerant GM crops until the health risks associated with the residues have been comprehensively investigated on a case-by-case basis, which requires a full assessment of the residues from spraying the GM crops with complementary herbicides, their metabolites and any combinatorial effects;

- to fully integrate the risk assessment of the application of complementary herbicides and their residues into the risk assessment of herbicide-tolerant GM plants, regardless of whether the GM plant concerned is to be cultivated in the Union or is for import into the Union for food and feed uses;

- not to authorise the import for food or feed uses of any GM plant which has been made tolerant to a herbicide-active substance that is not authorised for use in the Union.

Parliament reiterated its commitment to advancing work on the Commission proposal amending Regulation (EU) No 182/2011.

A recent report by the UN's Special Rapporteur on the right to food found that, hazardous pesticides have catastrophic impacts on health, with pesticides responsible for an estimated 200 000 acute poisoning deaths each year, 99 per cent of which occur in developing countries. In this context, the Commission is urged to treat the Union's obligations under international agreements, such as the Paris Climate Agreement, the UN Convention on Biological Diversity and the UN Sustainable Development Goals, and to give them the weight they deserve, as well as communicating on how they have been taken into account in the decision-making process.