# Resolution on the draft Commission implementing decision authorising the placing on the market of products containing, consisting of or produced from genetically modified soybean GMB151 (BCS-GM151-6) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council

2021/2947(RSP) - 15/02/2022 - Text adopted by Parliament, single reading

The European Parliament adopted by 475 votes to 209, with 15 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 GMB151 (BCS-GM151-6) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council.

On 9 October 2018, BASF SE, headquartered in Germany, on behalf of BASF Agricultural Solutions Seed US LLC, headquartered in the United States, submitted an application for the placing on the market of foods, food ingredients, and feed containing, consisting of, or produced from genetically modified GMB151 soybean. On 27 January 2021, the European Food Safety Authority (EFSA) gave a favourable opinion on this application.

The GM soybean was developed to confer tolerance to a group of herbicides known as HPPD-inhibitors, such as isoxaflutole, mesotrione and tembotrione, and produces an insecticidal protein (a Bt toxin), Cry14Ab-1.b, which is toxic to nematodes (roundworms).

***Lack of assessment of herbicide residues, metabolites and cocktail effects***

Members pointed out that a number of studies have shown that herbicide-tolerant GM crops result in a higher use of ‘complementary’ herbicides. GM soybean may therefore be exposed more frequently to higher doses of complementary herbicides, which may lead to an increase in the amount of residues in the harvest.

The resolution states that isoxaflutole is, according to the harmonised classification and labelling approved by the EU, highly toxic to aquatic life and may cause harm to the unborn child. However, only isoxaflutole was used on GM soybean for the purpose of the risk assessment.

Furthermore, the assessment of residues of herbicides and their breakdown products (‘metabolites’) in GM plants is considered to be outside the remit of the EFSA GMO Panel. It is therefore not undertaken as part of the GMO authorisation procedure.

It is therefore not possible to conclude that the consumption of GM soyabean is safe for human and animal health.

Members also raised outstanding issues with regard to Bt toxins, pointing out that the assessment of possible interactions of herbicide residues and their metabolites with Bt toxins had not been undertaken as part of the risk assessment.

***Comments from Member State competent authorities***

Parliament also stated that competent authorities submitted critical comments to EFSA on the fact that data should have been provided to assess whether an accumulation of herbicide residues and metabolites occurs in the GM soybean, whether unacceptable levels of such residues and metabolites may be contained in the GM soybean imported into the Union.

***Undemocratic decision-making***

Parliament stressed that the Commission recognised that it is problematic 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.

***Upholding international obligations***

Members recalled the UN's Sustainable Development Goal (SDG) Target 3.9, which aims to significantly reduce the number of deaths and illnesses caused by hazardous chemicals, pollution and contamination of air, water and soil by 2030. They considered that authorising the import of GM soyabean would increase the demand for this crop, which has been modified to be treated with HPPD inhibitor herbicides such as isoxaflutole and mesotrione, thereby increasing the exposure of workers in third countries.

In addition, the UN SDG 15 includes the goal of halting deforestation by 2020. Soybean production is a major driver of deforestation in the Amazon, the Cerrado and the Gran Chaco forests of South America.

***Recommendations***

On the basis of these considerations, Parliament considered that the Commission's draft implementing decision was not consistent with Union law and asked the Commission to withdraw its draft implementing decision.

The Commission is also asked to:

- not to authorise herbicide-tolerant GM crops until the health risks related to residues have been thoroughly investigated on a case-by-case basis;

- immediately suspend the import of GM soyabeans cultivated in Brazil and Argentina until effective and legally binding mechanisms have been put in place to prevent the placing on the EU market of products associated with deforestation and related human rights violations;

- take account of the EU's obligations under international agreements, such as the Paris Climate Agreement, the UN Convention on Biological Diversity (CBD) and the UN's SDGs, and ensure that draft implementing acts explain how they uphold with the principle of 'do no harm'.

Parliament reiterated its call for the implementation of a European vegetable protein production and supply strategy(23), which would enable the Union to become less dependent on GM soybean imports and to create shorter food chains and regional markets.