

# Coexistence between the genetically modified farming and the conventional and organic ones

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The European Parliament adopted a highly contested own-initiative report by Friedrich-Wilhelm GRAEFE zu BARINGDORF (Greens/EFA, D). In general terms, MEPs are demanding stricter and more effective protection for organic and conventional farmers against accidental contamination of their crops and seeds. They highlight the need for EU common regulations on coexistence (instead of leaving the issue under subsidiarity rules, as the Commission suggested recently) and argue that GMO producers should have some kind of civil liability for any contamination of organic and conventional products. The Parliament points out that information on the presence of GMOs in seed does not merely serve to inform farmers and consumers but is a precondition for the proper implementation of Directive 2001/18/EC (particularly as regards monitoring and placing on the market, the registration of cultivation, the expiry and withdrawal of authorisation and emergency measures) and the regulations on the authorisation, labelling and traceability of GMOs. The Commission is called upon to stipulate the labelling of GMOs in seed at the technically measurable and reliable detection threshold on the basis of Article 21(2) of Directive 2001/18/EC, and to take account of scientific assessments regarding practical applicability. Uniformed and binding rules are to be established without delay at Community level on the coexistence of genetically modified crops on the one hand and non-genetically modified conventional crops on the other hand; calls for Parliament to be included in this process under the codecision procedure. Member States, on the other hand, are called upon, in implementing Article 26a of Directive 2001/18/EC, to swiftly to adopt legislative measures swiftly to safeguard the coexistence of genetically modified, conventional and organic crops. It considers that it makes no sense at all that this requirement is not even mentioned in the Commission Recommendation. The Parliament calls on the Commission, in view of contradictory scientific opinions on the costs of coexistence, to submit to the European Parliament and the Council a report on the economic impact of the requisite coexistence measures, taking account of the different cultivation conditions and plant species. Parliament welcomes the fact, bearing in mind the 'polluter pays' principle, that the Commission Recommendation states that 'during the phase of introduction of a new production type in a region, operators (farmers) who introduce the new production type should bear the responsibility of implementing the farm management measures necessary to limit gene flow'. The Commission is called up on to submit a proposal on Community-wide civil liability and insurance in respect of possible financial damage in connection with coexistence. Both the Member States and the Commission are requested to include workable and legally enforceable civil liability provisions for sufficient insurance cover on the part of the applicant as a component of the authorisation procedure for placing GMOs on the market, so that claims by persons affected can be dealt with adequately and quickly in the event of damage. In addition, they are called upon not to proceed with the approval of the release of any further genetically modified varieties of plant until such time as binding rules on coexistence, backed up by a system of liability based firmly on the 'polluter pays' principle, have been agreed and implemented. The Commission is called upon to draw up a public register of national strategies and best practices relating to the coexistence of genetically modified, conventional and organic crops, which are pursued in the Member States and third countries and have crossborder impact in the Union, and to make periodic reports to Parliament on that subject. The European Parliament points out that particular attention should be paid to the cross-border coexistence of genetically modified crops and conventional and organic crops (between Member States and with third countries). It calls on the Commission to study all aspects of cross-border coexistence, and calls on the Member States to adopt measures concerning the interaction and coexistence of genetically modified crops at a cross-border level, following consultations. Lastly, Parliament also takes the view that the voluntary or regionally restricted renunciation of GMO cultivation in certain areas and under certain cultivation conditions may be the most effective and least costly measure to ensure coexistence and that it must be available to the Member States when implementing Article 26a of Directive 2001/18/EC, on condition that all the players involved agree, with the aim of

guaranteeing full freedom of choice. It also states that Community coexistence rules must allow Member States the right to prohibit completely the cultivation of GMOs in geographically restricted areas so as to safeguard coexistence.