



**EUROPEAN COMMISSION PROPOSAL ON PLANTS OBTAINED
BY CERTAIN NEW GENOMIC TECHNIQUES AND THEIR FOOD AND FEED**

COMMUNICATION FROM THE EUROPEAN UNION

The following document, received on 12 July 2023, is being circulated at the request of the Delegation of the European Union.

On 5 July 2023, the European Commission adopted a legislative proposal for a Regulation on plants produced by certain new genomic techniques (NGTs) and their food and feed.¹ The proposal is part of a package of proposals to ensure resilient and sustainable use of the European Union's natural resources.²

The proposal sets out specific rules for the deliberate release into the environment for any other purpose than placing on the market of plants obtained by targeted mutagenesis and cisgenesis (including intragenesis) and for the placing on the market of food and feed containing, consisting of or produced from such plants, and of products, other than food or feed, containing or consisting of such plants ('NGT plants and products').

1 THE OBJECTIVES OF THE PROPOSAL ARE TO:

- Maintain a high level of protection of human and animal health and of the environment;
- Enable the development and placing on the market of plants and plant products contributing to the innovation and sustainability objectives of the European Green Deal and of the Farm to Fork and Biodiversity strategies;
- Ensure the effective functioning of the internal market, and enhance the competitiveness of the Union agri-food sector at the Union and global levels.

2 THE MAIN MEASURES OF THE PROPOSAL INCLUDE:

2.1. The proposal (in Chapter I) makes the deliberate release and placing on the market of NGT plants and products subject to one of two procedures: verification procedure to establish equivalence with conventional plants/products or authorisation in accordance with EU legislation on GMOs³:

- Chapter II of the proposal provides for a verification procedure and criteria to verify whether NGT plants/products obtained by targeted mutagenesis or cisgenesis could also have been obtained naturally or by conventional breeding techniques, based on the criteria laid down in Annex I ('category 1 NGT plants'). Category 1 NGT plants/products are exempted from

¹ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625, COM(2023) 411 final - 2023/0226 (COD).

² COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Ensuring resilient and sustainable use of EU's natural resources, COM(2023) 410 final.

³ Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC, OJ L 106, 17.4.2001, p. 1–39 and Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed, OJ L 268, 18.10.2003, p. 1–23.

the requirements of the GMO legislation, and subject to the rules on conventionally bred plants. Transparency is ensured in a public database, through labelling of the seeds and through the relevant registers on plant varieties.

- Chapter III of the proposal applies to NGT plants/products which do not meet the criteria to consider that they could also be obtained naturally or by conventional breeding ('category 2 NGT plants'). They remain subject to the rules on GMOs with adaptations as regards risk assessment, detection method, monitoring and renewal requirements. They are made subject to traceability and labelling requirements of the GMO legislation, with the possibility of a voluntary label to indicate the purpose of the genetic modification. The proposal includes regulatory incentives for Category 2 NGT plants/products featuring traits that could contribute to the overall performance of varieties as regards sustainability (Annex III to the proposal).

2.2. The proposal provides that NGT plants/products are prohibited in **organic production**.

2.3. The proposal includes provisions for the **monitoring** of economic, environmental and social impacts of NGT plants and products, supporting implementation reports and the future evaluation of the legislation.

2.4. The proposal will be discussed by the EU legislative bodies and adopted following the ordinary legislative procedure.

More information:

a. Documents:

- Proposal for a Regulation of the European Parliament and of the Council on plants obtained on new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625:
https://food.ec.europa.eu/system/files/2023-07/gmo_biotech_nqt_proposal.pdf
- Annexes to the Proposal for a Regulation of the European Parliament and of the Council on plants obtained on new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625:
https://food.ec.europa.eu/system/files/2023-07/gmo_biotech_nqt_proposal_annex.pdf

b. Website:

- New techniques in biotechnology:
https://ec.europa.eu/food/plants/genetically-modified-organisms/new-techniques-biotechnology_en
