



20 May 2015

(15-2634)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2.	Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/
3.	Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [], 5.7.1 [], other: This notification is for transparency purposes and does not prejudice the position of the European Union on the applicability of the TBT Agreement to the notified measures, or on the nature and effects of the measure itself.
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Genetically modified food and feed in the sense of Articles 3 and 15 of Regulation (EC) No 1829/2003 of the European Parliament and of the Council on genetically modified food and feed.
5.	Title, number of pages and language(s) of the notified document: Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1829/2003 as regards the possibility for the Member States to restrict or prohibit the use of genetically modified food and feed on their territory (COM(2015) 177 final) (13 pages, in English; 14 pages, in French; 14 pages, in Spanish).
6.	Description of content: Once adopted by the European Parliament and the Council of the EU, this proposal will create a legal basis for the EU Member States to restrict or ban, if they deem it necessary in a given case, the use of EU authorised genetically modified food and feed on the basis of compelling grounds and in accordance with EU law (and, in particular, the principles of proportionality and non-discrimination) and which shall, in no case conflict with the risk assessment carried out pursuant to Regulation (EC) No 1829/2003. The proposal concerns the possibility to introduce restrictions on the use of genetically modified food and feed, not the import and the placing on the market in the EU. Any national restrictions would not extend to food and feed in which there is a presence of EU authorised GMOs, if this presence is below the labelling threshold applicable to these products (0.9% by ingredients) and is adventitious or technically unavoidable.
7.	Objective and rationale, including the nature of urgent problems where applicable: The purpose of this measure is to allow Member States to take into account other considerations than those assessed under the EU procedure of authorisation. This proposal will not affect the EU system of authorisation, which remains science-based.

8.	<p>Relevant documents: Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (<i>OJ L 268</i>, 18.10.2003, p. 1–23)</p> <p>http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1430723608901&uri=CELEX:32003R1829</p>
9.	<p>Proposed date of adoption: End 2016</p> <p>Proposed date of entry into force: 20 days from publication in the Official Journal of the EU</p>
10.	<p>Final date for comments: 90 days from notification</p>
11.	<p>Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu</p> <p>The text is available on the Website: http://ec.europa.eu/growth/tools-databases/tbt/ http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1430723439966&uri=CELEX:52015PC0177 https://members.wto.org/crnattachments/2015/TBT/EEC/15_2067_00_e.pdf</p>