EUROPEAN COMMISSION

EINGEGANGEN AM 22. APR. 2014

Cabinet of Commissioner Tonio Borg
Deputy Head of Cabinet

Brussels, 14. 04. 2014

01180058

Dear Mr Wolfschmidt,

I thank you for your letter of 31 January 2014 sent to Commissioner Borg, Commissioner Ciolos and Ms André related to labelling of Genetically Modified Organisms (GMOs). Commissioners Borg and Ciolos asked me to reply on their behalf.

I would like to clarify that the European legislation on GMOs[1] has been adopted through a democratic decision making process, involving on an equal footing the European Parliament, which represents the European citizens, and the Council of the European Union, which represents the Member States. At the end of a thorough debate, both institutions reached agreement not to support the labelling of animal products as 'genetically modified' (GM) when the animals have been fed with GMOs, based on the rational explained in Recital 16 of Regulation (EC) No 1829/2003 ("*This Regulation should cover food and feed produced 'from' a GMO but not food and feed 'with' a GMO. The determining criterion is whether or not material derived from the genetically modified source material is present in the food or in the feed. (...) Thus, products obtained from animals fed with genetically modified feed or treated with genetically modified medicinal products will be subject neither to the authorisation requirements nor to the labelling requirements referred to in this Regulation.*"). Therefore the EU legislation on GMOs ensures a level of information to consumers that has been considered adequate by the co-legislators to allow them making an informed purchasing choice. The duty of the Commission is to ensure the proper implementation of this regulatory framework.

Nevertheless, the Commission is aware of the wish expressed by some European citizens, including the signatories of the foodwatch online petition, to set up a specific labelling for animal products originating from animals fed with GMOs. As stated in our previous answer, the Commission considers that "GM-free" labels, currently applied or in development in several Member States, could constitute practical means to address this expectation. I believe that the study aiming to gain a better understanding of the scopes and specifications of these labels in the EU, and to assess the need for a possible harmonisation of this field, which will be published soon, will trigger a productive open discussion with Member States and stakeholders and I hope that you will contribute to the debate.

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[1] Regulation (EC) No 1829/2003 on GM food and feed

As regards the negotiations of the Transatlantic Trade and Investment Partnership (TTIP), I would like to reassure you on the fact that the European Commission has made clear that basic laws, like those relating to GMOs or which are there to protect human life and health, animal health and welfare, or environment and consumer's interests, will not be changed as a consequence of the negotiations. Furthermore, labelling provisions of the European GMO legislation do and will continue to apply, in order to provide adequate information to European Consumers.

Once again, I hope you understand that the Commission is taking due account of the expectations expressed via your petition, but that options for answers have to be explored within the boundaries of the legislative framework democratically set up by the European legislators.

Yours sincerely,

Harald KANDOLF