

**STANDING COMMITTEE  
ON THE FOOD CHAIN AND ANIMAL HEALTH**

**SECTION ON GENETICALLY MODIFIED FOOD AND FEED AND  
ENVIRONMENTAL RISK**

**SHORT SUMMARY OF THE 1st MEETING – 10<sup>th</sup> February 2004**

---

**Approval of the Agenda.**

**1. Implementing rules for Regulation (EC) No 1829/2003** (Document SANCO/2004/385)

The purpose of the draft Commission Regulation is to provide rules for the preparation and presentation of applications for authorisation, the notification of existing products and the application of the 0,5% threshold for the adventitious presence of GM material.

Member States welcomed the draft and did not express any major concerns but only technical comments. A number of drafting changes were agreed upon.

Concerns have been expressed on the implementation of the labelling rules provided by Regulation (EC) No 1829/2003, which are not subject of the draft Commission Regulation, in particular as regards the application of the 0,9% threshold.

Further to questions raised by several members of the Committee on the application of Regulation (EC) No 1829/2003 to fermentation products, the chairman proposed to organise a meeting of a working group to discuss this specific issue.

The Commission sent an amended version on the basis of comments made at the meeting (Document SANCO/2004/385 rev2). In view of the fact that linguistic versions other than the original English were only made available at the meeting, the vote was cast by written procedure (deadline 25 February).

The Committee delivered a favourable opinion on the draft Commission Regulation by qualified majority (75 votes in favour, 12 votes abstention). The statements made during the meeting and at the time of the vote are attached in annex to this summary.

**2. Guidance on sampling and testing under Regulation (EC) No 1830/2003**

Under Article 9(2) of Regulation (EC) No 1830/2003 on traceability and labelling of GMOs and GM derived products, the Commission is to develop and publish technical guidance on sampling and testing. In doing so, the Commission has to take account of the work of the Standing Committee on the Food Chain.

There were a lot of comments and remarks. Members of the Committee were invited to contact their colleagues in the Committee established by Directive 2001/18/EC which will deliver an opinion to the Commission on this draft.

### **3-5. State of play on authorization of GM food and feed**

The Commission updated the Committee on the state of play of GM authorisations (those to be authorised under Novel Food, those that may be processed under NF or under GM depending on the date of the delivery of EFSA opinion and those which will be certainly processed under GM Food and Feed).

The Commission also informed about Article 46 (3), (4) and (5) of Regulation (EC) No 1829/2003: applications for GM feed under Directive 2001/18/EC and Directive 82/471/EEC to be converted into applications under Regulation (EC) No 1829/2003, and applications under Directive 70/524/EEC to be supplemented by applications under Regulation (EC) No 1829/2003.

---

## ANNEX

### **STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH SECTION ON GENETICALLY MODIFIED FOOD AND FEED AND ENVIRONMENTAL RISK**

**Meeting of 10 February 2004 – Point 1 of the agenda: “Implementing rules for Regulation (EC) No 1829/2003” (Document SANCO/2004/385)**

#### **STATEMENT FROM THE DANISH AND AUSTRIAN DELEGATIONS**

Statement regarding Article [19]<sup>1</sup> of the draft Regulation:

“The following should be added to Article 19:

3. If the material referred to in Article 47 (1) consists of different materials relating to the same food ingredient or feed, the threshold shall apply to the sum of the materials.
4. If the material referred to in Article 47 (1) is not intended to be an ingredient of the food or feed, the threshold shall apply to the total amount of food or feed.”

#### **STATEMENT FROM THE AUSTRIAN DELEGATION**

Statement regarding Article [8]<sup>2</sup> of the draft Regulation:

“The following should be added to Article [8]:

2. The notifications referred to in paragraph 1 shall include a declaration of the notifier as to when and in which way the product will be labelled according to the labelling requirements established in Articles 13 and 25 of Regulation (EC) 1829/2003.

Paragraph 2 should become paragraph 3.

(This clarification seems in particular important in relation to Article 46 (2) of Regulation (EC) 1829/2003.)”

#### **STATEMENT FROM THE SWEDISH DELEGATION**

Statement regarding Annex I<sup>3</sup> of the draft Regulation:

“Sweden would have preferred to keep annex I on Scope in the previous document (dated 17 January 2004), as we believe it is important to have a legally binding clarification on the scope of the regulations. Such clarification would facilitate a uniform interpretation of the regulations throughout the community.”

---

<sup>1</sup> Article 17 in document SANCO/2004/385 rev2.

<sup>2</sup> Statement made on document SANCO/2004/385 rev2. Article 8 was Article 10 in document SANCO/2004/385.

<sup>3</sup> Deleted in document SANCO/2004/385 rev2.

## **COMMISSION STATEMENTS**

Statement regarding Articles [7 and 8]<sup>4</sup> of the draft Regulation:

“The Commission declares that, further to the deletion of Articles 7 and 8 (consisting of “Chapter II – Competent authorities of Member States”) of the draft Regulation, the information related to the national competent authorities referred to in those provisions shall be requested by the Commission through a letter addressed to the Member States and to the Acceding States. This information shall subsequently be published in the Official Journal of the European Union.”

Statement regarding Article [18]<sup>5</sup> of the draft Regulation:

“The Commission reserves the right to ask the Community reference laboratory to check the quality of the detection methods made available in accordance with Article 47 (1) (d) of Regulation (EC) No 1829/2003. This check should however not be considered as an additional requirement for the application of Article 47 of the said Regulation.”

---

<sup>4</sup> Deleted in document SANCO/2004/385 rev2.

<sup>5</sup> Article 16 in document SANCO/2004/385 rev2.