

Comments received from the Competent Authority 6/9/2012

Comments of the Ministry of Agriculture (MoA), the Ministry of the Environment (MoE), the Czech Environmental Inspectorate (CEI) and the Central Institute for Supervising and Testing in Agriculture (CISTA) on the Draft Report of the Audit DG (SANCO)/2012-6310

It was found a few inaccuracies in the text of the report.

4.4 Production and Trade data

MoA, MoE + CEI: Correction: In 2010, the GM potato Amflora was also cultivated in the Czech Republic on about 150 ha, the cultivation did not continue in 2011 and 2012.

5.1 Relevant national legislation

MoA, MoE + CEI: Correction: The provisions of the Act are implemented by Decree No. 209/2004 of the Ministry of the Environment.

MoA: Correction: Act No. 110/1997 on Foodstuffs and Tobacco products designates the Ministry of Agriculture as competent authority for GM controls in food and according to Act No. 91/1996 on Feed for GM controls in feed.

5.2 Organisation and Implementation of Official Controls

5.2.1 Designation of Competent Authorities

MoA: Correction: Within the MoA the Food Safety Department, under the Section for Common EU Agricultural and Fisheries Policy is responsible for the GMO aspects on food and feed, while the Plant Commodities Department under the Commodities Section is responsible for GM cultivation and seeds.

5.2.2. Findings

MoE + CEI: Correction: One expert at the CEI Directorate and one inspector at each of the five ten CEI regional inspectorates

Comment: CEI consists of Directorate and ten regional inspectorates. At each inspectorate one inspector is trained to perform GMO controls. Five is the number of regions where field trials are conducted at present.

5.2.3.1. Findings

MoE + CEI: Correction: The applicant is obliged to provide reference material of the GMO in question to an accredited laboratory, contracted by the MoE ~~and to the CEI.~~

Comment: The applicant provides reference material to the laboratory, not to CEI. The laboratory performs analysis for CEI on ad hoc contract, if needed.

CISTA: Correction: As far as inspections on traceability and labelling are concerned, the CA stated that ~~CAPIA~~ inspectors always control

Comment: As far as inspections on traceability and labelling are concerned, the CA stated that CISTA inspectors always control at the feed mill the presence of GM content declaration in the case of imported soya products.

5.2.3.2. Findings

MoE + CEI: Correction: In 2012 the following GMO field trials are running in the Czech Republic:

Species, type of modification	Area*	Location
Maize (glyphosate tolerance, corn borer resistance)	32,200 49,470 m ²	6 in 5 4 regions
Sugar beet (glyphosate tolerance)	4,200 5,200 m ²	2 in 2 1 regions
Barley (phytase enzyme production)	300 290 m ²	2 in 2 regions
Flax (herbicide tolerance, pest resistance, heavy metal accumulation, increased oleic acid content)	200 140 m ²	1
Peas (pest resistance, protein accumulation)	100 350 m ²	1
Tobacco (fission yeast mitotic activator)	50 25 m ²	1
Plum trees (virus resistance)	68 trees, 900 530 m ²	1

* **Areas without buffer zones**

5.2.3.3 Controls of deliberate release of GMOs authorised for placing on the market

MoA: Correction: As far as traceability of of the GM maize, produced in the Czech Republic...

Statement on the conclusions

MoE + CEI: Regarding the deliberate release of GMOs, the FVO audit noted that during the planned one yearly visit at the site, CEI inspectors will not be able to verify conformity with certain provisions laid down in the field trial consent (eg. the transport of seeds, storage of remaining seeds, harvest and post-harvest treatment of the trial plot).

The audit concluded that the usual one inspection per year at the GMO trials does not ensure the verification of compliance with all conditions of the consent.

The MoE and CEI accept this conclusion and the related recommendation No. 1

For the action plan addressing this recommendation please see the table.