

CROATIAN PARLIAMENT
Agriculture Committee

Zagreb, 12 June 2015

EUROPEAN COMMISSION

Opinion of the Agriculture Committee on the 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

Introduction

By virtue of the powers defined in the Act on the Co-operation of the Croatian Parliament and the Government of the Republic of Croatia in European Affairs and the Standing Orders of the Croatian Parliament, the Agriculture Committee of the Croatian Parliament held on 12 June 2015 a meeting at which it discussed the Position of the Republic of Croatia on the 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.

Following the discussion, the members of the Agriculture Committee unanimously supported the position of the Republic of Croatia which endorses the initiative of the European Commission to introduce a legal framework allowing Member States to decide on the use of GM food and feed, but at present cannot endorse the submitted text of the Regulation proposal in full due to a number of open issues, therefore stressing the need of amending the presented text.

Opinion of the Agriculture Committee

Taking into consideration that the Regulation proposal does not stipulate clear exemption measures to regulate a possible exemption of GM food and feed, the Agriculture Committee holds that such measures should be included in the Regulation proposal.

The Committee also stresses that failure to indicate or regulate the reasons for prohibiting and restricting the use of genetically modified food and feed in this Regulation proposal leaves room for different interpretations of the Regulation application.

Emphasizing the national specifics of the Member States relating to the use of genetically modified food and feed, the Agriculture Committee points out that the Regulation proposal should also include possible legitimate, legally defensible factors which a Member State can call upon with the aim of restricting or prohibiting the use of GM food and feed in order to safeguard own national interests.

Further, the Committee is of the opinion that each Member State, in order to safeguard their own national interests in relation to the restriction or prohibition of the use of GM food and feed, should have the right to adopt decisions in this respect without indicating the reasons.

Emphasizing the obligations of the Member States arising from international treaties and trade agreements, the Agriculture Committee draws the attention to the need to regulate the issue of legal certainty of Member States which decide to introduce measures prohibiting or restricting the use of GM food and feed on their territory.

Following the discussion conducted at the meeting of the Agriculture Committee and based on the previously mentioned opinions, the Agriculture Committee is presenting to the European Commission the following

CONCLUSIONS

1. We are welcoming the efforts of the European Commission to introduce a legal framework allowing Member States to decide on the use of genetically modified food and feed on their territory.
2. The Agriculture Committee draws attention to the need to clearly define measures allowing Member States to restrict or prohibit the use of genetically modified food or feed referred to in Article 3 paragraph 1 and Article 15 paragraph 1 of the Regulation as regards the possibility for the Member States to restrict or prohibit the use of genetically modified food and feed on their territory.
3. The Agriculture Committee draws attention to the need to regulate the issue of legal certainty with regard to Member States which decide to introduce prohibitive or restrictive measures based on the aforementioned Regulation proposal, in relation to obligations arising for the Member States from international and trade agreements.
4. The Agriculture Committee holds that Member States should be allowed to decide on the restriction or prohibition of genetically modified food and feed without indicating the reasons.
5. The Agriculture Committee is of the opinion that the Regulation proposal should also regulate the legitimate, legally defensible factors which Member States can call upon with the aim of restricting or prohibiting the use of GM food and feed in order to safeguard their own national interests.

VICE-CHAIRMAN OF THE COMMITTEE
Ivica Mandić