



EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

SUMMARY REPORT

JOINT WORKING GROUP

*of the Standing Committee on Plants, Animals, Food and Feed
Section Genetically Modified Food and Feed,
Regulatory Committee under Directive 2001/18/EC and
Regulatory Committee under Directive 2009/41/EC*

on the implementation of the CJEU ruling on mutagenesis

Brussels, 25 April 2019

Chair: DG SANTE/E3

MS present: BE, BG, CZ, DK, DE, EE, IE, EL, ES, FR, HR, IT, LV, LT, LU, HU, MT, NL, AT, PL, PT, RO, SK, SI, FI, SE, UK

Others: Mission of NO, DG JRC, EFSA (partly, via videolink), DG RTD (partly), DG SANTE/G1 (partly)

The Commission welcomed the participants of the joint working group of GMO competent authorities and recalled the outcome of the Court of Justice of the European Union ruling (CJEU) on mutagenesis.

Several Member States (MS) presented their experience and findings on topics impacted by the CJEU ruling. These included the economic impact at national level of the implementation/enforcement of the ruling, the impact on seed and plant varieties and on registration to official catalogues and the impact on contained use of genetically modified microorganisms (GMMs). One MS shared the available information on patented products obtained with new techniques.

The representative from the European Union Reference Laboratory on GM Food and Feed (EU-RL) presented the recently published report from the European Network of GMO Laboratories (ENGL) “Detection of food and feed plant products obtained by new mutagenesis techniques”.

Two MS presented a GMO reference database, Euginius, which contains relevant information for GMO detection, identification and quantification. Furthermore, one MS presented an overview on research related to genome editing carried out at national level. Similarly, the Commission presented an overview of on-going research funded at EU level.

The European Food Safety Authority updated the working group on the scientific mandates on the adequacy of current risk assessment guidance documents regarding synthetic biology, gene drives, SDN-1, SDN-2 and ODM.

The Commission updated the working group on the work of the European Group on Ethics in Science and New Technologies (EGE) on genome editing.

One MS informed the working group about its request to discuss new breeding techniques under AOB point in the next AGRIFISH Council, due to take place on 14 May.

At the end of the meeting, the working group adopted the following conclusions:

- *MS were invited to continue the collaboration with the ENGL for the work on GMM and GM animals. The need for expertise from MSs on microorganisms was highlighted.*
- *EU-RL informed about ongoing preparation within the ENGL to update the guidance on minimum performance requirements for analytical methods of GMO testing: work will consist in complementing the current guidance with an additional part addressing new detection techniques.*
- *Based on the ENGL report and current scientific knowledge, the working group took note that when same type of modifications can be introduced through genome editing, conventional techniques or occurring naturally, there is no possibility to identify the technique used. Under present circumstances, a number of MSs have expressed that, in their view, they are not able to fulfil all their obligations to carry out controls and that they therefore cannot in all cases be held responsible for deficiencies in enforcement.*
- *In view of current uncertainties (especially legal and on expected products), MSs emphasized that there is limited information on economic impact at national level of technological progress and raised the need to gather as concrete data and figures as possible to assess impact on competitiveness, research, etc. at national level including the cost of enforcement for competent authorities.*
- *MS confirmed that no genome edited variety has been registered in the official plant variety catalogues. MS will continue monitoring the registered varieties.*
- *Further discussion on contained use of GMMs will be held in a forthcoming committee.*
- *MS expressed interest in gathering information on patented products and on the relative applicants and in exploring the possibility of using this information for detection purposes. MS will liaise with their national patent offices.*
- *Considering the valuable work already done and ongoing on EUGinius database and in order not to duplicate work, a number of MS are interested in contributing to this work by providing information on potential genome edited products close to the market or at research stage.*
- *COM encouraged MS to further liaise with stakeholders to understand their concerns/needs and to monitor the evolution of the technological progress.*
- *COM will keep MS updated on the progress of ENGL, EFSA and EGE work.*
- *COM will share the presentations of the meeting.*
- *MS and COM will pursue the discussions at technical level in the relevant committees as considered necessary.*