

Amendment 232**Martin Häusling**

on behalf of the Verts/ALE Group

Report**A9-0014/2024****Jessica Polfjärd**Plants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))**Proposal for a regulation****Recital 3***Text proposed by the Commission**Amendment*

(3) There is ongoing public and private research using NGTs on a wider variety of crops and traits compared to those obtained through transgenic techniques authorised in the Union or globally⁽³³⁾. ***This includes plants with improved tolerance or resistance to plant diseases and pests, plants with improved tolerance or resistance to climate change effects and environmental stresses, improved nutrient and water-use efficiency, plants with higher yields and resilience and improved quality characteristics. These types of new plants, coupled with the fairly easy and speedy applicability of those new techniques, could deliver benefits to farmers, consumers and to the environment. Thus, NGTs have the potential to contribute to the innovation and sustainability goals of the European Green Deal⁽³⁴⁾ and of the ‘Farm to Fork’⁽³⁵⁾, Biodiversity⁽³⁶⁾ and Adaptation to Climate Change⁽³⁷⁾ Strategies, to global food security⁽³⁸⁾, the Bioeconomy Strategy⁽³⁹⁾ and to the Union’s strategic autonomy⁽⁴⁰⁾.***

(3) There is ongoing public and private research using NGTs on a wider variety of crops and traits compared to those obtained through transgenic techniques authorised in the Union or globally, ***including ones with unproven sustainability*** benefits. ***However, to claim that one particular plant is sustainable due to its intended trait is not possible. Genuine sustainability can only be concluded after an assessment of the agricultural system in which plants are grown, as well as their complex relationships with the environment and under the economic and social conditions in which they are used. Importantly, the different action pathways to fulfil the objectives of international and European obligations on climate change and biodiversity, among others, must not undermine one another.***

³³ *Insights and solutions stemming from EU-funded research and innovation projects on plant breeding strategies may contribute to address detection challenges, ensure traceability and authenticity, and promote innovation in the area of new*

genomic techniques. More than 1,000 projects were funded under the Seventh Framework Programme and successor Horizon 2020 programme with an investment of over 3 billion Euros. Horizon Europe support to new collaborative research projects on plant breeding strategies is also ongoing, SWD(2021) 92.

³⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal, COM/2019/640 final.

³⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A Farm to Fork Strategy for a fair, healthy and environmentally friendly food system, COM/2020/381 final.

³⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU Biodiversity Strategy for 2030: Bringing nature back into our lives, COM/2020/380 final.

³⁷ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions forging a Climate-Resilient Europe - The New EU Strategy on Adaptation to Climate Change, COM(2021) 82 final

³⁸ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, Safeguarding food security and reinforcing the resilience of food systems, COM (2022) 133 final; Food and Agriculture Organisation of the United Nations (FAO), 2022, Gene editing and agrifood systems, Rome, ISBN 978-92-5-

137417-7.

³⁹ *European Commission, Directorate-General for Research and Innovation, A sustainable bioeconomy for Europe – Strengthening the connection between economy, society and the environment: updated bioeconomy strategy, Publications Office, 2018, <https://data.europa.eu/doi/10.2777/792130>*

⁴⁰ *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Trade Policy Review - An Open, Sustainable and Assertive Trade Policy, COM(2021)66 final.*

Or. en

31.1.2024

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Amendment 233

Martin Häusling

on behalf of the Verts/ALE Group

Report

Jessica Polfjärd

Plants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

A9-0014/2024

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Based on the current scientific and technical knowledge in particular on safety aspects, this Regulation should be limited to GMOs that are **plants, i.e. organisms** in the **taxonomic groups Archaeplastida or Phaeophyceae**, excluding microorganisms, fungi and animals for which the available knowledge is more limited. For the same reason, this Regulation should only cover plants obtained by **certain NGTs: targeted mutagenesis and cisgenesis (including intragenesis)** (hereinafter ‘NGT plants’), **but not by other new genomic techniques. Such NGT plants do not carry genetic material from non-crossable species.**

GMOs produced by **other** new genomic techniques that introduce into an organism genetic material from non-crossable species (transgenesis) should remain subject only to the Union GMO legislation, given that the resulting plants might bear specific risks associated to the transgene. Moreover, there is no indication that current requirements in the Union GMO legislation for GMOs obtained by transgenesis need adaptation at the present time.

Amendment

(9) Based on the current scientific and technical knowledge in particular on safety aspects, this Regulation should be limited to GMOs that are **annual arable crops without the potential to persist, reproduce and propagate** in the **environment**, excluding microorganisms, fungi **wild plants** and animals for which the available knowledge is more limited. For the same reason, this Regulation should only cover plants obtained by targeted mutagenesis (hereinafter ‘NGT plants’), **on the condition that they no longer contain transgenes if these were introduced during their development.** GMOs produced by new genomic techniques that introduce into an organism genetic material from non-crossable species (transgenesis) should remain subject only to the Union GMO legislation, given that the resulting plants might bear specific risks associated to the transgene. Moreover, there is no indication that current requirements in the Union GMO legislation for GMOs obtained by transgenesis need adaptation at the present time.

Or. en

31.1.2024

A9-0014/234

Amendment 234

Martin Häusling

on behalf of the Verts/ALE Group

Report

A9-0014/2024

Jessica Polfjärd

Plants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) Gene technologies which aim to modify the genome outside of the laboratory, as well as plants which have been modified with RNA interference technologies should be subject to the current GMO legislation, and not fall within the scope of this Regulation.

Or. en

31.1.2024

A9-0014/235

Amendment 235

Martin Häusling

on behalf of the Verts/ALE Group

Report

A9-0014/2024

Jessica Polfjärd

Plants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

Proposal for a regulation

Recital 11

Text proposed by the Commission

Amendment

(11) This Regulation constitutes *lex specialis* with regard to the Union GMO legislation. It introduces specific provisions for NGT plants and NGT products. However, where there are no specific rules in this Regulation, NGT plants and products (including food and feed) obtained from them should remain subject to the requirements of the Union GMO legislation and the rules on GMOs in sectoral legislation, such as Regulation (EU) 2017/625 on official controls or the legislation on certain products like plant and forest reproductive material.

(11) This Regulation constitutes *lex specialis* with regard to the Union GMO legislation. It introduces specific provisions for NGT plants and NGT products. However, where there are no specific rules in this Regulation, NGT plants and products (including food and feed) obtained from them should remain subject to the requirements of the Union GMO legislation and the rules on GMOs in sectoral legislation, such as Regulation (EU) 2017/625 on official controls or the legislation on certain products like plant and forest reproductive material, ***as well as legislation relating to food safety and environmental protection.***

Or. en

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Amendment 236

Martin Häusling

on behalf of the Verts/ALE Group

Report

A9-0014/2024

Jessica Polfjärd

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(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

Proposal for a regulation

Recital 14

Text proposed by the Commission

Amendment

(14) NGT plants that could also occur naturally or be produced by conventional breeding techniques and their progeny obtained by conventional breeding techniques ('category 1 NGT plants') should be treated as plants that have occurred naturally or have been produced by conventional breeding techniques, given that they are equivalent and that their risks are comparable, thereby derogating in full from the Union GMO legislation and GMO related requirements in sectoral legislation. In order to ensure legal certainty, this Regulation should set out the criteria to ascertain if a NGT plant is equivalent to naturally occurring or conventionally bred plants and lay down a procedure for competent authorities to verify and take a decision on the fulfillment of those criteria, prior to the release or placing on the market of NGT plants or NGT products. Those criteria should be objective and based on science. They should cover the type and extent of genetic modifications that can be observed in nature or in organisms obtained with conventional breeding techniques and should include thresholds for both size and number of genetic modifications to the genome of NGT plants. Since scientific and technical knowledge evolves rapidly in this area, the Commission should be empowered in accordance with *deleted*

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Article 290 of the Treaty on the Functioning of the European Union to update these criteria in light of scientific and technical progress as regards the type and extent of genetic modifications that can occur in nature or through conventional breeding.

Or. en

Amendment 237**Christophe Clergeau**

on behalf of the S&D Group

Martin Häusling

on behalf of the Verts/ALE Group

Report**A9-0014/2024****Jessica Polfjärd**Plants obtained by certain new genomic techniques and their food and feed
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(24) Provision should be made to ensure **transparency** as regards the use of category 1 NGT plant varieties, to ensure that production chains that wish to remain free from NGTs can do so and thereby safeguard consumer trust. ***NGT plants that have obtained a category 1 NGT plant status declaration should be listed in a publicly available database. To ensure traceability, transparency and choice for operators, during research and plant breeding, when selling seed to farmers or making plant reproductive material available to third parties in any other way, plant reproductive material of category 1 NGT plants should be labelled as category 1 NGT.***

(24) Provision should be made to ensure **traceability** as regards the use of category 1 NGT plant varieties, to ensure that production chains that wish to remain free from NGTs can do so and thereby safeguard consumer trust. Category 1 NGT plants should be ***subject to the traceability system laid out in Regulation (EC) 1830/2003. Traceability measures are needed throughout the whole supply chain to enable food processors and operators to avoid the accidental or unavoidable adventitious presence of NGTs in their production process. These traceability requirements should facilitate both the withdrawal of products where unforeseen adverse effects on human health, animal health or the environment, including ecosystems, are established, and the targeting of monitoring to examine potential effects, particularly on the environment. Traceability should also facilitate the implementation of risk management measures in accordance with the precautionary principle.***

Or. en

31.1.2024

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Amendment 238

Martin Häusling

on behalf of the Verts/ALE Group

Report

A9-0014/2024

Jessica Polfjärd

Plants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

Proposal for a regulation

Recital 24 a (new)

Text proposed by the Commission

Amendment

(24 a) Organic and conventional operators should have the right and freedom not to use NGTs in their production process and throughout their supply chain. This Regulation shall lay out adequate provisions to ensure the freedom of choice for operators not to use NGT plants and seeds, both category 1 and 2, in their production processes. Any additional financial and legal burden to ensure the GMO and NGT-free status of production should not fall on farmers and operators who do not wish to use NGTs. Economic losses incurred due to the adventitious presence of GMOs shall not fall on NGT-free conventional and organic operators. In most cases of adventitious presence, it is impossible to establish the causes, faults, and therefore responsibilities. Thus, this Regulation shall establish coexistence measures, laying the basis for national liability provisions and compensation funds.

Or. en

31.1.2024

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Amendment 239

Christophe Clergeau

on behalf of the S&D Group

Martin Häusling

on behalf of the Verts/ALE Group

Anja Hazekamp

on behalf of The Left Group

Report

A9-0014/2024

Jessica Polfjärd

Plants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

Proposal for a regulation

Recital 37

Text proposed by the Commission

Amendment

(37) In order to enable NGT plants to contribute to the sustainability objectives of the Green Deal and the Farm to Fork and Biodiversity Strategies, cultivation of NGT plants in the Union should be facilitated. This requires predictability for breeders and farmers as regards the possibility to cultivate such plants in the Union. Therefore, the possibility for Member States to adopt measures restricting or prohibiting the cultivation of category 2 NGT plants in all or part of their territory, set out in Article 26b of Directive 2001/18/EC would undermine those goals.

deleted

Or. en

Amendment 240**Christophe Clergeau**

on behalf of the S&D Group

Martin Häusling

on behalf of the Verts/ALE Group

Anja Hazekamp

on behalf of The Left Group

Report

A9-0014/2024

Jessica PolfjärdPlants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))**Proposal for a regulation****Recital 38***Text proposed by the Commission*

(38) The special rules laid down in this Regulation concerning the authorisation procedure for **category 2** NGT plants are expected to result in more cultivation in the Union of **category 2** NGT plants compared to the situation so far under the current Union GMO legislation. That renders necessary for Member States' public authorities to define coexistence measures to **balance** the interests of producers of conventional, organic **and GM** plants and thereby allow producers a choice between different types of production, in line with the Farm to Fork Strategy's target of 25 % of agricultural land under organic farming by 2030.

Amendment

(38) The special rules laid down in this Regulation concerning the authorisation procedure for NGT plants are expected to result in more cultivation in the Union of NGT plants compared to the situation so far under the current Union GMO legislation. That renders necessary for Member States' public authorities to define coexistence measures to **protect** the interests of producers of conventional **and** organic plants and thereby allow producers a choice between different types of production, in line with the Farm to Fork Strategy's target of 25 % of agricultural land under organic farming by 2030. **Organic and conventional operators should have the right and freedom not to use NGTs in their production process and throughout their supply chain. This Regulation should lay out adequate provisions to ensure the freedom of choice for operators not to use NGT plants and seeds in their production processes. Any additional financial or legal burden to ensure the GMO-free and NGT-free status of production should not fall on farmers and operators who do not wish to use NGTs. Economic losses incurred due to the adventitious presence of GMOs**

should not fall on NGT-free conventional and organic operators. In most cases of adventitious presence, it is impossible to establish the causes, faults, and therefore responsibilities. To achieve the goal of ensuring the effective functioning of the internal market, and in order to ensure that the coexistence measures are consistent, EU-wide legally binding coexistence measures for cultivation of NGTs should be adopted. Thus, this Regulation should establish coexistence measures, laying the basis for national liability provisions and compensation funds. The Commission should be empowered to draw up delegated acts to cover, in particular, the width of buffer strips between conventional plants and NGT plants, for each type of crop.

Or. en

31.1.2024

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Amendment 241

Martin Häusling

on behalf of the Verts/ALE Group

Report

A9-0014/2024

Jessica Polfjärd

Plants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

Proposal for a regulation

Recital 47 a (new)

Text proposed by the Commission

Amendment

(47 a) The European Green Deal, the ‘Farm to Fork’, and the EU Biodiversity Strategies put organic farming at the core of a transition to sustainable food systems, with a target to expand European agricultural land under organic production to 25 % by 2030. This is a clear recognition of the environmental benefits of organic farming, for less dependency on inputs for farmers, and a resilient food supply and food sovereignty. This Regulation must not adversely undermine the pathway to a transition of European food systems to organic farming to 25 % by 2030.

Or. en