



2024/3010(RSP)

16.1.2025

DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 115(2) and (3) of the Rules of Procedure

on the draft Commission implementing decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize DP910521 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (D102174/03 – 2024/3010(RSP))

Committee on the Environment, Public Health and Food Safety

Members responsible: Martin Häusling, Biljana Borzan, Anja Hazekamp

European Parliament resolution on the draft Commission Implementing Decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize DP910521 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (D102174/03 – (2024/3010(RSP))

The European Parliament,

- having regard to the draft Commission implementing decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize DP910521 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (D102174/03),
- having regard to Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed¹, and in particular Article 7(3) and Article 19(3) thereof,
- having regard to the vote of the Standing Committee on Plants, Animals, Food and Feed referred to in Article 35 of Regulation (EC) No 1829/2003, on 22 November 2024, at which no opinion was delivered, and the vote of the Appeal Committee on [17 December 2024], at which again no opinion was delivered,
- having regard to Article 11 of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers²,
- having regard to the opinion adopted by the European Food Safety Authority (EFSA) on 19 June 2024, and published on 1 August 2024³,
- having regard to its previous resolutions objecting to the authorisation of genetically modified organisms ('GMOs')⁴,

¹ OJ L 268, 18.10.2003, p. 1, ELI: <http://data.europa.eu/eli/reg/2003/1829/oj>.

² OJ L 55, 28.2.2011, p. 13, ELI: <http://data.europa.eu/eli/reg/2011/182/oj>.

³ Scientific opinion of the EFSA Panel on Genetically Modified Organisms on the 'Assessment of genetically modified maize DP910521 (application GMFF-2021-2473)'. EFSA Journal 2024;22(8):e8887; <https://doi.org/10.2903/j.efsa.2024.8887>.

⁴ In its eighth term, Parliament adopted 36 resolutions and, in its ninth term, Parliament adopted 38 resolutions objecting to the authorisation of GMOs. Furthermore, in its tenth term Parliament has adopted the following resolutions:

- European Parliament resolution of 26 November 2024 on Commission Implementing Decision (EU) 2024/2628 renewing the authorisation for the placing on the market of products containing, consisting of or produced from genetically modified maize MON 89034 × 1507 × NK603 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (P10_TA(2024)0038).
- European Parliament resolution of 26 November 2024 on Commission Implementing Decision (EU) 2024/2627 authorising the placing on the market of products containing, consisting of or produced from genetically modified cotton COT102 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (P10_TA(2024)0039).
- European Parliament resolution of 26 November 2024 on Commission Implementing Decision (EU)

- having regard to Rule 115(2) and (3) of its Rules of Procedure,
- having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
- A. whereas on 27 June 2022, Corteva Agriscience Belgium B.V., based in Belgium, on behalf of Corteva Agriscience LLC, based in the United States, submitted an application to the national competent authority of the Netherlands for the placing on the market of foods, food ingredients and feed containing, consisting of or produced from genetically modified maize DP910521 (the ‘GM maize’);
- B. whereas the GM maize produces the Cry1B.34 toxin and is resistant to the herbicide glufosinate;
- C. whereas glufosinate is classified as toxic to reproduction 1B and therefore meets the ‘cut-off criteria’ set out in Regulation (EC) No 1107/2009 of the European Parliament and of the Council⁵; whereas the approval of glufosinate for use in the Union expired on 31 July 2018;
- D. whereas Cry1B.34 is a synthetic fusion protein combining Cry1B, Cry1Ca1 and Cry9Db1, engineered for insect resistance against lepidopteran pests, without demonstrated specificity to target species;
- E. whereas the genetic modification includes a two-step process using CRISPR/Cas9 to

2024/2629 renewing the authorisation for the placing on the market of products containing, consisting of or produced from genetically modified maize MON 89034 × 1507 × MON 88017 × 59122 and eight of its sub-combinations pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (P10_TA(2024)0040).

- European Parliament resolution of 26 November 2024 on Commission Implementing Decision (EU) 2024/1828 renewing the authorisation for the placing on the market of feed containing, consisting of and of food and feed products produced from genetically modified maize MON 810 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council and repealing Commission Implementing Decision (EU) 2017/1207 (P10_TA(2024)0041).
 - European Parliament resolution of 26 November 2024 on Commission Implementing Decision (EU) 2024/1822 authorising the placing on the market of products containing, consisting of or produced from genetically modified maize DP915635 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (P10_TA(2024)0042).
 - European Parliament resolution of 26 November 2024 on Commission Implementing Decision (EU) 2024/1826 authorising the placing on the market of products containing, consisting of or produced from genetically modified maize DP23211 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (P10_TA(2024)0043).
 - European Parliament resolution of 26 November 2024 on Commission Implementing Decision (EU) 2024/2618 authorising the placing on the market of products containing, consisting of or produced from genetically modified maize DP202216 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (P10_TA(2024)0044).
 - European Parliament resolution of 26 November 2024 on the draft Commission implementing decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize MON 94804 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (P10_TA(2024)0045).
- ⁵ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1, ELI: <https://eur-lex.europa.eu/eli/reg/2009/1107/oj>)

insert a ‘landing pad’, followed by microprojectile bombardment for gene expression cassette insertion;

Lack of assessment of the complementary herbicide

- F. whereas Commission Implementing Regulation (EU) No 503/2013⁶ requires an assessment of whether the expected agricultural practices influence the outcome of the studied endpoints; whereas, according to that Implementing Regulation, this is especially relevant for herbicide-tolerant plants;
- G. whereas the vast majority of GM crops have been genetically modified so that they are tolerant to one or more ‘complementary’ herbicides which can be used throughout the cultivation of the GM crop, without the crop dying, as would be the case for a non-herbicide tolerant crop; whereas a number of studies show that herbicide-tolerant GM crops result in a higher use of complementary herbicides, in large part because of the emergence of herbicide-tolerant weeds⁷;
- H. whereas herbicide-tolerant GM crops lock farmers into a weed management system that is largely or wholly dependent on herbicides, and does so by charging a premium for GM seeds that can be justified only if farmers purchasing such seeds also spray the complementary herbicides; whereas heightened reliance on complementary herbicides on farms planting the GM crops accelerates the emergence and spread of weeds resistant to those herbicides, thereby triggering the need for even more herbicide use, a vicious circle known as ‘the herbicide treadmill’;
- I. whereas the adverse impacts stemming from excessive reliance on herbicides will worsen as regards soil health, water quality, and above and below ground biodiversity, and lead to increased human and animal exposure, potentially also via increased herbicide residues on food and feed;
- J. whereas assessment of herbicide residues and metabolites found on GM plants is considered outside the remit of the EFSA Panel on Genetically Modified Organisms (‘EFSA GMO Panel’) and is therefore not undertaken as part of the authorisation process for GMOs;

Outstanding questions concerning Bt toxins

- K. whereas a number of studies show that side effects have been observed that may affect the immune system following exposure to Bt toxins and that some Bt toxins may have

⁶ Commission Implementing Regulation (EU) No 503/2013 of 3 April 2013 on applications for authorisation of genetically modified food and feed in accordance with Regulation (EC) No 1829/2003 of the European Parliament and of the Council and amending Commission Regulations (EC) No 641/2004 and (EC) No 1981/2006 (OJ L 157, 8.6.2013, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2013/503/oj).

⁷ See, for example, Schulz, R., Bub, S., Petschick, L. L., Stehle, S., Wolfram, J. (2021) ‘Applied pesticide toxicity shifts toward plants and invertebrates, even in GM crops’, *Science* 372(6537), pp. 81-84, <https://doi.org/10.1126/science.abe1148>; Bonny, S., ‘Genetically Modified Herbicide-Tolerant Crops, Weeds, and Herbicides: Overview and Impact’, *Environmental Management*, January 2016;57(1), pp. 31-48, <https://www.ncbi.nlm.nih.gov/pubmed/26296738>; and Benbrook, C. M., ‘Impacts of genetically engineered crops on pesticide use in the U.S. - the first sixteen years’, *Environmental Sciences Europe*, 28 September 2012, Vol. 24(24), <https://enveurope.springeropen.com/articles/10.1186/2190-4715-24-24>.

adjuvant properties⁸, meaning that they can increase the allergenicity of other proteins with which they come into contact;

- L. whereas a scientific study found that the toxicity of Bt toxins may also be increased through interaction with residues from spraying with herbicides, and that further studies are needed on the combinatorial effects of ‘stacked’ events (GM crops which have been modified to be herbicide-tolerant and to produce insecticides in the form of Bt toxins)⁹; whereas assessment of the potential interaction of herbicide residues and their metabolites with Bt toxins is, however, considered to be outside the remit of the EFSA GMO Panel and is, therefore, not undertaken as part of the risk assessment;

Bt crops: effects on non-target organisms

- M. whereas, unlike the use of insecticides, where exposure is at the time of spraying and for a limited period afterwards, the use of Bt GM crops leads to continuous exposure of the target and non-target organisms to Bt toxins;
- N. whereas the assumption that Bt toxins exhibit a single target-specific mode of action can no longer be considered correct and effects on non-target organisms cannot be excluded; whereas an increasing number of non-target organisms are reported to be affected in many ways;

Member State and stakeholder comments

- O. whereas Member States submitted many critical comments to EFSA during the three-month consultation period¹⁰ including that the list of relevant studies, identified in the literature review of the applicant, did not include studies on the fate of Bt proteins in the environment or on potential effects of Bt crop residues on non-target organisms even though such studies exist;
- P. whereas field trials conducted for compositional and phenotypic analysis of the GM maize failed to consider diverse environmental conditions and genetic backgrounds relevant to its cultivation, particularly in countries like Brazil;
- Q. whereas the toxicity assessment of Cry1B.34 does not account for combinatorial effects with plant constituents or residues from herbicide applications;
- R. whereas glufosinate, the complementary herbicide, is associated with significant risks to biodiversity, soil and water quality, and long-term ecosystem health;
- S. whereas the risk of gene flow to wild relatives such as teosinte, reported in Spain and France, raises concerns about transgene persistence and environmental impacts;
- T. whereas the monitoring requirements under Implementing Regulation (EU) No

⁸ For a review, see Rubio-Infante, N., Moreno-Fierros, L., ‘An overview of the safety and biological effects of *Bacillus thuringiensis* Cry toxins in mammals’, *Journal of Applied Toxicology*, May 2016, 36(5), pp. 630-648, <https://onlinelibrary.wiley.com/doi/full/10.1002/jat.3252>.

⁹ <https://www.sciencedirect.com/science/article/pii/S0278691516300722>.

¹⁰ <https://efsa.onlinelibrary.wiley.com/action/downloadSupplement?doi=10.2903%2Fj.efs.2024.8716&file=efs28716-sup-0012-Annex8.pdf>.

503/2013 are inadequately addressed, with no independent verification of data provided;

Ensuring a global level playing field and upholding the Union's international obligations

- U. whereas the conclusions of the Strategic Dialogue on the Future of EU Agriculture¹¹ call on the Commission to reassess its approach on market access for agri-food imports and exports, given the challenge of diverging standards of the Union and its trading partners; whereas fairer trade relations, on a global level, coherent with goals for a healthy environment, were one of the main demands of farmers during the demonstrations of 2023 and 2024;
- V. whereas a 2017 report by the United Nations' (UN) Special Rapporteur on the right to food found that, particularly in developing countries, hazardous pesticides have catastrophic impacts on health¹²; whereas the UN Sustainable Development Goal ('UN SDG') Target 3.9 aims by 2030 to substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination;
- W. whereas the Kunming-Montreal Global Biodiversity Framework, agreed at the COP15 of the UN Convention on Biological Diversity ('UN CBD') in December 2022, includes a global target to reduce the risk of pesticides by at least 50 % by 2030¹³;
- X. whereas Regulation (EC) No 1829/2003 states that GM food or feed must not have adverse effects on human health, animal health or the environment, and requires the Commission to take into account any relevant provisions of Union law and other legitimate factors relevant to the matter under consideration when drafting its decision; whereas such legitimate factors should include the Union's obligations under the UN SDGs and the UN CBD;

Reducing dependency on imported feed

- Y. whereas one of the lessons from the COVID-19 crisis and the still ongoing war in Ukraine is the need for the Union to end the dependencies on some critical materials; whereas in the mission letter to Commissioner Christophe Hansen, Commission President Ursula von der Leyen asks him to look at ways to reduce imports of critical commodities¹⁴;

Undemocratic decision-making

- Z. whereas, in its eighth term, Parliament adopted a total of 36 resolutions objecting to the placing on the market of GMOs for food and feed (33 resolutions) and to the cultivation of GMOs in the Union (three resolutions); whereas, in its ninth term, Parliament adopted 38 resolutions objecting to placing GMOs on the market and has adopted another 8 resolutions objecting to placing GMOs on the market already in the current

¹¹ 'Strategic Dialogue on the Future of EU Agriculture - A shared prospect for farming and food in Europe', September 2024, https://agriculture.ec.europa.eu/document/download/171329ff-0f50-4fa5-946f-aea11032172e_en?filename=strategic-dialogue-report-2024_en.pdf.

¹² <https://www.ohchr.org/en/documents/thematic-reports/ahrc3448-report-special-rapporteur-right-food>.

¹³ <https://indicators.report/targets/3-9/>

¹⁴ https://commission.europa.eu/document/2c64e540-c07a-4376-a1da-368d289f4afe_en

10th term ;

- AA. whereas despite its own acknowledgement of the democratic shortcomings, the lack of support from Member States and the objections of Parliament, the Commission continues to authorise GMOs;
- BB. whereas no change of law is required for the Commission to be able not to authorise GMOs when there is no qualified majority of Member States in favour in the Appeal Committee¹⁵;
- CC. whereas the vote on 22 November 2024 of the Standing Committee on Plants, Animals, Food and Feed referred to in Article 35 of Regulation (EC) No 1829/2003 delivered no opinion, meaning that the authorisation was not supported by a qualified majority of Member States; whereas the vote on [17 December 2024] of the Appeal Committee again delivered no opinion;
1. Considers that the draft Commission implementing decision exceeds the implementing powers provided for in Regulation (EC) No 1829/2003;
 2. Considers that the draft Commission implementing decision is not consistent with Union law, in that it is not compatible with the aim of Regulation (EC) No 1829/2003, which is, in accordance with the general principles laid down in Regulation (EC) No 178/2002 of the European Parliament and of the Council¹⁶, to provide the basis for ensuring a high level of protection of human life and health, animal health and welfare, and environmental and consumer interests, in relation to GM food and feed, while ensuring the effective functioning of the internal market;
 3. Calls on the Commission to withdraw its draft implementing decision and to submit a new draft to the committee;
 4. Calls on the Commission to ensure convergence of standards between the Union and its partners in free trade agreement negotiations, in order to meet Union safety standards;
 5. Calls on the Commission not to authorise the GM maize due to the increased risks to biodiversity, food safety and workers' health in line with the One Health approach;
 6. Expects the Commission, as matter of urgency, to deliver on its commitment¹⁷ to come forward with a proposal to ensure that hazardous chemicals banned in the Union are not produced for export;
 7. Welcomes the fact that the Commission finally recognised, in a letter of

¹⁵ The Commission 'may', and not 'shall', go ahead with authorisation if there is no qualified majority of Member States in favour at the Appeal Committee, according to Article 6(3) of Regulation (EU) No 182/2011.

¹⁶ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1, ELI: <http://data.europa.eu/eli/reg/2002/178/oj>).

¹⁷ As outlined in the annex to the communication of the Commission of 14 October 2020 entitled 'Chemicals Strategy for Sustainability Towards a Toxic-Free Environment', COM(2020)0667, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A667%3AFIN#document2>.

11 September 2020 to Members, the need to take sustainability into account when it comes to authorisation decisions on GMOs¹⁸; expresses its deep disappointment, however, that, since then the Commission has continued to authorise GMOs for import into the Union, despite ongoing objections by Parliament and a majority of Member States voting against;

8. Urges the Commission, again, to take into account the Union's obligations under international agreements, such as the Paris Climate Agreement, the UN CBD and the UN SDGs; reiterates its call for draft implementing acts to be accompanied by an explanatory memorandum explaining how they uphold the principle of 'do no harm'¹⁹;
9. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.

¹⁸ <https://tillymetz.lu/wp-content/uploads/2020/09/Co-signed-letter-MEP-Metz.pdf>.

¹⁹ European Parliament resolution of 15 January 2020 on the European Green Deal (OJ C 270, 7.7.2021, p. 2), paragraph 102.