



2024/3011(RSP)

18.12.2024

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 MON 95275 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council
(D102172/03 – 2024/3011(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 MON 95275 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (D102172/03 – 2024/3011(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 MON 95275, pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (D102172/03),
- 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/2003/18/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 MON 95275 (application GMFF-2022-5890)'. EFSA Journal 2024; 22(8):e8886. <https://doi.org/10.2903/j.efsa.2024.8886>.

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 29 April 2022, Bayer Agriculture B.V., based in Belgium, on behalf of Bayer CropScience LP, 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 MON 95275 (the ‘GM maize’),;
- B. whereas the(GM maize produces two insecticidal proteins (Mpp75Aa1 and Vpb4Da2) and expresses a DvSnf7 dsRNA targeting western corn rootworm; whereas the genetic modification involves a two-step process incorporating an Agrobacterium tumefaciens-mediated transformation and a Cre/lox recombination system to remove selectable markers;
- C. whereas on 19 June 2024 EFSA adopted a favourable opinion, published 1 August 2024, on MON 95275; whereas EFSA’s opinion provides insufficient data to assess unintended genetic effects, the biological activity of read-through sequences, and potential off-target impacts on non-target organisms;
- D. whereas the field trials conducted by the applicant failed to account for diverse environmental stress conditions or varying agricultural practices, limiting the relevance of the results to European cultivation environments;
- E. whereas the RNAi construct DvSnf7 dsRNA raises concerns about effects in non-target

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).

organisms;

- F. whereas the insecticidal proteins Mpp75Aa1 and Vpb4Da2 share structural similarities with known toxins and lack sufficient evaluation of their specificity, immune responses, and combinatorial effects;
- G. whereas the potential for gene flow to wild relatives, including European teosinte populations, poses risks of transgene persistence and ecological imbalance;
- H. whereas the monitoring requirements under Implementing Regulation (EU) No 503/2013 are inadequately addressed, particularly regarding independent data verification and long-term environmental effects;
- I. whereas EFSA's assessment did not sufficiently address the role of microbiome interactions or cumulative toxicity impacts on non-target organisms;
- J. whereas, unlike the use of insecticides, where exposure is at the time of spraying and for a limited period afterwards, the use of insecticidal GM crops leads to continuous exposure of the target and non-target organisms to the toxins;

Member State and stakeholder comments

- K. whereas Member States submitted many critical comments to EFSA during the three-
 - L. month consultation period⁵, including that the list of relevant studies identified in the literature review of the applicant, did not include studies on the fate of insecticidal proteins in the environment or on potential effects of crop residues on non-target organisms;
 - M. 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 10th term;
 - N. 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;
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)

⁵

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

No 178/2002 of the European Parliament and of the Council⁶, 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 crops due to risks to biodiversity, food safety and workers' health in line with the One Health approach;
6. Welcomes the fact that the Commission finally recognised, in a letter of 11 September 2020 to Members, the need to take sustainability into account when it comes to authorisation decisions on GMOs⁷; 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;
7. Urges the Commission, again, to take into account the Union's obligations under international agreements, such as the Paris Climate Agreement, the United Nations Convention on Biological Diversity and the United Nations Sustainable Development Goals; reiterates its call for draft implementing acts to be accompanied by an explanatory memorandum explaining how they uphold the principle of 'do no harm'⁸;
8. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.

⁶ 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>).

⁷ <https://tillymetz.lu/wp-content/uploads/2020/09/Co-signed-letter-MEP-Metz.pdf>.

⁸ European Parliament resolution of 15 January 2020 on the European Green Deal (OJ C 270, 7.7.2021, p. 2), paragraph 102.