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WRITTEN QUESTION E-2518/02 by Dorette Corbey (PSE) and Margrietus van den Berg (PSE) to the Commission. Genetically modified food aid to developing countries.

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WRITTEN QUESTION E-2518/02

by Dorette Corbey (PSE) and Margrietus van den Berg (PSE) to the Commission

(10 September 2002)

Subject: Genetically modified food aid to developing countries

We have heard that developing countries are having genetically modified organisms forced upon them in the form of food aid. Zambia is considering refusing consignments of genetically modified food, Zimbabwe accepts modified food only if it has been milled, and Mozambique does not permit the transport of any genetically modified material.

1. Is the Commission aware of any cases in which developing countries have had genetically modified food aid forced upon them and thus were not able to opt for GMO-free food aid?
2. Does this contravene the Cartagena Protocol on biosafety?
3. Is the Commission aware of any cases in which developing countries have encountered problems with exports after farmers had used part of a consignment of genetically modified food aid as seed?
4. Does the Commission agree that recipient countries should be able to opt for GMO-free food aid?

Answer given by Mr Nielson on behalf of the Commission

(18 October 2002)

The Commission is not aware of any case in which developing countries have had genetically modified (GM) food aid forced upon them. To its knowledge, when countries have refused GM food aid donors have complied with their requests to the possible extent and looked for alternative GM free supplies. However, in the case of Southern Africa, given the sheer size of the food aid needs, the logistics involved and the costs to be incurred, there are not enough funds to fully replace the American food aid. At the moment, Zambia is refusing GM food aid, while Mozambique and Zimbabwe are accepting it provided it is milled. Mozambique does authorise the transit of GM food aid on its territory provided this is done in sealed containers.

The Cartagena Protocol applies an Advanced Informed Agreement procedure to export genetically modified organisms (GMOs) intended for deliberate release in the environment. This is not, strictly speaking the case for food aid. Article 11 (4) of the Protocol allows Parties to take decisions on the import of GMOs for food, feed and processing (GMOFFP) under their domestic legislation and consistent with the objectives of the Protocol. As to exports of GMOFFP, the Protocol (Article 18) foresees that these must be accompanied by documents stating that the product may contain GMOs. Moreover, under Article 11(6), developing countries which have no domestic legislation can declare that their decision on the first import of a GMOFFP will be taken according to a risk assessment and will be made within 270 days. Therefore, imposing GMO food aid would deprive Parties of their prerogative under Article 11 and would contravene the provisions of the Protocol. However, it should be remembered that: i) the United States are not a signatory to the Protocol and ii) that the Protocol is not yet in force and, at the moment, there is only an obligation on signatories (stemming from the principle of good faith) not to act in contradiction with the objectives of the Protocol.

The Commission is not aware of any cases where developing countries have encountered problems in exporting maize to the Community because of GM content. Countries could face problems only if they were seeking to export GM varieties not authorised for marketing in the Community. As to Southern Africa, it should be noted that current exports of maize and maize derived products to the Community are minimal.

The Commission fully agrees that recipient countries must be allowed to make a free and informed choice between GM and GM-free products.