

Plants obtained by certain new genomic techniques and their food and feed

2023/0226(COD) - 29/01/2024 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Jessica POLFJÄRD (EPP, SE) on the proposal for a regulation of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed and amending Regulation (EU) 2017/625.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Subject

The Regulation should establish, in accordance with the precautionary principle, specific rules applicable to the deliberate release into the environment, for any purpose other than placing on the market, of plants obtained through certain new genomic techniques ('NTG plants') and to the placing on the market of food and feed consisting of, containing or produced from such plants as well as products, other than food and feed, consisting of or containing such plants.

The Regulation should ensure a high level of protection of human and animal health and the environment.

Status of category 1 NGT plants

The Commission is empowered to adopt delegated acts amending the criteria of equivalence of NGT plants to conventional plants in order to adapt them to scientific and technological progress as regards the types and extent of modifications which can occur naturally or through

conventional breeding.

The amended text stated that the adventitious or technically unavoidable presence of category 1 NGT plants, reproductive material or parts thereof in organic production, or in nonorganic products authorised in organic production in accordance with Regulation (EU) 2018/848 on organic production and labelling of organic products, should not constitute non-compliance with that Regulation.

Deliberate release of NGT plants for any other purpose than placing on the market and placing on the market of NGT products

The implementation, enforcement and application of this Regulation should not have the object or effect of preventing or impeding imports from third countries of NGT plants and products that meet the same standards as those laid down in this Regulation.

Labelling

The amended text stated that plant reproductive material, including for breeding and scientific purposes that contains or consists of category 1 NGT plant or plants and is made available to third parties, whether in return for payment or free of charge, should bear a **label** and a reference to a **variety register** automatically transmitted to the EU common register indicating the words 'cat 1 NGT', followed by the identification number of the NGT plant or plants it has been derived from.

Exclusion from patentability

A new article has been included stipulating that NGT plants, plant material, parts thereof, genetic information and the process features they contain should not be patentable.

Ensuring science-based verification processes

The proposed regulation also introduces verification procedures for NGT 1 prior to the deliberate release of plants for this category.

The report noted that the verification process should be based on the scientifically approved criteria set out in the annex defining a category 1 plant and, where appropriate, in close consultation with the European Commission and the European Food Safety Authority.

It is stated that the other Member States and the Commission may make **reasoned objections** to the verification report, as regards the fulfilment of the criteria set out in Annex I, within 20 days from the date of receipt of that report.

Reporting

The implementation report should identify and address any issues regarding biodiversity and environmental, human and animal health, changes to agronomic practices as well as socio-economic and ethical issues that may have arisen with the application of this Regulation.

By June 2025, the Commission should submit a report on the role and impact of patents on breeders' and farmers' access to varied plant reproductive material, as well as on innovation and, in particular, on opportunities for SMEs.