

# **Genetically modified organisms GMOs: deliberate release into the environment (repeal. Directive 90/220/EEC)**

1998/0072(COD) - 21/01/1999

A major report on genetically modified organisms (GMOs) was adopted. The final vote was 16 to 0 with 11 abstentions. The report, drafted by David BOWE (PES, UK) under the codecision procedure, concerned a Commission proposal for a new directive to amend existing directive 90/220/EEC on the deliberate (ie non-accidental) release of GMOs into the environment, whether for research purposes or in order to place them on the market. The large number of abstentions brought together those who thought the report went too far in the direction of caution (and so might hamper the development of this new technology) and those who thought it did not go far enough (and so might jeopardize public health). The rapporteur thought he had got the balance "just right". Members tabled 188 amendments to the proposal. Among those adopted, a key amendment introduced into the text an obligation on Member States and on the Commission to adopt the precautionary principle (ie "safety first") so as to avoid adverse effects on human health or the environment from the deliberate release of GMOs. Nor should the lack of full scientific certainty be a reason to postpone preventive measures. In the event of unauthorized or accidental release of a GMO, the Member State concerned must terminate the release, initiate remedial action and inform other Member States, the Commission and the public. Another amendment excludes human beings from the definition of organisms which can be genetically modified. A certification system must ensure that GMOs placed on the market can be traced subsequently. All GMOs authorized for release must carry unique genetic tags to identify them. In the case of products placed on the market, the label must indicate that the product contains or consists of GMOs. The existence of genetically modified proteins or DNA, the committee thinks, is currently the best criterion for determining whether GMOs are present or not. The label must not say (as the Commission had proposed) that the product "may" contain GMOs. Those legally responsible for the deliberate release of GMOs should have full civil and criminal liability for any resulting damage to human health or the environment. However, a more general EU-wide environment liability law should ultimately be introduced. The committee also thought that the export of GMOs from the EU should be dependent on export authorization from the competent Member State authority and import consent from the country of destination.