


Procedure file

Basic information	
INI - Own-initiative procedure	2003/2098(INI)
Coexistence between the genetically modified farming and the conventional and organic ones	
Subject 3.10.09.06 Agro-genetics, GMOs	
Procedure completed	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AGRI Agriculture and Rural Development	V/ALE GRAEFE ZU BARINGDORF Friedrich-Wilhelm	12/06/2003
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health, Consumer Policy	PSE SCHEELE Karin	09/09/2003
	Council configuration	Meeting	Date
	Agriculture and Fisheries	2528	29/09/2003

Key events			
05/06/2003	Committee referral announced in Parliament		
29/09/2003	Debate in Council	2528	Summary
02/12/2003	Vote in committee		
02/12/2003	Committee report tabled for plenary	A5-0465/2003	
17/12/2003	Debate in Parliament		
18/12/2003	Decision by Parliament	T5-0600/2003	Summary
18/12/2003	End of procedure in Parliament		

Technical information	
Procedure reference	2003/2098(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative

Legal basis	Rules of Procedure EP 54
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/5/19615

Documentation gateway

Committee report tabled for plenary, single reading	A5-0465/2003	02/12/2003	EP	
Text adopted by Parliament, single reading	T5-0600/2003 OJ C 091 15.04.2004, p. 0527-0680 E	18/12/2003	EP	Summary

Coexistence between the genetically modified farming and the conventional and organic ones

The Council took note of the presentation by the Commission of its Recommendation and held a substantive political discussion on the main concerns relating to the coexistence of genetically modified crops with conventional and organic farming, on the basis of a questionnaire prepared by the Presidency. Delegations generally welcomed this recommendation as a first major step towards applying measures that would ensure such coexistence within the Community on the basis of the principle of subsidiarity and confirmed that such measures should be developed and applied by the Member States in line with the recent Decision of the Council and of the European Parliament to amend Directive 2001/18/EC. The Council's positions on the questionnaire submitted to the delegations by the Presidency may be summarised as follows : 1) As regards GMO-free zones, the Member States noted the possibility of considering regional measures in accordance with the principles of proportionality and specificity. Several delegations stated that measures for guaranteeing coexistence should take account of the different plant varieties and regional peculiarities. A number of delegations asked for a definition of GMO-free zones. 2) A number of delegations requested the rapid adoption of tolerance thresholds for the adventitious presence of GMOs in seeds, while others considered it unnecessary in principle to lay down thresholds that were different from those covered by the current rules. 3) A number of delegations wondered about the need for a specific tolerance threshold for the adventitious presence of GMOs in organic agriculture and wanted this issue to be discussed in detail. 4) A large number of delegations wanted to examine whether it would be possible to lay down Community-level rules on liability in the event of contamination of conventional and organic crops by genetically modified crops. They referred in particular to the potential risks of distortions of competition between Member States.?

Coexistence between the genetically modified farming and the conventional and organic ones

The European Parliament adopted a highly contested own-initiative report by Friedrich-Wilhelm GRAEFE zu BARINGDORF (Greens/EFA, D). In general terms, MEPs are demanding stricter and more effective protection for organic and conventional farmers against accidental contamination of their crops and seeds. They highlight the need for EU common regulations on coexistence (instead of leaving the issue under subsidiarity rules, as the Commission suggested recently) and argue that GMO producers should have some kind of civil liability for any contamination of organic and conventional products. The Parliament points out that information on the presence of GMOs in seed does not merely serve to inform farmers and consumers but is a precondition for the proper implementation of Directive 2001/18/EC (particularly as regards monitoring and placing on the market, the registration of cultivation, the expiry and withdrawal of authorisation and emergency measures) and the regulations on the authorisation, labelling and traceability of GMOs. The Commission is called upon to stipulate the labelling of GMOs in seed at the technically measurable and reliable detection threshold on the basis of Article 21(2) of Directive 2001/18/EC, and to take account of scientific assessments regarding practical applicability. Uniformed and binding rules are to be established without delay at Community level on the coexistence of genetically modified crops on the one hand and non-genetically modified conventional crops on the other hand; calls for Parliament to be included in this process under the codecision procedure. Member States, on the other hand, are called upon, in implementing Article 26a of Directive 2001/18/EC, to swiftly to adopt legislative measures swiftly to safeguard the coexistence of genetically modified, conventional and organic crops. It considers that it makes no sense at all that this requirement is not even mentioned in the Commission Recommendation. The Parliament calls on the Commission, in view of contradictory scientific opinions on the costs of coexistence, to submit to the European Parliament and the Council a report on the economic impact of the requisite coexistence measures, taking account of the different cultivation conditions and plant species. Parliament welcomes the fact, bearing in mind the 'polluter pays' principle, that the Commission Recommendation states that 'during the phase of introduction of a new production type in a region, operators (farmers) who introduce the new production type should bear the responsibility of implementing the farm management measures necessary to limit gene flow'. The Commission is called up on to submit a proposal on Community-wide civil liability and insurance in respect of possible financial damage in connection with coexistence. Both the Member States and the Commission are requested to include workable and legally enforceable civil liability provisions for sufficient insurance cover on the part of the applicant as a component of the authorisation procedure for placing GMOs on the market, so that claims by persons affected can be dealt with adequately and quickly in the event of damage. In addition, they are called upon not to proceed with the approval of the release of any further genetically modified varieties of plant until such time as binding rules oncoexistence, backed up by a system of liability based firmly on the 'polluter pays' principle, have been agreed and implemented. The Commission is called upon to draw up a public register of national strategies and best practices relating to the coexistence of genetically modified, conventional and organic crops, which are pursued in the Member States and third countries and have crossborder impact in the Union, and to make periodic reports to Parliament on that subject. The European Parliament points out that particular attention should be paid to the cross-border coexistence of genetically modified crops and conventional and organic crops (between Member States and with third countries). It calls on the Commission to study all aspects of cross-border coexistence, and calls on the Member States to adopt measures concerning the interaction and coexistence of genetically modified crops at a cross-border level, following consultations. Lastly, Parliament also takes the view that the voluntary or regionally restricted renunciation of GMO cultivation in certain areas and under certain cultivation conditions may be the most effective and least costly measure to ensure coexistence and that it must be available to the Member

States when implementing Article 26a of Directive 2001/18/EC, on condition that all the players involved agree, with the aim of guaranteeing full freedom of choice. It also states that Community coexistence rules must allow Member States the right to prohibit completely the cultivation of GMOs in geographically restricted areas so as to safeguard coexistence.?