

The current and potentially future legal situation of genome edited plants in Europe

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Abstract

In the EU, only authorized genetically modified organisms (GMO) and derived food- or feed-products may be placed on the market. All genome edited plants (GEP) created by new genomic techniques (NGT) are presently considered regulated GMOs under the Directive 2001/18/EC. In 2021 and on request of the Council of the European Union, the European Commission (EC) published a study regarding the status of NGT under Union law. The study identified limitations to the capacity of the legislation on GMO to keep pace with scientific developments; these cause implementation challenges and suffers from legal uncertainties. The EC conducted consultations in 2022 for gaining input on amending the legal framework for plants obtained by targeted mutagenesis and cisgenesis and for their food and feed products. The aim of the policy action is to maintain a high level of protection for human and animal health and the environment, to secure a proportionate risk assessment, enable innovation in the agri-food system and contribute to the goals of the European Green Deal and the 'Farm to Fork' strategy. It aims to set the EU on the path to a green transition, with the ultimate goal of reaching climate neutrality by 2050. NGT are expected to contribute. A proposal to make the European GMO regulation fit for purpose is expected in June 2023.

Key words: GMO, NGT, GE plants, regulation, European Green Deal