

**For the attention of President
PRODI, Commissioner FISCHLER,
Commissioner WALLSTRÖM**

08 July 2004

RE: Labeling threshold for GM contamination in non-GM seed

Dear Commissioner Fischler,

we write to you regarding a Commission Directive on the labelling of genetically modified organisms (GMO) in non-GM seeds, a legislative project, presently being prepared and discussed controversially within the Commission. European farmers are deeply concerned that this proposal would have severe consequence for the Communities agriculture, for our members ability to maintain their agricultural practises and keep their products free of GMOs as requested by most consumers, food producers and supermarkets within the Community.

As you know the proposal stipulates that up to 0,5 % of GMOs could be present in conventional and even organic seeds without labelling. At the same time any products and ingredients containing more than 0,9% of (unavoidable) GMO - contamination will have to be labelled as GM. Could our members no longer trust that the seeds they use are GM free, this will necessitate tests and controls at their own expenses and risk. In addition, a diversity of preventive measures would be necessary in the advent of GMO cultivation in their neighbourhood. These so called coexistence measures would be severely compromised, if the seeds of non-GM farmers were already contaminated with GMOs. Hence such contamination of all seeds would constitute a constant stress and additional risks and costs to all farmers, especially those who want to avoid GMOs and will have no benefit from them. We are deeply concerned about the detrimental economic impacts this could imply for individual farmers as well as regarding the market and prices for GM and non-GM agricultural products in the future.

In this context we would like to emphasise that the opinion of the Scientific Committee on Plants on this matter (2001) does not back some Commissioners claim, that the proposed thresholds would actually safely guarantee that the yields resulting thereof will not exceed the threshold level of 0,9 %. To the contrary the Scientific Committee raises substantial doubts and underlines the lack of data and certainty in this field. The only calculations in the document explicitly refer to "ideal conditions" and leave a ridiculously narrow safety margin. It appears advisable to us to resubmit precise and concrete questions to the scientific committee on the issue.

We are also concerned about the impact of the planned Directive on the general safety and risk-management regarding GMOs: Once present in the entire seed stock of a given plant species it would be extremely difficult to recall such GM seeds any more, should they prove not to be as save as initially assessed by scientist. Scientific re-assessment of substances and practices initially considered to be safe to use in agriculture has occurred frequently and in some cases at the massive expense of the farmers and the public trust in their products. We are therefore convinced that precaution and transparency, which are the guidelines of EU legislation in the field of consumer and environmental protection, must not be compromised at the very beginning of the food chain, the seeds.

We also believe that this is not the appropriate way of introducing a new and highly controversial technology in agriculture. As the unintended presence of GM seeds will be a financial threat and a nuisance to the vast majority farm operations in Europe within the foreseeable future they should be avoided at the best available technical practice and at the expense of those companies introducing GMOs in agriculture and benefiting from them.

Threshold levels for the adventitious presence of GMO in conventional and organic seeds should therefore be set at the lowest, possible and technically reliable level of detection – taking in account the technical progress in the detection methods – and that today for statistical reasons, practicalities of sampling seed lots between 40 kg and 25 t according to international standards, is lower than 0,1%. This means that the threshold fixed by the regulation should be updated over time to the lower level of detection reached by new technical methods.

Additional measures to ensure the required seed purity should be taken at the source. Costs of control and prevention in farm production on millions of hectares would exceed by magnitudes preventive costs at the level of seed production, which is already highly sophisticated in this respect and entails only a tiny fraction of the overall production area.

We therefore urge you to thoroughly re-assess the present Directive proposal and its scientific, legal and economic implications. You should not allow such a far reaching decision to be made under the pressure of time and of some interest groups, who may even abuse the thresholds presently proposed to intentionally introduce GMOs into agricultural production without the knowledge, consent and control of farmers.

As no large scale introduction of GM cultivation is to be expected in most member states within the immediate future we see no necessity to take these decisions within the next weeks. Also the setting of labelling requirements (under Directive 2001/18) and of maximum allowable contamination levels (under the respective Seed Directives) for marketing should correspond with a scientifically sound, practically feasible, economically well balanced and socially fair concept of coexistence.

To conclude we have strong legal, scientific, economic and agronomic reservations against the presently discussed draft Directive, which are shared by the European Parliament as well as a number of member states representations, as could be seen in the Council's recent discussion upon the initiative of Denmark on this issue.

We also trust that the Commission will not introduce such highly controversial and sensitive legislation in a situation, in which the present Commissioners in charge will no longer be able to finish the further discussion within the Standing Committee and with the member states until its implementation.

We would appreciate your response as well as a chance to officially comment on a Commission's proposal before this is introduced to the College of Commissioners for approval.

Yours Sincerely

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On behalf of their members:

ÖSTERREICHISCHE BERGBAUERNVEREINIGUNG, Austria
FRONT UNI DES JEUNES AGRICULTEURS, Belgium
CONFÉDÉRATION PAYSANNE, France
ARBEITSGEMEINSCHAFT BÄUERLICHE LANDWIRTSCHAFT, Germany
FORO CONTADINO, Italy
KRITISCH LANDBOUWBERAAD, Netherlands
NORSKE BONDE - OG SMABRUKARLAG, Norway
MAGOSZ, Poland
SINDICATO LABREGO GALEGO, Spain
EUSKAL HERRIKO NEKAZARIEN ELKARTASUNA, Spain
UNITERRE, Switzerland
NORDBRUK, Sweden
FAMILY FARMERS' ASSOCIATION, UK
MOUVEMENT INTERNATIONAL DE JEUNESSE AGRICOLE ET RURALE CATHOLIQUE (MIJARC-Europe)

Francis Blake, President

INTERNATIONAL FEDERATION OF ORGANIC AGRICULTURE MOVEMENTS EU Group

On behalf of their organic farmer associations:

AUSTRIA: BIO ERNTE Austria, , Österreichischer Demeter-Bund, Biolandwirtschaft Ennstal, Bergkräuter-Genossenschaft, Verein der Biologisch Wirtschaftenden Ackerbaubetriebe
BELGIUM: BELBIOR
CZECH REPUBLIC: PRO-BIO
DENMARK: Barritskov, Den Okologiske Jordbrugsskole, Demeterforbundet
ESTONIA: Eesti Biodunaamika Ühing, Estonian Farming Foundation
FINLAND: Biodynaaminen Yhdistys-Biodynamiska Föreningen, LUOMU-Liitto ry/ - Union for Organic Farming
FRANCE: BioBourgogne SEDARB, CIVAM Réunion, Confédération des Groupements Agrobiologistes de Bourgogne, EXO-DOM, Fédération Nationale d'Agriculture Biologique des Régions de France, Fédération Nationale Interprofessionnelle des Vins de l'Agriculture Biologique, Formabio, Fédération Régionale des Agrobiologistes de Bretagne, Inter Bio Bretagne, Biobourgogne Association
GERMANY: Bioland Bundesverband, Demeter, BIOPARK, Demeter Bund Deutschland, Naturland Verband für naturgemäßen Landbau, GÄA, ECOVIN, Biokreis Bundesverband, Ökosiegel
GREECE: Agroenvironmental Network of Org. Prod. of Western Greece, Cretan Agri-Environmental Group
HUNGARY: Magyar Ökogaárdálkodók Szövetsége
IRELAND: Irish Organic Farmers and Growers Association
ITALY: Associazione Italiana per l'Agricoltura Biologica, Associazione Mediterranea Agricoltura Biologica Agri. Bio.Piemonte Onlus, Demeter Associazione Italia, ECOSTORE SRL, Azienda Agricola Agrinatura, IRIS Soc. Coop. Agricola a.r.l., S'ATRA SARDIGNA Soc. Coop. ar.l.,
LATVIA: Latvijas bioloģiskās lauksaimniecības organizāciju apvienība
LITHUANIA: Lithuanian Association of Ecological Agriculture
LUXEMBOURG: Veräin fir biologesch-dynamesch Landwirtschaft a.s.b.l. - Letzebuerg
NETHERLANDS: Nautilus Coöperatie, Nederlandse Vereniging voor de Ekologische Landbouw
POLAND: Stowarzyszenie Ekologiczno-Kulturalne "Ziarno", Stowarzyszenie Producentów Zwywnosci Ekologicznej
PORTUGAL: Salva-Association of Producers in Organic Farming of South Portugal, Distribuição de Produtos de Agricultura Biológica Ida, Associação Portuguesa de Agricultura Biológica
SLOVENIA: Union of Slovenian Organic Farmers Associations
SPAIN: Centro Las Torcas, Camdor del Fai S.L.
SWEDEN: Ekologiska Lantbrukarna, Lantbrukarnas Riksförbund, Samodlarna Sverige, Svenska Demeterförbundet, Swedeponic Holding AB,
UNITED KINGDOM: Soil Association, Biodynamic Agricultural Association

COPY TO: **Commissioner LAMY, BYRNE**