

**Plant ETP response to Public consultation to
Inception Impact Assessment (IIA) regarding**

Legislation for plants produced by certain new genomic techniques

Feedback reference: F2736225

Plants for the Future ETP (Plant ETP), representing the plant sector, from academia, public institutions, the seed and breeding industry, providers of agri-services, and the farming community, supports the EU Commission's (EC) conclusions following its study on NGTs. Plant ETP welcomes the EC's initiative to develop "*a fit for purpose regulatory oversight for plants developed by targeted mutagenesis and cisgenesis*", thereby endorsing the study's conclusions that the current regulation is no longer fit for purpose.

The EU's Farm to Fork and Biodiversity strategies set ambitious targets for 2030. To maintain production while meeting the strategic targets, plant breeding, supported by excellent EU plant science, needs to speed up (Noleppa and Carlsburg, HFFA Research, 2021). Adding targeted mutagenesis and cisgenesis to the breeders' toolbox would help accelerate the breeding process, thereby meeting the needs of farmers for high-performing, resilient, plant varieties, and consumers for safe, healthy and sustainable products, faster.

It is of paramount importance that the new legislation is clear, proportionate, future-proof and promotes an innovation friendly environment. The translation of EU scientific capacity into innovative plant products that can contribute to sustainable agri-food systems, foster the plant-based bioeconomy and/or provide consumer benefits, ultimately depends on a proportionate and science-based regulatory oversight.

Targeted mutagenesis and cisgenesis are NGTs which induce changes in the plant's genome that could have been obtained by conventional breeding. Moreover, EFSA concluded that plants resulting from targeted mutagenesis or cisgenesis do not pose new hazards compared to plants developed by conventional breeding. A future-proof legislation should therefore include clear criteria and definitions to determine if a plant variety obtained through targeted mutagenesis or cisgenesis, falls under the same category as a variety obtained by conventional breeding. If so, it should be regulated similarly, so as to avoid discrimination and unnecessary administrative and financial burden, which will disproportionately impact SMEs and the competitiveness of the European agri-food sector, particularly farmers and the plant science community.

Any sustainability criteria should not be discriminatory to plant varieties obtained using NGTs. Moreover, while the overall definition of sustainability is widely accepted, the concrete criteria that constitute a sustainable product or plant characteristic need to be clear and science-based. Sustainability requires a holistic approach, considering environmental, social and economic aspects, and is also dependent on external factors going beyond the genetics of a plant, including farm management practices, soil conditions and regional climate, that are neither uniform across EU production areas, nor globally. Therefore, Plant ETP cautions against using any criteria that could lead to legal uncertainty.

Plant ETP supports consumer information and transparency. All plant varieties grown in the EU are registered in the EU common catalogue of varieties. Information on the use of NGTs could be made available through this catalogue, so that value chain players can make informed decisions on which products to use and/or provide to their customers.

Considering the existing challenges in the proportionality and unenforceability of legislation that would regulate products derived from certain NGTs, such as targeted mutagenesis, differently than conventionally obtained products, Plant ETP recommends the EC align its legislative proposal with the EU's main trading partners, so as to avoid negatively impacting trade and competitiveness of EU scientists and agricultural value chain players.