

To:
Executive Vice-President Frans Timmermans
Commissioner Kyriakides
Commissioner Wojciechowski

cc:
DG AGRI, Director-General Wolfgang Burtscher
DG SANTE, Deputy Director-General, Claire Bury
DG AGRI, Deputy Director-General, Mihail Dumitru
DG SANTE, Acting Director of Food Safety, Sustainability & Innovation, Klaus Berend
DG SANTE, Head of Unit Biotechnology, Irene Sacristán Sánchez
DG AGRI, Head of Unit Organics, Elena Panichi

Brussels, 19th April 2023

Open Letter: Enabling the regulatory framework for conventional-like NGT plants

Dear Executive Vice-President,
Dear Commissioners,

Plants for the Future ETP (Plant ETP), representing the European seed and breeding sector, the farming community and academia looks forward to the EU Commission's legislative proposal for plants obtained by certain New Genomic Techniques (NGTs), that we hope will be put forward before the summer. As a multistakeholder organisation representing the plant sector and promoting science-based policymaking, Plant ETP advocates for plants obtained using certain NGTs, and which cannot be distinguished from their conventionally-bred counterparts, to be regulated as conventional. Such "conventional-like" NGT plants have been confirmed by EFSA as posing no new hazards compared to conventionally bred plants¹ and should therefore not undergo a differentiated approach.

In the last year, the EU Commission has conducted an extensive impact assessment on the expected impacts of different legislative options for NGTs, on their potential contributions to the Green Deal goals, including a stakeholder consultation on, among other things, the perceived impact of these options on the organic sector.

¹ EFSA 2022 [Updated scientific opinion on plants developed through cisgenesis and intragenesis](#)

Plant ETP considers that conventional-like NGT plants, if regulated as conventional, would be fully compatible with the EU organic farming legislation. As demonstrated during a lunch seminar held last February on “*Breeding innovation for organics - How New Genomic Techniques could benefit the organic sector*”², there is a growing number of stakeholders within the organic sector, including organic breeders and farmers, that share our view and would like the option to use conventional-like NGT plants, while maintaining their organic certification. One recent such example is the position published by CEJA, the European council of young farmers, on NGTs³.

It is also important to acknowledge that a high proportion of farmers supplying the organic sector are not fully organic i.e., they manage both organic and conventional production (~45% of agricultural area under organic production was managed by such mixed farms in 2016⁴). Any co-existence measures aimed at excluding conventional-like NGT plants from organic production systems, risks preventing such mixed farms from their use, even on their conventional plots.

Conventional and organic breeding programmes have always been tightly interlinked, with promising conventional varieties being adapted to organic production and *vice versa*. This tight interconnection promotes a mutually beneficial flow of traits between both streams. This is made possible, among other things, because the EU organic legislation does not exclude the use of plant varieties bred with exempted genetic modification (GM) techniques, such as random mutagenesis and protoplast fusion (listed in Annex IB of the EU GMO Directive 2001/18/EC), which are widely used both in conventional and organic breeding programmes.

Plant ETP also acknowledges that there are some stakeholders within the organic sector that, for various reasons, would like to exclude NGTs from their production and supply chains. To ensure freedom of choice, the seed and breeding sector is committed to providing transparency on whether NGTs were used during variety development through e.g., the EU common catalogue and national variety lists. This would allow growers and supply chains to exclude varieties obtained by NGTs from their production or supply chains, if they wish to do so, without hindering their use by others. In fact, voluntary schemes to exclude certain breeding techniques are already established, such as the “Positive list of cell fusion-free vegetable varieties” published by FIBL⁵, and could easily be extended to NGTs.

² Plant ETP Press Release [Breeding innovation for organics - How New Genomic Techniques could benefit the organic sector](#)

³ CEJA 2022 [For a beneficial use of all possible tools - CEJA's position on New Genomic Techniques \(NGTs\)](#)

⁴ Eurostat [Organic farming statistics, figure 7](#)

⁵ FIBL 2022/2023 [Positive list 2022/2023 | No. 1179 - Cell fusion free varieties in vegetable production](#)

The EU Green Deal sets ambitious goals for Europe and particularly our agricultural systems. To meet the needs of a fossil fuel-free bioeconomy by 2050, significant efforts from farmers and breeders will be required to provide a broad range of resilient and nutritious crops adapted for low input production and adapted to climate change, while protecting biodiversity. To enable this, innovative solutions and technologies should be available to all production systems that would like to benefit from them. Ensuring real freedom of choice should always balance the right to avoid certain technologies, with the right to access and use these same technologies and their resulting products, depending on one's preference. As our agricultural systems need to transition towards more sustainable practices, Plant ETP recommends to move away from a separation of conventional and organics production systems, and onward to a focus on synergies and how we can leverage the best of both worlds.

On behalf of Plant ETP, I thank you for your time and consideration.



Kind regards,

Amrit Nanda, Executive manager