

Plants for the Future ETP's response to the public consultation on the EU Commission's legislative proposal for NGT

Plants for the Future ETP (Plant ETP), representing the plant sector from the seed and breeding sector, the farming community and academia, supports the EU Commission's legislative proposal for certain New Genomic Techniques (NGTs), particularly the differentiation between conventional-like (Category 1) NGT plants and other (Category 2) NGT plants.

The legislative proposal has the potential to deliver a future-proof and enabling regulatory framework for the development of NGT plants that cannot be distinguished from plants developed through conventional breeding, or which could occur naturally through spontaneous mutation (Category 1 NGT plants). Such plants have been confirmed by EFSA as posing no new hazards compared to conventionally bred plants¹ and should therefore be regulated similarly.

The proposal that Category 1 NGT plants would be considered GMOs for the organic sector is regrettable and without scientific basis. All farmers should have the freedom of choice to use or not NGT plants, according to their needs and preferences. Even more so when many organic farmers have voiced the desire to make use of conventional-like NGT plants (category 1). Moreover, it creates a third category of plants, in addition to GMOs and conventionally-bred plants, which adds complexity and a need for segregation in breeding programmes.

One should keep in mind that 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 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. Any exclusion of NGTs from organic production systems, should be discussed in the context of the relevant organic legislation, rather than in the NGT legislation, so that the organic sector may choose for themselves and have the freedom to update their legislation when and if they see fit.

While the legislative proposal aims to facilitate field trials and placing on the market of Category 1 NGT plants, the verification procedure, as is currently described in the proposal, is vulnerable

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

to be exploited for political reasons, with the real possibility of a *de facto* block to Category 1 NGT plants. To foster an innovation-friendly environment for European SMEs, it is essential that the verification procedure remains under the jurisdiction of the national competent authorities. This is particularly important for the scientific community, that fears unnecessary red tape or delays for approvals of field trials for research purposes.

Regarding the list of criteria of equivalence of NGT plants to conventional plants, described in annex 1, Plant ETP acknowledges the importance of providing legal certainty and clear guidelines. At the same time, it is also essential that the criteria against which candidates for Category 1 NGT plants are compared, be representative of what is possible in nature or through conventional breeding to ensure a solid scientific basis. The 20 genetic modifications should therefore not include off-targets and should apply to the haploid genome only.

In addition, since breeders constantly improve on commercial varieties, having a cap of 20 (cumulative) genetic modifications for category 1 NGT plants, will limit the possibility to introduce new modifications at a later time in future breeding programmes. This is not future-proof and will greatly limit the range of what could be achieved when combining complex traits, like drought tolerance with disease resistance.

There is a real opportunity to enable the research community and seed and breeding sector to help farmers meet the challenges of climate change, improve sustainability, protect biodiversity and reach the ambitious Green Deal goals, while safeguarding both food security and affordability, as well as their own livelihoods. To enable this, the benefits of using NGTs should be leveraged, not restricted, so that innovative solutions and technologies are available to all production systems that would like to benefit from them, leaving no one, and no plant species, behind.

Plants for the Future ETP

Plants for the Future ETP (Plant ETP) is a multi-stakeholder European Technology Platform representing the plant sector, from the seed and breeding sector, the farming community and academia. Plant ETP brings stakeholders from the plant sector together to consider the challenges and opportunities of agricultural value chains in a holistic way, while developing a vision for future systems spanning food, feed, and biobased raw materials. In this way, Plant ETP provides strategic direction, recommendations of essential research and innovation, and science-based advice for the benefit of policymakers, research funding providers, practitioners, and innovators throughout agricultural value chains.