



# GM FREE CYMRU

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## COMMISSION DENIAL OF EVIDENCE OF HARM FROM GM CROPS AND FOODS

### OPEN LETTER

Attn Commissioner John Dalli, European Commission

Seppo.LATTU@ec.europa.eu cc: Joanna Darmanin, Head of Cabinet

10th September 2010

Dear Commissioner Dalli,

Re: Ref D 705; Reply to an Open Letter: Commission proposals for national GM bans are deeply flawed

Thank you for the letter sent on your behalf by your Head of Cabinet.

I find your letter deeply disturbing, since it appears that you still do not understand why our organization (like many others) is fundamentally opposed to the new Commission proposals relating to GM crops and foods. As we have said over and over again, we are NOT prepared to accept that EFSA is the final arbiter when it comes to the assessment of food and feed safety. That body (which as you know has been heavily criticized by the Commission itself, and by member states and NGOs) still sees its role as the facilitation of consents rather than the protection of the public. Over and over again it has advised the Commission to issue consents based upon defective and even fraudulent scientific information contained in applicants' dossiers; it has refused to ask for truly independent safety research; it has taken nutritional studies into GM varieties and has interpreted them as safety studies; it has allowed very poor laboratory protocols to be employed by Monsanto and other GM corporations who can well afford to maintain much higher standards; it has ON EVERY OCCASION refused to modify its safety advice even where independent post-approval studies have shown evidence of harm arising from the consumption of GM food and feed; and it has refused to condemn research blocking by the GM corporations which effectively prevents ANY truly independent safety research from being undertaken prior to approvals being issued. We could continue with this catalogue of institutionalised corruption on the part of EFSA's GMO Panel -- which is well known to the Commission and to the Parliament -- but that would be too depressing.....

The defective practices within EFSA were in the minds of the Environment Council ministers on 4 December 2008 when they asked for dramatic changes to be made. Those changes have not been made, however much you may pretend that they have. In these circumstances it is extraordinary that you and your fellow Commissioners seem to be giving EFSA absolute power to determine whether

GM crops are safe or not. That is arrogant and condescending, and it shows a sort of contempt for the scientifically-based doubts of those member states who have already brought in GMO bans. Science is full of uncertainties and subtleties, and changing techniques bring new concerns to the surface which must be either verified or dismissed through further research. That is how science works, and we remind you that the Commission is required by law to take due account of the Precautionary Principle in all matters relating to GMOs. We believe that you have now effectively abandoned that Principle, and in doing so you are deliberately ignoring the abundant direct and indirect evidence of harm which already exists in the peer-reviewed literature. More papers are appearing all the time, and you will be aware of the huge significance of the findings of Prof Andres Carrasco and his team in Argentina which must cast grave doubts upon the safety of the RR soya which is flooding into the European food and feed supply chain. Are you going to act upon that research, or wait for an "opinion" to come from EFSA, on the basis of Monsanto "advice"?

You say that member states play a great role in the assessment of GM crops intended for cultivation. That misses the point entirely. If a GM foodstuff is dangerous, it makes no difference whether it is cultivated in Europe or in Paraguay; and harm to Paraguayan farmers and their local environment is ethically no more acceptable than harm experienced within the EU member states.

You are, if we may say so, being thoroughly disingenuous when you say "...Member States continue to have the possibility to provisionally restrict the marketing or cultivation of GMOs in their territory on the basis of new scientific evidence which has an impact ON ITS ENVIRONMENTAL RISK ASSESSMENT....." That is another way of saying that Member States will NOT have any right to bring forward new scientific concerns relating to health and safety. That is a quite extraordinary situation which cannot possibly be acceptable to any honest scientist working in the GM field, or indeed to any Member State which has respect for the scientific process.

You then go on to say: "The Commission is looking forward to continuing the discussion about GMO cultivation in the EU with the European Parliament and the Council." That is another way of saying that there will be no further discussion about GM health and safety issues relating to commercialization consents. That is totally unacceptable to us, and we trust it will be unacceptable to the member states as well.

The heavily promoted "freedom" for member states to bring in GMO bans based upon non-scientific criteria is not a freedom at all. As we have said before, if the Commission proposals are accepted across Europe, chaos will ensue, and it will be impossible for GMOs to be kept out of national territory for both legal and practical farming reasons. Contamination of conventional and organic crops by GM will be inevitable, over a very short time span, and that will be true for crops and foods shown to be dangerous.

Finally, may we assure you that we are aware of the intense political pressure you are under from the US administration and from the WTO to speed up GM authorisations and to issue consents for all of the "deregulated" GM crops and foods available on the other side of the Atlantic. However, may we also remind you that the Commission has made a gigantic burden for its own back here? The EU would, according to our legal advice, be able to uphold bans on GM products right through the legal process if those bans were based upon scientific assessments of data obtained via the Codex Guidelines. Because neither EFSA nor the Commission insists upon the use of those Guidelines, and accepts poor-quality science from applicants, it is bound to lose any legal challenge mounted by the WTO.

Instead of the frightful tangle that we now see with respect to the new GM Proposals, we respectfully suggest that EFSA should immediately bring in a requirement that all future GMO applications must be supported by a dossier of experiments and supporting information certified as

adhering to Codex standards. This would, in one fell swoop, strengthen the Commission's position within the WTO and it would go a long way towards ensuring consumer confidence. While this is being done, we also respectfully request that the deeply flawed Commission Proposals for legislative changes should be scrapped forthwith on the grounds that they are divisive, poorly thought out, and unworkable. The proposals smack of political blackmail -- purporting to give an option for national GMO bans in exchange for a fast-track approvals process. In our opinion they also demonstrate a degree of criminal negligence on the part of the Commission, since they perpetrate the myth that the safety of GMO varieties already on the market is established beyond reasonable doubt. That safety is NOT established, as you know already, and as you will discover again over the coming months.....

For how much longer will you persist with the pretence that GM foods are safe to eat -- in the face of the abundant scientific evidence brought to your attention by NGOs, national governments and consumer groups? We remind you that YOU are the Commissioner who will ultimately carry the can for the manner in which accumulating evidence of harm has simply been ignored.

Yours sincerely

Dr Brian John  
GM-Free Cymru