



Media Release

Genetically engineered soybeans in EU Court of Justice: David and Goliath

Monsanto, the EFSA, the UK Government and the EU Commission all joining forces against civil society

Munich/ Luxembourg, 25 September 2013. Monsanto, the British Government, the European Food Safety Authority (EFSA) and the EU Commission are joining forces in EU Court proceedings to prevent risky genetically engineered soybeans from being withdrawn from the food market.

In March 2013, a group of non-governmental organisations filed a lawsuit at the Court of Justice of the European Union against an EU Commission decision allowing the use of Monsanto's genetically engineered soybeans, *Intacta*, in food and feed (T-177/13-5). The complainants maintain that EFSA has not carried out the risk assessments for the genetically engineered soybean as legally required. Now Monsanto, the British Government, the European Food Safety Authority (EFSA) are all joining forces in court to defend the right to import the transgenic soybeans.

Intacta is a transgenic soybean similar to the controversial genetically engineered maize *SmartStax*. It produces an insecticide and is resistant to glyphosate herbicides (such as Roundup). Owned by Monsanto, it was authorised by the EU Commission for import and usage in food and feed in 2012. The lawsuit against this EU decision was filed by three non-profit-organisations, the European Network of Scientists for Social and Environmental Responsibility (ENSER), Sambucus and Testbiotech. The complainants have the support of the Society for Ecological Research, the foundation Manfred-Hermsen-Stiftung for Nature Conservation and Environmental Protection, the Foundation on Future Farming and the German Family Farmers Association (ABL).

"It looks like this coalition of industry, authorities and politicians is aiming to discourage civil society from fighting for its rights in court. But we are not afraid", says Annemarie Volling from the German Family Farmers Organisation. "For us this is not a power game, we are simply defending the basic rights of farmers and consumers."

An initial reaction of the EU Commission to the arguments of the civil society groups has already been filed. However, the complainants regard the arguments of the Commission as unconvincing from both a legal and scientific point of view. Currently they are expecting more written pleas from the opposing parties, which might cause substantial rise in procedural costs.

“In general, soybeans are amongst those crops that have the highest potential to cause allergies. It is known that the insecticide produced by the transgenic plants can even cause immune reactions. Consequently, this means a higher risk to human health. And here are further risks in the interaction of the residues from spraying with herbicides and the insecticide as produced in the plants,” says Christoph Then for Testbiotech. “Despite those risks EFSA did not even request feeding studies to investigate health effects.” Testbiotech is the organisation coordinating the lawsuit and is now asking for public to support it.

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Sambucus: www.sambucus.org

Society for Ecological Research: www.oekologische-forschung.de

German Family Farmers Association (ABL): www.abl-ev.de

Further information on the court case:

Response of the complainants, September 2013: www.testbiotech.de/node/895, www.testbiotech.de/node/896

Reaction of the Commission to the lawsuit, July 2013: www.testbiotech.de/node/894

Lawsuit filed at the European Court of Justice, March 2013: www.testbiotech.de/node/772

EU Commission reply to the complaint, January 2013: www.testbiotech.de/node/776

Text of the complaint as filed, July 2012: www.testbiotech.org/en/node/694