

## Testbiotech takes EU Commission to court

Controversy about the health risks of genetically engineered soybeans  
Thursday, 31 March 2016

The EU Commission wants to prevent Testbiotech from initiating a legal revision of a decision to allow the import of genetically engineered soybeans. This move by the Commission is in contradiction to previous decisions and Testbiotech has now initiated a precedent case at the Court of Justice of the EU (CJEU) to gain access to justice (T-33/16). This action was prompted by market authorisation being issued for the import of genetically engineered soybeans produced by US companies Monsanto and DuPont/ Pioneer which, according to analysis undertaken by Testbiotech and other experts, have not been adequately investigated as far as health risks are concerned.

“The EU Commission has allowed the import of genetically engineered soybeans despite concerns about the risks for human health. And now the Commission is trying to prevent the CJEU from re-examining its decision,” says Christoph Then for Testbiotech. “If this interpretation of current law prevails, it can have a substantially negative impact on the precautionary principle in EU regulation.”

In May 2015, Testbiotech together with GeneWatch UK, filed a complaint against the authorisation issued for the import of genetically engineered soybeans that are changed in their oil quality. The EU Commission exceeded the legally defined time-frame for its response by more than a month. Then, in its answer, the Commission claimed that according to the relevant EU Regulation 1367/2006, only risks concerning the environment could be reviewed, but not the risks for human health. This legal interpretation is a surprising U-turn since previously the EU Commission has accepted similar requests, followed by lawsuits at the CJEU. A previous court case filed by Testbiotech in 2013, was accepted by the CJEU (T-177/13), although no decision on this matter has yet been taken.

Testbiotech is also challenging the decision of the EU Commission in another case. In 2015, the import of genetically engineered oilseed rape was allowed despite acknowledgement that spillage from transport can lead to the uncontrolled spread of transgenes in the environment. Now Testbiotech has filed a complaint with the EU Ombudsman.

In the EU Parliament there is growing dissatisfaction with the EU decision-making process in regard to genetically engineered plants. At the beginning of February, the EU Parliament adopted a resolution to stop new import authorisations for genetically engineered soybeans produced by Monsanto and Bayer.

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**Further information:** [The appeal filed by Testbiotech \(T-33/16\)](#) [2]

[Previous appeal filed by Testbiotech \(T-177/13\)](#) [3]

[Complaint sent to the EU Ombudsman regarding the import of genetically engineered oilseed rape](#)

[4]

[EU parliament resolution, February 2016](#) [5]

Attachment

Size



[PR legal case against the EU Commission.pdf](#)

63.85 KB

[6]

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### Links

[1] <mailto:info@testbiotech.org>

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[2] <http://www.testbiotech.org/node/1601>

[3] <http://www.testbiotech.de/node/772>

[4] <http://www.testbiotech.org/node/1602>

[5] <http://www.europarl.europa.eu/news/en/news-room/20160129IPR11955/MEPs-object-to-three-GM-soybean-authorisations>

[6] [https://www.testbiotech.org/sites/default/files/PR%20legal%20case%20against%20the%20EU%20Commission\\_0.pdf](https://www.testbiotech.org/sites/default/files/PR%20legal%20case%20against%20the%20EU%20Commission_0.pdf)