

## EU Court of Justice throws out legal action taken against the authorisation of genetically engineered soybeans

Crucial questions in risk assessment remain unresolved  
Thursday, 15 December 2016

Today, the Court of Justice of the EU (CJEU) ruled on legal action brought against the import of genetically engineered Monsanto Intacta soybeans (T-177/13). According to the ruling, these genetically engineered soybeans were risk assessed in accordance with EU regulations. The ruling means that the court has given a stamp of approval to European Food Safety Authority (EFSA) risk assessment and EU Commission decision-making.

It is the first time that the CJEU has had to rule on legal action filed by non-profit organisations against the import of genetically engineered plants. Testbiotech filed the legal action together with the European Network of Scientists for Social and Environmental Responsibility (ENSSER) and the German non-profit organisation Sambucus against the EU Commission in 2013. The opposing side was jointly supported by the European Food Safety Authority, EFSA, the UK government and Monsanto.

“There is no doubt that there are major gaps in EFSA risk assessment. For example, the interactions between residues from spraying with glyphosate and the insecticides expressed in the plants have not been investigated. Just recently, Testbiotech filed a scientific publication for peer review on the risks associated with these soybeans. We will continue to follow this issue despite the court ruling”, Christoph Then says for Testbiotech. “And we now will look carefully at the details of the written decision.”

“There are hardly any independent investigations and not sufficient data”, Angelika Hilbeck says for ENSSER. “Even most obvious risks are not investigated, for example, the combinatorial effects of toxic compounds present in these plants.”

“The EU Commission has to give much higher priority to the precautionary principle. They have to take their responsibility to protect human health and biodiversity,” Angela von Beesten from Sambucus demands. “Commercial interests in marketing these plants have too much influence on the process of authorisation.”

Each year, millions of tons of genetically engineered soybeans are imported into the EU, all containing residues from spraying with mixtures of herbicides that were never risked assessed in the EU.

The soybeans that the EUCJ ruled on are registered as MON87701 x MON89788 and are authorised for import into the EU for usage in food and feed. They are grown predominantly in Brazil and sold under the brand name Intacta. These plants have a specific combination of two genetically engineered traits: They express a so-called insecticidal Bt toxin and are resistant to the herbicide glyphosate, commonly known under trade names, such as Roundup. The combinatorial effects between the residues from spraying with glyphosate and the insecticide were not investigated. Further, there are indications that these soybeans pose risks to the immune system.

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