

## Import of genetically engineered oilseed rape: EU Ombudswoman criticises EU Commission for 'maladministration'

But EU Commission decision is not being questioned

4 January 2017 / The EU Ombudswoman has criticised the EU Commission in regard to procedural errors in the risk assessment of genetically engineered plants. The case was started after Testbiotech made a complaint regarding the import of viable oilseed rape kernels that could, due to spillage, lead to the uncontrolled spread of genetically engineered plants. The EU Commission had, in fact, taken far longer to deal with the complaint than the stipulated time frame. This has now been deemed 'maladministration' by the ombudswoman. Moreover, the ombudswoman has said "the Commission should (...) review its procedures for dealing with such reviews as well as the resources it requires in that regard. This review of procedures and resources should, in particular, take account of the fact that many such reviews will involve complex scientific assessments such as authorisations of products containing genetically modified organisms." Nevertheless, the decision made by the EU Commission to allow the import of the Monsanto rapeseed is not being called into question.

"We agree that the EU Commission should revise the current procedures. However, this revision should not only deal with formalities but also aim to significantly improve the discussion on the underlying scientific questions," says Christoph Then for Testbiotech. "For example, despite a lengthy process in the case of the oilseed rape, it is still unclear which measures are really adequate to prevent these plants from spreading."

Testbiotech has warned the EU Commission that in keeping to the given deadlines it should not neglect the real content of the questions even more. Currently, the EU Commission and the European Food Safety Authority EFSA treat reasoned concerns more often than not as simply legal formalities.

The most recent example of the insufficiency of current procedures is the debate around the risks of genetically engineered soybeans that are resistant to three herbicides. At present, the EU Commission allows any reasoned debate to come to nothing by insisting that the application of herbicide sprays must be assessed completely independently of the authorisation process.

Testbiotech is aware of the flaws in current procedures and has already initiated several complaints and even court cases. The problem: Conclusions on procedural questions such as keeping to the deadlines can easily be achieved. However, complex scientific issues often fall by the wayside.

Therefore, in a letter to the EU Commission, Testbiotech is now demanding that the relevant procedures are significantly improved in order to definitively clarify underlying scientific issues.

The EU Commission has further been invited to use an additional opportunity for in-depth discussions: The international research project RAGES, with the participation of Testbiotech, is evaluating the current risk assessment of genetically engineered plants. It will present its conclusions in 2018 and plans to invite the EU Commission as well as EFSA to discuss its findings.

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**Further information:** [The recommendation of the EU Ombudsman](#) [2]

[Testbiotech letter to the EU Commission in response to the findings of the EU Ombudsman](#) [3]

[New Testbiotech letter to the EU Commission regarding the risks of genetically engineered soybeans](#)

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[Testbiotech on risks of genetically engineered maize with doubled resistance to glyphosate](#) [5]

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