

## 'New GE' deregulated through the backdoor

EU Commission: Eggs from CRISPR/Cas hens will not be risk assessed or labelled

4 March 2022 / Eggs and laying hens originating from transgenic hens could be marketed in the EU without these having to undergo an approval process, and without being labelled. This is the conclusion that can be drawn from a letter sent by the EU Commission to the German Federal Office of Consumer Protection and Food Safety (BVL) in July 2021. The letter now was made public after a request from the German Union of Peasant Farmers (AbL).

AbL and Testbiotech have in response sent a joint letter to the EU Commission, in which they point out that marketing the eggs without risk assessment or labelling would constitute a breach of EU regulations. Together they are warning against a deregulation of the controversial CRISPR/Cas technology through the backdoor, as this would have serious consequences for consumers, food producers and retailers.

“The way in which the EU Commission is handling this case is a cause of deep concern: the published letter could be understood as allowing the direct marketing of laying hens and their eggs in the EU without these undergoing an approval process, and without labelling. The introduction of the eggs into the food market could go completely unnoticed,” says Annemarie Volling for the AbL. “The Commission would be completely invalidating the enforcement of GMO regulation and the precautionary principle. Were such a paradigm change happen, the Commission would also be seriously exceeding its competence.”

Researchers in Israel have used CRISPR/Cas to alter hens so that no male offspring are able to hatch. A deadly gene is passed on to any male offspring, this is intended to kill the male embryos in the egg before they hatch. At the same time, the female offspring will supposedly develop normally so that they can be used as laying hens for egg production.

A patent for the process and the resulting hens has already been filed, and could in due course be marketed in cooperation with a US company. The patent applicants claim that their technology is 100 percent safe and there are no transgenes in the genome of the laying hens. These statements seem to be sufficient for the EU Commission to exempt the laying hens and the eggs from the mandatory approval process and labelling. However, there is no legal basis for such a decision.

EU laws require that all organisms produced from genetic engineering (GE) processes must undergo an approval process; they also have to be traceable and labelled. Recent findings in basic research highlight how important it is to also apply these requirements to the offspring of GE animals: the findings provide evidence that if animals are engineered with CRISPR/Cas technology, their offspring may in turn suffer from unintended genetic changes associated with specific risks.

The attempts to deregulate the CRISPR/Cas-eggs is not an isolated case: despite several publications showing that new and specific risks are associated with CRISPR/Cas technology, the EU Commission still vehemently refutes these findings. While the Commission acknowledges that the processes of New GE can trigger unintended genetic changes, they also claim that there is no need to examine them. The case of the CRISPR/Cas laying hens seems to indicate that the unjustified position of the EU Commission is being driven by political considerations and interests in international trading, and thus causing deregulation of 'New GE' through the backdoor.

Contact:

Christoph Then, Tel +49 151 54638040, [info@testbiotech.org](mailto:info@testbiotech.org) [1]

Annemarie Volling, Tel + 49 160/96760146, [volling@abl-ev.de](mailto:volling@abl-ev.de) [2]

**Further information:** [The joint letter to the EU Commission](#) [3]

[The letter from the EU Commission to German BVL](#) [4]

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[The patent application on CRISPR/Cas chicken](#) [5]

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### Links

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

[2] <mailto:volling@abl-ev.de>

[3] <https://www.testbiotech.org/content/letter-to-eu-commission-no-deregulation-crisprcas-organisms-through-backdoor-2022>

[4] [https://www.abl-ev.de/fileadmin/Dokumente/AbL\\_ev/Neu\\_Themen/Gentechnikfrei/Schreiben\\_DG\\_S\\_ante\\_an\\_BVL\\_15.07.2021.pdf](https://www.abl-ev.de/fileadmin/Dokumente/AbL_ev/Neu_Themen/Gentechnikfrei/Schreiben_DG_S_ante_an_BVL_15.07.2021.pdf)

[5] <https://patentscope2.wipo.int/search/en/detail.jsf?docId=WO2020178822>

