

Testbiotech, Frohschammerstraße 14, 80807 München
To
Dr. Bernhard Url, Executive Director at EFSA
CC the Board of EFSA



7 May 2018

Open letter

Dear Dr. Url,

Publication drawn up with the involvement of experts from EFSA on gene flow from genetically engineered maize to teosinte, which has led to new questions in regard to EFSA independence.

New evidence of risks related to the import of viable herbicide-resistant oilseed rape kernels and their potential spillage

We would like to make you aware of a recent publication drawn up with the involvement of EFSA experts on gene flow from genetically engineered maize to teosinte – leading to new questions about EFSA independence. Devos et al. (2018) have attempted to dispel concerns about gene flow from transgenic maize to its wild relative teosinte growing in Spain. Their assumption is that the transgenes, once they have spread to teosinte, would only show the originally intended biological traits. They seem to consider the transgene to be a kind of inert 'BioBrick' that can be inserted or removed without its function being influenced by other genes or the environment. This is wrong. It is, for example, known that the enzyme EPSPS produced in the transgenic plants to make them resistant to glyphosate can confer increased biological fitness. Consequently, if there is gene flow from the plants into the natural populations, the offspring can spread their transgenic DNA more rapidly into the environment than before. This effect is solely dependent on the additionally inserted gene, and not on the application of glyphosate. The effect can be enhanced by specific stressors such as drought and heat (see also information below)..

This publication exemplifies a basic problem with current risk assessment as performed by the GMO panel: Currently, there are neither EFSA guidelines nor methods for making detailed assessments of the risks associated with genetically engineered plants emerging from unintended crossings and next generation effects. Current risk assessment of genetically engineered plants is mostly restricted to plants that are grown for just one season and are re-sown each year. Further, in the specific case, the probability of gene flow from maize to teosinte and the expression of transgenes in the hybrids was not investigated. The authors ignore the fact that potential teosinte × GM maize hybrids need to be seen as new transgenic plants that have never been tested for risks. Therefore, their spread into the environment absolutely cannot be allowed. It does not matter whether these plants grow in or outside the fields.

In this context, Testbiotech again would like to point out a general problem with EFSA independence since the article is based on close collaboration between EFSA and industry. The main author, Yann Devos works for EFSA; and a co-author, Alan Raybould, works for Syngenta, which wants to sell its genetically engineered seeds for cultivation in Spain. More experts from EFSA were involved in preparing the publication, including Elisabeth Waigmann, head of the GMO department at EFSA. The publication was presented at the “International Symposium on the Biosafety of Genetically Modified Organisms” conference in 2017. This conference was organised by the “International Society for Biosafety Research” (ISBR). There is hardly any information available regarding the funding of ISBR. The only information published is that its conferences are regularly sponsored by biotech corporations such as Monsanto, Bayer, Dow AgroSciences, DuPont and Syngenta as well as the international federation of the genetic engineering industry, CropLife International. Further, the ISBR Board consists mostly of experts working in the industry. In 2016, Yann Devos, at the time employed by EFSA, joined the board as program director. It is obvious that there are no effective restrictions in place to oversee close collaboration between EFSA staff and regulated industries e.g.

such as the recently published paper or the organisation of joint conferences.¹

We are, therefore, asking EFSA

- to develop sufficient guidance to protect their independence from being compromised by close cooperation with academics strongly allied with the interests of regulated industries
- to develop robust risk analysis to make sure that uncertainties and limits of knowledge are properly taken into account.

Furthermore, new evidence has emerged of risks related to the import of viable herbicide-resistant oilseed rape kernels and their potential spillage. We would like to draw your attention to a recent publication (Fang et al., 2018). This publication has led us to conclude that EFSA did not correctly assess the risks of spillage from transgenic oilseed rape, such as MON88302 that inherits the enzyme EPSPS.² As the EFSA opinion and their further written statements show, enhanced fitness was only considered where glyphosate was applied to the plants. Now Fang et al. (2018) have shown – based on their own experiments and previous findings – that the EPSPS enzyme can also confer enhanced fitness in a glyphosate-free environment.³

In the light of Fang et al. (2018) we request EFSA to reassess the risks of imports of viable kernels from genetically engineered oilseed rape.

We would very much appreciate receiving your observations and comments on points raised in this letter.

With kind regards



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Annex:

Fang et al (2018)

Devos et al (2018)

1 for more information see www.testbiotech.org/en/node/2196.

2 for more details see: www.testbiotech.org/sites/default/files/TBT%20comment_MON_88302_short_version.pdf

3 for further information see www.testbiotech.org/en/node/2184.