



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Food and feed safety, innovation  
Biotechnology

Brussels,  
SANTE/E3/ [REDACTED] sante.ddg2.e.3(2017) 6765996

Dear Dr. Then,

**Subject: Reply to your email: genetically engineered soybeans from Bayer and Dow with triple resistance to herbicides (background document second version)**

I am writing to you with regard to your email of 23 October 2017, addressed to Commissioner Andriukaitis, and the updated version of the background document related to the GM soybeans FG72 x A5547-127 and DAS-44406-6.

You have in the meantime also sent to me an email on 15 November inviting me to postpone the response to the above mentioned letter in view of further data which you will receive from EFSA concerning these two soybeans.

However, we had started examining the updated version of your background document and wish therefore to let you know our view.

We note that your analysis is based on the documents retrieved from EFSA and on literature searches. It would appear to us that the document you have submitted so far:

- 1) does not identify any data or evidence which would not have been considered by the EFSA GMO Panel during the respective assessments of the two soybeans applications;
- 2) refers to scientific publications that were submitted as part of the public consultations on the respective EFSA scientific opinions; they have been assessed by EFSA who already concluded that they do not contain any new scientific elements that would lead the EFSA GMO Panel to reconsider its opinions<sup>1</sup>;

---

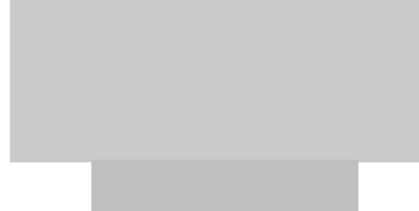
<sup>1</sup> Soybean DAS-44406-6:  
<http://registerofquestions.efsa.europa.eu/roqFrontend/questionLoader?question=EFSA-Q-2017-00402>  
and soybean FG72 x A5547-127:  
<http://registerofquestions.efsa.europa.eu/roqFrontend/questionLoader?question=EFSA-Q-2017-00439>

Dr. Christoph Then,  
Testbiotech  
E-mail: [christoph.then@testbiotech.org](mailto:christoph.then@testbiotech.org)

3) refers also to publications which relate to pesticides, falling outside the scope of the EU legislation on genetically modified food and feed.

On this basis, the analysis you have submitted does not justify your request not to proceed with the authorisation of these two GM soybeans.

Yours sincerely, /

A large rectangular grey box redacting the signature and name of the sender.

Cc:

,  (EFSA),  (DG SANTE)