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From:	General Secretariat of the Council
To:	Delegations
Subject:	Regulation on new genomic techniques (NGT) – comments from Slovenia

Delegations will find in annex submissions from delegations on the above subject, concerning comments put forward after the meeting of the Working Party on Genetic Resources and Innovation in Agriculture (Innovation in Agriculture) on 27-28 November 2023.

Slovenian comments on the topics discussed at the meeting of the Working Party on Genetic Resources and Innovation in Agriculture (Innovation in Agriculture) on 27-28 November 2023.**1. Comment on the labelling of NGT1 and NGT2 according to the position of the Republic of Slovenia:**

Based on the adopted position of the Republic of Slovenia regarding the proposal for the Regulation on NGT, it is crucial for the Republic of Slovenia to ensure traceability, detection and identification as well as labelling of NGT 1 and NGT 2 products.

Article 23 of the draft Regulation on NGT requires labelling of permitted NGT2 products (throughout the entire food chain from seed, food, feed and other products), which is also in accordance with the adopted position of the Republic of Slovenia. In the document (wk15960/2023INIT-Room document), PRE additionally proposes that all NGT2 properties of genetically modified organisms be listed on the product, which the Republic of Slovenia can also support based on the adopted position.

On the other hand, for NGT1 products in Article 10 of the proposal of the Regulation, only labelling of plant reproductive material including seed material is foreseen, which does not ensure traceability, detection and identification and labelling throughout the food chain of all NGT1 products (food, feed and other products) and does not foresee any risk assessment, as envisaged by the adopted Position of the Republic of Slovenia.

The proposal of the NGT1 Regulation not only requires the labelling of only seeds, but also does not foresee any risk assessment for the environment and human health as part of the verification process (Annex I). The verification, which only includes equivalence criteria (equivalence with plants obtained by conventional breeding) does not reflect the risk or safety of the NGT1 product. Therefore, an appropriate risk assessment, which is a central part of the approval procedures (also for other purposes, e.g. additives, novel foods, etc.) at the EU level, in addition to the equivalence criteria, would also be necessary for NGT1 products. NGT1 in this case could be part of the classification requirements. Labelling and traceability of NGT1 and NGT2 is required throughout the food chain.

Based on the adopted position on the proposal for the Regulation on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625, Republic of Slovenia expresses reservations in the case of NGT1 and requires the labelling and traceability of all NGT1 products throughout the food chain and not only seeds.

With regard to NGT2 labelling, the Republic of Slovenia insists on amending the article in such a way that, in the case of properties that have potentially certain negative impacts on the environment, the Member State has the option of determining additional conditions under which these plants can be grown, with the aim that these negative impacts reduce.

2. Comment on Organic Farming and Coexistence

In relation to organic farming, Republic of Slovenia remains adamant against the use of NGT plants of any category, citing insufficient information on their impact on human and animal health and biodiversity. The inclusion of NGT plants in organic farming is considered inconsistent with the principles of organic production. The proposal, in our opinion, does not sufficiently protect the interests of farmers and consumers. It is necessary to prevent excessive burdens and increased costs that may result from the use of new genetic techniques. An organic farmer will not have information about the cultivation of NGT in their vicinity and will not be able to prevent the presence of NGT in their crops. Considering the current proposal, implementing the "polluter pays" principle and coexistence, due to the characteristics of Slovenian agriculture (small farms with small areas), is not feasible.

3. Comments on the definition of NGT plant

The Republic of Slovenia opposes the change in the definition of NGT plants (deletion of the term "*genetically modified*"), as it has already emphasized, since the change significantly affects the meaning and interpretation of the concept of category 1 NGT plants. It could compromise and accept the latest amendment, which prohibits the trait of herbicide resistance in NGT1. The NGT 1 category is based on the assumption of equality and sustainability. The Republic of Slovenia believes that herbicide-resistant varieties do not contribute to sustainable agriculture. It also proposes the inclusion of other plants that carry changes for traits that are not sustainable. Due to such cases, the proposal must necessarily include criteria for determining the contribution to sustainable agriculture. Finally, the Republic of Slovenia adds that the ECJ judgment is clear in the sense that NGT organisms are genetically modified.