



## HOLDING STATEMENT EuropaBio, COCERAL and FEFAC

### European Ombudsman: Commission must follow statutory timelines on GM authorisations

**Brussels, 19 January 2016** – The biotechnology industry (EuropaBio), the grain traders (COCERAL) and the feed manufacturers (FEFAC) welcome the European Ombudsman’s decision on their complaint regarding the European Commission’s handling of authorisation applications for genetically modified (GM) food and feed for import and processing.

The European Ombudsman Emily O’Reilly decided that between 2012 and 2014 the Commission failed to meet the three months legally binding deadline for submitting draft decisions to the Standing Committee and to make its decisions within a reasonable time following the failure of the Appeal Committee to deliver an opinion.

EuropaBio, COCERAL and FEFAC are pleased that the Commission has started approving EFSA risk-assessed GM events for food and feed imports within reasonable time limits again and continue to call for a functioning, evidence-based EU policy on GMOs.

#### Notes to the editor

- [Decision](#) of the European Ombudsman on the European Commission’s handling of authorisation applications for genetically modified food and feed.
- **The European Ombudsman:** The [European Ombudsman](#) investigates complaints about maladministration in EU institutions and agencies.
- **The complaint:** EuropaBio, COCERAL and FEFAC jointly [filed a complaint](#) with the European Ombudsman on 12 September 2014, after having repeatedly raised their concerns with the European Commission concerning the unduly delayed authorisations for GM products and the resulting trade disruptions in the past. This complaint concerns delays caused at two stages of the authorisation process for GMO applications: (1) the stage at which the European Commission is bound by law to submit a draft implementing decision for vote to the Standing Committee on Plants, Animals, Food and Feed within 3 months of a positive safety assessment by EFSA, and (2) the stage when the Commission adopts the draft implementing decision after the Appeal Committee reaches no qualified majority during a vote.
- **Evidence of illegal and unreasonable delays:** The Commission acknowledged on several occasions its systematic failure to comply with the above-mentioned 3 month deadline. For products approved in 2015, this phase alone took over 16 months instead of 3 months as required by law. The Commission unilaterally caused a *de facto* moratorium from late 2013 to spring 2015 and [admitted](#) that “[i]f the result of the vote in the Appeal Committee is “No opinion”, the Commission is required by the GMO legal framework and by the Charter of Fundamental Rights to adopt a

*decision on the application.*” There are currently more than 40 GMO applications for the import of GM grain pending in the system.

ENDS

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**EuropaBio**, the European Association for Bioindustries, promotes an innovative and dynamic European biotechnology industry. EuropaBio and its members are committed to the socially responsible use of biotechnology to improve quality of life, to prevent, diagnose, treat and cure diseases, to improve the quality and quantity of food and feedstuffs and to move towards a biobased and zero-waste economy. EuropaBio represents 77 corporate and associate members and bio regions, and 16 national biotechnology associations in turn representing over 1800 biotech SMEs.

**COCERAL** is the European association of cereals, rice, feedstuffs oilseeds, olive oil, oils and fats and agrosupply trade. It represents the interest of the European collectors, traders, importers, exporters and port silo storekeepers of the above mentioned agricultural products. COCERAL's full members are 26 national associations in 18 countries [Austria, Belgium, Bulgaria, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Luxemburg, Poland, Romania, Slovenia, Spain, Sweden, the Netherlands and the UK] and 1 European association [Unistock] With about 2500 companies as part of COCERAL national members, the sector trades agricultural raw materials destined to the supply of the food and feed chains, as well as for technical and energy uses. COCERAL has two associated members in Switzerland and Serbia.

**FEFAC** is the European Compound Feed & Premix Manufacturers' Federation. FEFAC represents 24 national Associations in 23 EU Member States as well as Associations in Switzerland, Turkey, Serbia, Russia and Norway with observer/associate member status, and is the only independent spokesman of the European Compound Feed Industry at the level of the European Institutions. The European compound feed industry employs over 110,000 persons on app. 4,000 production sites often in rural areas, which offer few employment opportunities.