

Jerzy Bodgan, Director-General  
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European Commission  
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Secretariat of the Joint ENCA/EPA Network<sup>1</sup>  
Interest Group on Genetically Modified  
Organisms IG GMO  
c/o Federal Office for the Environment  
FOEN  
CH-3003 Bern  
Switzerland

06 November 2015

Dear Mr Jerzy Bodgan

There is growing evidence that herbicide-resistant genetically modified (HR GM) crops and their complementary herbicides lead to a further intensification of farming and to a mounting pressure on biodiversity. An increasing use of HR GM crops endangers internationally agreed policy goals to significantly reduce the loss of farmland biodiversity. To ensure a consistent EU policy framework towards biodiversity conservation, we kindly ask you to advocate the implementation of a comprehensive, meaningful, and scientifically sound environmental risk assessment (ERA) of HR GM crops.

As competent authorities and experts in risk assessment, we are involved in authorization procedures regarding the marketing of genetically modified organisms (GMO). Thus, it is our responsibility to critically evaluate the ERA submitted by applicants requesting marketing authorization and to address shortcomings of the ERA. According to the European biosafety framework, the ERA of HR GM crops should take into account the potential immediate or long term, indirect as well as cumulative effects on the environment and, when applicable, the hazards following changes in agricultural practices. The attached position paper, entitled "Impacts of Genetically Modified Herbicide-Resistant Plants on Biodiversity", features important and relevant agronomic and environmental issues with regard to the potential hazards of HR GM crops on biodiversity. It highlights scientific evidence regarding the adverse effects of the combined use of HR GM crops and their complementary herbicides and provides key messages. These should help competent authorities and experts in risk assessment to: i) critically evaluate the ERA, risk management and post market environmental monitoring (PMEM) of HR GM crops under the current regulation and ii) to integrate the documented evidence regarding direct and indirect negative effects into the ERA and risk management.

In addition, we would like to draw your attention to the currently discussed proposal to amend Annex II of the *Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms* with the aim to deal with the interplay between GMO regulation and plant protection products regulation. We plead for improving the ERA of GMOs, with emphasis on HR, by founding it on a case-by-case principle, taking into account a broad risk characterization, as allowed within the GMO legal framework. At present, the GMO regulation allows to consider also indirect effects of the use of the complementary herbicide. However, under the plant protection products regulation the assessment of effects on biodiversity is essentially restricted to assessment of the direct effects of herbicides, indirect effects due to changes in herbicide use patterns being thus neglected. In this context, the position paper provides a comprehensive basis for keeping the assessment of environmental risks due to changes in management practices of HR GM crops within the GMO regulation framework.

Agricultural intensification and pesticide use are among the main drivers of biodiversity loss. According to the key messages of our position paper along with the current data in countries adopting HR GM crops, where herbicide use was increased instead of reduced, we propose that the HR GM cropping

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<sup>1</sup> ENCA is an informal network representing the Heads of European Nature Conservation Agencies. The EPA Network is an informal grouping of Heads of Environment Protection Agencies from across Europe.

systems should be re-evaluated with regard to their sustainability, in order to prevent further adverse impacts on biodiversity in general.

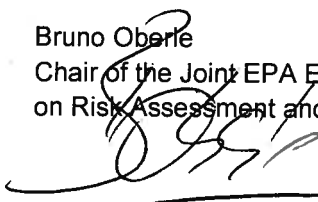
As the scientific knowledge for the assessment of environmental impacts of HR GM crops is still relatively scarce, the signatories urge to conduct further targeted research on long-term, additive and synergistic effects of HR GM crops and related weed management practices.

We are highly interested in discussing with representatives of your department on how our position could be integrated within the current authorisation process and implementation of the use of HR GM crops. We look forward to receiving a response from your side to our letter.

Yours sincerely

On behalf of the Joint ENCA EPA Interest Group on Risk Assessment and Monitoring of GMOs.

Bruno Oberle  
Chair of the Joint EPA ENCA Interest Group  
on Risk Assessment and Monitoring of GMOs



Director of the Federal Office for the Environment, Switzerland

**Following ENCA and EPA Network Member Agencies have endorsed the position paper:**

Environment Agency Austria (EAA)  
Finnish Environment Institute (SYKE)  
Parks & Wildlife Finland  
German Federal Agency for Nature Conservation (BfN)  
German Environment Agency (UBA)  
Institute for Environmental Protection and Research (ISPRA)  
Swiss Federal Office for the Environment (FOEN)

ENCA Network



Enclosures:

Position Paper "Impacts of Genetically Modified Herbicide-Resistant Plants on Biodiversity"

Further addressees:

- Ladislav Miko, Deputy Director-General, DG SANTE, Directorate-General health and food safety, 4 Rue Breydel or 101 Rue Froissart, 1049 Brussels, Belgium
- Bernhard Url, Executive Director, European Food Safety Authority (EFSA), Via Carlo Magno 1A, 43126 Parma, Italy

Copies to:

- Daniel Calleja Crespo, Director-General, DG Environment, European Commission, 1049 Brussels, Belgium
- Astrid Schomaker, Director, Directorate F "Strategy", DG Environment, European Commission, 1049 Brussels, Belgium
- Stefan Leiner, Acting Director, Directorate B "Natural Capital", DG Environment, European Commission, 1049 Brussels, Belgium

- Juliane Kleiner, Panel scientific evaluation of regulated Products, European Food Safety Authority (EFSA), Via Carlo Magno 1A, 43126 Parma, Italy
- José V. Tarazona, Unit Pesticides, European Food Safety Authority (EFSA), Via Carlo Magno 1A, 43126 Parma, Italy
- Elisabeth Waigmann, Unit GMO, European Food Safety Authority (EFSA), Via Carlo Magno 1A, 43126 Parma, Italy
- Amanda Gregory, ENCA secretariat, JNCC, Monkstone House, City Road, Peterborough, PE1 1JY, United Kingdom
- Diana Nissler EPA secretariat, Kongens Nytorv 6, 1050 Copenhagen K, Denmark