



BASF Plant Science Company GmbH · Carl-Bosch-Str. 38 · 67056 Ludwigshafen

European Food Safety Authority
Dr. Elisabeth Waigmann
Head of the GMO Unit
Via Carlo Magno, 1A

28th February 2013

I-43126 Parma
Italy

Re: Withdrawal of application EFSA-GMO-UK-2011-102

Dear Ms. Waigmann,

BASF Plant Science is hereby informing you of the withdrawal of application EFSA-GMO-UK-2011-102 for the Phytophthora resistant potato PH05-026-0048.

Please note that the application contains confidential business information and the relevant sections of the documents are labelled as confidential. BASF Plant Science would like to emphasize that confidentiality is maintained and none of the information declared as confidential shall be released to the public at any time.

Further, the application will be withdrawn at the stage of completeness check and has not been declared as valid by EFSA, nor has a public release version been submitted to EFSA. As the EFSA Submission Guidance, version July 2012, states *"In accordance with Regulation (EC) No 1049/2001 from the date of validity, EFSA will, on request, grant public access to the non-confidential parts of an application without prior consultation of the applicant"* BASF Plant Science is of the opinion that the submitted, not yet valid, version of application EFSA-GMO-UK-2011-102 shall not be released to the public.

Application EFSA-GMO-UK-2011-102 is withdrawn for business strategic reasons.

On 29 January 2013, BASF Plant Science announced to no longer pursue the regulatory approval for its genetically modified amylopectin starch potato products Amadea (AM04-1020) and Modena (AV43-6-G7) and its genetically modified late blight resistant potato Fortuna (PH05-026-0048).

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The Chemical Company

This decision follows the announcement made on 16 January 2012 to halt the commercialization of all plant biotechnology products that are targeted solely at cultivation in the European Union (EU) market, but to continue the regulatory approval processes for the above-mentioned potato products to keep future strategic business options open. BASF Plant Science cannot justify continued investment in these products due to uncertainty in the regulatory environment as well as the continued possibility of field destructions. BASF Plant Science no longer sees opportunities for a successful commercialization of genetically modified plants for cultivation in the EU in the medium term.

Please do not hesitate to contact us, should you have any questions.

Yours sincerely,

Cc (email): K. Lheureux (EFSA)