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The scientific lobby joins the trilogue on the deregulation of GMOs/NGTs

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As the European Union attempts to move forward with its trilogue on the deregulation of plant GMOs derived from new techniques (NGT), the French Association for Plant Biotechnology (AFBV) and its German counterpart (WGG) are stepping up to the plate. In a joint statement, they highlight the disagreements between the European Parliament and the Council, while arguing, on the basis of what they claim to be "*scientific*" arguments, for the deregulation of these GMOs, to the benefit of the biotech sector.



On 4 July, the French Association for Plant Biotechnology (or AFBV for *Association Française des Biotechnologies Végétales*) and the Scientific Circle *for* Genomics and Genetic Engineering (or WGG for *Wissenschaftskreis Genomik und Gentechnik)* jointly published a note[i] presenting their analysis and the main points of divergence between the positions of the European Parliament and the Council of the European Union on the regulation of GMOs derived from NGT. In this technical document, these two associations, which bring together people convinced of the benefits of plant biotechnology (including scientists linked to industry[ii]), defend an agricultural model centred on biotechnology and the industrial interests that go with it. This sectoral position on NGTs relegates the precautionary principle, food sovereignty and transparency to the background.

Four outstanding issues in the triloguekast

The AFBV and the WGG base their position on an information note published on 13 June 2025 by Poland, whose Presidency of the Council of the European Union ended on 30 June[iii], which identified four outstanding issues in the trilogue. It should be noted that the trilogue is taking place even though the Council has not yet finalised its position at first reading, although it has already given the Presidency a mandate to negotiate. We reproduce here the AFBV and WGG's presentation of the Polish Presidency's note, as well as the recommendations of the two associations.

Regarding the conditions for obtaining "*NGT1*" status – a status for GMOs presented as similar to non-genetically modified organisms or derived from so-called "*conventional breeding*" – this opens the way for marketing authorisation without risk assessment, without labelling (beyond the marketing of seeds and plants), without traceability, without the obligation to present the means to detect and identify them, and without post-marketing monitoring. The AFBV and WGG argue that Parliament wants to reserve the "*NGT1*" status for plants with "*sustainable*" traits and exclude herbicide tolerance, while the Council favours a broader approach based on the "*principle of equivalence*". It thus declares GM plants whose genetic modifications meet supposedly strict but in fact very permissive criteria to be equivalent, with the sole exclusion of herbicide tolerance. The AFBV and the WGG are calling for an "*acceptable compromise*", which consists of incorporating the sustainability assessment into other texts concerning varieties, in this case the proposal for a regulation on plant reproductive material (PRM)[iv], or "*seed regulation*"[v], currently under discussion. A proposal by the AFBV would allow this debate to be dropped without ensuring that it takes place in other texts.

On the traceability and labelling of products derived from NGT1, the two associations reiterate the Parliament's request to label all such products up to the consumer, whereas the Council's request is limited to plant reproductive material genetically modified by these techniques. The AFBV and the WGG support the Council's version, arguing – on the basis of semantic confusion dressed up in scientific language, as in the European Commission's case – that genetic modifications generated by NGT1 cannot be distinguished from natural mutations and should therefore not be subject to specific labelling.

Third outstanding issue: the derogation ("*opt-out*" or "*safeguard clause*") allowing Member States to refuse the cultivation on their territory of plants derived from NGT2 authorised at European level. The Council wants to maintain this national "*opt-out*" option, while the Parliament wants to repeal it while giving Member States responsibility for coexistence. The AFBV and the WGG support the Parliament's position, arguing that this option to refuse makes the use of NGTs "*unpredictable, therefore discouraging their development and use*".

Finally, with regard to measures to "*address the impact of patents on NGT plants*", a major point of disagreement between the European institutions, the Parliament proposes to exclude all plants genetically modified by NGT from patentability. The Council prefers to encourage transparency and promote "*equitable"* licensing. Unsurprisingly, the AFBV and the WGG strongly defend patent protection, which they consider essential for start-ups in the sector.

The specific issue of equivalence criteria

In the second part of their note, the AFBV and the WGG compare the amendments proposed by the Council and the European Parliament to the Annex to the Commission's proposal on the criteria for regulatory equivalence of plants genetically modified by NGT1 with plants obtained by "*conventional breeding*".

Both associations support the Council's position to maintain the criterion of fewer than 20 genetic modifications by adding the words "*per monoploid genome*" (one copy of each chromosome) *to "take useful account of the need for flexibility for polyploid plants*". Like the European Food Safety Authority (EFSA)[vi], they consider this position to be scientifically justified. With this proposal, the AFBV and the WGG propose to mathematically increase the number of genetic modifications, paving the way for "*NGT1*" status. The "*twenty*" modifications proposed by the European Commission concern, in fact, each genetically modified plant. In the case of wheat, whose genome contains six different sets of chromosomes, the AFBV and WGG proposal would therefore mean considering 20*6 modifications, or 120 genetic modifications, potentially all different. In addition, the Commission has already proposed to take into account only certain categories of genetic modifications and to ignore all others[vii].

The two associations also argue for a reformulation of these criteria to avoid an overly rigid separation between targeted mutagenesis and cisgenesis techniques, claiming that this could lead to confusion, and for the abandonment of the consideration of endogenous gene disruption. The proposed amendments aim to further broaden access to "*NGT1*" status so as to cover – under the guise of a complex scientific explanation – the lack of technical control by companies. The AFBV and WGG also defend the retention of the Parliament's definition of "*chimeric proteins*", proteins encoded by the fusion of two or more genes or parts of genes that originally encoded distinct proteins. These would only be authorised if they already exist in a species in the breeders' genetic pool[viii].

Ideological orientations and lobbying

Although intended to be constructive, this technical note from the AFBV and WGG remains marked by ideological bias. Under the guise of scientific discourse, the recommendations of the AFBV and WGG are in fact lobbying objectives. The clear support of these two associations for the proposals of the Parliament or the Council in favour of deregulating GMOs/NGTs demonstrates their unconditional support for these techniques.

The AFVB and WGG's recommendations to deregulate GMOs/NGTs are based on scientific arguments for which they themselves have established the criteria. However, this choice puts them at odds with certain opinions of official institutions in their respective countries. In fact, in both France and Germany, reports have highlighted the risks and shortcomings of such deregulation of GMOs/NGTs: the March 2024 report by ANSES (the French Agency for Food, Environmental and Occupational Health & Safety) calling for appropriate regulation of NGTs[ix], and the April 2025 report by the German government on the compatibility of this deregulation proposal with the Cartagena Protocol on Biosafety[x].

In one of the main points of their note, the AFBV and WGG argue that plants genetically modified by NGT1 would not be GMOs, as their modifications are, in their view, similar to those that can occur naturally. However, the German government report, which itself supports the development of NGTs, concluded in 2024 that the proposed European regulation was incompatible with the Cartagena Protocol on Biosafety (which the European Union has nevertheless ratified). This international convention requires a risk assessment for all living modified organisms (LMOs), regardless of the technique used, including NGT. The AFBV already stated in December 2024 that GMOs/NGT1 should not be considered LMOs under the Cartagena Protocol[xi].

The AFBV and WGG present themselves as scientific collectives, and are therefore, in theory, independent, neutral and objective. However, as mentioned above, their commitments show that they have focused their discourse on defending agricultural biotechnologies, particularly transgenic ones. The WGG had nevertheless retained the term "*green genetic engineering*" in its name until 2022. They have thus consistently supported an approach favourable to the industry, which is now seeking to deregulate GMOs/NGTs, privatise them through patents and restrict access to plant traits for small and medium-sized farmers and seed producers.

The Franco-German note from the AFBV and the WGG sheds light on the technical issues at stake in the ongoing discussions on the regulation of GMOs/NGTs. However, it mainly sets out a sectoral position supported by actors in favour of agriculture based on technical developments that are incompatible with organic farming, which is mentioned only once in relation to the labelling of NGTs1: "*We agree with the Polish Presidency and the Commission that labelling plant reproductive material is an adequate and sufficient measure to address the concerns of the* organic *sector*". Yet another opportunity to reinforce the misleading idea that GMOs/NGT1 are "*close to nature*" products.

By advocating permissive criteria and minimal or even no regulation of GMOs/NGT1, the AFBV and WGG are relegating to the background – unsurprisingly but bluntly, and backed by the scientific credibility they have granted themselves – the principles of precaution, food sovereignty, transparency and easy access to genetic resources, which are fundamental to a fair and protective European Union for all.

i AFBV and WGG, "Update on Trilogue discussions on the regulatory proposal of the European Commission on New Genomic Techniques ("NGTs") », 4 July 2025.

ii The AFBV's board of directors and scientific committee include individuals who have held senior positions at Syngenta, Calyxt and Limagrain. Its new president is Thierry Langin, director of research at the CNRS in Clermont-Ferrand. The WGG is a member of VBIO, the "*umbrella organisation for life sciences in Germany*" and representative of the interests of biotech and agro-industry companies, such as Bayer Crop Science, which is a member.

iii Council of the European Union, Information note from the Polish Presidency, "Regulation on plants obtained by certain new genomic techniques and their food and feed products – state of play", 13 June 2025.

iv The term "*PRM*" covers all material used for the reproduction or multiplication of plants (agricultural crops, vegetables, vines and fruit plants).

v Denis Meshaka, "EU – 'Seeds': the other proposal in the legislative package", *Inf'OGM*, 22 September 2023.

vi Eric Meunier, "French Anses experts : GMO deregulation has “*no scientific basis*” ", *Inf'OGM*, 16 January 2024.

vii Eric Meunier, "Scientific manipulation a basis of the future GMOs/NGT law?", *Inf'OGM*, 29 November 2023.

viii Eric Meunier, "The breeders' gene pool: a semantic trap?", *Inf'OGM*, 15 January 2024.

ix Eric Meunier, "French Anses experts : GMO deregulation has “*no scientific basis*” ", *Inf'OGM*, 16 January 2024.

x Silja Vöneky, Constantin Born, Laura Tribess and Silke Weller, "Compatibility of the EU proposal for a regulation on plants based on certain new genomic techniques with the Cartagena Protocol on Biosafety", April 2025.

xi AFBV, "Update on ongoing discussions on the regulatory proposal of the European Commission on New Genomic Techniques ("*NGTs*") : recommendations to reach the Trilogue", 20 December 2024.

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