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Cornerstone of French and European law, the precautionary principle under attack by the FNSEA

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The FNSEA (French National Federation of Farmers' Unions) recently called for the "*precautionary* principle" to be replaced by an "*innovation principle*". Behind this political and semantic offensive lies a challenge to the risk management framework enshrined in the French constitution. Whilst the European Commission says it intends to propose *an "innovation regulation*" before the end of the year, this demand from the FNSEA echoes the ongoing process of deregulating GMOs derived from new genetic modification techniques (NGTs). By seeking to abolish their assessment, traceability and mandatory labelling, Europe too is disregarding the precautionary principle, which it nevertheless enshrined in the Maastricht Treaty.



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“*At the FNSEA, we recognise the need to reopen the debate on the precautionary principle, to abolish it and replace it with a principle of innovation*”. It was in these terms that Arnaud Rousseau, president of France’s leading farmers’ union, spoke on 2 April at the 80th congress of the FNSEA (National Federation of Farmers’ Unions). The union is thus no longer merely calling for a dismantling of regulations, but for a genuine change in doctrine. With the French presidential election approaching, the union is calling for “*constitutional reform*”, as the precautionary principle is enshrined in the Charter for the environment, which has been incorporated into the Constitution since 2005[i].

Rhetoric borrowed from the industrial lobby

In 2019, the FNSEA and the JA (Young Farmers) were already calling for “*better regulation of the precautionary principle*”, which they described as a “*principle of inaction*”[ii]. Today, by promoting the “*principle of innovation*” at the expense of the “*precautionary principle*”, the FNSEA is echoing the rhetoric of certain European industrial lobbies, such as those representing the tobacco, oil and agrochemical industries (including Bayer and BASF)[iii]. To justify its call for accelerated agricultural innovation, the agrochemical industry repeatedly invokes arguments such as the "*response to climate change*" and "*enhancing competitiveness*". It also calls for a reduction in regulatory "*constraints*", in full alignment with the FNSEA’s demands.

The principle of innovation is based on a logic that runs counter to that of the precautionary principle. The latter, enshrined in the French Constitution and the Maastricht Treaty, *“aims to enable decision-makers to take protective measures when scientific evidence regarding a risk to the environment or human health is uncertain and the stakes are high*”[iv]. Thus, European Directive 2001/18 on the deliberate release of GMOs into the environment[v] is based on the precautionary principle and sets as its objective the “*protection of human health and the environment*”, notably through prior assessment, traceability and the labelling of GMOs within the European Union.

The principle of innovation, promoted for several years by industry and recently highlighted by the European Commission[vi], argues, on the contrary, that regulations must not hinder the development of new technologies, such as NGTs or other biotechnologies. However, unlike the precautionary principle, it does not have the same legal status: it is enshrined neither in the European treaties nor in the French Constitution.

Behind the opposition between the precautionary principle and the principle of innovation lies a political and industrial offensive, supported at European level by the Commission, aimed at prioritising technological development at the expense of risk prevention, despite the latter being enshrined in fundamental texts.

Supporting GMOs in defiance of risk

Directive 2001/18 states in its Recital 17 that it "*should not apply to organisms obtained through certain techniques of genetic modification which have conventionally been used in a number of applications and have a long safety record*". However, new genetic modification techniques, such as CRISPR/Cas9, only emerged from 2012 onwards, *i.e.* well after the adoption of the European legislation in 2001. They therefore have no track record of use that would allow for the establishment of a “*long safety record”* within the meaning of the directive. Despite this lack of historical data, the European Commission is now proposing to remove GMOs/NGTs from the regulatory framework that has been in place since 2001. Their deregulation would therefore constitute a major contradiction with the very spirit of the directive and the European treaties.

By seeking to abolish the precautionary principle, the FNSEA believes that there is no need to take into account the scientific uncertainties surrounding certain technologies. For the French union, the key is to champion innovation, including NGTs. This implies, *via* the text currently under discussion, that these techniques are exempt from the prior risk assessment, traceability and labelling requirements imposed on other GMOs by Directive 2001/18. The FNSEA is therefore among those who believe that genetically modified plants, derived from techniques too recent to have sufficient hindsight, can be grown in fields and end up on our plates without risk assessment, and without the possibility of identification for consumers, farmers, smallholders or GMO-free supply chains. This development, which advocates of deregulation justify in the name of innovation - a contemporary version of "*Progress*" - is viewed by its opponents as a disregard for the precautionary principle and a gradual dismantling of Directive 2001/18.

A broader trend

Behind the FNSEA's request lies a broader strategy, which has been pursued for several years in Brussels and Strasbourg by the major European agricultural, industrial and seed lobbies. Like Copa-Cogeca, Euroseeds[vii] or CropLife Europe[viii], these players advocate for the relaxation, or even the dismantling, of regulations governing biotechnology in the name of the *"principle of innovation*" and competitiveness. For several years, these organisations have been criticising a European regulatory framework that they consider too burdensome for their commercial activities, particularly in the fields of GMOs and pesticides… Their objective is clear: to shift European regulation towards an approach focused more on technological innovation and its economic opportunities than on the prevention of health or environmental risks.

This Europe-wide offensive directly targets the precautionary principle, which they deem "*irrelevant* ". Proponents of NGTs argue that these "*genome editing*" techniques, *"close to what occurs naturally*", should be treated as conventional breeding methods. Conversely, their opponents (notably citizens', environmental and farmers' organisations) point out that such exemptions do exist, but only for techniques that are "*traditionally used*" and whose safety has been "*proven for a long time*", as justified by the precautionary principle.

The European Commission has already decided to open this debate with a public consultation held in 2025 on "*the Innovation Principle*" with a view to a potential legislative text giving it substance. According to the Commission, "*this European Innovation Act should improve the horizontal framework conditions in the EU to accelerate the commercialisation, uptake and diffusion of innovations*"[ix]…

By calling for the precautionary principle to be replaced by a principle of innovation, the FNSEA is undermining a constitutional pillar, downplaying the risks associated with GMOs and actively contributing to the drive for the deregulation of these technologies. One of the consequences will be the arrival on our plates of patented genetically modified plants without full assessment, traceability or labelling – and therefore invisible. This idea of substituting a principle that protects living organisms with uncontrolled innovations is, to say the least, deeply worrying. This gradual replacement, which is also reflected in the EU's priorities, is evidence of intense industrial lobbying aimed at excluding all socio-ethical and environmental considerations from scientific assessment.

i French Republic, "Constitutional Law No. 2005-205 of 1 March 2005 on the Charter for the environmenta", *JORF*, No. 0051, p. 3697, 2 March 2005.

ii FNSEA and JA, « Décision du Tribunal Administratif de Lyon – JA+FNSEA appellent à un meilleur encadrement du principe de précaution », 21 January 2019.

[iii] Corporate Europe Observatory, "The 'innovation principle' trap – Industries behind risky products push for backdoor to bypass EU safety rules", 5 December 2018.

[iv] European Parliament, European Parliament Research Service, Didier Bourguignon, "The precautionary principle – Definitions, applications and governance", December 2015.

[v] European Union, "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 and repealing Council Directive 90/220/EEC", *Official Journal of the European Union*, No L 106, p. 1, 17 April 2001.

[vi] Denis Meshaka, "Biotech Act : precaution sacrificed in the name of innovation?", *Inf'OGM*, 25 February 2026.

[vii] Copa-Cogeca and Euroseeds, "Subject: Support for a science-based and innovation-friendly framework for New Genomic Techniques (NGTs) plants", 10 December 2025.

[viii] CropLife Europe, "CropLife Europe's Position Paper on the use of New Genomic Techniques in plants", 30 August 2021.

[ix] European Commission, "Public consultation, Research and Innovation", 21 November 2025

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