

## GMOs: the corporate communication department to the rescue

### Description

Between December 2021 and July 2022, the European Commission met with the seed and biotech industries to discuss the proposed deregulation of many GMOs. Documents from the European Commission obtained by the European Corporate Observatory (CEO), which Inf'OGM was able to read, shed light on the legislative intentions of this body. They also show that the Commission has advised companies to communicate in order to get support for a new framework for GMOs and the “new GMOs” themselves.

This [european] Commission is in favour of innovation and the development and use of New genomic breeding technologies as a means to support the shift to a more sustainable agricultural production ». This is how the European Commission's Directorate General for Agriculture (DG Agri) planned to start a meeting on July 27, 2022 with Euroseeds, an organization representing the seed industry.

### A framework for a “sustainable” food system

The Green deal and the Farm to fork strategy [1] underline the European Commission's intention to legislate for a “sustainable” agriculture. The Commission explained to Euroseeds its intention to propose a European framework directive for a sustainable food system. Such a framework directive would aim to lay down the general principles of sustainability with the objective of integrating this sustainability into policies related to food and agriculture. For example, an ongoing legal initiative on plant and tree breeding material will specify “*sustainable*” characteristics of varieties that allow “*more efficient use of water or resistance to plant pests*”.

The link between “future legislation on new genomic techniques” (NTG) and seed legislation is not yet defined according to DG Agri, but could exist. DG Agri explained to Euroseeds that, regarding commercial authorizations or registrations of varieties, a two-step approach is likely. Thus, “*once [genetically modified] traits have been authorised by the possible new legislation, the [seed] legislation will examine and register varieties in which such traits are incorporated*”. The European Commission's DG Health has already communicated its intention to add a sustainability criterion both to the assessment for deciding whether or not a new GMO should be regulated and to the assessment for the registration of new varieties in the Official Catalogue. This concept has already been included in the European legislation on the “*sustainable use of pesticides*” since 2009, which has not led to any reduction in their use. Moreover, DG Agri received Corteva in April 2022 [2] and invited it to “*engage with Commission's services (DG SANTE mostly) and the EU legislator on the revision of the sustainable pesticides directive and the revision of the GMO legal framework*”. We therefore learn that the Commission has also in its plans for 2023 to modify this legislation on the use of pesticides, in package with seeds and GMOs.

In short, the European Commission's objective is clearly aligned with the demands of the industry. In another interview with Bayer, she summarized that “*our legal framework must make sure that suitable NGT varieties – which are not GMOs – once available will be grown in Europe*”.

## Promises as criteria for sustainability?

Very few of these “new GMOs” are present on the global market today, and few are in the final stages of development, ready to be commercialized. However, they are the subject of numerous patents. Why should these new GMOs be “sustainable”? For the European Commission, the promises made by the companies are being taken up. The new plants announced would be “*more resistant to diseases, environmental conditions and the effects of climate change*”. But the sustainability of these GMOs is also linked to the fact that they “*may also require less agricultural inputs like pesticides*”. This is an old promise, already made with transgenic GMOs, which has never been confirmed in the reality of the fields, but which opens the way to assume that insecticide or herbicide-tolerant GMOs could be considered as “sustainable”.

## Corporate communication departments mobilized

Announced for the second quarter of 2023, the European Commission’s legislative proposal for GMOs obtained through directed mutagenesis or cisgenesis will be discussed. Acknowledging that this is “*a very sensitive issue*”, the European Commission believes that “*communication will be key to make any possible proposal acceptable*”. DG Agri has therefore told Euroseeds that “*Industry has a key role to play in communicating that the two technologies of focus (targeted mutagenesis and cisgenesis) bring benefits for the society*”. For DG Agri, the role that Euroseeds can play in educating the public about the new techniques is also important. It believes that some themes should be highlighted: the accessibility of these techniques to all companies, large or small; their usefulness for many crops and not only corn, soybeans, rapeseed ...; the acceptability of modified seeds that should not be hindered by industrial property ... DG Agri also tells Euroseeds that “*Linking [new techniques] to food security is not helpful. This was done with GMOs in the past and ultimately the promises made were counterproductive*”. For DG Agri, “*it is important not to promise more than what the technology can deliver*”.

BASF received the same request as Euroseeds. DG Agri explained to the company that “*the Commission today would be much more open to NBTs than in earlier times, provided some conditions related to human and environmental health are met. Social acceptability is very important. Big companies as BASF [...] need to explain advantages to the public*”.

## Same companies, same promises, same “threats

The documents analyzed by Inf'OGM show that the communication departments of these companies and the organizations that represent them are ready to help the Commission to try to obtain the acceptability of the new GMOs by the public through communication and advertising. Among their arguments, there are the same promises as in the 90s and 2000s for transgenic GMOs, adapted to the current international context. But also the same threats.

In May 2022, Bayer explained to the European Commission that the global food system is currently under “*unprecedented and incommensurable pressures*”. But, Bayer insists, the war in Ukraine and its consequences should not overshadow “*efforts for climate protection and biodiversity*”. As a supplier of corn, soybean and wheat seeds, Bayer believes it bears “*a great responsibility that goes beyond the business world*”. Bayer therefore explained to DG Agri that it is “*making every effort to live up to our responsibility to help produce greater yields with fewer inputs [and] secure food supplies in a world with a population growing towards 10 billion people affected by conflict, climate change, COVID-19, and*

*rising costs*". But Bayer, in order to fulfill this role as savior of humanity, stresses that this *"will not be achievable without innovations such as genome editing, digitalisation, and bio-fertilisers"*.

A month earlier, during a meeting with DG Agri in April 2022, Corteva was just as subtle in calling for the deregulation of GMOs. It stated that the use of new genetic modification techniques *"is currently blocked by the European Union"* and that the industries are *"looking for a positive signal from the EU (as well as guidance) on the future legislation in order to start investing"*. These new techniques, according to Corteva, *"could benefit the organic sector as well"* (see box). They *"could have a role to play in food security"* since they are needed to *"unlock genetic progress, they are useable on large arable crops as well as smaller crops such as flax, potatoes, sugar beet, etc."*. In terms of communication, the company finally explained to DG Agri that it was *"trying to reach out the sceptics (« yes but » people) to address the concerns"*.

In the end, Euroseeds and BASF were the most forthright about the negative consequences that they believe a regulatory framework for products obtained by these new techniques as GMOs could have. Euroseeds imagines that *"companies may leave Europe if the direction taken in Europe for NGT is not the same as in other parts of the world"*. BASF, for its part, explains that *"a regulation as GMOs would severely increase development and authorisation costs in comparison with a non-regulation. [...] and] may provoke a drop of investment"*. BASF's demand is simple: *"products that are identical but have been developed with different breeding methods (NGTs or conventional) should be regulated the same way"*. This demand is reflected in the European Commission's scenarios published this fall [3].

### Focusing on organic farming

Corteva claims that new genetic modification techniques *"could benefit the organic sector as well"*. The specifications for organic farming currently exclude the use of GMOs, but this does not seem to be a problem for the company. Or perhaps the future proposal for legislation from the European Commission will resolve this contradiction? This remains a possible hypothesis since, in July 2022, DG Agri addressed the problem of coexistence between NTG crops and organic crops by recalling that *"The current organic legislation is very clear. GMOs are not authorised in organic production"*, but *"concerning the future framework [...], this is still open"*. For DG Agri, the problem of coexistence between organic farming and farming using new GMOs will *"will largely depend on the new legal framework (will we have specific labelling rules? Etc.) but also on the acceptance of NGT seeds by society"*.

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