



Kerry Earth Education Project

Oideachas ón Dúlra

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Dr. Barry O'Reilly, Secretary
Dept. of Agriculture
National Crop Variety Testing Centre
Backweston, Leixlip, Co. Kildare

18-12-2004

Barry, a chara

We are a practical environmental education group based in Tralee Co. Kerry. We are working with 5-8 projects which involve creating organic gardens. Most of these projects involve children & adults growing & eating organically grown food.

We are very concerned about the serious implications of the release of genetically modified crops & plants & animal feeds on to the Irish market & into Irish soil. We do not believe that the co-existence of GM crops & non-GM crops is possible, without cross-contamination occurring.

Please find attached a submission on behalf of our project, outlining the reasons we believe that there are too many unknowns in releasing seeds to be grown in a scientific 'co-existence' manner. We believe that this is a serious risk that will be taken, with unknown consequences to humans, our food & wild flora & fauna.

Sinne le meas

Niamh Ní Dhúill (project co-ordinator)

Ian McGrigor (project secretary)

Colin Shanahan (project worker)

Eileen Carroll (resident artist)

The G.M. Debate- 10 Points of Concern

According to David Byrne (outgoing EU Health & Consumer Affairs) 'any member state may object to the marketing on their territory of any such GM variety if they consider there is a risk for human health, the environment or agronomic reasons.

Points:

1. The technology is unsafe & consequences unknown, as there is the real possibility of unstable horizontal gene transfer between species
2. It is controlled by multinational corporations - it is well known that the beneficiaries of this technology are the bio-technology companies, who also make the pesticide sprays for the crops, etc.
3. It reduces independence of family farms
 - Loss of right to save & plant own seed
 - Organic licences & certification will be lost
4. It runs counter to Agro-ecological farming
 - Contamination of organic & conventional crops & animal feeds alike
 - Permanent damage as we cannot recall GM genes that pass into the wild
5. It will mean Bio diversity loss
 - This loss will be irreversible
 - Loss of heritage seeds & plants
6. It presents a Wild life threat; cross pollination and super weeds will result.
7. No farmers want it
 - Reduces value of food exports
 - IFA, Irish Cattle & Sheep Farmers Assoc are amongst those opposed to release of GM seeds

8. No consumers want it
 - Strong opposition in Europe - 80% consumers are demanding GM free food & meat
 - What about consumer choice? - labelling is not satisfactory as there can be hidden GM ingredients below the threshold of mandatory labelling
9. Chefs do not want to use GM food in their restaurants - a large number of prominent chefs have opposed the introduction of GM crops, the slow food movement, etc.
10. It is not sustainable and is fertiliser dependant - this cycle is very damaging to the environment & human health
11. Labelling
 - Is not sufficient
 - Can be confusing to consumers
12. Lack of insurance
 - Refusal by insurance companies to cover disaster risks
13. Tourism implications
 - Ireland's 'clean green image' will be lost permanently
 - Ireland could make a great selling point abroad that it is a GM free zone
14. Education
 - Lack of awareness & educational campaign to show both sides of the argument
15. Public not consulted - no referenda
 - Loss of right to choose GM free food
 - No guarantee that other conventional & organic food is GM free

Please consider these enormous facts & the enormous implications of releasing any more GM seeds, plants or animal feeds on to the Irish market. More time is needed to consider the massive environmental, human, health, agricultural & economic issues directly related to this urgent issue.

Sinne le meas

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November 12th 2004

Dr Barry O'Reilly
Secretary
Department of Agriculture & Food
National Crop Variety Testing Centre
Backweston
Leixlip
CO KILDARE

Re: Co-existence of GM crops with conventional and organic farming

Dear Dr O'Reilly

I refer to your letter dated October 18th 2004 in which you requested the Organic Trust position on the above issue. In this regard, our organisation supports the **IFOAM** position regarding co-existence (IFOAM - The International Federation of Organic Agriculture Movements) and I attach a copy of the relevant document for consideration by the Working Group.

Thank you for seeking our views on this very important issue.

Yours sincerely

Helen Scully
NATIONAL CO-ORDINATOR

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IFOAM EU Group

International Federation of Organic Agriculture Movements - EU Regional Group

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Co-existence between GM and non-GM crops Necessary anti-contamination and liability measures

Position paper • October 2003

The IFOAM EU Group remains opposed to the introduction of genetically modified crops in Europe. We do not believe that genetically modified crops offer any substantial benefits for society, the environment or the economic prosperity of EU agriculture. We also view this technology as inherently risky, because it is based on the reductionist scientific principles that have been shown to be flawed and are increasingly discredited.

We also do not believe that contamination from growing and handling of GM crops can be avoided in practice. The only true guarantee for avoiding GM contamination is not to allow GM crops at all.

Our opposition to GM crops is shared by the entire organic agriculture movement throughout the world. For more detail on our common standpoints, please see the recent IFOAM World Board position paper on genetic engineering and genetically modified organisms

In this paper we will mainly address the current proposals to start authorising commercial GM planting in the EU, and in particular the problems this would cause for organic and other non-GM farmers.

Principles

Industry, the European Commission and several European governments now claim that sufficient regulation is in place to start authorising commercial planting, but they have not shown how contamination of non-GM food and farms can be reliably prevented. The overwhelming majority of farmers and consumers, who do not want those crops, must retain the right to continue to grow and eat uncontaminated nonGM crops and not in any way have to share the risks & costs of its introduction.

¹ Available at http://www.ifoam.org/pospap/ge_position_0205.html

Any GM crop authorisation must be considered within the wider framework of European policy and in particular those policies relating to the promotion of sustainable agriculture, protection of the environment and the health of the population. We cannot see how the introduction of GM crops will advance any of these policies. On the contrary, it may pose a considerable hindrance to achieving their objectives.

There are two principles enshrined in European law that must be applied to the consideration of commercialisation of GM crops:

1. The precautionary principle requires the EU to consider not only the information that it has on the risks involved in commercialisation but also the absence of information and the potential consequences of proceeding where the implications are uncertain or unknown. In the case of GM technology we believe there is sufficient doubt, about the consequences of the release of these products on the environment in general and human health in particular, for the precautionary principle to be invoked.
2. The polluter pays principle is well established in EU law and must also be applied to GM crops, so that those who benefit from their commercialisation cannot pass the risk or burden of contamination on to non-GM agriculture or to citizens at large. If costs are incurred through the pollution of non-GM crops or the environment or through unforeseen threats to human health, those financially benefiting from the commercialisation of the GM crops should meet those costs.

Code of practice and certification

In order to protect the rights of farmers and consumers who choose not to use the results of GM technology a legislated code of practice must be imposed upon all users of GM crops. This code must be established under an EU regulatory framework in order to ensure parity and to prevent market inequalities. This is the reason why almost all aspects of GM crop growing and handling are now regulated at EU level, including the maximum allowable levels of adventitious contamination. We think it logically follows that ensuring sufficient anti-contamination and coexistence measures should also be an EU responsibility. Another reason is the potential for cross-border contamination, which makes national regulation insufficient.

This code of practice must recognise the right of producers and consumers not to suffer unwanted contamination of their products and it must place full practical and economic responsibility for separation on the GM crop users. It should set out the minimum requirements which need to be followed by anyone growing or handling such crops in order not to cause contamination. The code must be binding on the GM user, i.e. no use of GM crops should be allowed unless the code is adhered to. Voluntary agreements or non-binding guidelines of the kind published by the European Commission in July 2003 are entirely insufficient to ensure the continued right to produce non-GM food. Additional to these minimum requirements there

should be room for national and regional adaptation of the code allowing stricter and more detailed rules due to differences in climate, cross pollination risks, agricultural structure and national policy objectives across the EU.

We believe that the most appropriate mechanism for enforcing the code of practice would be to require those who wish to grow, transport or process genetically engineered crops to

be certified. Such a certification system would require registration of growers and processors and reporting of individual crop details. It would also need to be subject to independent inspection by a competent body responsible to national and EU authorities, much as organic certification works today. Such a mechanism would enforce rigorous adherence to the requirements for each crop and could allow local variation. It could also enable the easy establishment of a register of information so that sufficient information would be available to establish the likely source should genetic contamination occur.

There is also a need to integrate anti-contamination and co-existence measures with the approval process for GM crops. Where it is not possible to identify practical measures to ensure that contamination does not occur, the commercialisation of that crop should not be authorised. In addition, the authorisation process must include an assessment of the economic benefits to society of each genetically engineered crop, taking into account the costs of separation measures and alternative solutions. Where no net economic or social benefit can be proven, the crop should not be authorised.

IFOAM welcomes the provision, in the EU Commission's July 2003 Recommendation on Co-existence, for the prohibition of GM crops in defined regions on a crop by crop basis, wherever contamination of non-GM crops cannot be prevented by any other measures. It is however vital that the option of declaring such zones in no way be interpreted as meaning that controls on GM crops can be relaxed outside such zones, as farmers everywhere must still be able to choose to produce uncontaminated nonGM crops.

Liability and compensation

EU legislation must also be amended to recognise that genetic contamination is inevitable if GM crops are authorised and that it will cause new costs and loss of income for the great majority of farmers who choose not to adopt those crops. To ensure that economic compensation can be claimed, strict liability must be imposed on those who introduce GMOs on the market. This means that they will have the final responsibility for any damage to others regardless of whether regulations have been broken.

In addition to the principle of strict liability we suggest that the legislators consider the establishment of a compensation fund, paid for by the GMO industry. The fund would use the contributions from all who benefit financially from GMOs to compensate those who suffer financial loss through genetic contamination. It would also cover any environmental damage. The fund would pay damages to affected parties through a simple standard procedure, so that non-GM farmers suffering loss could make a fast and easy claim without the economic risk and time delay of litigation. The fund managers should have powers to pursue in the courts those liable for breaches of GM regulations.

Thresholds for adventitious presence

As no use of GM inputs is allowed in organic farming, it follows that there should be no presence of GM material in organic products unless there is contamination from non-organic sources. Organic certification currently has zero tolerance for GM contamination, and it is our ambition to continue in that way.

Organic certification works on the basis of standards for each process and the traceability principle. All stages of the production chain are documented and each individual producer

regularly inspected to ensure that standards are followed. This is our method of preventing GM contamination of our production process. Testing of end products is a complementary tool which is used to confirm that this control system has worked, but it is never the main approach. If a test does indicate that contamination has nevertheless occurred, the traceability system helps the organic certifier to go back and find the point in the chain which has failed, take necessary corrective measures and impose sanctions if the cause is a producer not following standards.

For organic production to continue working on the basis of zero tolerance in a situation where commercial GM production is introduced, it is crucial that routine contamination not be legalised. It will be very difficult to avoid instances of adventitious contamination, but provided that co-existence measures are put in place which ensure that each such event be followed up by member state authorities and not allowed to be repeated, organic certification can also continue to apply the zero tolerance principle.

We have noted with great concern that both the European Commission and several member states now appear to interpret the maximum thresholds envisaged for adventitious contamination in products and seeds as levels up to which contamination will be permanently allowed. In our view, this is not a correct interpretation of the legal texts. "Adventitious" means something which occurs sporadically and unintentionally. If contamination occurs because isolation distances are used which are known to result in a certain level of contamination, it is not adventitious but deliberate. If the source of an adventitious contamination is identified but not eliminated, the repeated contamination is also not adventitious but deliberate.

Our understanding of the legal provisions about adventitious presence is that there should under normal circumstances be no presence of GM materials in non-GM products. The threshold levels indicate the maximum tolerance for exceptional and unforeseeable contamination events, not for permanent levels of contamination. That routine contamination not be allowed by government authorities is a first prerequisite for us to be able to continue to practise zero tolerance of GM material in organic production. Specific monitoring procedures should be introduced by all organic inspection bodies to ensure this, but in order to be effective they also need the backing of a strict interpretation by governments of what may qualify as "adventitious".

A further prerequisite is that co-existence measures be introduced which put the full responsibility for any adventitious contamination on GM users, including economic liability for costs incurred and income lost.

Neither of these prerequisites is yet in place. The European Commission explicitly refuses to assume any responsibility for introducing co-existence and anticontamination measures. Member states will likely do so to very different extents.

Under those circumstances we absolutely oppose the setting of a separate legal threshold for GM contamination in organic products. This is not because we do not wish to uphold our objective of keeping organic products free from contamination. It is because a separate legal threshold for organic produce would put the full responsibility on organic farmers for something which is only partly under their control. Only the growers of GM crops will be in a position to prevent contamination of non-GM crops. If a separate threshold were introduced for organic products, without any corresponding measures to force GM users to make it feasible, it would in no way be helpful to organic farmers. On the contrary, it would result in a huge cost increase for organic production, extreme difficulty in recruiting new farmers to conversion, and even in making organic production entirely impossible in some sectors.

As seed is the starting point for all farming systems, and because even a minimal genetic contamination of seed has the potential of multiplying throughout the production system, it is essential that all non-GM seed be absolutely free from contamination. The threshold for all non-GM seed, conventional as well as organic, must therefore be the lowest detectable level (currently 0.1%).