



ICSA Submission on Co-Existence between GM and GM Free Production Methods

December 2004

Further Details:

**Eddie Punch,
General Secretary**

**John Heney,
Rural Development Chairman**

**Phone: 0502-62120
Fax: 0502-62121
e-mail: info@icsaireland.com**

Section 1

Background to ICSA and its policy on GM production

1.1 The Organisation

ICSA is a representative organisation for farmers involved in beef, suckler or sheep production. It currently has 9,000 members and membership is growing. It led the way in the debate on CAP reform, campaigning for full decoupling from the very start.

1.2 The Decision

The ICSA national executive voted in favour of a GM free island policy in May 2004, following extensive internal consultation.

1.3 The Motivation

ICSA is preoccupied with the future of Irish farming, which it sees as being inextricably linked with our ability to sell our produce on the higher value EU markets. Before decoupling, the focus was on subsidies, intervention and export refunds- this is no longer tenable. Decoupling means that success in the market is everything.

1.4 The Policy

ICSA has observed the controversy surrounding GMOs. Irish beef farmers are only too painfully aware of the problems that arise when the confidence of the consumer is lost- as was experienced through the BSE era. We are now putting that behind us and the image of beef is improving. Grass fed beef is in a particularly good position. For example, it is higher in conjugated linoleic acids, which have beneficial properties that counteract heart disease and cancer. (Teagasc National Food Centre)

Section 2

Introduction

2.1 General Statement

ICSA is opposed to the use of genetically modified seeds in Irish farming. ICSA believes that GM technology offers no benefit and several disadvantages to Irish farmers. The interests of Irish farmers and the wider agri-food sector would, in our view, be better served by developing the clean, green image of the island. This should encompass the concept of Ireland- The GM free food island, which would be a logical progression of the existing Bord Bia strategy to market "Ireland-the food island"

Therefore, ICSA is opposed to legislating for co-existence of GM and non GM production methods in Irish agriculture.

2.2 Outline

In this document, ICSA opposition to legislating for co-existence in Ireland is explained under the headings:

- Democratic Deficit
- Market Opportunities
- Consumer Choice
- Scientific Uncertainty
- Difficulties with Enforced Co-Existence Regimes
- Cost/Benefit analysis

The document then addresses specific practical questions relating to co-existence under the following headings:

- GM Buffer zones
- Liability
- Practical difficulties

Section 3

Why ICSA Opposes Provision for Co-Existence in Ireland

3.1 Democratic Deficit

ICSA does not accept that there is any democratic mandate for the introduction of GM technology in European agriculture. In fact, it seems that GM production methods are being foisted upon European farmers and European consumers in the absence of any clear desire for them.

For example, the typical process in the last 12 months under EU procedures, has been that the member states, in the form of regulatory committees or the Council of Ministers, have voted against GM technology or products, but not in sufficient numbers to achieve a qualified majority. This then leaves the way clear for the Commission to introduce the GM technology against the wishes of the majority.

The most recent example of this relates to oilseed rape GT 73, which was opposed by a vote of 135 to 78, with 108 abstentions. On the five individual member state bans on various GM products, the Commission sought a mandate to force the member states to lift their bans, and failed in all five cases.

Table 1

Product banned	In favour of lifting ban	Against lifting ban
Syngenta BT176 Maize	54	221
Bayer T25 Maize	54	221
Mon 810 Maize	73	178
Bayer Topas 19/2 rapeseed	54	178
MS1xRF1 rapeseed	54	178

However, as table 1 shows, even though there was a clear majority against lifting the bans, the failure to reach the qualified majority leaves the way open for the Commission to prevail over the wishes of the majority. This can only be described as a perverse system of democracy.

Against this backdrop, it is highly suspect for the Commission to impose a dictat on member states to draft rules on *how* co-existence should be facilitated rather than *whether* co-existence should be permitted at all.

3.2 Market Opportunities

It is clear that very many consumers across Europe are worried about GM technology and hostile to GM foods. For example, a 2001 Eurobarometer survey of 16,000 respondents showed that 71% did not want GM food (Table 3). Opposition to GM is especially strong in Italy, and this has been confirmed to an ICSA study tour of Italy in October 2004, where the issue of GM is very current. Italy, as a country with an import requirement for over 400,000 tons of beef and veal, as well as 1.4 million live cattle, is a critically important market for any country aiming to export significant levels of beef. Ireland has potential to do much better than at present- accounting for just 7% of the total 317,000 tons of fresh, chilled beef imported by Italy in 2003.

It is therefore axiomatic that Ireland must make a major effort to achieve greater penetration of this market. ICSA believes that there is potential to do this, especially if Ireland could be marketed as GM free island. The Italians themselves have legislated for the possibility of GM cultivation, but have allowed individual regions to ban GM, and 13 out of 20 regions have already done so.

ICSA objects to co-existence because it undermines the potential benefits from having a GM free island policy as part of a strategy to develop a clean, green image. In a post de-coupling environment, Ireland needs to pay closer attention to innovative new ways of increasing market share, and moreover, to increase the proportion of product sold to higher value, more discerning niche markets.

3.3 Consumer Choice

If the consumer is to have a real choice, then there must be provision for regions of Europe to remain GM free. In our view, the best way to provide this is the preservation of the island of Ireland as a GM free zone.

Recommendation 2003/556 states, “The ability to maintain different agricultural systems is a prerequisite for providing a high degree of consumer choice”. This is a paradoxical statement, unless it is interpreted as allowing whole regions or member

states, within the European Union, the option to remain GM free. This is because the consumer will not have confidence in a co-existence regime whereby neighbouring farmers are GM and non GM. Admixture can occur through the smallest accident in such circumstances, and even a small incidence of admixture will completely undermine consumer confidence. When this happens, it is nonsensical to claim that the co-existence regime has provided for a “high degree of consumer choice”

The best way for to ensure a high degree of consumer choice is by taking advantage of the island status of Ireland to create a genuine, GM free zone, where admixture is not a worry. This would attract real consumer confidence and a feeling that there was a bona fida choice between food and agricultural products produced in a GM free environment and non-GM food products.

In relation to the EU position, there remains a lack of clarity on where it stands in relation to GM. While this submission is in response to a call for submissions on how co-existence should be facilitated in an Irish context, the EU also seems to accept that there should be room for GM free zones on a voluntary basis. Former agriculture commissioner, Franz Fischler suggested that, “regulating the co-existence of GM and traditional farming is a typical example of the subsidiarity principle in action: taking decisions at the most efficient and sensible level. A catch-all, EU level approach makes no sense here”

He goes further and argues that ***“I favour voluntary grouping farmers into GM free or organic zones. This would be both profitable and attractive from the marketing point of view”***

(Speaking Note for Franz Fischler, Press Conference 23/7/2003)

The difficulty with the voluntary approach is that it only takes one farmer insisting on growing GM to undermine the whole strategy. Clearly, it is not possible to have an entirely voluntary regime based on complete individual freedom. Therefore, it will be necessary for a higher authority to decide. But this is nothing new in European agriculture- while an individual farmer may feel entitled to produce milk, in reality, (s)he is totally limited by the milk quota regulations.

In practice, the island of Ireland is the ideal location for a GM free policy in order to vindicate consumer demand for GM free and in order to guarantee real consumer choice.

3.4 Scientific Uncertainty

There is no clear, unanimous agreement amongst the scientific community about where GM technology will eventually lead us. While ICSA opposition to GM technology is primarily based on the belief that Ireland should respect widespread consumer concerns, nonetheless, there is too much uncertainty at present to happily move irrevocably towards GM production methods. The problem is that while Ireland can easily switch over to GM technology at a later date if it is appropriate to do so, it is impossible to reverse a hasty and possibly damaging decision to embrace the technology in the near future.

This uncertainty is illustrated by the Rapporteur's report on Maize co-existence at the EU Roundtable Discussion on Co-Existence 2003 *“Thus, it is still difficult to predict what will happen when GM oilseed rape is grown as high proportion of the rape crops in a farm or region”*

ICSA submits that the precautionary principle should apply here, and until such time as we are very sure that GM is as close to 100% beneficial as possible, then we should proceed with caution. Irish farmers paid a very high penalty when embracing meat and bone meal technology and we must ensure that Irish farmers are not exposed to the downside of any further consumer scares in the future.

3.5 Difficulties with enforced co-existence regimes

Where co-existence has been provided for, various problems have arisen. The most notorious of these is perhaps the case of Percy Schmeiser, who was sued by Monsanto for using Monsanto GM seed without licence, even though the GM seed inadvertently contaminated his crop.

ICSA cannot propose or be associated with any regime where the possibility exists of non-GM farmers being sued by a multinational corporation.

3.6 Cost/ Benefit Analysis

ICSA is concerned that GM technology is being pushed through with little or no analysis of the costs and benefits to farmers associated with its adoption across Europe or in each individual member states.

Apart from the cost of GM seed, which clearly is going to be priced at a premium to conventional seed, there are potential costs associated with monitoring systems, with traceability and associated bureaucracy, with restrictions on machinery use and contractor requirements and of course, with the potential damage to Ireland's natural, clean green image.

For example, the rapporteur's report on Oilseed rape co-existence at the EU Roundtable Discussion on Co-Existence 2003 admitted that, “Little information has been provided on the economic costs of co-existence”

ICSA submits that there should be a major independent economic cost/ benefit analysis carried out for Ireland before any decisions are taken on GM co-existence. This would also be useful in informing how Ireland should vote on GM votes at EU level.

Section 4

Specific Practical Questions Relating to Co-Existence

4.1 GM buffer zones

The appropriate buffer zone is the Irish sea.

4.2 Liability

The EU has stated that the question of liability is best left to member states. As former agriculture commissioner Franz Fischler said, “the EU has no competence when it comes to issues of private liability law.”

Fischler expands on this liability question with a justification for what seem like incomplete EU rules on GMOs when he says “*This is precisely why the Commission is in favour of making recommendations on adopting guidelines at EU level, but then leaving it up to the member states which measures they transpose into their national law and how they actually do it*”

(Speaking Note for Franz Fischler, Press Conference 23/7/2003)

Germany seems to be using the liability question as a probably effective way of discouraging any GM cultivation. The German approach to co-existence makes farmers who adopt GM methods liable for damage to non-GM produce, grown by neighbouring farmers.

The rapporteur’s report on Oilseed rape co-existence at the EU Roundtable Discussion on Co-Existence 2003 stated that the “(While) costs of co-existence measures and the liability associated with the consequences of exceeding thresholds were only briefly discussed... there was a general feeling that costs and liability should be allocated appropriately to the beneficiaries of the co-existence schemes”

ICSA believes that those who benefit from GM technology should carry liability for any economic costs associated with admixture. This means that the manufacturers of the GM technology would be equally liable with the farmers who use the GM production method.

Under no circumstances should any farmer who continues to farm in the traditional or conventional way, or who is engaged in organic agriculture have any responsibility for admixture.

4.3 Practical Difficulties

Recommendation 2003/556 makes reference to possible modes of contamination. From this, it is evident that permitting co-existence throws up a whole series of practical difficulties which would be impossible to deal with in typical field operating conditions. For example, paragraphs 3.2.1 and 3.2.2 refer to the difficulties posed by the “sharing” of seed drills and harvest machinery, suggesting that thorough cleaning processes would be required between GM and non GM crops.

In practice, in Ireland, much of this work is now being carried out by contractor. In difficult harvesting or sowing conditions, there is very little likelihood that a typical agricultural contractor is going to stop work between two farmers in order to thoroughly clean out a combine harvester, when rain is threatened. Moreover, it will be impossible for any competent authority such as the Department of Agriculture to monitor this, or to provide any realistic guarantees that controls can be put in place to ensure that correct procedures are followed.

Recommendation 2003/556 also suggests that co-existence is especially problematic in regions where field sizes are small and farms are fragmented. (Paragraph 2.2.6) The Rapporteur’s report on Maize co-existence at the EU Roundtable Discussion on Co-Existence 2003 said, *“Several speakers have pointed out that in some countries farms are very fragmented with small strip shape fields interrupted with other farmers’ fields... co-existence in such farming systems may not be achievable because of the disproportionate size of fields and their juxtaposition”*

ICSA submits that such conditions exist throughout Ireland, and therefore co-existence is impossible under Irish farming conditions.

Section 5

Conclusion

ICSA is opposed to legislating for co-existence under Irish farming conditions. Consumers across Europe are entitled to real choice and this is best guaranteed by having genuine and credible GM free regions in Europe. The island of Ireland has a unique opportunity to provide such a GM free region.

This must be the basis for developing Irish agriculture as a source of high value, high quality food. ICSA believes that there is a real future for a viable and prosperous farming sector in Ireland.

We firmly believe that our future lies in the utilisation of our unique natural environment and traditional farming expertise to produce the highest quality food available in Europe