

Unlabelled harms

Who wins and who loses when new GMOs stay secret?

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Who benefits from the deregulation of new GMO Labelling?



The Big Three

The biggest winners from the deregulation of new GMO labelling will be the agribusiness giants Bayer, Corteva or Chem China/Syngenta. They see new opportunities by cutting consumer transparency for the new generation of GMOs.¹ These corporations dominate the market for genetically modified seeds and stand to reap enormous profits if labelling is abolished. Without the obligation to disclose GMO content, European farmers may begin cultivating genetically modified crops again. This positions the Big Three to sell more patented seeds to farmers and gain further control over the agricultural supply chain, as small and medium seed breeders would be locked out of access to them.²

While mandatory labelling is an essential piece of regulation that protects consumers' right to choose, the agribusiness giants see it as an obstacle in the way of maximum profits. In an internal strategy paper, Euroseeds, the breeding lobby group who represent also the Big Three, refer to 'farmers' freedom of choice and interest in information' as one motivation for doing away with labelling:

*"The European seed sector strongly supports and respects farmers' freedom of choice and interest in information. We are of the opinion that any transparency requirements regarding compliance control and customer choice can be fulfilled in a predictable, reliable and harmonized way without putting respective conventional-like NGT plant varieties under the strict and cumbersome GMO labelling obligations."*³

Despite the arcane language, the logic of Euroseeds and the Big Three is simple: if labels are dropped, finally the European Union could uptake new GMOs. Bayer, Corteva and Syngenta can then reap vast profits and increase their corporate power over the farming sector for years to come.



Who lose from the deregulation of new GMO labelling?



1. Consumers, food processors and retailers

Primary 'losers' in this potential scenario are consumers and retailers. If allowed to go ahead, abolishing new GMO labels will rob consumers of their right to make well-informed decisions on the food they want to eat, and to consciously choose GMO-free options. Similarly, food processors and retailers would lose the knowledge on whether the products they are selling contains GM ingredients. This has ramifications that go far beyond the constraints of European borders: if actors outside the EU wish to import grain or foodstuffs from EU member states, they too would be kept in the dark about whether it contains new GMOs. All burden and costs for tests, cleaning, measures to avoid that new GMOs end in conventional, organic and GMO-free food fall on those who don't want to use them. Whilst those who want to market them, don't pay for any measures.

2. Farmers

Farmers, especially those committed to organic or conventional (non-GMO) farming practices, are likely to face significant additional burdens and costs. Bayer claims that it promotes transparency and supports the agricultural sector, by ensuring that new GMO seeds will be 'labelled accordingly' when sold to farmers.⁴ However, they know full well that labelling seeds is only one building block towards true transparency. Farmers will have no way of knowing if genetically modified seeds or pollen—both of which can easily spread and contaminate nearby crops—are being used in neighbouring fields. This creates a potential for cross-contamination that could harm organic farming and undermine consumer trust.

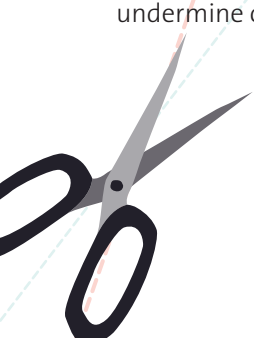
3. Nature

Many GMOs are herbicide-tolerant crops,⁵ increase pesticide use, drive landscapes into more monocultures. The deregulation of new GMOs pushed by biotech lobby groups could have multifaceted impacts on nature.

The current EU legal framework for GMOs includes traceability requirements to ensure monitoring and if necessary, the withdrawal of a GM plant:

"THIS REGULATION PROVIDES A FRAMEWORK FOR THE TRACEABILITY OF GMOS... WITH OBJECTIVES OF FACILITATING ACCURATE LABELLING, MONITORING THE EFFECTS ON THE ENVIRONMENT AND, WHERE APPROPRIATE, ON HEALTH, AND THE IMPLEMENTATION OF THE APPROPRIATE RISK MANAGEMENT MEASURES INCLUDING, IF NECESSARY, WITHDRAWAL OF PRODUCTS."⁶

If the deregulation pass, traceability and monitoring for the majority of new GMOs will be abolished. If new GM plants react to the environment in an unforeseen way,⁷ it may be necessary to withdraw them from cultivation and consumption. In this case, labels and other forms of traceability are essential tools for tracking down. Without labels and traceability, it would be impossible for government bodies and environmental groups to trace and monitor potentially adverse impacts.



According to EU Regulations, food and feed containing genetically modified organisms (GMOs) must be clearly labelled as such.⁸ This safeguards the rights of consumers to make informed choices about their food, independent from the actual risks.^{9,10}

The labelling of GMOs has had a vast impact on their demand. When confronted with food bearing the GMO label, European consumers have widely rejected them for more than 20 years. Supermarkets have responded by phasing them out and farmers no longer see the benefit of growing them. Various polls conclude that citizens also want the new generation of GMOs labelled.¹¹ Whilst GM food is allowed in the EU, the market has clearly rejected it.

But big agribusiness has now found a way to circumvent this opposition and force unwanted GM food onto farmers' fields and consumers' dinner plates: pressuring EU lawmakers into abolishing the GM label for the new generation of GMOs (within the EU wide law to deregulate them).

The math is simple. If consumer labelling is dropped for new GMOs, farmers might cultivate new GM crops and Bayer, Corteva and Syngenta can increase their income by selling the patented new GMO seeds.



Conclusion



The draft EU law to deregulate labelling for most new GMOs would destroy traceability along the entire supply chain. Information on whether a product contains GMOs would only be available during the selling of seeds. After this, neighbouring farmers, retailers, consumers, environmental groups and other actors would all be kept in the dark. Whoever would import grains, food materials from the EU wouldn't know any more whether there are new GMOs in it. EU lawmaker failed to give an explanation why transparency should not be needed anymore.

Endnotes:

- 1 The EU Commission published its law to deregulate most new GMOs in July 2023. *Proposal for a Regulation of The European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625* https://food.ec.europa.eu/system/files/2023-07/gmo_biotech_ngt_proposal.pdf (European Commission, 2023). The European Parliament agreed its position beginning of 2024, following widely the Commission proposal but suggested that new GMOs should be labelled as NGT and a certain traceability maintained
- 2 <https://corporateeurope.org/en/2023/12/bayer-basf-lobby-pushed-scrap-safety-rules-new-gm-crops-even-if-they-increase-pesticide-use>
- 3 Euroseeds, *PBI Advocacy Brief for Euroseeds Members* (04/2021), https://www.amsem.ro/ImageHandler.ashx?UploadedFile=true&pg=d63ee450-0f3a-4e83-b811-127758e634a0&image=/App_Data/UserImages/File/ESA/2021/PBI%20Advocacy%20Brief%20ESA.pdf
- 4 Bayer Global, *Genome editing: An important building block for the future of agriculture* (08/2023), <https://www.bayer.com/en/agriculture/article/why-genome-editing-is-an-important-building-block-for-the-future-of-agriculture>
- 5 <https://corporateeurope.org/en/2023/12/bayer-basf-lobby-pushed-scrap-safety-rules-new-gm-crops-even-if-they-increase-pesticide-use>
- 6 Objective of Regulation 1830/2003, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32003R1830>
- 7 <https://www.anses.fr/en/content/ntg-en> and <https://friendsoftheearth.eu/publication/new-gmos-a-risky-distraction-to-climate-food-security/>
- 8 The labelling requirements are defined in EU Regulation 1823/2003, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32003R1829> and the traceability in regulation 1830/2003 <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32003R1830>
- 9 Consumers' rights to be informed are enshrined in the **Treaty of the European Union**: "In order to promote the interests of consumers and to ensure a high level of consumer protection, the Union shall contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to safeguard their interests." (Article 169(1) Treaty of the European Union)
- 10 **The EU General Food Law** adds to Article 169(1) of the Treaty of the European Union: "In order to ensure the safety of food, it is necessary to consider all aspects of the food production chain as a continuum from and including primary production and the production of animal feed up to and including sale or supply of food to the consumer because each element may have a potential impact on food safety." (Regulation (EC) 178/2002 (recital 12))
- 11 The Dutch study recommends to "[p]reserve the freedom of choice of citizens by maintaining the requirement to label GM food, including NGT food." <https://www.rathenau.nl/sites/default/files/2023-04/Rapport%20Editing%20under%20provision.pdf> Research poll for Austrian Retail Association and Global 2000, 94% of respondents believe that products from new genetic engineering should continue to be labelled as "genetically modified" directly on the product. <https://www.handelsverband.at/presse/presseaussendungen/neue-gentechnik/>; https://www.handelsverband.at/fileadmin/content/Presse_Publikationen/Presseaussendungen/Consumer_Check/Consumercheck_Juli2022_Neue-Gentechnik.pdf BfR: Verbrauchervotum; Ergebnis der BfR-Verbraucherkonferenz „Genome Editing im Bereich Ernährung und menschliche Gesundheit“, 2019. <https://www.bfr.bund.de/cm/343/verbrauchervotum-genome-editing.pdf>

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