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**Primary Food Processors
call for a rapid introduction of a technical solution
extending the scope from feed only to food and feed**

Primary Food Processors (PFP) acknowledges the fact that the issue of the low level presence (LLP) of not yet EU authorized GM events has been recognized by the EU and national policy makers. However, the recently adopted Commission Regulation 619/2011¹ commonly referred to as a “technical solution” which has a scope limited to feed only, leaves food producers at risk to open-ended claims.

The food and feed chains are interconnected on a number of levels and their separation is neither workable nor economically viable. For an industry supplying both food and feed sector, the absence of any solution for its food outlets can have harmful implications on all downstream industries. Consequently, the Commission’s assumption that the immediate economic damage to the feed industry caused by the lack of technical solution is far more important than to the food industry is incorrect.

The absence of a food technical solution is leaving food chain operators increasingly exposed to a serious legal and economic risk in case vegetable oils, starch products or other primary food produced cannot be sold to the food market due to low level presence of GM events not yet authorized in the EU detected in the oilseeds, in maize or other raw material used to produce food.

Faced with the legal uncertainty and the risk of supply disruption, EU primary food processors will be at a competitive disadvantage to their third country competitors. In the medium-term this situation will lead to a deterioration of the business environment and to a weakening of the competitiveness of the primary food industry.

For example, third country oilseed crushers face no restriction as to LLP and have no problem in supplying the EU food market with very similar vegetable oils, where LLP will not be detected. It acts as a disincentive to EU-based crushing activity processing imported raw materials and

¹ Commission Regulation 619/2011, laying down the methods of sampling and analysis for the official control of feed as regards the presence of genetically modified material for which an authorization procedure is pending or the authorization of which has expired.



favours imports of crude or refined oils depriving finished ingredients (crude or refined oils,) in the EU from value creation and jobs.

Soy proteins and soy-based ingredients are used in many food applications. Consequently in case of incidents we may expect a multiplier effect which could damage the whole food industry. The limited EU cultivation of soy is way below the current demand and requirements. Moreover, soy is the major GMO crop in the world, of all soy almost 80% is GM. The number of cultivated GM soy events increases rapidly and more and more are yet to be approved at EU level, increasing also the risk of traces of GM varieties not yet authorized in the EU in food.

Lastly, the “technical solution” objective is to provide recommendations for sampling and analytical testing of not yet EU authorized GM events in consignments imported into the EU to avoid distortion and legal uncertainty on test results. Presentation of these recommendations only for some EU sectors and hence different treatment of different sectors constitutes a contravention of the fundamental principle of equal treatment, one of the cornerstones of European law and hence is highly questionable.

Considering the above-mentioned arguments and the step-wise approach promoted by the Commission, PFP urges you to accelerate the process for tabling a proposal for a technical solution for food in order to put an end to the legal uncertainty and avoid even more serious damages for the industries concerned than those already suffered during the last years.

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The association of Primary Food Processors of the EU ([PFP](#)) is composed of:

- European Starch Industry Association (AAF)
- European Committee of sugar manufacturers (CEFS)
- European Flour milling association (The European flour millers)
- European Vegetable Protein Federation (EUVEPRO)
- European Vegetable Oil and Proteinmeal Industry (FEDIOL)

PFP members process approximately 220 Mio tons of raw materials (cereals, sugar beet, rapeseeds, soybeans, sunflower seeds, crude vegetable oil, starch potatoes...) employing over 120 000 people in the European Union.