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Y Dirprwy Weinidog Iechyd
Deputy Minister for Health



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref SF/VG/1900/15

Alun Ffred Jones AM
Chair
Environment and Sustainability Committee
The National Assembly for Wales
Cardiff Bay
CF99 1NA

13 July 2015

Dear Alun,

Thank you for your letter of 9 June regarding the European Commission's proposals for genetically modified food and feed. This follows your discussions with my ministerial colleague Rebecca Evans AM, Deputy Minister for Farming and Food, at your Committee meeting on 20 May. This letter and enclosed Annex have also been agreed by the Deputy Minister for Farming and Food given the potential implications of the proposals for Welsh agriculture.

The Food Standards Agency (FSA) is the competent authority for genetically modified (GM) food and feed, and as a non-Ministerial Government Department advises the National Assembly for Wales and Welsh Ministers through me as Deputy Minister for Health. The Deputy Minister for Farming and Food also has an interest in this issue as Welsh Ministers are the competent authority in Wales for the purposes of the deliberate release and placing on the market of genetically modified organisms.

The FSA advise that the European Committee's proposals to reform the authorisation process for GM food and feed by amending Regulation 1829/2003 is at a very early stage and there is insufficient clarity at the present time on how any proposal would work in practice, including what impact it may have in Wales and on Welsh agriculture.

The FSA and the Welsh Government have considered the questions raised by the Committee and their responses are provided in the attached Annex.

While I understand your concerns about the impact of these proposals on Welsh agriculture, it is not possible to provide detailed responses at this stage of the process. More information should become available as these proposals develop.

Yours sincerely

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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**Environment and Sustainability Committee Questions on the Issue of GM Food and Feed
(Allowing Member States to Restrict/Ban the Use of GM Food and Feed
Products in their Own Territory)**

**Responses from the Food Standards Agency and the Welsh Government
on the Questions Raised**

QUESTION 1: Is the Welsh Government content that it would have sufficient power under the new proposals to introduce a ban in relation to the use of GM food and feed in Wales even if the UK Government did not support a ban?

In terms of the Welsh Ministers' existing powers, European Communities (Designation) (No2) Order 2005 designates Welsh Minister for the purposes of section 2 (2) of the European Communities Act 1972 in relation to food and feed. However, any assessment as to whether the power conferred by this designation order would enable Welsh Ministers to ban the use of GM food and feed will require detailed consideration as the proposals become available. The proposals are at an early stage, and it is therefore premature to consider whether Welsh Ministers' powers are sufficient.

QUESTION 2: Is the Welsh Government considering introducing such a ban if permitted under the new proposals?

The EU authorisation of GMOs permitted in food is based on assuring the food can be consumed safely. This is undertaken by the European Food Safety Authority (EFSA). The FSA has confidence in the work of EFSA in carrying out the centralised risk assessment of GMOs. Each GMO is unique therefore safety is determined on a case-by-case basis. To date all the evidence suggests that food and feed derived from GMOs is as safe as that from non-GM sources.

As mentioned above, the proposals are at an early stage and more detailed consideration of the implications of the proposals is needed. The Welsh Government maintains a precautionary approach to GM crop cultivation that is consistent with UK and EU law. This approach aims to protect a sustainable agriculture industry in Wales. Food and drink manufacturing is the cornerstone of our rural economy and it is vital that we protect this sector and preserve consumer confidence in our quality and safe produce and products. This means taking a precautionary approach to the potential impacts of new technologies like GM on our environment and the associated economic impact. The Welsh Government contends socio-economic issues to be important factors in the consideration of GM crop approvals, and believes research on GM and other advanced plant breeding techniques offers potential to deliver environmental, social and economic benefits in future. This position should underpin our approach to the proposal relating to GM food and feed. We should therefore consider use of GM food and feed on a case by case basis, on the basis of the science available, and consider any impacts on health and the environment, as well as socio-economic factors.

QUESTION 3: What consideration has the Welsh Government given to the implications of a national ban of GM food and feed on Welsh agriculture?

Factors to consider include: impact on farming and food industry in Wales; impact on the single market; international trade with for example US; cross border trading limited with potentially varying approaches within the UK; impact on supply chain; better regulation – no impact assessment for the proposal; GM regulation to be science based.

The re-nationalisation of the decision-making for GM food and feed brings potential implications for government and industry. Concerns include single market compatibility and WTO compliance. The EU livestock industry, including in the UK and Wales, relies heavily on animal feed protein sources from outside the EU; including countries in North and South America, where a large proportion of the crops grown, such as maize and soya, are GM. Figures from industry sources indicate that, in 2013, at least 85% of the EU's compound feed production was labelled to indicate that it contained GM, or GM-derived, material. The UK, and Welsh, livestock sector relies heavily on imported GM animal feed. Industry estimates the price difference between GM and non-GM feed / cost differential between GM and non-GM feed to be around 30% and this might increase with introduction of restrictions or a ban.

The Welsh Government acknowledges that, to date, no proposed grounds to restrict the use of GM food and feed have been suggested by the European Commission. Any proposed restriction would rely on measures that are in conformity with European Union (EU) law, reasoned, proportional and non-discriminatory, and in addition based on compelling grounds.

This means taking a precautionary approach to the potential impacts of new technologies like GM. We will consider the use of GM food and feed and any resulting implications on a case by case basis, on the basis of the science available, the impact on health and the environment, as well as socio-economic factors.

The FSA report the use of GMs in food is currently limited in Wales and the implications on Welsh agriculture are, therefore, likely to be minimal. The implications of a ban on GM feed, however, will have a significant impact on Welsh agriculture.

Wales is not self-sufficient in terms of animal protein feed and like the rest of the UK and the EU itself we are dependent on animal feed imports from third countries. The UK currently imports upwards of 3 million tonnes of animal feed per year, primarily soya. This constitutes 70% of the total UK requirement for animal protein feed. Any measures enacted under this proposal could adversely affect the supply and cost of animal feed imported into the UK.

Non-GM animal feed carries a price premium, which may increase with introduction of restrictions or a ban. The EC proposals might result in adverse impact on the supply and cost of animal feed imported into the UK, and result in an uncompetitive industry in Wales.

QUESTION 4: Has the Welsh Government undertaken any assessment of the percentage of Welsh farmers currently using GM food and feed?

As advised by the FSA, although use of GMs in food is limited in Europe, use of GMs in animal feed is significant, for example the EU is a major user of imported GM soya for animal feed. The UK currently imports approx. 3 million tonnes of animal feed per year, primarily soya, which constitutes 70% of its animal protein feed requirement.

QUESTION 5: Will support be made available to parts of the industry affected by any bans?

Please refer to the answer provided at Question one – the FSA report the EC proposals are at a very early stage, and there is insufficient clarity at the present time on how any proposal would work in practice, including what impact it is likely to have in Wales and on Welsh agriculture. It is therefore premature to confirm whether Welsh Ministers' powers are sufficient to introduce a ban in relation to the use of GM food and feed in Wales.