

Request from the European Commission related to the safeguard clause invoked by France on maize MON810 according to Article 23 of Directive 2001/18/EC and the emergency measure according to Article 34 of Regulation (EC) No 1829/2003

Scientific opinion of the Panel on Genetically Modified Organisms

(Question No EFSA-Q-2008-077)

Adopted on 29 October 2008

SUMMARY

On 9 February 2008, France notified to the European Commission an Order suspending the cultivation of seed varieties derived from the genetically modified maize event MON810, as well as a safeguard measure invoked under Article 23 of Directive 2001/18/EC to provisionally prohibit the cultivation of the authorised maize MON810 on its territory. An amendment of the Order was further notified to the European Commission on 20 February 2008. In the meantime, on 13 February 2008, France notified to the European Commission a note entitled 'Emergency measure' under Article 34 of Regulation (EC) No 1829/2003. In this respect, the European Commission received from France a written submission consisting of different supporting documents.

On 27 February 2008, the European Commission requested the Scientific Panel on Genetically Modified Organisms (GMO Panel) of the European Food Safety Authority to assess the package of documents supporting and justifying the French safeguard clause and the duration of the invoked measure.

Having assessed the information package provided by France in support of its safeguard clause and having considered all relevant publications on the subject, the GMO Panel concludes that, in terms of risk to human and animal health and the environment, the provided information package does not present new scientific evidence that would invalidate the previous risk assessments of maize MON810. Therefore, no specific scientific evidence, in terms of risk to human and animal health and the environment, was provided that would justify the invocation of a safeguard clause under Article 23 of Directive 2001/18/EC and an emergency measure under Article 34 of Regulation (EC) No 1829/2003.

Key words: GMOs, maize (*Zea mays*), MON810, France, safeguard clause, emergency measure, human health, animal health, environment, Directive 2001/18/EC, Regulation (EC) No 1829/2003