



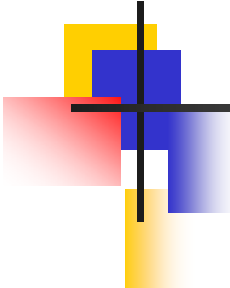
Coexistence of genetically modified crops: national approach and public perception

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Luxembourg

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- Small territory
 - Diverse landscape with a corresponding pattern of small farms and fields
 - Many regional products with a special label of 'pure' product
 - Intervowen agricultural land and nature protection areas

- **18 February 2004:** European experts failed to reach an agreement to authorize the import into the EU of the transgenic maize NK 603, genetically modified to tolerate the herbicide Roundup. Five countries voted against (Italy, Denmark, Greece, **Luxembourg**, Austria).
- **2006:** The culture of several GMOs is not allowed in Luxembourg despite the fact that they are scientifically approved by the European Food Safety Authority (EFSA).



13 January 1997: Law concerning the control of the use and dissemination of GMOs.

13 January 2004: After having been taken to the European Court of Justice for having omitted to transpose the European directive (2001/18) on the deliberate release of GMOs into the environment, Luxembourg adopts a law which gives a legal framework for the confined use of GMOs, for their dissemination and marketing.

This law, however, doesn't say anything about the coexistence between genetically modified plants and traditional cultures.



10 September 2004: Project for a new law to regulate the marketing and cultivation of seeds of genetically modified plants.

Despite the recommendation of the European Commission of July 13 2003 [Guidelines for the development of national strategies and best practices to ensure the coexistence of GMOs with conventional and organic farming] that no type of farming can be excluded in the EU, the government has opted for a restrictive approach based on the primacy of the precautionary principle, in order

- to guarantee freedom of choice for both the farmers and the consumer
- to protect the flora and fauna and avoid an impact on biodiversity

The project of the law

- Fixes among others the requirements for the import of GM seeds and the maintenance of safety spacings between GM and conventional crops
- Indicates that the culture of a GM plant can be forbidden if its dissemination cannot be avoided otherwise
- Requires that the holder of an authorization to grow GM plants must subscribe to an insurance to cover possible economic losses

- European Commission : leaves no doubt for possibly taking Luxembourg to the European court of justice in case the project is adopted
- According to the Commission, the project of the law leads in practice to an interdiction of the cultivation of genetically modified plants, which is contrary to European right.

- For the legislator the most criticized point is the insurance aspect of the damages caused by the culture of GM plants (insurance not yet available)

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- **2 October 2006:** the government proposes to the legislator a number of amendments to the project:

(1)

- Change in the name of the law : « and on the **coexistence** of genetically modified, conventional and biological crops »
- Guarantee of transparency and traceability: national register national accessible to the public and giving information on nature and localization of the GMOs
- Considerations on maintenance of safety spacing, maintenance of appropriate cultivation methods
- Possibility to forbid the cultivation of GMOs in nature protected areas
- Possibility to forbid the cultivation of GMOs if their dissemination cannot be avoided by other means

2 October 2006: the government proposes to the legislator a number of amendments to the project:

(2)

- Maintains the requirement for a financial guarantee, but:
- ❖ Proposes to implement the polluter-payer principle d'instaurer un régime de responsabilité sans faute à l'encontre d'utilisateur d'OGM autorisé à la mise sur la marché (cf France)
- ❖ Proposes as an alternative to pay into a fund that is officially recognized (cf France, the Netherlands, Belgium, Denmark)

Conclusion

Luxembourg figures among those European countries most opposed to genetically modified plants

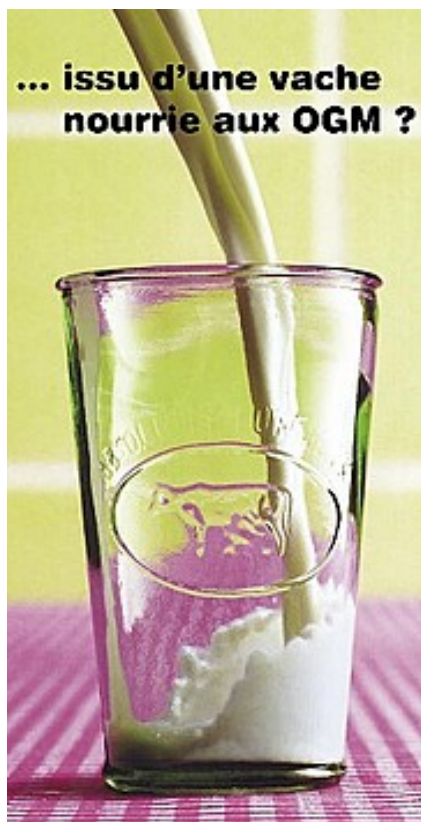
Up to today no GMOs are cultivated in Luxembourg, even not as field trials



■ Consumers

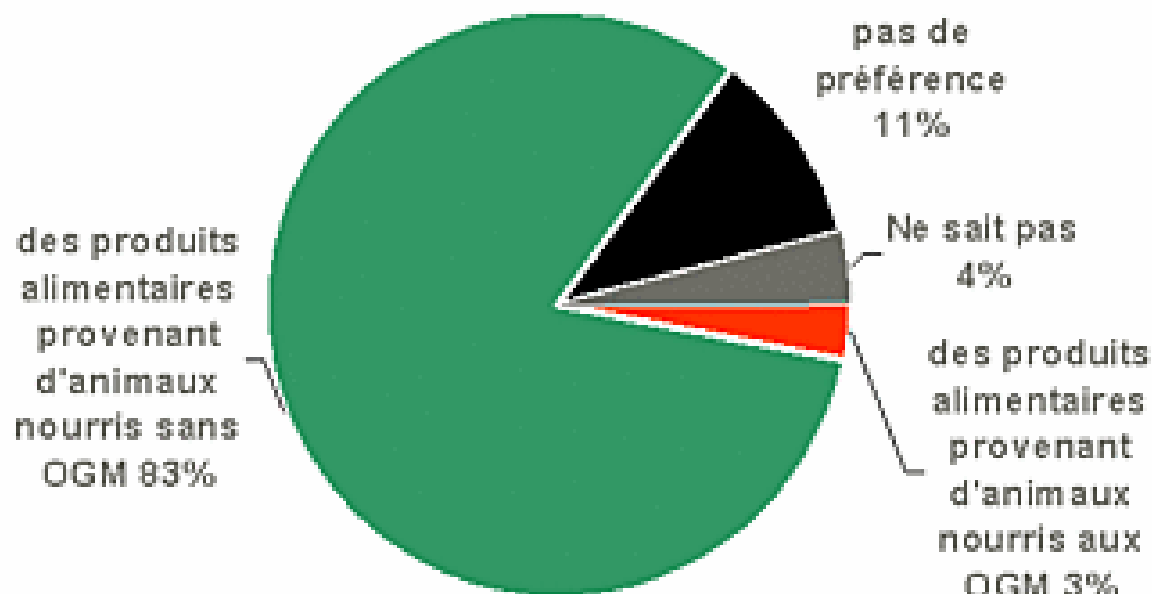
Consumer organisations are opposed to GM foods in general, and consider the co-existence debate to be a debate for or against GMOs. These organisations state that, due to the potential admixture of all foods to a certain extent with GMOs, allowing GM plants would end, effectively, consumer choice.

Public campaigns against GM foods



Préférence d'achat en ce qui concerne les produits alimentaires

Q2. Quels produits alimentaires provenant d'animaux (par exemple le lait, la viande ou les oeufs) préférez-vous acheter ?





■ Farmers

The Farmers representation wishes to keep all technological options open for farmers. With regards to co-existence, the union stresses that the rights and choices of farmers should be respected. No demand for the cultivation of GM plants.

Organisations of organic farmers share the view of most consumer and environmental NGOs that GM plants should not be introduced in Luxembourgish agriculture.

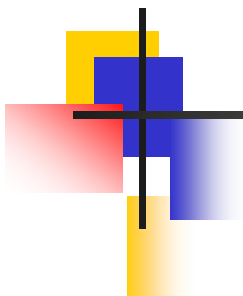


■ NGOs

There are different NGOs that have an opinion concerning GMOs in general and on co-existence. Many environmental NGOs and organic farming organisations criticise the fact that the co-existence legislation only covers economic liability, and not environmental liability.

For GMO issues, a number of NGOs have formed a platform which they use to voice their concerns about GMOs.

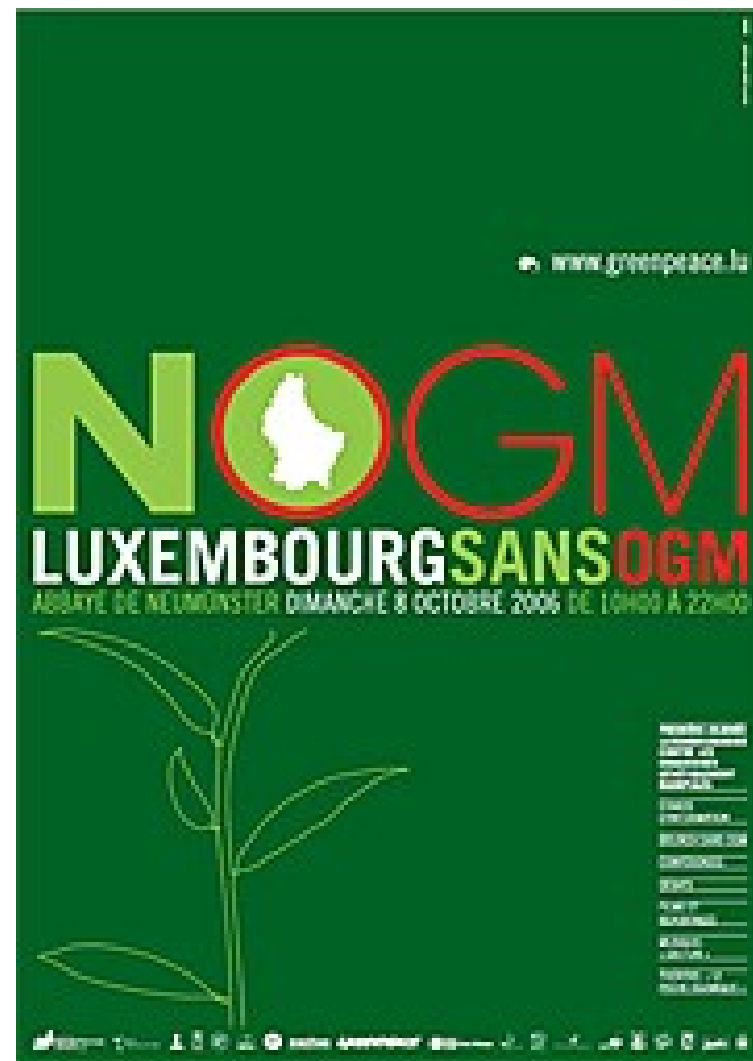
Initiatives against GMOs



First Luxembourg action day against GMOs

8 octobre 2006

Call for a
« Luxembourg without GMOs »





GM-free or coexistence?

