

**Question for written answer E-000257/2020  
to the Commission**

Rule 138

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**Subject:** Judgment on varieties constituted through mutagenesis, new GMOs and the case of the almond tree

Many of the agricultural varieties marketed in Italy, such as the ‘supernova’ almond tree, are produced through new mutagenesis techniques, which use unnatural methods to alter the genetic material of an organism.

In its judgment in Case C-528/16, the Court of Justice ruled that these organisms are equivalent to GMOs, potentially dangerous, and must be made subject to the obligations of the GMO Directive, and to Directive 2002/53/EC, meaning they must be assessed on the risk they pose to human health and the environment before they may be marketed, and it must be possible to trace and monitor them.

The draft questionnaire which the Commission has sent to Member States seeks to restrict genome techniques that are equivalent to GMO solely to techniques that alter ‘the genetic material of an organism’ rather than to an entire ‘genetically modified organism’, which would make implementation of the Court of Justice’s decision impossible.

In 2018 the Member States asked the Commission to define the genetic modification techniques concerned, but nothing has been done to date to identify the new GMOs.

How does it plan to meet its own obligations in regard to enforcing the judgment of the Court of Justice?

How will it ensure the judgment is enforced without, however, restricting identification of new GMOs?

What has been the basis until now for marketing new GMOs without proper checks?