

**Question for written answer P-009153/2012
to the Commission**
Rule 117
Csaba Sándor Tabajdi (S&D)

Subject: Cultivation of genetically-modified organisms (GMOs)

In judgment C-36/11 of 6 September 2012, the Court of Justice of the European Union stated that:

– the cultivation of genetically modified organisms such as the MON 810 maize varieties cannot be made subject to a national authorisation procedure when the use and marketing of those varieties are authorised pursuant to Article 20 of Regulation (EC) No 1829/2003 and those varieties have been accepted for inclusion in the common catalogue provided for in Council Directive 2002/53/EC;

– Article 26a of Directive 2001/18/EC does not entitle a Member State to prohibit in a general manner the cultivation on its territory of such genetically modified organisms pending the adoption of coexistence measures to avoid the unintended presence of genetically modified organisms in other crops.

In the Commission's view, taking into account judgment C-36/11 of the Court of Justice of the European Union, is the safeguard clause in Article 23 of Directive 2001/18/EC enabling Hungary to enforce a general prohibition on the cultivation of GMOs still valid?