

MANDATE OF EUROPEAN CO-EXISTENCE BUREAU

UPDATED ON 22 MAY 2012

1. Background

The EU regulatory framework for the use of GMOs in agriculture was established 20 years ago, yet an important package of reforms was presented on July 2010, including a new Commission Recommendation¹ on co-existence of GM crops with conventional and/or organic crops.

The new text gives more flexibility for Member States to define technical co-existence measures to avoid unintended presence of GMOs in conventional/organic crops (to reduce the economic risks of admixture). The Recommendation confirms the role of the European Co-existence Bureau (ECoB) to develop together with Member States best practices for co-existence as well as technical guidelines on related issues.

The Agriculture Council of May 2006, invited the Commission to:

- Identify, in close co-operation with the Member States and stakeholders, best practice for technical segregation measures and, on the basis of this work, develop guidelines for crop-specific measures. At the same time, ensure that the crop-specific guidelines leave the necessary flexibility for Member States to take account of their regional and local factors (share of different crops in cultivation, crop rotations, field sizes, etc).
- Explore with Member States possible ways of minimizing potential cross border problems related to co-existence.
- Explore sustainable solutions, which are in line with EU law, for areas where agricultural structures and farming conditions are such that farm level co-existence is difficult to achieve for a given crop.

The creation of the ECoB dates back to 2008 (<http://ecob.jrc.ec.europa.eu/>). The Commission service in charge of GMO coexistence in 2008 (DG AGRI) signed an agreement with the JRC to establish the ECoB at the premises of JRC-IPTS.

In September 2010, the Commission transferred the responsibilities for policy-making in co-existence of GMOs from DG AGRI to DG SANCO. In the note (ARES 2011- 682876) of June 2011, the Director General of SANCO requested the JRC to continue managing the ECoB and detailed the priorities for DG SANCO for future work of the ECoB.

2. Mandate and scope of ECoB activities

The mandate of ECoB, created on the basis of the Council conclusions of May 2006, is to organise the exchange of technical-scientific information on best agricultural management practices for co-existence and, on the basis of this process, develop consensus agreed crop-specific guidelines for co-existence measures.

These guidelines are intended to assist Member States in the development or refinement of national or regional legislative approaches to co-existence. Where Member States or

¹ http://ec.europa.eu/food/food/biotechnology/docs/new_recommendation_en.pdf:
Ref. Ares(2012)606935 - 22/05/2012

regions do not intend to develop legislation for co-existence, the guidelines could support the development of voluntary standards for good agricultural practice.

The guidelines should, where appropriate, include contributions towards preventing cross-border problems and recommendations for areas where agricultural structures and farming conditions are such that farm level co-existence is difficult to achieve for a given crop. They should also include a cost analysis of the key components of the measures.

The scope of the guidelines produced by ECoB is GM crops authorised for cultivation in the EU (or in late stages of the regulatory process). Guidelines will cover coexistence during crop cultivation, including sowing, harvesting, transport and storage, up to the first point of sale (silo), i.e. crop production. The scope of ECoB could be extended to also cover seed production if agreed. The ECoB does not intend to cover segregation measures further in the food-feed chain.

The major deliverables of ECoB are 1) crop-specific Reference Documents for Best Practice for the co-existence of GM crops with conventional and organic agriculture (Best Practice Documents or BPDs), and 2) drafting of the report on the situation in Member States of coexistence of GM crops with conventional and organic farming². The Reference Documents contain a set of best agricultural practices consensually agreed with member states experts that will ensure co-existence, while maintaining the economic and agronomic efficiency of farms. The best practices documents will, where possible, have EU-wide application, while taking into consideration the diversity of European farming systems. The draft 2012 report on the implementation of national measures on the coexistence will synthesise information sent by the Member States and requested formally by DG SANCO in the context of the COEX-Net. DG SANCO would later on use it for finalising the report from the Commission to the Council and the European Parliament.

3. Structure, composition and placement of the ECoB

The ECoB consists of a scientific Secretariat and crop-specific Technical Working Groups (TWGs). The scientific Secretariat is composed of permanent staff of the JRC IPTS (an action leader from JRC-IPTS, acting part time as Head of the ECoB) and a Detached National Expert (DNE) recruited by the JRC on the basis of the administrative arrangement. TWGs (one per crop, at a minimum) will consist of experts nominated by the Member States and will be managed by the ECoB scientific Secretariat.

The Secretariat will work in close collaboration with DG SANCO. The Secretariat will be responsible for the overall scientific, technical and administrative management of ECoB.

The ECoB will be placed at the premises of JRC-IPTS (Institute for Prospective Technological Studies) in Seville and be attached to JRC Unit J.4 on Agriculture and Life Sciences in the Economy.

4. Work procedures to elaborate crop-specific Best Practice Documents

The ECoB Secretariat organises and chairs the work of the crop-specific Technical Working Groups. For each TWG established by the ECoB, Member States will nominate one expert, whose name will be communicated to DG SANCO via their COEX-NET

² Article 31 (5 & 6) of Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC. OJ L 106, 17.04.2001, p. 15

Members. The ECoB Secretariat will provide infrastructure, organise and chair the meetings of the TWGs in the premises of JRC-IPTS.

TWG experts will not be paid by the Commission, nor have their expenses covered for their work. It is considered that it is in the interest of Member States' participants to attend meetings and submit data relevant for the elaboration of the respective best practice documents.

Apart from published scientific/technical data collected by the ECoB Secretariat, the TWG members will be the primary source of information towards development of final Best Practice Documents (BPDs).

The detailed operational procedures of each crop-specific TWG to produce a Best Practice Document, and the scope and table of contents of reference of each Best Practice Document will be drafted by the ECoB secretariat and agreed by TWG prior to the starting of the work. All information exchange will be facilitated through a closed, protected electronic internet platform accessible via the official ECoB internet site. (<http://ecob.jrc.ec.europa.eu/>).

The procedure for elaborating a Best Practice Document will normally include two to three meetings of the TWG. The life span of a TWG and the time required to prepare a Best Practice Document can vary according to the biological, agronomic and management complexity of the crop species in question. It is estimated that between 1 and 2 years of work (involving both the technical and economic aspects of best management practices) will be required to elaborate a Best Practice Document.

Final versions of BPDs should be produced by consensus approval of the TWG members of the documents prepared by the ECoB secretariat.

As regards the 2012 report on the coexistence of GM crops with conventional and organic farming, DG SANCO will collect raw information from the Member States in the frame of the COEX-Net, and provide it to the ECoB for analysis and synthesis into a report.

5. Stakeholder consultations

The consultation of the works of ECoB with stakeholder groups will be done, via DG SANCO. DG SANCO will identify relevant stakeholders and develop procedures to this end. It is envisaged to consult the stakeholders on the Best Practice Document in draft stage. DG SANCO will provide the ECoB Secretariat with summaries of the stakeholder consultations. The ECoB Secretariat will make these summaries available to the Technical Working Group for discussion and consideration.