

Brussels, 12 February 2008

Commission requires certification for Chinese rice products to stop unauthorised GMO from entering the EU

The European Commission decided today to require compulsory certification for the imports of Chinese rice products that could contain the unauthorised GMO Bt63. The decision has been taken after rice products -originating in, or consigned from, China and containing the unauthorised genetically modified rice "Bt 63"- were discovered in the EU market between 2006 and 2007. Despite measures announced by the Chinese authorities in 2007, alerts concerning the presence of the unauthorised genetically modified rice "Bt 63" were reported until late 2007. The emergency measures adopted by the Commission today mean that, as of April 15, only consignments of the rice products indicated in a specific Annex of the Decision can enter the EU. These consignments must be tested by an official or accredited laboratory using a specific testing method and accompanied by the analytical report assuring they do not contain Bt63.

Health Commissioner Markos Kyprianou said: "Under EU food safety legislation, only GMOs, which have undergone a thorough scientific assessment and authorisation procedure, may be put on the EU market. The decision adopted today aims to prevent the unauthorised Bt63 rice from reaching EU consumers, by ensuring that only rice products certified as free from this GMO enter the EU."

China is responsible for ensuring that Bt63 does not enter the EU food chain and that imports are certified as free from this unauthorised GMO. Member State authorities are responsible for controlling the imports at their borders and for preventing any contaminated consignments from being placed on the market. In addition, they should carry out controls on products already on the market, to ensure that they are free from Bt63. Business operators importing rice products from China are also responsible for ensuring that Bt63 does not enter the EU food chain and that imports are certified as free from this unauthorised GMO, in accordance with the EU food law principle that operators are responsible for the safety of the food or feed that they place on the market.

The presence of the unauthorised Bt63 was first discovered in the United Kingdom, France and Germany and notified to the Rapid Alert System for Food and Feed (RASFF) in September 2006.

The Chinese competent authorities were immediately requested to provide detailed information concerning the genetic constructs of the unauthorised GMO. In response, the Chinese authorities conducted checks on the cases notified in the RASFF and suspended exports by the enterprises concerned. They also decided to carry out testing on exported rice and rice products and required exporting enterprises to strengthen controls over raw material purchasing.

Despite this first set of measures, a new finding of the unauthorised genetically modified rice “Bt 63” was once again notified through the RASFF in February 2007. The Chinese authorities were immediately informed by the Commission of this new alert and requested to provide additional guarantees. As a result, they decided to strengthen the sampling and testing of rice products and required rice products to be accompanied by an official Chinese Inspection and Quarantine Certificate.

Despite the measures of the Chinese authorities, other alerts concerning the presence of “Bt 63” were subsequently reported. Furthermore, the Chinese authorities were unable to provide the Commission’s Joint Research Centre (JRC) with the requested control samples and a protocol of a detection method that were qualitatively and quantitatively appropriate for the JRC to validate the detection method used by the Chinese control authorities.

Against the described background the Commission believes it is now appropriate to proceed immediately with the adoption of emergency measures, which will impose on an important number of rice products originating from China a compulsory certificate, based on a test carried out by an official or accredited laboratory using a specific testing method.

This decision has been submitted to the Standing Committee on the Food Chain and Animal Health on 12 February 2008 and the Committee gave its favourable opinion. The measures will enter into force from the 15th of April 2008 in order to allow the Member States to take the practical arrangements for its implementation. The situation shall be reassessed after six months. The Commission will continue to actively monitor the situation and adapt the measures if necessary.