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## France

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### **France Approves New Biotech Corn, Biotech Vine Destructions Extremely Unpopular**

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**Report Highlights:**

While France had taken restrictive measures on plant biotech dossiers in the past three years, the Ministry of Agriculture approved in July 38 varieties of biotech corn (including the MON810 and T25 events). No cultivation of these corn varieties is expected in the near future, as France imposes a national ban on MON810 cultivation and the company producing T25 products, BayerCropScience, has no intention to push for cultivation. However, this approval can be seen as a way to prevent another trade blockade due to the Low Level Presence of these biotech events. The only biotech open field experiment approved in France in 2010 was recently destroyed and provoked strong negative reactions as it was performed by the French National Research Institute in Agriculture (INRA). Wasting public research money was perceived as less acceptable than wasting private companies' money, as all the

private companies who used to conduct biotech experiments in open fields had to move these outside of France, where they faced destruction and significant economic losses. In the future, INRA may have to stop its research programs on plant biotechnology, or the Government of France may have to take serious legal actions against the anti-biotech groups who destroy years of research and millions of euros of investments, and let biotechnology be part of innovation in French agriculture.

## **General Information:**

### **France Approves the Commercialization of 38 Biotech Corn Varieties...**

French Minister of Agriculture Bruno Le Maire signed a [decree](#) published July 25<sup>th</sup> in the French Official Journal that updated the French register for planting seeds with 38 new corn varieties, all genetically modified. Included are 36 with the MON810 event, and remaining with the T25 event. The [French register for planting seeds](#) consists of more than 6,000 approved varieties. Each year, roughly 800 new varieties are presented to be included, and only a third is generally approved after extended agronomic and technical tests by the official French seed authority, the Study and Control Group for Varieties and Seeds (GEVES). GEVES is comprised of representatives from the French Ministry of Agriculture, the National Research Institute in Agriculture (INRA), and the French Association for Seeds and Seedlings (GNIS).

The July 25 decree follows a June 12, 2009, decision by the French high administrative authority, Conseil d'Etat. (The Conseil d'Etat rules on French laws and regulations and makes decisions in cases of legal conflicts that involve governmental authorities.) Following an action requested by French seed companies, the Conseil d'Etat concluded that the Government of France had no reason to overlook the biotech varieties that had passed all required tests. France is now in compliance with the Conseil d'Etat's conclusions with the approval of 38 biotech corn varieties. This was the first "open to biotech" decision taken by the French government in several years, especially after the 2008 national ban imposed MON810 cultivation, and the creation of a biotech authority in 2009 where socio-economic and scientific consideration have equal weight in biotech products review and recommendation to the French government (see [reports FR9003](#), dated February 2009, and [FR8008](#), dated June 2008).

### **... While Revealing a More Pragmatic Approach on Biotech Imports**

This recent decision to approve 38 varieties reveals a more pragmatic approach by the French Ministry of Agriculture regarding traces of biotech products not yet approved in the EU, but found in imported shipments. It is likely that France wants to avoid a new Low Level Presence (LLP) of biotech events trade issue, as was the case last year.

Note: In the fall of 2009, several shipments of U.S. soybean were blocked at EU ports of entry, including France, as a result of the presence traces of MON88017 and MIR604 corn. The European feed and food industry were forced to adapt to the major ingredient shortage until EU authorities approved the products, as there is currently a zero tolerance on unapproved biotech events in the European Union.

In an August 4, 2010 [interview](#), Minister Le Maire stated that the decree approves the commercialization of specific varieties, which are not to be grown for commercial production or for field trials. He went on to explain that the approval allows specific corn varieties to transit legally in France, imported or exported, as they do not cause health or environmental problems.

The recent approval can be seen as the first time in many years that the Ministry of Agriculture has taken the lead in a plant biotech issue. It lost control of plant biotech issues over the past three years, for the benefit of the Ministry of Ecology (see report [FR8008](#), dated June 2008), which approach to biotechnology is generally more negative than that of the Ministry of Agriculture. In the specific case of seed approval, the Ministry of Ecology has no jurisdiction.

### **No Desire to Expand Cultivation in France**

BayerCropScience, the company producing T25 corn, claim that they do not aim to have T25 corn cultivated in France, as this crop is self-tolerant to a herbicide (glufosinate ammonium) not approved (and not to be approved) to be sprayed on corn in France and the EU. In addition, no commercial production of biotech crops in France is allowed until a coexistence regulation is in place. The French biotech authority, the High Biotech Council, is currently working on recommendations to the government regarding coexistence including thresholds, isolation distances, and other technical measures. They are expected to release their recommendations by the end of 2010.

### **Impact at the European Level: A Wider Range of Approved Biotech Varieties and a Positive Signal on MON810 and T25 Renewals**

The recent approvals have a direct impact on EU biotech crop cultivation. By being on the French seed register, the 38 corn varieties are automatically placed on the EU seed register. They can now be grown in all Member States that do not have a national ban on MON810 or T25, in the 2011 planting season. To date, Austria and Greece impose national bans on T25 corn, while Austria, France, Germany, Greece, Luxemburg and Hungary impose national bans on MON810 corn.

France's recent approval indicates officially, positive perspectives on two events (T25 and MON810) which ten-year approvals are currently pending by European authorities. The European Food Safety Agency (EFSA) has not yet released its review on T25, while it has for MON810. One could argue that the recent approvals bode well for France's support on renewal of T25 in the European Union.

### **French Biotech Authority Positive on Several Biotech Products**

Although usually extremely quiet, the President of the High Council on Biotechnology (HCB) published an [article in the \*Le Figaro\* on July 20<sup>th</sup>](#), entitled "Biotechnology, a Tool for Progress." In the article she favored the development and use of biotechnology in France, and stood for a "new impetus." She regretted that France, "which had in the 80's a high quality scientific potential in the development of biotechnology, has had a declining scientific, technological and industrial competitiveness since then." She went on to state that biotechnology was key for the sustainable economic and social development of tomorrow's nations.

In the past few months, the HCB has released a number of positive recommendations on the various biotech dossiers reviewed, including the following:

- On July 28, the [HCB concluded that the BASF Amflora potato](#) presented no major health or environmental risk, but noted its limited economic benefits relative to recent non biotech

potato varieties in the potato flour industry.

- On April 14, the [HCB concluded that the biotech vines](#) cultivated in fields for testing by the French National Agricultural Institute (INRA) presented no risks for health or the environment, and the French government officially approved these experiments for four new years.

### **Strong and Numerous Reactions Condemning the Destruction of Experimental Biotech Vines**

On August 15, a group of anti-biotech protesters destroyed biotech rootstock vines in the Alsace region that were planted by the French National Research Institute in Agriculture (INRA). These vines were genetically-engineered to become resistant to the grapevine fanleaf disease, against which there is no treatment. This was the unique new biotech open-field test plot approved by the Government of France just this year, as private companies have stopped conducting open field test plots on biotech crops, refrained by the destructions conducted by anti-biotech activists over the past years. The destroyed rootstock vines trial followed a former multi-year trial conducted since 2005 and also destroyed by activists in 2009 (see [report FR9025](#), dated September 2009). These experiments united researchers, growers, local politicians, unions, as well as nature and conservation groups, and were often set as an example of the successful combination of scientific, social, and economical interests.

Reactions in favor of the destruction were scarce, including mainly the farmers union “Confederation Paysanne,” the anti-globalization activist, and member of the European Parliament José Bové, and the French Senator from the constituency where vines were destroyed, member of the French green party.

On the other hand, INRA’s President and Director, Marion Guillou, was in the frontline in newspapers and on national radio stations in reaction to this attack. On August 18, in a half-page interview in the daily economic newspaper Les Echos, she opined the attack was “contrary to democracy and have no legitimacy,” and “handicapped the capacity of expertise of public research.” She underlined that the INRA researcher in charge of the project left INRA in 2009 after the first attack and left to the University of Davis, California, illustrating the brain drain that France has faced in plant biotechnology research in recent years, to due the lack of resources for researchers in France.

The destruction was strongly condemned by the French Ministries of Environment, Agriculture and Research in a [joint communiqué](#) released on August 16, where they expressed their “shock by this scandalous act of deterioration.” The French Minister of Research separately said that the biotech vines cutters should be condemned to fully reimburse the prejudice they caused,” estimated by INRA at 1 million euros. There were many other official reactions condemning the destruction, including that of the political party of the majority, UMP (Conservative), a workers union, and scientists’ organizations.

Earlier in the summer, on July 24, anti-biotech protesters destroyed a field of herbicide-tolerant sunflowers that they considered “hidden GMOs,” although they were obtained by mutagenesis, rather than transgenesis. The attack was condemned by a group of [Conservative Representatives](#), [scientists](#), the French oilseed technical institute ([CETIOM](#)), and the French Association for Plant Biotechnology ([AFBV](#)).

French Biotech opponents may have gone too far with their destruction of INRA’s biotech vines.

Although INRA's comments and reaction is similar to that of the private companies and farmers who faced similar destructions in the past years, this time France's investment in public research is seriously affected and this is less acceptable for the French public and for the French government. Biotech vines destroyers were part of the same non governmental organizations that worked with INRA in conducting the vines experiment. It will be interesting to see whether this event will change the Government France's approach to plant biotechnology in the future, and more specifically whether the socio-economic assessment in the High Biotech Council, will continue to be considered as strong as the scientific assessment by both official authorities and by the public opinion.