



## **Animal Feed Industry attempts to break down EU zero tolerance GM policy**

**Corporate Europe Observatory  
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A recent draft Commission proposal to change the legislation governing genetically modified (GM) foods and feeds has revealed that the Commission is giving in to a long-standing combined demand from the biotech, food and animal feed industry to break down the so-called 'zero-tolerance policy' regarding contamination with non-authorised GM food and feed. This policy means that imported food and feed stuffs are not allowed to contain even the smallest amount of genetically modified material (referred to as genetically modified organisms or GMOs) that has not been approved for sale in the European Union.

The proposal implies that imported bulk products will be allowed to contain up to 0.1% of non-approved GMOs – GM products which have not even undergone the weak safety-testing procedures required by the European Food Safety Authority (EFSA). The new proposal will be discussed by the EU Council.

### **Lobby campaign revealed**

Internal newsletters from the animal feed lobby, FEFAC (the European Feed Manufacturer's Federation) - normally only available to members - reveal details of how their lobby campaign. FEFAC's lobbying has been supported by the biotech industry association EuropaBio, food companies such as Unilever and the food industry lobby group, the Confederation of Food and Drink Industries (CIAA).

According to the EU Commission's transparency register, FEFAC estimates that it spends 250,000-300,000 on lobbying<sup>1</sup>. This is bound to underestimate the reality, with six staff members in the secretariat, who are based in one of Brussel's prime office locations, opposite the Commission's headquarters. In addition, FEFAC has a Praesidium, a Council and various working committees, whose members are all paid to lobby for the industry, either paid by FEFAC or by a member organisation.

FEFAC has also been lobbying to improve the image of the animal feed industry, which has come under attack because of its reliance on damaging soy imports to Europe. It has become an active member of the – equally controversial – Round Table on Responsible Soy (RTRS), which accredits a voluntary "responsible" label scheme (which for example has agreed to brand Monsanto's RoundupReady (GM) soy as a "responsible" product).

This comes at a time where the seventh Eurobarometer survey on GMOs published in November 2010, showed that an increased percentage of the EU population object to GMOs in their food<sup>2</sup>.

### **Industry claims EU zero-tolerance policy is a “threat to competitiveness”**

FEFAC and the other industry lobbyists have used scaremongering tactics to intimidate politicians and bureaucrats right from the start. They have claimed that this policy will cause feed prices to soar, resulting in the starvation of the millions of animals kept in Europe’s factory farms and a loss of competitiveness for Europe’s meat industry<sup>3</sup>. Many shiploads of contaminated GM feed would have to be returned to the country of origin, they claim, putting a huge burden on the industry. EuropaBio joined the chorus with its 2008 briefing on “Farm animals say Yes to low level presence of GM,” arguing that “Continuing increases in raw material costs will reduce competitiveness of EU threatening jobs and raise meat and dairy consumer prices. In many cases livestock production will be forced to relocate outside of the EU, where ironically, animals will be fed on the same GM material prohibited by the EU”<sup>4</sup>.

Food industry lobby group the CIAA repeated the same message, saying: “It is becoming impossible to reconcile the EU’s zero tolerance policy with increased commercialisation of GM products on world markets. Analysis indicates that the impact on the current zero tolerance policy for EU-unapproved GMOs could have considerable consequences on the food sector. It is important that this situation gets the necessary recognition by policy makers”<sup>5</sup>.

#### **“Low level presence” and zero-tolerance**

Since GMOs were introduced into the food and feed chain, the “unintended”, “low level” presence (LLP) of unapproved GMOs in the EU has been an issue for the industry. In the US, GM crop approvals are faster because they do not have to be tested for safety for health or the environment at all. The industry calls this “asynchronous” approvals, that result in certain new GMOs being grown in the US or elsewhere before being approved in the EU. These can then get mixed up with approved varieties and exported to the EU. If they are detected, the shipload is banned from the EU. This can be costly and the industry argues that the EU should speed up its approval process by exaggerating figures concerning the damage to intensive animal production, according to a Friends of the Earth report published earlier this year<sup>6</sup>.

Some MEPs have taken the bait, such as Scottish Conservative Struan Stevenson. On his website, he says: “Zero tolerance for GM foods makes zero sense”. Commenting on the so-called ‘delay’ in the approval of new GM crops by the EU compared to the US, he says: “farmers, who are falling further behind in the world market as they are forced to feed their animals more expensive non-GM foods, are feeling this delay dearly. Scottish farmers are losing on average £20 for every pig slaughtered because of rising fuel costs and lack of access to cheap feed. There is a real danger that we will soon have no UK pig industry left.”

It is of course not true that the zero-tolerance policy for non-authorised GM feed forces farmers into more expensive non-GM feed, since most imported feed consists of GM soy of varieties from Argentina and Brazil which only grow GM soy that has been approved for import. Lack of access to cheap feed is not an issue.

As Friends of the Earth Europe points out, in reality no shipment from any feed exporting country (US, Argentina, Brazil) was rejected at any European harbours in 2010<sup>7</sup>. Their analysis showed that the quantities of contaminated animal feed were so low that it could not be argued that the EU zero tolerance policy caused significant disruption.

“Of all soy imports used as animal feed (for livestock and pets) a maximum of 0.2 percent were rejected because they contained EU non-approved GMOs”, according to Friends of the Earth Europe’s research.

Adrian Bebb, food and agriculture campaigner for Friends of the Earth Europe said: "There is not a shred of evidence to support the case that Europe should weaken its GMO safety laws. Claims from the biotech and feed industries that farmers can't feed or would even have to slaughter their animals are simply not true. Our research shows that industry is trying to scare-monger politicians to change the law."

### **FEFAC’s internal newsletters**

FEFAC regularly publishes an internal FEFAX newsletter for members, to keep them up-to-date with their lobbying efforts. Corporate Europe Observatory (CEO) has accessed issues of FEFAX newsletters from 2007-2009, which provide an interesting insight.

FEFAX newsletter (no. 200) from December 2008, reveals the organisation’s relationship with officials who are high up in the Commission, in this case then-Director-General of DG SANCO, Robert Madelin.

“On 20 October 2008, the EU feed and food chain delegation met Robert Madelin, Director General DG SANCO, to follow-up on the working progress regarding the ‘technical solution’ for the low-level presence on risk-assessed but not yet EU approved GM events. Mr Madelin stressed the importance of updated economic impact assessments noting both the Cardy-Brown report and the LEI study as examples. **He feared however that these figures may not be “bloody” enough to impress politicians.** He requested however more details on the short-term impacts for the whole feed and food chain if US imports from soybean products would have to stop due to the presence of traces of RR11 [Roundup Ready2 – a GM variety of soy]. **The EU feed & food chain therefore calculated an “ad-hoc” estimation of a financial cost of app. 1.7 bio €** in case the EU could not import soybean products from the US from November 2008 to January 2009.”

**“He stressed that the European Commission was on target to approve RR11 according to the predicted timelines**, i.e. early December 2008, following the vote at the EU Farm Council meeting on 20 November 2008..... DG SANCO will organise a working group of the EU food chain Advisory Group on the “technical solution” on 18 December 2008” (emphasis added).

After the German authorities found illegal traces of Mon 88017 in US soybean meal in June 2009, FEFAX no. 207 of July 2009 reported:

“The FEFAC GMO issue team therefore agreed to send a letter to the EU Farm Council Presidency ((09) INST 26) calling for urgent measures at their next meeting on 13 July 2009 to set a practical LLP threshold and to circulate a press release ((09) CP 6) to the farm press warning about higher feed prices as a result of the EU 0-tolerance policy.”

“COPA-COGECA [European farmers and agri cooperatives] and FEFAC Member Associations are seeking actively to convince national Farm Ministers to bring formally the issue to the next Farm Council agenda, on the basis of the recently published JRC report “GMO pipeline”.

“FEFAC together with the EU Feed and food chain partners will continue to hold

high level meetings with the EU Commission. Commissioner Vassiliou's cabinet has offered a meeting on 17 July 2009, where FEFAC will be represented by its President, Mr Pedro Corrêa de Barros..."

FEFAC intensified contact with Commission staff in 2009, as the industry was becoming impatient at the lack of any Commission proposal to break down the zero-tolerance policy. The FEFAX newsletter (208, 14 August 2009) reported on the failure to get a short term solution from the EU Farm Council meeting in July:

**"FEFAC and other food & feed chain partners agreed to develop a co-ordinated lobbying action plan focusing on national authorities. The objective is to stimulate national farm ministers to a debate and action to be taken at EU level at the upcoming EU Farm Council meeting scheduled on 7 September 2009."**

EU organisations, FEFAC reported, had been invited to establish national coalitions to lobby at the member state level, with all members provided with a dossier of material:

"The missions of these coalitions were threefold:

- To send to relevant national Minister(s) a letter with some economic data on the impact on national markets;
- To ask for a meeting between the coalition and the minister or high level officials to discuss the issue;
- To co-ordinate the follow-up and reporting to EU federations."

"A template letter to be translated and adapted to the national situation and a full dossier presenting the issue at stake was circulated to all members participating to this lobbying campaign. A progress report on national actions has been circulated to FEFAC Members and FFC partners on 13 August 2009."

**"EU FFC partners held follow-up discussions with the cabinet of Commissioner Verheugen on 10 August 2009 who encouraged the coalition to request the formal inclusion of the JRC "GM-pipeline" report in the Farm Council meeting on 7 September 2009 and offered direct support by the Commissioner through the presentation of HLG report on competitiveness of the Agrofood chain including a recommendation to tackle LLP. However they warned the coalition that they did not expect the adoption of an "interim" solution before the end of the year due to the political uncertainties linked to the nomination process of the new Commission."**

**"FEFAC President Mr Pedro Corrêa de Barros will meet MEPs of the EP AGRI Committee in the last week of August 2009 to provide a personal briefing on the LLP-Soya supply issue, prior to the first EP AGRI Committee meeting on 1 September 2009."**

### **FEFAC, a 'responsible' lobby?**

At the same time as this full-scale lobbying campaign to counter health concerns, FEFAC was engaged in a number of corporate-social-responsibility (CSR) style initiatives to fend off widespread criticism regarding the environmental and social damage caused by the large scale production of feed products like soy, and by the factory farms themselves.

### **The impacts of soy production**

Soy production in Latin America for the EU animal feed market goes hand in hand with large scale deforestation, soil and water depletion and degradation, displacement of local communities, land conflicts, and the high use of pesticides affecting people's health. In Europe, the reliance on imported soy has led to a disruption of the local nutrient cycle, as well as soil and water pollution, the disappearance of small scale animal husbandry, barbarous conditions for animals raised in factory farms and a public health threat emerging from the high and constant levels of antibiotics needed to keep populations of animals alive in such dense conditions<sup>8</sup>.

FEFAC is a member of the European Food Sustainable Production & Consumption Roundtable, and the already-mentioned Round Table on Responsible Soy (RTRS)<sup>9</sup>.

The European Food Sustainable Production & Consumption Roundtable has been criticised by Corporate Europe Observatory and Food and Water Europe for its severe lack of civil society involvement, and the two organisations called on the Commission to withdraw from this platform<sup>10</sup>.

FEFAC's mission, as stated in the Commission's lobby transparency register, does not include the 'responsible' production on animal feed; it only refers to targets like "safeguard conditions of free access to raw materials" and "maximise market opportunities for EU compound feed companies"<sup>11</sup>.

### **Zero-tolerance on illegal GMOs must be maintained**

It is unacceptable that the already weak EU GMO policy should be further weakened by abandoning the zero-tolerance policy for non-authorized GMOs. Some member states are opposed to the Commission's proposal to lift zero tolerance and the proposal will be discussed early in 2011.

In the European Parliament, the feed industry lobby has already succeeded in introducing amendments on lifting the zero tolerance policy in initiative reports on totally different issues, including a vote on food security on 18 January<sup>12</sup> and the debate on protein feed before the AGRI committee on 26 January.

The zero-tolerance policy protects EU consumers from unauthorized GMOs in the food chain. The United States applies a similar zero-tolerance approach to unapproved GMOs imported into the US<sup>13</sup>.

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#### **References:**

<sup>1</sup> <https://webgate.ec.europa.eu/transparency/regrin/consultation/displaylobbyist.do?id=77105321408-83>

<sup>2</sup> [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_341\\_winds\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_341_winds_en.pdf)

<sup>3</sup> <http://www.fefac.org/file.pdf?FileID=22883>

<sup>4</sup> <http://www.europabio.org/positions/GBE/LLPfactsheet%20Feb-2008.pdf>

<sup>5</sup>

[http://www.ciaa.be/documents/brochures/French%20Presidency%20Memorandum%20Priorities\\_EN.pdf](http://www.ciaa.be/documents/brochures/French%20Presidency%20Memorandum%20Priorities_EN.pdf)

<sup>6</sup> 'No link between animal feed crisis and EU zero tolerance policy', Friends of the Earth Europe, May 2010

<sup>7</sup> [http://www.foeeurope.org/press/2010/Nov03\\_new\\_gm\\_proposals\\_could\\_open\\_europes\\_doors\\_to\\_risk\\_y\\_unauthorised\\_crops.html](http://www.foeeurope.org/press/2010/Nov03_new_gm_proposals_could_open_europes_doors_to_risk_y_unauthorised_crops.html)

<sup>8</sup> 'United Soya Republics, the truth about soya production in South America', Javiera Rulli et al, 2007; [www.lasojamata.net](http://www.lasojamata.net)

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<sup>9</sup> The RTRS is an industry-led certification platform aiming to provide a 'green' label for mainstream (RoundupReady) soy. FEFAC hosted EU-level workshops on the RTRS aimed at convincing other European businesses to join the RTRS.

In Belgium, NGOs that have worked with the Belgian animal feed association Bemefa on addressing the soy issue by finding locally-grown alternative feedstocks, have complained that Bemefa now solely focuses on the RTRS as a 'solution', and has done little to actively decrease the dependency on soy. Several key members of the RTRS have now left, and Dutch NGOs Solidaridad and WWF have lost important funding for these 'responsible' labelling projects. Also, BEMEFA seems to be developing its own, even weaker, set of criteria for 'sustainable' soy, which could undermine the RTRS label before it has even started. Just as the RTRS label was planned to undermine the more strict (and GMO-free)

'Basel criteria'.

<sup>10</sup> <http://www.corporateeurope.org/agribusiness/content/2010/04/open-letter-industry-food-roundtable>

<sup>11</sup> <https://webgate.ec.europa.eu/transparency/regryn/consultation/displaylobbyist.do?id=77105321408-83>

<sup>12</sup> <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2011-0006&language=EN&ring=A7-2010-0376>

<sup>13</sup> [http://foeeurope.org/GMOs/zero\\_tolerance\\_paper\\_2010.pdf](http://foeeurope.org/GMOs/zero_tolerance_paper_2010.pdf)