

GREENPEACE COMMENTS TO SVALÖF WEIBULL'S APPLICATION FOR DELIBERATE RELEASE OF HERBICIDE TOLERANT GMO-RAPE GT73/RT73 UNDER DIRECTIVE 2001/18 PART B.

Based on recent research Greenpeace oppose that herbicide tolerant GMO-rape is even considered for release; based on the poor quality of the application Greenpeace request that Jordbruksverket further justify its decision to initiate the processing of the application; and Greenpeace contest that these “fieldtrials” qualifies for applying under part B of the directive 2001/18.

GMO-RAPE IS SIMPLY NOT AN OPTION

There are no good reasons for releasing GT73/RT73 in Sweden. The agricultural practice, involving as many as seven cropchanges, would on its own make the herbicide crops designed for two or no cropchanges totally irrelevant for Sweden.

- Rape has its biodiversity centre in Europe, why it can crosspollinate with wild relatives here
- the small rape seeds are easily spilled from trucks and trains or travel from farm to farm on field equipment
- the seeds can survive for over 11 years in the soil
- the pollen travels as much as 26 km with wind and insects
- the herbicide regime intrinsic to the GMO-rape has in the UK Farm-Scale-Evaluations proved to have imidiata negative environmental impact
- GMO-rape developing tolerance to multiply herbicides is a well known problem in Canada
- seven years with herbicide tolerant GMO (also GMO-soy) in the US have resulted in a massive increase in roundup use, a herbicides that already after “normal” use, repeatedly have been found to be contaminating waterways and groundwater in Southern Sweden and Denmark
- etc; etc.

For all these reasons it is clear that GMO-rape should not be released, neither as fieldtrials nor commercially. Luckily the precautionary principle enscribed in the new directive 2001/18 ensures that GMO-rape never will be approved – unless the directive is undermined in its implementation.

MISSING, WRONGFUL AND DATED APPLICATION MATERIAL

The references used in the application material is as dated as GT73 itself. Greenpeace expect of Jordbruksverket that Svalöf Weibull will be instructed to resubmit the application using references from a more recent decade, if they wish for their application to be considered under 2001/18. From the application it appears that OSR in the early to mid 90s could travel only 500m and survive only four years in the ground. Svalöf Weibul, Jordbruksverket and most other readers of this application should contrary be aware, that OSR in early 21th century is known to travel several kilometers (as much as 26 km according to one recent study)¹ and that the seeds are known to survive for over 11 years in the soil². Examples of missing, outdated and/or wrongfull information in this application is abundant:

¹ **G. Ramsay, C. Thompson and G. Squire** (2003) DEFRA “Quantifying landscape-scale gene flow in oilseed rape”.

² **P.J.W. Lutman** (2003) GMCC-03 ”Co-existence of conventional, organic and GM crops – role of temporal and spatial behaviour of seeds”.

- B-3a: regarding seed survival in soil seedbank SW answers “flera år” (meaning they intend to only monitor for four years) rather than “11 years or longer”.
- B-4a (and E-3): SW supports its notion of only 500m isolation distance, on dated studies from 1993-95m, rather than the findings of the various coexistence studies published the last couple of years (Defra (2003), DK-coexistence report (2003), which would mean significantly longer isolation distances
- B-4b: SW denies that there exist any “särskilde faktorer som påverkar spridningen”, here it should naturally have been acknowledged that both the significant rape cultivation in Skåne and the fact that Europe is the biodiversity centre of rape are factors that significantly increase the risk for gene flow.
- D-2c: SW claim that they with southern blot analysis have proved that only one copy of the insert has been inserted! Unless the entire host genome has been used as the probe, a Southern Blot analysis cannot possibly prove that. If, as Greenpeace suspect, only the inserts were used as probes the analysis can only show that the inserted genes are integrated. BUT, such Southern Blot analysis cannot, as SW claims, show whether whole or partial inserts has landed elsewhere in the host genome.
- D-4c: SW denies that roundup resistance gives increased “överlevnadsförmåga”. However in the agricultural landscape in southern Sweden roundup is used too frequently. Why roundup resistance will naturally also confer a survival advantage in the same landscape
- E-2: in their description of the flora at the proposed cultivation sites SW choose not to mention that rape is an important spring crop in Skåne, covering approx 3,5% of the arable land.

SW is immediately responsible for this misinformation. SW's motivation is naturally to run their business, the propagation of seeds for the Canadian market, at the lowest possible cost. It is much harder to comprehend the motivation of the controlling authority, Jordbruksverket, for initiating the processing of an application of such poor quality. As the regulatory body it is Jordbruksverkets responsibility to ensure that no application is considered unless it meets the standards set in the directive 2001/18. Thus, in this sense it is ultimately Jordbruksverket that holds the responsibility for the poor quality of the application, rather than SW, which “merely” try to run their seeds business as cheaply as possible.

No basis for allowing SW to apply under part B

After the conclusions of the Farm-Scale-Evaluation it should finally be clear that the GMO-rape that SW is “researching” will never be approved in the EU. It therefore makes no sense to continue to conduct these field trials in Sweden.

However, SW's “field trials” already makes very little sense.

- SW has itself tirelessly conducted the same “field trials” for over six years.
- The transformation event GT73 was carried out 15-20 years ago. In 1991 the first GT73 field trial was conducted. Today, 13 years later, SW is still “field trialling” the same seeds as in 1991.
- The application asks for unusually large field trial sites 200 000 m² (20 ha) annually until 2008. SW offers no explanation of what they seek to achieve with these oversized “field trial”. On page 5 in the application the 20 year old transformation event is described in such vivid present tense that one nearly forgets that it is a historical account of an event that occurred some 20 years ago. “...den transformerade vårrapsen, som skal odlas i de försök ansökan avser, har visat sig tåla sprutning med Roundup©...” (page 5) This is the closest the application ever is to suggest that the field trials serve a research purpose. It is on this basis SW now applies for permit to

keep trying for another four years until 2008 whether 200 000 m² of vårraps still able to survive being sprayed with Roundup©.

While SW do not reveal a meaningful research purpose for their “fieldtrials” they do in places reveal another purpose. “Syftet med udsætningen är att ta fram förädlingslinjer med Roundup©tolerans lämpade för den Nordamerikanska **marknaden**” (side 10). And ”Vissa fröprov kommer att **exporteras till USA, Kanada och Chile**, för fortsat förädling och prövning” (side 12). In the spring of 2002 Greenpeace activist delayed the planting of a 9 hectare GT73 “fieldtrial” for several weeks. In the Journal of the Swedish Seed Association 3/2002 Vol 112 Svalöf Weibull describes how “...Greenpeace activists camped on Swalof Weibull’s experimental fields for six weeks and disrupted plans to plant **9 hectares of GMO rapeseed for the Nort American Market.**”

It appears that SW under the guise of “fieldtrials” are in fact producing pre-basis seeds for propagation and marketing in the North and South America. It is not clear on what grounds Jordbruksverket have accepted the current application under part B of the directive. _In accordance with article 6, stk 5a Jordbruksverket is obliged to have approved that the application is in accordance with the requirements of the directive. In stead it seems that Jordbruksverket have both failed in the obligation to ensure that the the application meets the standards of the directive; and presumably failed in its obligation to assess whether it is even the right part of the directive SW is applying under. If – as it appears – that SW in fact is exporting the seeds from their fieldtrials, then SW cannot apply for part B consent. Part B relates only to “udsætning af GMO’er i ethvert andet øjemed end markedsføring”. For the purpose of the directive ”markedsføring” is actually meant as any transfer, regardless whether money are involved.

Based on the precautionary principle the new Deliberate release directive 2001/18 provides strong environmental protection clauses. However, the ability of the directive to actually prevent harm to environment or health depends entirely on the application of the directive. By unquestioning accepting this incomplete and outdated application Jordbruksverket is effectively undermining both the words and spirit of the directive.

Greenpeace strongly recommend that Jordbruksverket not only rejects the current application but that a new practice is applied in Jordbruksverket so that Jordbruksverket, can take its regulatory responsibility.

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