

Coexistence in the countries of the EU

A European patchwork

Until now it has been left to the individual EU member states to decide whether and how to regulate coexistence when growing genetically modified and conventional crops. The European Commission passed non-binding guidelines on coexistence in 2003. The differences in the level of implementation and in the practical form of national coexistence legislation are therefore great.



Belgium

After the notification through the EU, the coexistence regulations came into force in August 2008 in Wallonia and in May 2009 in Flanders.

In Flanders, a separation of 200 metres for maize cultivations applies.

In Wallonia, the regulation contains the possibility of setting up gene technology-free zones. No final decision has been made on their separation from genetically modified cultivations (300–600 metres).

In both regions, the respective regulations include the setting up of liability funds.



Bulgaria

Legislation in force since 2005

Through the general specification of a 30 km isolation distance is cultivation at present effectively prohibited. The Bulgarian Parliament is discussing a 5-year moratorium for both commercial cultivation and for sowing.



Danmark

Legislation in force since 2005.

- Coexistence provisions Denmark



Germany

General coexistence rules within the Genetic Engineering Act, cultivation of GM plants is regulated by the ordinance on good praxis in the production of genetically modified plants and its crop-specific annexes.

For maize: Minimum separation distance from conventional crops: 150 metres, from organic maize crops: 300 metres

- In Brandenburg and Saxony, 800–1000 metres distance to wildlife sanctuaries.
- Duty to inform neighbours, option for neighbours to agree on shorter distances
- Entry in site register
- Liability regardless of negligence or fault



Finnland

Draft legislation for regulating co-existence notified to the EU Commission in July 2008.

The Finnish Parliament is discussing this draft legislation.



France

National cultivation ban on MON810 Bt maize in force since February 2008; new genetic engineering legislation since June 2008.

- Coexistence provisions France



Greece

National ban on cultivation for GM-maize MON810

Still no legislation for regulating co-existence.



UK

Still no regulations for coexistence in force.

- Coexistence provisions UK



Recommendations of a study group have been available since 2005: still no regulation for coexistence in force.



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Draft coexistence legislation presented

Minimum distances: maize 200m, sugar beet 50m, potatoes 20m



National ban on cultivation for GM-maize MON810

Coexistence regulations notified by the EU

Minimum distances: maize 800m, sugar beet 2000m, rape 3000m

Liability: insurance mandatory



Coexistence legislation drawn up by various associations (farmers, consumers, environmental groups, industry).

- Coexistence provisions Netherlands



National ban on cultivation for GM-maize MON810

Federal regulations on coexistence in force, design and implementation by the provinces

Gene technology-free regions in all nine Federal States

Furthermore, Austria supports the demand for the introduction of a Europe-wide binding framework regulations that ensure the protection of GM-free production and take other important aspects into proper consideration, such as the effects on protected areas standing under nature conservation.

- Coexistence provisions Austria



Draft coexistence legislation, providing for:

Draft Minimum distances: maize 200/300m, sugar beet 100m (3000m for seed production), potatoes 50m; additional measures (cropping intervals of several years)



Coexistence regulations in force

Separation distances: conventional cultivation: maize 200 metres; for coated seed 24 rows of conventional maize

Ecological cultivation: 300 metres; for coated seed 28 rows of conventional maize + 50 metres

Compensation fund for economic losses

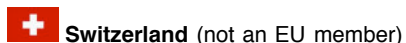


National regulations are available. A minimum distance of 200 metres must be held.



General coexistence regulations were put in force in 2007. Since 2008 detailed regulations are available.

Minimum distances: maize 15-50m; potatoes 2m.



Switzerland (not an EU member)

Revised regulations within the Genetic Engineering Act; work on concrete cultivation legislation was put on hold until November 2010 because of the Swiss moratorium on genetic engineering.

- Coexistence provisions Switzerland



Slovakia

Draft coexistence legislation submitted to the European Commission for notification.

Minimum separation distances: maize 200/300 metres (can be reduced by 2 metres for each row of buffer planting; potatoes 20 metres; oilseed rape 400/600 metres (can be reduced by 2 metres for each row of conventional rape planted as a buffer crop); turnip 50 metres



Slovenia

A draft ordinance was submitted as notification to the EU Commission in 2006. The draft contains very restrictive conditions for the cultivation of GM crops. The EU Commission has not yet approved the draft ordinance.



Spain

Cultivation of GM maize since 1998, no state coexistence legislation – bill has been produced.



Czech Republic

Coexistence regulations are in force.

- Coexistence rules Czech Republic



Turkey (EU candidate)

New legislation on commercial use of GMOs within the framework of the biosafety law came into force on 26th September 2010, replacing the existing regulations. Cultivation of GM plants is still prohibited.



Hungary

Co-existence regulation has been notified to the EU Commission and adopted by the Hungarian National Assembly.

To the EU, the Hungarian government had previously justified its national moratorium on planting and buying/selling GM seed on the basis of the absence of coexistence legislation. Under the new law, GMO cultivation is permitted, but under very strict regulations.

Minimum distances: maize 400-800m.

Site register, authorisation requirements, compensation fund.

Estonia, Malta, Cyprus

No draft coexistence legislation yet.



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