



## **COCERAL-FEDIOL-FEFAC Joint response to call for evidence on the implementation of Regulation (EU) 2026/1388 on plants obtained by certain new genomic techniques and their products**

**COCERAL, FEDIOL and FEFAC** welcome the possibility to provide views on the Call for evidence on the secondary legislation on plants obtained by new genomic techniques (NGTs). Our associations, representing the EU grain and oilseed trade, crushing and feed industries, support the European Commission's efforts to ensure a swift, effective, and consistent implementation of the NGT Regulation in a global context characterized by diverging regulatory approaches. Given the contribution that NGT plants can make to tackle major global issues like climate change, food insecurity, and environmental strain, a clear and efficient regulatory framework is essential for the competitiveness of EU agricultural value chains, a smooth trade and European food security.

It is fundamental that all implementation tools ensure a framework that is predictable, proportionate and developer friendly for both EU and non-EU breeders, taking into account the realities of international commodity trade and diverging regulatory approaches.

### **Call for a simple and proportionate implementation framework supporting the development and marketing of compliant conventional-like Category 1 NGT plants**

The delegated act to be adopted under Article 25 of the Regulation should provide clear and simple rules to ensure a predictable determination of NGT1 plant status, ensuring that Category 1 NGT plants are effectively treated as conventional plants, in coherence with the logic and objectives of the Regulation itself.

Such imperative should also be reflected in the Guidance to be developed by EFSA according to Article 29(1) of the Regulation. In particular, documentation requirements to demonstrate that a plant is a Category 1 NGT plant, as well as the rules regarding the corresponding verification procedure should remain as proportionate and workable as possible, while fully respecting the requirements laid down in the regulation. It is indeed essential to encourage EU and non-EU breeders to develop such innovative products and, more importantly, to incentivize them to comply with the EU verification process to ensure products sourced in the EU and in non-EU countries and placed on the EU market will be fully compliant.

In a fragmented global regulatory landscape, developers, particularly SMEs, are already required to prepare complex regulatory submissions for multiple jurisdictions. When developing the administrative procedures and documentation requirements under the Regulation, the Commission should also, wherever possible, take into account the information and documentation that developers already possess. This would help avoid unnecessary duplication of administrative efforts, facilitate timely applications, and ensure that innovative NGT plants can reach the EU market without avoidable delays.

Moreover, to ensure smooth trade of commodities such as grains and oilseeds, characterized by its bulk nature both in the EU and worldwide, it is essential that the EU verification process for Category



1 NGT plants is well understood and respected by all breeders, especially in third countries. To that end, third countries authorities as well as breeders' associations would have a specific role to play. The Commission should engage in close cooperation with such countries, especially those with whom the EU has preferential trade relationships, with the objective of de-risking and facilitating the global bulk trade of grains and oilseeds. In a global fragmented regulatory framework, facilitating compliance of worldwide production chains is essential for both the competitiveness of value chains situated in the Union and for the food and feed security of the EU.

This is particularly relevant considering the specific traits excluded from the Category 1 status as foreseen in Annex II of the Regulation, which are specific to the EU legislation. In that respect, we also consider that the trait relating to the *"production of a known insecticidal substance"* should be clarified by the Commission to ensure sufficient predictability and enable all developers to comply with such requirement in an effective way.

Ensuring transparency and access to reliable information at origin is also essential. EU traders need timely and reliable information on which NGT plants are being developed and commercialised in third countries. In this respect, national authorities have again a key role to play in ensuring transparency, including through the establishment and maintenance of publicly accessible registers. The European Commission should actively support these transparency objectives by engaging with third-country authorities and developers to facilitate the exchange of relevant information, wherever possible. In the longer term, consideration should be given to establishing a global transparency register, or public-private registries to monitor the market release of NGT plants and products.

**Call for a clear and restrictive interpretation of adapted arrangements for complying with analytical methods performance requirements for Category 2 NGT plants**

EU traders and downstream operators in the food and feed chain shall be able to rely on a robust legal framework to ensure that imported and traded products comply with the EU legislation. In that regards, detection and quantification methods for Category 2 NGT plants are necessary. Regarding the adapted arrangements referred to in Art.14(1)(l) and Art.20(2) where identification and quantification methods are not feasible, it is essential that the implementing act follows a restrictive interpretation and specifies how the arrangements will comply with the performance requirements. Any determination that identification and quantification methods are not feasible should be duly justified and supported by scientific evidence.

The absence of a reliable detection method for a Category 2 NGT plant raises significant concerns for operators handling bulk commodities. Importers cannot reasonably be expected to bear the risk of non-compliance and need reliable methods or appropriate tools to verify the presence or absence of a Category 2 NGT plant.

In this regard, the EURL guidance pursuant to Article 29(2) will also play an important role in the practical implementation of the framework. It should clarify how operators can demonstrate compliance where analytical methods are not available and provide practical information on the alternative tools that may be relied upon by traders, importers and processors handling bulk



commodities. The overall framework, including both the implementing act and the EURL guidance, should provide meaningful legal certainty for operators relying on these alternative compliance tools.

COCERAL, FEDIOL and FEFAC remain fully committed to engaging constructively during the implementation process to achieve the goals outlined above.

**COCERAL** is the European association of trade in cereals, oilseeds, pulses, olive oil, oils and fats, animal feed and agrosupply. It represents the interest of the European collectors, traders, importers, exporters and port silo storekeepers of the above-mentioned agricultural products. COCERAL's direct members are located in 14 EU countries, with one European association, Unistock representing the professional portside storekeepers for agribulk commodities within the EU and one associated member in Switzerland. With about 3,000 companies as part of COCERAL national members, the sector trades agricultural raw materials destined to the supply of the food and feed chains, as well as for technical and energy uses. Gafta is an extraordinary member of COCERAL.

**FEDIOL**, the EU vegetable oil and protein meal industry association, represents the interests of the European oilseed crushers, vegetable oil refiners and bottlers. FEDIOL members are 10 national associations and associated company members in 7 other EU countries. With about 180 facilities in Europe, the sector provides 20,000 direct employments. Its members process approximately 55 million tonnes of basic products a year, both of EU origin and imported from third country markets. The sector processes notably rapeseed, sunflower seed, soybeans and linseed into oils and meals for food, feed, technical and energy uses essentially on the European market.

**FEFAC**, the European Compound Feed Manufacturers' Federation, represents 23 national Associations in 23 EU Member States as well as Associations in Switzerland, Turkey, Serbia, Russia and Norway with observer/associate member status. The European compound feed industry employs over 100,000 persons on app. 3,500 production sites often in rural areas, which offer few employment opportunities.