

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. cable	Re: Chancellor Schroeder's New GMO Initiative; German Gov't Launches New Biotech Push (5 pages)	07/10/2000	P1/b(1) <i>RL 11/14/2014</i>
002. cable	Re: Italy to Ban Imports of Four GMO Corn Varieties (2 pages)	08/04/2000	P1/b(1) <i>RL 11/14/2014</i>
003. cable	Re: Italian GMO Corn Ban: Commission Response (3 pages)	08/10/2000	P1/b(1) <i>RL 4/3/2013</i>
004. cable	Re: Saudi Arabia's New Certification Requirement for Imported Genetically Modified Foodstuffs (3 pages)	08/11/2000	P1/b(1) <i>RL 11/14/2014</i>
005. cable	Re: [Genetically Modified Food Imports] (3 pages)	08/19/2000	P1/b(1) <i>RL 4/3/2013</i>
006. cable	Re: [Biotechnology Negotiations] (3 pages)	08/23/2000	P1/b(1)
007. cable	Re: [French Agriculture Minister] (2 pages)	09/08/2000	P1/b(1)
008. cable	Re: [International NGO] (3 pages)	09/08/2000	P1/b(1)
009. cable	Re: [GMO Policy] (2 pages)	09/13/2000	P1/b(1)
010. cable	Re: [GMO Agriculture] (2 pages)	09/14/2000	P1/b(1)
011. cable	Re: [Unapproved Genetically Modified Corn] (2 pages)	09/18/2000	P1/b(1) <i>RL 4/3/2013</i>
012. cable	Re: [Biotech Talks] (2 pages)	09/29/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1999 - Dec 2000 ([GMO...])
OA/Box Number: 530000

FOLDER TITLE:

[07/03/2000 - 09/29/2000]

2013-0836-F

ke3018

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHFRA7200 1850826-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 030826Z JUL 00
LINE4: FM AMEMBASSY PARIS
OSRI: RUEHFR
DTG:
ORIG: AMEMBASSY PARIS
TO: RUEHC/SECSTATE WASHDC 2193
RUEHRC/USDA FAS WASHDC
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHMRE/AMCONSUL MARSEILLE
RUEHSR/AMCONSUL STRASBOURG
RUEHGV/USMISSION GENEVA 1558
RHEHAAA/WHITE HOUSE WASHDC
SUBJ: SOME CORN WITH ADVENTITIOUS PRESENCE
OF GMO VARIETIES MAY BE DESTROYED
TEXT: UNCLAS PARIS 007200

STATE PASS USTR
STATE PASS FDA
STATE PASS USDOC
GENEVA FOR USTR, ALSO AGRICULTURE
EU POSTS PASS AGCOUNSELOR
BRUSSELS ALSO FOR USEU

STATE PASS FOR BRUNO
USTR FOR MURPHY
USDOC FOR CPOZA
EPA
WHITE HOUSE FOR OSTP, OEP
USDA FOR OSEC; U/S SCHUMACHER; SIDDIQUI
FAS FOR A/TGALVIN;
ITP/PSHEIKH/JGRUEFF/BSIMMONS/RMACK/BRICHEY;
OFSTS/LHARBERT/BLSLUTSKY/SSCHWARTZ;
FAA/SEBRANEK/GEERKEN; CMP/DA/LEE;
CMP/G&F/RRIEMENSCHIEDER; APHIS/OA/CREED
STATE PASS USTR
STATE PASS FDA
STATE PASS TO EPA

E.O. 12958: N/A
TAGS: EAGR, ETRD, PGOV, TBIO, WTRO, EUN, FR
SUBJECT: SOME CORN WITH ADVENTITIOUS PRESENCE
OF GMO VARIETIES MAY BE DESTROYED

REF: PARIS 06958

1. ON JUNE 21, AN ARTICLE APPEARED IN A LARGE
FRENCH NEWSPAPER SAYING THAT THE FRENCH FRAUD

CONTROL OFFICE (DGCCRF) HAD DISCOVERED SMALL AMOUNTS OF TRANSGENIC SEEDS IN U.S. CORN SEED LOTS; THAT THE TRANSGENIC CONTENT WAS LESS THAN ONE PERCENT; THAT ONE U.S. COMPANY WAS IMPLICATED (GOLDEN HARVEST), AND THAT 4,800 HECTARES WERE AFFECTED (REFTEL). A FEW SHORT ARTICLES APPEARED OVER THE NEXT FEW DAYS IN OTHER NEWSPAPERS; GOLDEN HARVEST WAS NAMED AGAIN; AND THE NUMBER OF HECTARES WAS REDUCED TO 3,000.

2. MARLYSE LEBRANCHU, SECRETARY FOR CONSUMER AFFAIRS, STATED IN BORDEAUX ON JUNE 29 THAT NEXT WEEK THE GOF WILL MAKE A DECISION ON WHETHER TO PULL UP 4,000 HECTARES OF CORN. HOWEVER, SHE ALSO STATED THAT NON-EU-APPROVED VARIETIES ARE GROWING ON FEWER THAN 1,000 HECTARES. AS FOR THE OTHER 3,000 OR SO HECTARES, THEY CONTAIN SMALL NUMBERS OF GM PLANTS WHICH ARE AUTHORIZED IN FRANCE. LEBRANCHU SAID THAT THERE IS NOTHING ILLEGAL REGARDING THESE GMO VARIETIES AND THE ONLY THING THAT MIGHT BE INVOLVED IS A COMMERCIAL DISPUTE BETWEEN THE FARMERS WHO BOUGHT THE SEEDS AND THE COMPANY SELLING THE SEEDS.

3. THE PROBLEM FOR LEBRANCHU IS TO FIND THE SPECIFIC PARCELS OF LAND WHERE THE NON-APPROVED GMO VARIETIES ARE GROWING AND THEN TO DECIDE WHETHER TO DESTROY THOSE PARCELS.

4. GOLDEN HARVEST EXECUTIVE VICE PRESIDENT, ROB ROBINSON CALLED ON THE AGATTACHE ON JUNE 29. HE SUGGESTED THAT THE PROBLEM FOUND WITH HIS SEEDS IS NOT UNIQUE AND THE PROBLEM COULD BE MORE WIDESPREAD. WE WILL WATCH THE MATTER CLOSELY.

5. INFORMAL TRANSLATION OF AFP REPORT OF SECRETARY LEBRANCHU'S PRESS INTERVIEW FOLLOWS:

-- THE DECISION AS TO WHETHER TO PULL OUT 4,000 HECTARES OF CORN IN SOUTHWEST FRANCE CONTAINING SOME GENETICALLY MODIFIED PLANTS WILL BE MADE NEXT WEEK, SAID MARYLISE LEBRANCHU, MINISTER FOR SMALL BUSINESS AND CONSUMER AFFAIRS ON THURSDAY IN BORDEAUX.

"WHAT IS IMPORTANT IS TO IDENTIFY THE FIELDS PLANTED WITH THE GM SEEDS," SAID THE MINISTER DURING A PRESS BRIEFING AFTER MEETING WITH REPRESENTATIVES OF THE CORN INDUSTRY AT THE BORDEAUX PREFECTURE. SHE EMPHASIZED THAT NO SEED LOT CONTAINED MORE THAN 0.87 PERCENT GM CONTENT.

CURRENTLY, NO REGULATIONS EXIST IN FRANCE OR IN THE EU GOVERNING THRESHOLDS FOR GM IMPURITIES.

THE SEED INDUSTRY HAS INDEPENDENTLY ADOPTED THE SAME THRESHOLD THAT IS IN EFFECT FOR FOOD PRODUCTS, OR ONE PERCENT.

FOR THE SEED LOTS IN QUESTION (I.E. THE LOTS THAT TESTED POSITIVE FOR GMO'S), FEWER THAN HALF OF THESE LOTS CONTAIN NON-APPROVED VARIETIES WHICH AMOUNT TO FEWER THAN 1,000 HECTARES, SAID LEBRANCHU.

FOR THE LOTS CONTAINING FORTUITOUS AMOUNTS OF GMOS AUTHORIZED IN FRANCE, THERE ARE NO LAWS MAKING THIS ILLEGAL. IT IS SIMPLY A COMMERCIAL MATTER BETWEEN THE FARMER AND HIS SEED SUPPLIER, SAID LEBRANCHU.

THE DECISION TO PULL SEED LOTS STILL IN INVENTORY OFF THE MARKET WAS MADE ON JUNE 16, SHE SAID.
ROHATYN

TOR: 07/03/00 06:17:19

DIST: SIT: BLINKEN NSC CRAWFORD DAVIDSON KASS MUNTER NORLAND SPENCE YEE
PRT: USTR{P\SOCKS\GRD-2PS,06}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHRLA2889 1921541-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 101541Z JUL 00
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TO: RUEHC/SECSTATE WASHDC 6341
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUCNFRG/FRG COLLECTIVE
RUEHRC/USDA FAS WASHDC 0066
SUBJ: CHANCELLOR SCHROEDER'S NEW GMO INITIATIVE; GERMAN
GOV'T LAUNCHES NEW BIOTECH PUSH
TEXT: UNCLAS SECTION 01 OF 03 BERLIN 002889

SENSITIVE

DEPT FOR EB-M.BRUNO
STATE PASS USTR
STATE PASS WHITE HOUSE - OSTP
ROME PASS USDA U/S SCHUMACHER

E.O. 12958: N/A
TAGS: EAGR, ETRD, TBIO, TSPL, SENV, PGOV, GM
SUBJECT: CHANCELLOR SCHROEDER'S NEW GMO INITIATIVE; GERMAN
GOV'T LAUNCHES NEW BIOTECH PUSH

REF: A. BERLIN 2669
B. TRICK-BRUNO E-MAILS 6/21
C. 6/22
D. BERLIN 1439

SUMMARY

1. (SBU) GREATER DETAIL ON CHANCELLOR SCHROEDER'S AGRICULTURAL BIOTECH INITIATIVE (REFS A-B) HAS EMERGED THROUGH A SERIES OF DISCUSSIONS WITH GOVERNMENT AND INDUSTRY REPRESENTATIVES. NEGOTIATIONS ARE SET TO BEGIN SOON BETWEEN GOVERNMENT AND INDUSTRY THAT WILL LEAD TO A VOLUNTARY AGREEMENT BETWEEN THE TWO PARTIES THAT WILL MARK THE WAY FORWARD ON AGRICULTURAL BIOTECH OVER THE NEXT THREE YEARS. BOTH SIDES EXPECT THE AGREEMENT TO EXCHANGE INDUSTRY ACQUIESCENCE TO A RESEARCH AND MONITORING PROGRAM FOR GREATER GOVERNMENT SUPPORT OF GMOS SHOULD THE MONITORING INDICATE ACCEPTABLE ENVIRONMENTAL AND HEALTH RISKS. THERE ARE STILL VISIBLE DIFFERENCES OF OPINION -- BOTH BETWEEN GOVERNMENT AND INDUSTRY AND WITHIN THE GOVERNMENT ITSELF -- OVER THE EXACT

NATURE OF THE VOLUNTARY AGREEMENT TO BE REACHED. INDUSTRY VIEWS THE INITIATIVE VERY POSITIVELY, AND HOPES IT CAN ACT AS A MODEL TO BE SPREAD THROUGHOUT THE EU. THE HEALTH MINISTRY BELIEVES THE AGREEMENT WILL CLOSELY RESEMBLE THE BRITISH MORATORIUM. CONTROL OF THE INITIATIVE WILL REMAIN IN THE CHANCELLERY (NOT IN THE HEALTH MINISTRY, WHICH UNTIL NOW HAS HAD LEAD ON ALL BIOTECH ISSUES), HOWEVER, WHICH COULD MEAN THAT THE PRO-BIOTECH ECONOMICS, RESEARCH AND AGRICULTURE MINISTRIES HAVE FINALLY WON GREATER CONTROL OVER GERMANY'S OVERALL BIOTECH POLICY.

2. (U) SCHROEDER'S GMO INITIATIVE IS TAKING PLACE WITHIN THE FRAMEWORK OF A STEPPED-UP GOVERNMENT CAMPAIGN TO PUSH ALL ASPECTS OF BIOTECH RESEARCH AND APPLICATIONS. THE EDUCATION AND RESEARCH MINISTRY ANNOUNCED ON JULY 4 THAT IT IS PURSUING A POLICY DESIGNED TO MAKE GERMANY THE NUMBER TWO COUNTRY (BEHIND THE U.S.) IN BIOTECHNOLOGY. THE GOVERNMENT WILL INCREASE GENETIC RESEARCH FUNDING BY 70 PERCENT IN 2001, ADDING USD 72 MILLION TO THE ANNUAL BUDGET. CHANCELLOR SCHROEDER HAS ALSO TERMED BIOTECHNOLOGY TO BE A "KEY" TECHNOLOGY EQUAL TO INFORMATION TECHNOLOGY, AND HE INCLUDED AGRICULTURAL BIOTECH IN THIS ASSESSMENT. END SUMMARY.

OUTLINES OF A PLAN EMERGE

3. (U) SCHROEDER ANNOUNCED HIS INITIATIVE WITH A SPEECH TO THE FIRM KWS EINBECK, GERMANY'S LEADING GMO RESEARCHER AND PRODUCER, WHICH IS HOSTING AN EXHIBIT ON PLANT BREEDING AS PART OF THE WORLD FAIR 2000. THE SPEECH DIFFERED NOTICEABLY FROM THE VERSION LEAKED TO THE PRESS, WHICH HAD APPARENTLY SPOKEN OF A THREE-YEAR HALT TO ALL COMMERCIAL GMO PLANTINGS (REF. B). SCHROEDER SPOKE VERY POSITIVELY ABOUT AGRICULTURAL BIOTECHNOLOGY, STATING THAT THE RECENT GERMAN BIOTECH DYNAMIC (WHICH HAS SEEN RAPID INCREASES IN THE ESTABLISHMENT OF FIRMS) MUST BE EXPANDED INTO AGRICULTURAL BIOTECH. IN ORDER FOR THIS TO HAPPEN, CONSUMER ACCEPTANCE OF GMOS NEEDS TO BE INCREASED. TO DO THIS, SCHROEDER SUGGESTED TO INDUSTRY THAT IT COME TO A VOLUNTARY AGREEMENT THAT ALL CURRENT OR FUTURE GMO VARIETAL APPROVALS WOULD ONLY BE USED WITHIN THE FRAMEWORK OF A RESEARCH AND MONITORING PROGRAM (WHICH WOULD LAST FOR AN UNSPECIFIED -- AND LIKELY TO BE NEGOTIATED -- PERIOD OF TIME). THE MONITORING PROGRAM WOULD CALM THE PUBLIC CONCERNS WHILE GIVING INDUSTRY BETTER PLANNING ABILITY.

4. (SBU) COMMENT: THE KEY POINT OF SCHROEDER'S SPEECH IS NOT WHAT HE SAID, BUT WHAT HE DID NOT. UNLIKE PREVIOUS GERMAN GOVERNMENT STATEMENTS (REF. C), HE NEVER GAVE ANY INDICATION THAT CONSUMER CONCERNS ABOUT ENVIRONMENTAL AND HEALTH SAFETY ARE JUSTIFIED. RATHER, HE SIMPLY NOTED THAT THEY EXIST, AND THAT IT MUST BE THE GOAL OF ALL INVOLVED (SCIENCE, INDUSTRY, APPROVAL BODIES, CONSUMERS) TO INCREASE TRANSPARENCY OF SCIENTIFIC STUDIES AND PUBLIC INFORMATION TO PROVIDE A SOLID BASIS FOR USING GENETIC TECHNOLOGY. THIS IS AN IMPORTANT DEPARTURE, FOR IT INDICATES THAT THE DOMINANT GERMAN GOVERNMENT VIEWPOINT IS THAT GMOS ARE SAFE, AND THAT THE MESSAGE JUST NEEDS TO GET ACROSS TO THE PUBLIC.

UNFORTUNATELY, IT DOES NOT INDICATE THAT THE GOVERNMENT WILL GET OUT IN FRONT OF PUBLIC OPINION IN ORDER TO HELP RESOLVE OUR TRADE AND "PRECAUTIONARY PRINCIPLE" DISPUTES, BUT WILL RATHER WAIT FOR ACCEPTANCE TO COME. BUT AT LEAST THERE NOW SEEMS TO BE A DRIVE TO PUSH SUCH ACCEPTANCE. END COMMENT.
UNCLAS SECTION 02 OF 03 BERLIN 002889

SENSITIVE

DEPT FOR EB-M.BRUNO
STATE PASS USTR
STATE PASS WHITE HOUSE - OSTP
ROME PASS USDA U/S SCHUMACHER

E.O. 12958: N/A
TAGS: EAGR, ETRD, TBIO, TSPL, SENV, PGOV, GM
SUBJECT: CHANCELLOR SCHROEDER'S NEW GMO INITIATIVE; GERMAN GOV'T LAUNCHES NEW BIOTECH PUSH

STILL DISSENT WITHIN GOVERNMENT

5. (SBU) THE GOVERNMENT IS STILL NOT QUITE CLEAR, HOWEVER, ON EXACTLY WHAT IT WANTS FROM THE AGREEMENT. THE GREENS PARTY-LED HEALTH MINISTRY, WHICH IS THE LEAD AGENCY ON BIOTECH POLICY, SEEMS TO EXPECT AN ARRANGEMENT MIRRORING THE BRITISH THREE-YEAR MORATORIUM. ASSISTANT SECRETARY-EQUIVALENT ULRIKE RIEDEL TOLD US THAT THE AGREEMENT WOULD OBLIGATE INDUSTRY TO FORSAKE COMMERCIAL CULTIVATION OF GMO CROPS FOR THREE YEARS, EVEN VARIETIES THAT ALREADY HAVE EU APPROVAL. THE THREE YEAR MONITORING PROGRAM WOULD END WITH A "RISK ASSESSMENT" LIKE THAT FORESEEN BY THE REVISED EU 90/220 DIRECTIVE. FUTURE POLICY COULD THEN BE MADE ON THE BASIS OF THIS RISK ASSESSMENT.

6. (SBU) A CONTACT AT THE ROBERT KOCH INSTITUTE (ROUGHLY THE GERMAN EQUIVALENT OF THE FDA AND CDC) WHO WAS PRIVY TO THE PREPARATIONS OF THE CHANCELLOR'S SPEECH, TOLD US THAT THE CHANCELLOR WOULD ALLOW GERMANY'S LIMITED COMMERCIAL CULTIVATION TO CONTINUE DURING THE PROGRAM, JUST THAT SUCH CULTIVATION SHOULD BE MONITORED. HE ALSO NOTED THAT SCHROEDER HAD DECIDED TO KEEP THE LEAD ON THE INITIATIVE WITHIN THE CHANCELLERY AGAINST THE EXPLICIT REQUEST OF THE HEALTH MINISTRY. AN ECONOMICS MINISTRY CONTACT NOTED THAT DISCUSSIONS WERE JUST BEGINNING WITH INDUSTRY, AND IT WAS TOO EARLY TO SAY WHERE THEY WOULD END. SHE SPECULATED THAT THE CHANCELLOR'S INITIATIVE MAY IN PART HAVE BEEN MOTIVATED BY RECENT OECD EVENTS SUCH AS THE EDINBURGH BIOTECH CONFERENCE THAT HIGHLIGHTED THE SCIENTIFIC CONSENSUS ABOUT GMO SAFETY (COMMENT: THIS ALLOWS THE GERMAN GOVERNMENT TO SEEK SHELTER FROM DOMESTIC GREEN OPPOSITION IN A MULTILATERAL TENT).

INDUSTRY IS PLEASED

7. (SBU) REPRESENTATIVES FROM MONSANTO GERMANY, ALFRED TOEPFER INTERNATIONAL, AND OTHER FIRMS INVOLVED IN THE "BIOTECHNOLOGY WORKING GROUP" (AN INDUSTRY FORUM) WERE VERY UPBEAT ABOUT THE SCHROEDER PROPOSAL. THEY WERE ADAMANT THAT IT DID NOT RESEMBLE THE BRITISH SITUATION FOR TWO REASONS: UNDER THE SCHROEDER PLAN COMMERCIAL CULTIVATION COULD CONTINUE, AND SCHROEDER WAS CLEAR THAT GMO CROPS GROWN FOR RESEARCH PURPOSES WOULD NOT BE DESTROYED, IN ORDER TO AVOID THE APPEARANCE THAT THE GOVERNMENT CONSIDERED THEM DANGEROUS. THE MONSANTO REPRESENTATIVE WAS ENTHUSIASTIC ENOUGH TO VIEW THE CHANCELLOR'S INITIATIVE AS A POSSIBLE MODEL FOR OTHER EU MEMBERS TO EMULATE.

NO RESPONSE FROM ENVIRONMENTALISTS. YET.

8. (U) SO FAR, SCHROEDER'S PROPOSAL HAS NOT MOTIVATED PUBLIC COMMENTS FROM THE ENVIRONMENTALIST AND CONSUMER-ADVOCACY GROUPS. THE OPPOSITION OF GERMAN ENVIRONMENTAL NGOS TO AGRICULTURAL BIOTECHNOLOGY IS AN ARTICLE OF FAITH, HOWEVER, AND NOT AMENABLE TO RATIONAL ARGUMENT -- OR FASTIDIOUS MONITORING.

GOVERNMENT PUSHING BIOTECH IN GENERAL

9. (U) THE CHANCELLOR'S INITIATIVE IS PART OF AN OVERALL GOVERNMENT STRATEGY TO SUPPORT AND INTENSIFY THE BIOTECH SECTOR HERE. AS OUR ECONOMICS MINISTRY CONTACT PUT IT, "BIOTECH HAS BEEN IN THE AIR" OF LATE. CLOSE ON THE HEELS OF SCHROEDER'S SPEECH, THE EDUCATION AND RESEARCH MINISTRY ANNOUNCED THAT IT WOULD INCREASE SUPPORT OF GENETIC RESEARCH BY 70 PERCENT -- USD 72 MILLION -- IN THE 2001 BUDGET. THIS FOLLOWS TWO CONSECUTIVE YEARS OF BIOTECH R&D BUDGET INCREASES AND A FLOWERING OF BIOTECH CORPORATIONS. WHILE MOST OF THE BIOTECH DRIVE HAS BEEN IN THE PHARMACEUTICAL AREA, THE GOVERNMENT HAS ALSO HEAVILY SUPPORTED A PLANT GENOME PROJECT AKIN TO THE HUMAN GENOME PROJECT. THE GOVERNMENT HOPES WITH THESE PROGRAMS TO PLACE GERMANY IN THE NUMBER TWO POSITION WORLDWIDE IN BIOTECHNOLOGY RESEARCH AND DEVELOPMENT.

COMMENT

UNCLAS SECTION 03 OF 03 BERLIN 002889

SENSITIVE

DEPT FOR EB-M.BRUNO
STATE PASS USTR
STATE PASS WHITE HOUSE - OSTP
ROME PASS USDA U/S SCHUMACHER

E.O. 12958: N/A
TAGS: EAGR, ETRD, TBIO, TSPL, SENV, PGOV, GM
SUBJECT: CHANCELLOR SCHROEDER'S NEW GMO INITIATIVE; GERMAN

GOV'T LAUNCHES NEW BIOTECH PUSH

10. (SBU) SCHROEDER'S PROPOSAL APPEARS -- OVERALL -- TO BE A POSITIVE DEVELOPMENT. THE CHANCELLOR EXPLICITLY PRAISED AGRICULTURAL BIOTECHNOLOGY AND STATED HIS INTENT TO PUSH ITS DEVELOPMENT IN GERMANY. THE APPARENT DECISION TO RUN THE INITIATIVE FROM THE CHANCELLERY RATHER THAN HAND IT TO THE OPENLY ANTI-GMO HEALTH MINISTRY IS A MINOR VICTORY FOR U.S. INTERESTS IN ITSELF. THE REASONS FOR REMAINING SKEPTICAL ABOUT ITS CHANCES FOR ACTUALLY INCREASING PUBLIC ACCEPTANCE OF GMOS AND THUS ASSISTING IN RESOLVING OUR TRADE CONCERNS , HOWEVER, ARE STILL VALID (REF. C). PUBLIC OPPOSITION TO GMOS IS PROBABLY SHALLOW ENOUGH TO BE OVERCOME BY A WIDE-SCALE ENVIRONMENTAL AND HEALTH MONITORING PROGRAM SUCH AS PROPOSED BY THE CHANCELLOR. BUT THE MONITORING PROGRAM WILL FACE AN UPHILL BATTLE IN GETTING ITS MESSAGE ACROSS FOR TWO REASONS: (1) THE GERMAN PUBLIC WILL LIKELY CONTINUE TO VIEW THE ENVIRONMENTAL GROUPS AS BEING THE MOST LEGITIMATE "ANALYSTS" OF THE RISKS OF GMOS; (2) THE MEDIA IS USUALLY BIASED IN THIS ISSUE TOWARD THE GREENS (AN EXAMPLE: WHEN GM-RAPESEED WAS INADVERTENTLY RELEASED IN SEVERAL EUROPEAN COUNTRIES RECENTLY, THE LEADING TELEVISION NEWS PROGRAM WENT FOR COMMENT NOT TO THE ROBERT KOCH INSTITUTE OR THE MAX PLANCK INSTITUTE, BUT RATHER TO THE ANTI-GMO "OEKO-INSTITUTE," CLOSELY ASSOCIATED WITH THE GREENS PARTY.)

KORNBLUM

TOR: 07/10/00 13:41:06

DIST: SIT: Bernard BLINKEN BRUNS NSC CRAWFORD DAVIDSON DUNCAN KASS MUNTER
NORLAND SPENCE YEE
PRT: USTR{P\\SOCKS\GRD-2PS,06}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHFRA8275 2091121-UUUU--RHEHAAA.
LINE2: ZNR UUUUU ZZH
LINE3: R 271121Z JUL 00
LINE4: FM AMEMBASSY PARIS
OSRI: RUEHFR
DTG:
ORIG: AMEMBASSY PARIS
TO: RUEHC/SECSTATE WASHDC 2990
RUEHRC/USDA FAS WASHDC
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHMRE/AMCONSUL MARSEILLE
RUEHSR/AMCONSUL STRASBOURG
RUEHGV/USMISSION GENEVA 1582
RHEHAAA/WHITE HOUSE WASHDC
SUBJ: GMO CORN CROP NOT DESTROYED: FRANCE'S
JUSTIFICATION
TEXT: UNCLAS SECTION 01 OF 02 PARIS 008275

STATE PASS USTR MURPHY, MOWREY, IVES, SLOAN
GENEVA FOR USTR, ALSO AGRICULTURE
USDA/OS/SIDDIQUI
USDA/FAS FOR OA/GALVIN; ITP/GRUEFF/MACKE/SLUTSKY
POSTS PASS TO AGRICULTURE AND ECON
CONGEN MILAN PASS AGR OFFICE
STATE FOR OES, EUR/ERA

E.O. 12958: N/A
TAGS: EAGR, ETRD, PGOV, TBIO, WTRO, EUN, FR
SUBJECT:GMO CORN CROP NOT DESTROYED: FRANCE'S
JUSTIFICATION

REF:A) PARIS 7755 B) PARIS 7368 C) PARIS 7200
D) PARIS 6958 E) PARIS 5774

1. SUMMARY: AN ARTICLE IN LE FIGARO BY CONSUMER
MINISTER MARYLISE LEBRANCHU EXPLAINED HOW THE
PRINCIPLE OF PRECAUTION DICTATES THAT GMO CORN
GROWING IN FRANCE NOT/NOT BE DESTROYED. SHE SAID
THAT IMPORTS ARE RESPONSIBLE FOR THE CORN PROBLEM
IN FRANCE. ANOTHER ARTICLE BY AGRICULTURAL
MINISTER JEAN GLAVANY MADE SOME ADDITIONAL POINTS
ON THIS CONTROVERSY. END SUMMARY.

2. IN AN ARTICLE IN LE FIGARO ON JULY 20 ENTITLED
"A DESIRE FOR TRANSPARENCY ON GMOS", CONSUMER
MINISTER MARYLISE LEBRANCHU CLAIMS THAT THE GOF'S
HANDLING OF THE GMO CORN PROBLEM (REFTELS)
DEMONSTRATES THE GOVERNMENT'S COMMITMENT TO
TRANSPARENCY ON BIOTECH ISSUES, ITS ADHERENCE TO

THE PRINCIPLE OF PRECAUTION, AND ITS ABILITY TO TAKE TOUGH AND UNPOPULAR POLITICAL DECISIONS TO PROTECT THE ENVIRONMENT AND THE HEALTH OF CITIZENS OF FRANCE.

3. LEBRANCHU HAS A REPUTATION AS ONE OF THE MOST OBJECTIVE AND REASONABLE OFFICIALS IN THE JOSPIN GOVERNMENT ON AGROBIOTECH ISSUES. FOR THIS REASON, POST FINDS THE TONE OF HER ARTICLE AND THE SCOPE OF ITS IMPLICATIONS ALL THE MORE SURPRISING.

4. LEBRANCHU'S MESSAGE IS THAT THE GOF HAS BEEN VERY CAREFUL ON AGROBIOTECH. THE RECENT CORN PROBLEM, SHE SAYS, IS CAUSED BY IMPORTS. IN LIGHT OF THIS, THE DGCCRF (THE FRAUD SQUAD, RESPONSIBLE FOR TESTING AND ENFORCEMENT) HAS UPPED ITS CUSTOMS INSPECTIONS.

5. LEBRANCHU WRITES THAT THE GOVERNMENT WANTS TO BE SURE THE TRUTH IS KNOWN. EVEN THOUGH THE AMOUNTS OF NON-APPROVED VARIETIES INVOLVED ARE SMALL, SEED COMPANIES MUST NOT THINK THAT ADVENTITIOUS GM CONTENT IS QUOTE INEVITABLE AND THEREFORE ACCEPTABLE UNQUOTE. TESTS DONE BY THE DGCCRF SHOWED THAT SOME IMPORTED SEED LOTS WERE PURE. THIS PROVES, SAID LEBRANCHU, THAT SEED COMPANIES ARE ABLE TO SELL 100 PERCENT NON-GM SEEDS.

6. SIX HUNDRED HECTARES UNDER COLZA (RAPESEED) WERE DESTROYED BECAUSE OF NON-EU-APPROVED CONTENT (REF E). THE CORN PROBLEM, ON THE OTHER HAND, IS NOT A THREAT TO THE ENVIRONMENT OR HUMAN HEALTH. THEREFORE THE PRINCIPLE OF PRECAUTION REQUIRES THAT THE GOF NOT/NOT DESTROY THE HECTARES.

7. THE CORN HARVESTED FROM THE AFFECTED HECTARES WILL HAVE TO BE LABELED. IF THIS PRESENTS PROBLEMS FOR SELLERS, THE U.S. SEED COMPANIES MAY BE HELD ACCOUNTABLE.

8. LEBRANCHU'S ARTICLE ENDS WITH THE STATEMENT, "WE NOW HAVE THE MEANS TO FIGHT AGAINST THESE UNDESIRABLE IMPORTS, ESPECIALLY SINCE THE SOCIAL AND ECONOMIC UTILITY OF GMOS HAS NOT BEEN DEMONSTRATED."

GLAVANY INTERVIEW

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9. IN AN INTERVIEW IN THE JULY 21 ISSUE OF THE DAILY FRENCH ECONOMIC NEWSPAPER "LA TRIBUNE," FRENCH MINISTER OF AGRICULTURE JEAN GLAVANY SAID HE FAVORED PUBLIC DEBATE ON AGROBIOTECH IN FRANCE AND A REASONABLE AND CAUTIOUS APPROACH ON THE ISSUE. NOTE: HOWEVER, HE POINTEDLY DID NOT INDICATE THAT PUBLIC DEBATES WILL BE ORGANIZED ON BIOTECHNOLOGY IN SEPTEMBER BY LEBRANCHU'S MINISTRY

OF CONSUMER AFFAIRS AND SEVERAL CONSUMER
ASSOCIATIONS (CLCV, FR AND UFCS, ALL KNOWN TO BE
UNFAVORABLE TO BIOTECHNOLOGY). END NOTE.
UNCLAS SECTION 02 OF 02 PARIS 008275

STATE PASS USTR MURPHY, MOWREY, IVES, SLOAN
GENEVA FOR USTR, ALSO AGRICULTURE
USDA/OS/SIDDIQUI
USDA/FAS FOR OA/GALVIN; ITP/GRUEFF/MACKE/SLUTSKY
POSTS PASS TO AGRICULTURE AND ECON
CONGEN MILAN PASS AGR OFFICE
STATE FOR OES, EUR/ERA

E.O. 12958: N/A
TAGS: EAGR, ETRD, PGOV, TBIO, WTRO, EUN, FR
SUBJECT:GMO CORN CROP NOT DESTROYED: FRANCE'S
JUSTIFICATION

10. GLAVANY DEFENDED THE GOF'S DECISION NOT TO
DESTROY THE GMO CORN HECTARES (REF A, B, C, AND
D), EVEN THOUGH IT DESTROYED GMO RAPESEED HECTARES
A FEW WEEKS AGO. HE SAID THE CORN SEEDS CONTAINED
ONLY APPROVED TRANSGENIC SEEDS (NOTE: THIS IS NOT
TRUE. END NOTE), WHILE THE RAPESEED CONTAINED
UNAPPROVED VARIETIES. GLAVANY ALSO SAID, "(FOR
CORN,) UNLIKE COLZA, THE RISK OF POLLINATION -
THAT IS TO SAY OF NATURAL DISSEMINATION - IS NIL."

11. GLAVANY SAID THE THRESHOLD FOR SEED LABELING
MUST BE MUCH LOWER THAN FOR FOOD LABELS, WHICH IS
ONE PERCENT, BUT HE DECLINED TO GIVE A NUMBER.
(NOTE: 0.5 PERCENT IS UNDER DISCUSSION IN FRANCE
AND OTHER EU MEMBER STATES. END NOTE.) HE SAID
THAT CONTROLS ON SEED IMPORTS INTO FRANCE MUST BE
STRENGTHENED, AND CLAIMED TO HAVE LITTLE
CONFIDENCE IN THE MULTINATIONAL SEED COMPANIES,
WHO ARE NOT VERY CONCERNED, HE SAID, WITH PUBLIC
HEALTH OR ENVIRONMENTAL SAFETY.
MCELHANEY

TOR: 07/27/00 07:23:12

DIST: SIT: BLINKEN BRUNS NSC CRAWFORD DAVIDSON DUNCAN GREENWOOD KASS LIN
MUNTER NORLAND SPENCE YEE
PRT: USTR{P\SOCKS\GRD-2PS,06}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHFRA8351 2101435-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 281435Z JUL 00
LINE4: FM AMEMBASSY PARIS
OSRI: RUEHFR
DTG:
ORIG: AMEMBASSY PARIS
TO: RUEHC/SECSTATE WASHDC 3038
RUEHRC/USDA FAS WASHDC
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHMRE/AMCONSUL MARSEILLE
RUEHSR/AMCONSUL STRASBOURG
RUEHGV/USMISSION GENEVA 1592
RHEHAAA/WHITE HOUSE WASHDC
SUBJ: FRANCE MAY NOT SUPPORT GMO THRESHOLD OF
TEXT: UNCLAS PARIS 008351

STATE PASS USTR MURPHY, MOWREY, IVES, SLOAN
GENEVA FOR USTR, ALSO AGRICULTURE
USDA/OS/SIDDIQUI
USDA/FAS FOR OA/GALVIN; ITP/GRUEFF/MACKE/SLUTSKY
POSTS PASS TO AGRICULTURE AND ECON
CONGEN MILAN PASS AGR OFFICE
STATE FOR OES, EUR/ERA

E.O. 12958: N/A
TAGS: EAGR, ETRD, PGOV, TBIO, WTRO, EUN, FR
SUBJECT: FRANCE MAY NOT SUPPORT GMO THRESHOLD OF
0.5 FOR PLANTING SEEDS

1. ON FRIDAY AFTERNOON JUNE 28, AGATT SPOKE WITH
A MINAG OFFICIAL KNOWLEGEABLE ABOUT THE ISSUE.
THE OFFICIAL SAID THAT MEMBER STATE RESPONSES TO
THE COMMISSION'S PROPOSED 0.5 PERCENT THRESHOLD
FOR FORTUITOUS GMO INCLUSION IN SEED LOTS ARE DUE
TO THE COMMISSION TOMORROW (SATURDAY JULY 29).
FOR SCIENTIFIC REASONS, FRANCE IS NOT WEDDED TO
THE 0.5 PERCENT LEVEL. THE AGREED-UPON LEVEL MAY
END UP BEING BETWEEN 0.5 AND 1 PERCENT, WITH 1
PERCENT THE ABSOLUTE MAXIMUM. ONLY APPROVED
VARIETIES WILL BE COVERED BY THE AGREEMENT. THE
THRESHOLD FOR UNAPPROVED VARIETIES WILL REMAIN
ZERO. THERE IS PRESSURE TO GET AN AGREEMENT.
2. IT COULD BE THAT A THRESHOLD WILL BE AGREED
UPON, AND THAT SOME MEMBER STATES WILL ENFORCE IT
AND SOME WILL NOT. THERE IS A PARALLEL HERE WITH
ACTIONS OF MEMBER STATES REGARDING HECTARES UNDER
GMOS -- SOME MEMBER STATES HAVE DESTROYED
GMO-CONTAINING CROPS WHEN UNAPPROVED VARIETIES ARE

PRESENT, AND SOME HAVE NOT.
MCELHANEY

TOR: 07/28/00 12:06:05

DIST: SIT: BLINKEN BRUNS NSC CRAWFORD DAVIDSON DUNCAN GREENWOOD KASS LIN
MUNTER NORLAND SPENCE YEE
PRT: USTR{P\SOCKS\GRD-2PS,O6}

Cable

PREC: ROUTINE

CLASS: UNCLASSIFIED

LINE1: RAAUZYUW RUEHROA4856 2171319-UUUU--RHEHAAX.

LINE2: ZNR UUUUU ZZH (CCY PARA MARKINGS)

LINE3: R 041319Z AUG 00

LINE4: FM AMEMBASSY ROME

OSRI: RUEHRO

DTG:

ORIG: AMEMBASSY ROME

TO: RUEHC/SECSTATE WASHDC 2161
RUEHRC/USDA FAS WASHDC 1104

INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHGV/USMISSION GENEVA 2602
RUCPDOG/USDOC WASHDC
RUEHMIL/AMCONSUL MILAN 5977
RUEHNP/AMCONSUL NAPLES 4256
RUEHFL/AMCONSUL FLORENCE 2469
RUEHSS/OECD POSTS COLLECTIVE

SUBJ: ITALY TO BAN IMPORTS OF FOUR GMO
CORN VARIETIES

TEXT: UNCLAS ROME 004856
C O R R E C T E D COPY (PARA MARKINGS)

STATE EB/TPP/ATT/ATP/MARILYN BRUNO
FOR U/S LOY; OES FOR BRILL
WHITE HOUSE FOR DR. NEAL LANE
STATE PASS USDA FOR US/SCHUMACHER, OA/GALVIN,
FAS/ITP/SHEIKH/MACKE/SLUTSKY
FAS/ITP/EAMED AND USTR
GENEVA FOR USTR, ALSO AGRICULTURE
BRUSSELS ALSO FOR USEU
PLEASE PASS TO CONSULAR POSTS
PARIS ALSO FOR OECD

SENSITIVE

E.O. 12958: N/A
TAGS: EAGR, ETRD, TBIO, SENV, KSCA
SUBJECT: ITALY TO BAN IMPORTS OF FOUR GMO
CORN VARIETIES

REF: (A) ROME 04683 (B) ROME 04791

1. (SBU) ITALY VOTED TO SUSPEND THE IMPORTATION OF
FOUR GMO CORN VARIETIES ACCORDING TO A PRESS
RELEASE FROM THE PRESIDENCY OF THE COUNCIL OF
MINISTERS. THE FOUR PRODUCTS (BTLL, MON 810,
MON809, AND T25) HAD BEEN APPROVED ON THE
BASIS OF SUBSTANTIAL EQUIVALENCE (REF A & B),
A PROCESS THAT THE ITALIAN GREEN PARTY HAS
ARGUED IS NOT VALID. AN ORIGINAL DRAFT OF THE

DECREE INCLUDED THREE GMO CANOLA PRODUCTS, (GT 73, CANOLA OIL MSL RSL, AND CANOLA OIL RF2 MSL) BUT THESE WERE NOT INCLUDED IN THE CURRENT BAN. POST WILL CONTINUE TO FOLLOW UP ON THIS ISSUE BUT, DUE TO AUGUST VACATIONS, NO MEANINGFUL CLARIFICATION OF THE LIKELY IMPACT OF THE DECREE MAY BE AVAILABLE FOR SEVERAL WEEKS.

2. (SBU) INFORMAL TRANSLATION OF COUNCIL OF MINISTER'S PRESS RELEASE: "THE COUNCIL OF MINISTERS HAS APPROVED A PROPOSAL OF THE PRESIDENT OF THE COUNCIL TO SUSPEND THE COMMERCIALIZATION AND USE OF TRANSGENIC PRODUCTS WITH A BASE OF CORN WHILE WAITING FOR THE NECESSARY EU COMMISSION VERIFICATION. THIS INFORMATION WAS IMMEDIATELY PASSED TO THE EUROPEAN COMMISSION AND OTHER MEMBER STATES."

3. (SBU) INFORMAL TRANSLATION OF PRESS STATEMENTS OF PRIME MINISTER AMATO: "WE ARE TIED TO THE PRECAUTIONARY PRINCIPLE WHICH IMPLIES THAT ONLY IN ABSENCE OF ANY DOUBT CAN WE PROCEED WITH A TRANQUIL AND SERENE COMMERCIALIZATION"...."IT IS A DECISION WHICH I HAVE ASSUMED IN THE PRESENCE OF DIVERGENT OPINIONS AMONG THE RESPONSIBLE MINISTERS. I TOOK NOTE OF THE EXISTENCE OF A VARIETY OF BODIES IN FAVOR OF THE PRODUCTS IN QUESTION. HOWEVER, I DEEMED THAT ON THE QUESTION OF RISK OF HEALTH, I HAVE NOT HAD A SUITABLE RESPONSE TO EACH DOUBT."

4. (SBU) COMMENT: GIVEN THE FRAGILITY OF AMATO'S RULING COALITION HIS DECISION WAS LIKELY BASED MORE ON HIS NEED TO MAINTAIN GREEN PARTY SUPPORT THAN ON CONCERNS ABOUT HEALTH RISKS. END COMMENT. FOGLIETTA

TOR: 08/14/00 16:20:28

DIST: SIT: BLINKEN BRUNS NSC CRAWFORD DAVIDSON DUNCAN GREENWOOD KASS LIN
MUNTER NORLAND YEE
PRT: USTR{P\\SOCKS\GRD-2PS,06}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHFRA8664 2171415-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 041415Z AUG 00
LINE4: FM AMEMBASSY PARIS
OSRI: RUEHFR
DTG:
ORIG: AMEMBASSY PARIS
TO: RUEHRC/DEPARTMENT OF AGRICULTURE WASHDC
RUEHC/SECSTATE WASHDC 3216
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHMR/AMCONSUL MARSEILLE
RUEHSR/AMCONSUL STRASBOURG
RUEHGV/USMISSION GENEVA 1594
SUBJ: FRENCH AND GMO'S: SCARY STATS AND PUBLIC DEBATES
TEXT: UNCLAS PARIS 008664

USDA FOR OSEC, UNDER SECRETARY SCHUMACHER;
FAS FOR OA/TGALVIN;
ITP/PSHEIK/JGRUEFF/BSIMMONS/RMACK;
FAA/GEERKEN;
OFSTS/LHARBERT/BSLUTSKY/SSCHWARTZ;
CMP/G&F/RRIEMENSCHNEIDER; CMP/COTS/LBLUM
APHIS/OA/CREED;
STATE PASS USTR
STATE PASS FDA
STATE PASS EPA
GENEVA FOR USTR, ALSO AGRICULTURE
EU POST PASS AGCOUNSELOR
CONGEN MILAN
BRUSSELS ALSO FOR USEU

E.O. 12958: N/A
TAGS: EAGR, ETRD, EUN, FR, TBIO, WTO
SUBJECT: FRENCH AND GMO'S: SCARY STATS AND PUBLIC DEBATES

1. SUMMARY: A RECENT POLL SHOWS THAT ALMOST 3/4 OF FRENCH ADULTS ARE WORRIED ABOUT GENETICALLY MODIFIED ORGANISMS (GMO'S) IN THEIR FOOD. MORE THAN HALF OF THESE CITIZENS FEEL THAT THE GOVERNMENT IS NOT HANDLING GMO POLICY WELL. IN A MOVE TO MAKE THE ISSUE MORE TRANSPARENT, THE MINISTRY OF CONSUMER AFFAIRS HAS ASKED NGO'S TO ORGANIZE MANY PUBLIC DEBATES ON GMO'S THROUGHOUT FRANCE SO THAT PEOPLE ON ALL SIDES OF THE ISSUE CAN EXPRESS THEIR FEELINGS. END SUMMARY.

2. ON AUGUST 3, THE LEAD STORY OF "LA LIBERATION" WAS ENTITLED "GMO'S: WORRIES ON THE RISE." ITS SUBTITLE INCLUDES A STARTLING STATISTIC: "73 PERCENT OF FRENCH ADULTS ARE WORRIED ABOUT EATING GENETICALLY MODIFIED FOODS." THIS NUMBER EVEN SURPRISED THE EXPERTS OF THE FRENCH INSTITUTE OF

PUBLIC OPINION (IFOP) WHO DID THE SURVEY. THEY SAID THAT THEY THOUGHT THEY WOULD FIND MORE INDIFFERENCE TO GMO'S IN THE FRENCH POPULATION, BUT ADDED THAT THE RECENT MAD-COW PROBLEM MAY HAVE INFLUENCED PEOPLE'S ANSWERS. THE ANALYSTS ALSO SAID THAT THIS RESULT IS REALLY A REFLECTION OF STRONGER UNDERLYING FEELINGS IN FRENCH CULTURE--WORRIES ABOUT GLOBALIZATION AND A DEFENSE OF THEIR TRADITIONAL CUISINE. THE ARTICLE CONTINUED TO NOTE THAT WOMEN AND MEMBERS OF THE WORKING CLASS WERE, GENERALLY SPEAKING, MORE WORRIED THAN MEN AND PROFESSIONALS ABOUT THE EFFECTS OF GMO'S.

3. IN ADDITION TO BEING WORRIED ABOUT THE PROBLEM, THE FRENCH ARE ALSO WORRIED ABOUT CURRENT PATHS TO A SOLUTION. 58 PERCENT OF THE FRENCH POPULATION HAS NO CONFIDENCE THAT THE GOVERNMENT IS HANDLING GMO POLICY WELL. IN FACT, ANOTHER ARTICLE IN THIS SPECIAL WAS ENTITLED, "THE GOVERNMENT UNDER HIGH SUSPICION." VOTERS ARE CONCERNED THAT LOBBISTS HAVE TOO MUCH INFLUENCE IN GMO POLICY AND THAT THE EU IS PUTTING TOO MUCH PRESSURE ON THE FRENCH GOVERNMENT. CONSUMERS OVERWHELMINGLY LIKED THE IDEA OF A "GMO-FREE" LABEL, BUT THAT CONCEPT CURRENTLY HAS NO DEFINITION UNDER EUROPEAN LAW.

4. BECAUSE OF LACK OF TRUST IN HOW THE PUBLIC SECTOR IS HANDLING GMO POLICY, THE FRENCH GOVERNMENT WANTS TO MAKE THE ISSUE MORE TRANSPARENT TO ITS CONSTITUENTS. TO ACCOMPLISH THIS, IT WILL INVOLVE THEM IN PUBLIC DEBATES ON BIOTECHNOLOGY THROUGHOUT THE COUNTRY. ON JULY 5, MARYLISE LEBRANCHU, THE FRENCH MINISTER FOR CONSUMER AFFAIRS, ANNOUNCED THAT HER MINISTRY DIRECTED THREE FRENCH CONSUMER ASSOCIATIONS TO ORGANIZE PUBLIC DEBATES ON AGROBIOTECH IN SEPTEMBER AND OCTOBER 2000.

5. THE CONSUMER ASSOCIATIONS INVOLVED IN THE ORGANIZATION OF THE BIOTECH DEBATES ARE "CONSUMPTION, HOUSING, AND LIVING ENVIRONMENT" (CLCV), "RURAL FAMILIES" (FR), AND THE "FEMININE, CIVIC AND SOCIAL UNION" (UFCS). NOTE: THEY ARE ALL KNOWN TO BE UNFAVORABLE TO BIOTECH PRODUCTS. END NOTE.

6. CLCV, FR, AND UFCD WILL PREPARE 66 DEBATES IN 42 REGIONS OF FRANCE THAT WILL INCLUDE LOCAL EXPERTS (SUCH AS UNIVERSITY PROFESSORS, INDEPENDENT SCIENTISTS, AND RESEARCHERS IN LOCAL COMPANIES) AS WELL AS CITIZENS. CLCV, FR, AND UFCS WILL REPORT ON THESE DEBATES TO THE GOF IN DECEMBER 2000.

7. EMBASSY PARIS HAS SINCE FOLLOWED UP WITH THESE ORGANIZATIONS TO LEARN THAT AT THE PRESENT MOMENT, NO DATE AND PLACE HAS YET BEEN SET FOR ANY OF THE PUBLIC DEBATES. THAT INFORMATION SHOULD BE AVAILABLE IN EARLY SEPTEMBER AFTER THE FRENCH RETURN FROM VACATION. THESE ORGANIZATIONS WERE WARMLY RECEPTIVE TO EMBASSY INQUIRIES AND WISHED TO SEE A REPRESENTATIVE ATTEND SOME OF THE SESSIONS.

JSSPIRO
CHIEF OF MISSION

TOR: 08/04/00 10:29:41

DIST: SIT: BABBITT BANBURY BLINKEN BOWLES NSC CRAWFORD DAVIDSON FELDMAN
GREENWOOD KASS MCLEAN MUNTER NAPLAN NORLAND ORFINI PATTEN SCHWARTZ
SMITHP WILCOX YEE

PRT: USTR{P\ \SOCKS\GRD-2PS,O6}

Cable

PREC: PRIORITY
CLASS: UNCLASSIFIED
LINE1: PAAUZYUW RUEHBSA4521 2231519-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: P 101519Z AUG 00
LINE4: FM USEU BRUSSELS
OSRI: RUEHBS
DTG:
ORIG: USEU BRUSSELS
TO: RUEHRC/USDA FAS WASHDC PRIORITY
RUEHC/SECSTATE WASHDC PRIORITY
RUCPDO/USDOC WASHDC PRIORITY
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHGV/USMISSION GENEVA
RUEHMIL/AMCONSUL MILAN
RUEHAG/AMCONSUL HAMBURG
RUEHSW/AMEMBASSY BERN
RUEHBR/AMEMBASSY BRASILIA
RUEHBU/AMEMBASSY BUENOS AIRES
RUEHKO/AMEMBASSY TOKYO
RUEHOT/AMEMBASSY OTTAWA
SUBJ: ITALIAN GMO CORN BAN: COMMISSION RESPONSE
TEXT: UNCLAS SECTION 01 OF 02 BRUSSELS 004521

SENSITIVE

STATE PASS USTR FOR FRASER, MURPHY
USDA/OSEC/SIDDIQUI
FAS FOR OA/GALVIN; ITP/SIMMONS/MACKE/RICHEY/SCHWARTZ
FAS FOR OFSTS/HARBERT/SLUTSKY
FAS FOR CMP/LEE/RIEMENSCHNEIDER
STATE FOR EUR/ERA EB/TPP, OES/ETC
USDOC FOR DAS/LUDOLPH

GENEVA FOR USTR, ALSO AGRICULTURE
POSTS PASS AGRICULTURE AND ECON
CONGEN MILAN PASS AGR OFFICE

E.O. 12958: N/A
TAGS: EAGR, ETRD, EUN, WTRD, WTO, TBIO, PGOV, SENV
SUBJECT: ITALIAN GMO CORN BAN: COMMISSION RESPONSE

REF: ROME 4856

SENSITIVE BUT UNCLASSIFIED.

1. (SBU) ON WEDNESDAY AGATT ASKED COMMISSIONER BYRNE'S STAFF (STRICTLY PROTECT) WHAT STEPS THE COMMISSION WAS TAKING IN RESPONSE TO THE ITALIAN GOVERNMENT'S BAN ON FOUR GMO CORN PRODUCTS UNDER THE SAFEGUARD PROVISIONS OF THE NOVEL FOODS REGULATION, CLAIMING THEY REJECT THEIR

"SUBSTANTIAL EQUIVALENCE." (REF). (NOTE: THE NOVEL FOODS REGULATION CAN BE ACCESSED THROUGH A LINK ON THE USEU WEBSITE, WWW.USEU.BE, UNDER THE AGRICULTURE HEADING. SAFEGUARDS ARE DISCUSSED IN ARTICLES 11-13. END NOTE.)

2. (SBU) AS REPORTED IN THE MINUTES OF THE JULY MEETING OF THE SCIENTIFIC COMMITTEE ON FOODS (SEE TEXT PARA 6) ITALY'S EUROPE MINISTER MATTIOLI IN JUNE GAVE SANCO COMMISSIONER BYRNE "EVIDENCE" ON WHICH THEY BASED THEIR BAN OF THE CORNS. ACCORDING TO THE SOURCE, (STRICTLY PROTECT) "IT LOOKS LIKE THREE OR FOUR PAGES OF RUBBISH WITHOUT ANY REAL SCIENCE."

3. UNDER THE PROCEDURES OF THE NOVEL FOODS REGULATION, SANCO HAS FORWARDED THIS "EVIDENCE" TO THE SCIENTIFIC COMMITTEE ON FOODSTUFFS FOR REVIEW AT ITS SEPTEMBER 6 MEETING. ASSUMING THE SCIENTISTS DELIVER A TIMELY OPINION, IT WOULD GO TO THE STANDING COMMITTEE ON FOODS, WHICH MEETS IN OCTOBER. THE STANDING COMMITTEE WOULD MAKE A DETERMINATION BY QUALIFIED MAJORITY IF THE ITALIAN DECISION IS JUSTIFIED. IF IT IS NOT JUSTIFIED, THE ITALIANS WOULD EITHER HAVE TO REVOKE THE BAN OR THE COMMISSION WOULD TAKE INFRINGEMENT PROCEEDINGS IN THE EUROPEAN COURT OF JUSTICE.

4. (SBU) THE SOURCE'S OPINION IS THAT THERE IS POLITICAL RISK IF THE SCIENTIFIC COMMITTEE FAILS TO PRODUCE AN OPINION. THAT COULD ALLOW THE STANDING COMMITTEE TO DEFER A DECISION, AND INCREASE THE LIKELIHOOD OF STRONG POLITICAL INVOLVEMENT BY OTHER MEMBER STATES. COMMENT: ALL "SAFEGUARD" ISSUES ARE POLITICALLY SENSITIVE AS THEY REVOLVE AROUND MEMBER STATE SOVEREIGNTY VS. EU LAW. MEMBER STATES THAT MAY HAVE NO OPINION ON THE CORN ITSELF CONCEIVABLY COULD SUPPORT ITALY'S ACTION AS A MATTER OF SUPPORTING SOVEREIGNTY.

5. COMMENT: MISSION RECOMMENDS THAT THIS ITEM BE INCLUDED ON THE AGENDA OF THE SEPTEMBER 21 SENIOR-LEVEL GROUP BILATERAL ON BIOTECHNOLOGY. END COMMENT.

6. BEGIN TEXT OF MINUTES OF MEETING OF THE SCIENTIFIC COMMITTEE ON FOODS, JUNE 2000 FROM
[HTTP://EUROPA.EU.INT/COMM/FOOD/FS/RC/SCFS/RAP01-EN.HTML](http://europa.eu.int/comm/food/fs/rc/scfs/rap01-en.html):

"THE ITALIAN REPRESENTATIVE INFORMED THE COMMITTEE THAT HIS AUTHORITIES WERE CONSIDERING SUSPENDING THE MARKETING IN ITALY OF 7 PRODUCTS DERIVED FROM GENETICALLY MODIFIED ORGANISMS WHICH HAVE BEEN NOTIFIED UNDER ARTICLE 3, PARAGRAPH 4, OF REGULATION (EC) NO 258/97 ON NOVEL FOODS AND NOVEL FOOD INGREDIENTS. IT IS THE VIEW OF THE ITALIAN AUTHORITIES THAT THESE PRODUCTS CANNOT BE CONSIDERED AS "SUBSTANTIALLY EQUIVALENT" TO EXISTING FOODS OR FOOD INGREDIENTS AND THEY SHOULD THEREFORE UNDERGO A FULL AUTHORIZATION PROCESS. THE ITALIAN AUTHORITIES HAD INFORMED THE COMMISSION OF THIS VIEW AND HAD SUBMITTED EVIDENCE IN SUPPORT OF IT."

"THE COMMISSION REPRESENTATIVE CONFIRMED THAT ON 22 JUNE 2000 COMMISSIONER BYRNE HAD MET THE ITALIAN MINISTER FOR UNCLAS SECTION 02 OF 02 BRUSSELS 004521

SENSITIVE

STATE PASS USTR FOR FRASER, MURPHY
USDA/OSEC/SIDDIQUI
FAS FOR OA/GALVIN; ITP/SIMMONS/MACKE/RICHEY/SCHWARTZ
FAS FOR OFSTS/HARBERT/SLUTSKY
FAS FOR CMP/LEE/RIEMENSCHNEIDER
STATE FOR EUR/ERA EB/TPP, OES/ETC
USDOC FOR DAS/LUDOLPH
GENEVA FOR USTR, ALSO AGRICULTURE
POSTS PASS AGRICULTURE AND ECONCONGEN MILAN PASS AGR OFFICE

E.O. 12958: N/A

TAGS: EAGR, ETRD, EUN, WTRD, WTRO, TBIO, PGOV, SENV
SUBJECT: ITALIAN GMO CORN BAN: COMMISSION RESPONSE

EUROPEAN AFFAIRS MATTIOLI, AND THAT THE LATTER HAD RAISED CONCERNS ABOUT SEVE GM-DERIVED PRODUCTS NOTIFIED UNDER THE NOVEL FOOD REGULATION. COMMISSIONER BYRNE HAD ASSURED THE ITALIAN MINISTER THAT HE WOULD IMMEDIATELY BRING THE EVIDENCE BROUGHT FORWARD BY ITALY TO THE SCIENTIFIC COMMITTEE FOR FOOD." END TEXT. CLOUD

TOR: 08/10/00 11:19:15

DIST: SIT: BLINKEN BRUNS NSC CRAWFORD DAVIDSON DUNCAN GREENWOOD KASS LIN
MUNTER NORLAND YEE
PRT: USTR{P\\SOCKS\GRD-2PS,O6}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHROA5038 2260934-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 130934Z AUG 00
LINE4: FM AMEMBASSY ROME
OSRI: RUEHRO
DTG:
ORIG: AMEMBASSY ROME
TO: RUEHC/SECSTATE WASHDC 2365
RUEHRC/USDA FAS WASHDC 1118
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHGV/USMISSION GENEVA 2622
RUCPDOG/USDOC WASHDC
RUEHMIL/AMCONSUL MILAN 6037
RUEHNP/AMCONSUL NAPLES 4293
RUEHFL/AMCONSUL FLORENCE 2515
SUBJ: GOI DECREE ON GMO CORN PRODUCTS.
TEXT: UNCLAS ROME 005038

STATE EB/TPP/ATT/ATP/MARILYN BRUNO
FOR U/S LOY: OES FOR BRILL
WHITE HOUSE FOR DR. NEAL LANE
STATE PASS USDA FOR US/SCHUMACHER, FAS FOR OA/GALVIN,
ITP/SHEIKH/MAKCE/SLUTSKY
GENEVA FOR USTR, ALSO AGRICULTURE
BRUSSELS FOR USEU
PARIS ALSO FOR OECD

E.O. 12958: N/A
TAGS: EAGR, ETRD, TBIO, SENV, KSCA, IT
SUBJECT: GOI DECREE ON GMO CORN PRODUCTS.

REF: ROME 4856

1. THE ITALIAN DECREE BANNING THE FOUR GMO CORN PRODUCTS WAS PUBLISHED IN THE OFFICIAL GAZETTE ON AUGUST 8, 2000 AND IS TO BE PUT IN FORCE 15 DAYS FOLLOWING PUBLICATION OR AUGUST 23, 2000. HOWEVER, GIVEN THE AUGUST VACATION PERIOD AND THE COMPLEXITY OF THIS ISSUE, THIS DATE MAY WELL BE DELAYED OR THE REGULATION MAY NOT BE FULLY IMPLEMENTED OR ENFORCED. TEXT FOLLOWS.

2. THE FOLLOWING IS INFORMAL EMBASSY TRANSLATION OF THE DECREE OF THE PRESIDENT OF THE COUNCIL OF MINISTERS OF AUGUST 4, 2000.

BEGIN TEXT.

THE PRESIDENT OF THE COUNCIL OF MINISTERS

WITH REFERENCE TO WITH LAW NO. 400 OF AUGUST 23, 1988

WITH REFERENCE TO EU REGULATION NO. 258/97 OF THE EUROPEAN PARLIAMENT AND THE COUNCIL OF JANUARY 27, 1997, REGARDING NEW PRODUCTS AND NEW FOODSTUFFS INGREDIENTS AND WITH PARTICULAR REFERENCE TO ARTICLE 3 PARAGRAPHS 4 AND 12;

WITH REFERENCE TO NOTE 100/338.7/13126 OF DECEMBER 23, IN WHICH THE HEALTH MINISTER NOTIFIES THE EU HEALTH COMMISSIONER REGARDING THE CLAIM FILED BY AN ENVIRONMENTAL ASSOCIATION ON THE USE OF THE SIMPLIFIED PROCEDURE FOR COMMERCIALIZATION OF CERTAIN MODIFIED PRODUCTS, MORE PRECISELY BT 11 CORN, MON 810 CORN, COLZA OIL MSI RFI, MSI RF2 AND GT-73, MON 809 CORN AND T25 CORN, WHICH IS DEEMED ILLEGITIMATE DUE TO THE ABSENCE OF THE PRE-REQUISITE OF SUBSTANTIAL EQUIVALENCE REQUIRED BY ARTICLE 3 PARAGRAPH 4 OF EU REGULATION CE 258/1997;

WITH REFERENCE TO NOTE 100/338.7/6717, DATED JUNE 5, 2000, WITH WHICH THE HEALTH MINISTER COMPLAINS TO THE EU COMMISSION PRESIDENT AND HEALTH COMMISSIONER BYRNE THAT THE DECEMBER 23 REQUEST, CALLING FOR A RIGOROUS AND THOROUGH REVIEW OF CONTROLS PREVIOUS TO COMMERCIALIZATION OF PRODUCTS IN RESPECT TO THE ABSENCE OF RISKS FOR THE HEALTH OF CONSUMERS, AS WELL MODIFICATION OF THE EU REGULATION WITH SPECIFIC REFERENCE TO THE AMBIGUITY OF THE TERM "SUBSTANTIAL EQUIVALENCE," HAS NOT YET BEEN CONSIDERED;

WITH REFERENCE TO THE DECEMBER 16, 1999, OPINION BY THE SUPERIOR HEALTH COUNCIL REGARDING THE NEED FOR RESEARCH AIMED AT DEEPENING KNOWLEDGE ON GENETIC MODIFICATIONS PRIOR TO THE COMMERCIALIZATION OF PRODUCTS;

WITH REFERENCE TO A FURTHER OPINION BY THE SUPERIOR INSTITUTE OF HEALTH DATED JULY 28, 2000, WHICH CLARIFIES THE CONCEPT OF "SUBSTANTIAL EQUIVALENCY" FROM A TECHNICAL-SCIENTIFIC POINT OF VIEW, AS OPPOSED TO A POSSIBLE DIFFERENT JURIDICAL INTERPRETATION, GIVEN THE ABSENCE OF CLARITY IN THE EU NORM;

CONSIDERING THAT THE INSTITUTE UNDERScoreD THAT OUT OF SEVEN ITEMS, FOUR CONTAINED LEVELS OF PROTEINS DERIVED FROM GENETICALLY MODIFICATIONS RAGING FROM 0.04 TO 30 PARTS PER MILLION AND THAT THEREFORE SUCH MODIFIED ELEMENTS WILL REMAIN PERMANENTLY IN THE PRODUCTS;

CONSIDERING FURTHERMORE THAT THE SAME OPINION INDICATES THAT EXISTING TECHNICAL DOCUMENTATION FINDS A SUBSTANTIAL IDENTITY WITH THE TRADITIONAL COUNTERPART PURELY FROM A NUTRITIONAL PERSPECTIVE (MICRO AND MACRO NUTRIENTS) AND NOT FROM THE POINT OF VIEW OF THE COMPOSITION OF THE PRODUCT, AS PROVIDED BY EU LAWS, IN THE PRESENCE OF MODIFIED MOLECULES;

HAVING DETERMINED THAT THE INSTITUTE'S OPINION REACHES THE CONCLUSION THAT, GIVEN THE CURRENT SCIENTIFIC KNOWLEDGE, THERE ARE NO RISKS FOR HUMAN OR ANIMAL HEALTH AS A CONSEQUENCE OF CONSUMPTION OF THE DERIVATIVES OF THE ABOVE MENTIONED GMOS, BUT THAT THE ABOVE CONCLUSION IS REACHED IN A FRAMEWORK IN WHICH, FROM THE CORRESPONDENCE WITH THE PRESIDENT OF THE EUROPEAN COMMISSION AND THE COMPETENT EU COMMISSIONER, THERE APPEAR TO BE WEAKNESSES IN THE PROCEDURES TO EVALUATE ABSENCE OF RISKS FOR CONSUMERS;

HAVING DETERMINED, MOREOVER, THAT THE INSTITUTE'S OPINION DOES NOT MAKE REFERENCE TO A POSSIBLE ENVIRONMENTAL RISK CAUSED BY GMOS IN QUESTION, NOTWITHSTANDING THE FINDING OF PERMANENCE OF RESIDUAL MODIFIED COMPONENTS IN THE PRODUCT. THUS EVEN MORE DAMAGING TO THE CONCEPT OF PRECAUTION GENERALLY ACCEPTED ON THE SUBJECT MATTER, APPEARS TO BE THE ABSENCE OF INFORMATION REGARDING THE PHASE OF PRELIMINARY CONTROLS ON ENVIRONMENTAL RELEASE IN ORDER TO OBTAIN SIMPLIFIED AUTHORIZATION;

CONSIDERING THAT, WITH A JULY 10 NOTE, THE EU COMMISSIONER HAS, ON THE ONE HAND, RECOGNIZED THE NEED FOR A RECONSIDERATION OF THE LEGAL FRAMEWORK IN THE SENSE OF GREATER CLARIFICATION, IN PARTICULAR WITH REFERENCE TO THE DEFINITION OF THE CONCEPT OF "SUBSTANTIAL EQUIVALENCY" AND, ON THE OTHER HAND, REPORTED TO HAVE FORWARDED TO THE SCIENTIFIC COMMITTEE FOR HUMAN NOURISHMENT THE ELEMENTS PROVIDED BY ITALIAN AUTHORITIES IN ORDER TO FURTHER VERIFY IF UTILIZATION OF NEW FOOD PRODUCTS CONSTITUTES A HAZARD TO PUBLIC HEALTH, INVITING SUCH COMMITTEE TO CONDUCT VERIFICATION WITH URGENCY AND PREFERABLY ON THE OCCASION OF THE PLENARY MEETING OF SEPTEMBER 6, 2000;

HAVING DETERMINED THAT THE LACK OF INFORMATION ELEMENTS REQUESTED AT VARIOUS INSTANCES BY ITALIAN AUTHORITIES, AND THE SUBMISSION TO A FURTHER EVALUATION BY THE ABOVE MENTIONED HUMAN NOURISHMENT COMMITTEE OF THE ELEMENTS PROVIDED BY ITALIAN AUTHORITIES WITH REFERENCE TO THE EFFECTS OF MODIFIED ORGANISMS ON THE HEALTH OF CONSUMERS AND THE ENVIRONMENT, ARE SUFFICIENT ELEMENTS TO RENDER NECESSARY A SUSPENSION (FOR THE PERIOD OF THE NECESSARY CONTROLS REGARDING THE CONSISTENCY OF SUCH PRODUCTS) OF THE COMMERCIALIZATION AND USE OF CORN GMOS FOR WHICH PERMANENCE OF MODIFIED ELEMENTS IN THE PRODUCT WAS FOUND;

HAVING DETERMINED THE NEED FOR, AS A PRECAUTIONARY MEASURE, THE ABOVE SUSPENSION;

WITH REFERENCE TO THE POSITIONS EXPRESSED BY THE HEALTH AND EU POLICIES MINISTERS;

WITH REFERENCE TO THE COUNCIL OF MINISTER'S RULING OF

AUGUST 4, 2000;

DETERMINES THAT:

1. COMMERCIALIZATION AND USE OF BT11 CORN, MON 810 CORN, MON 809 CORN, AND T25 CORN IS SUSPENDED.

2. THIS DECREE WILL BE PUBLISHED ON THE ITALIAN OFFICIAL GAZETTE AND IMMEDIATELY NOTIFIED TO THE EU COMMISSION AND MEMBER STATES.
AMATO.

END TEXT.
FOGLIETTA

TOR: 08/13/00 07:52:32

DIST: SIT: BLINKEN BOWLES BRUNS NSC CRAWFORD DAVIDSON DUNCAN GREENWOOD KASS
LIN MUNTER NORLAND ORFINI YEE
PRT: USTR{P\\SOCKS\GRD-2PS,O6}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHRHA2274 2261130-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 131130Z AUG 00
LINE4: FM AMEMBASSY RIYADH
OSRI: RUEHRH
DTG:
ORIG: AMEMBASSY RIYADH
TO: RUEHC/SECSTATE WASHDC 2072
INFO: RUEHZM/GCC COLLECTIVE
RUCPDOG/USDOC WASHDC 1590
RUCLRFA/USDA WASHINGTON DC
SUBJ: SAUDI ARABIA'S NEW CERTIFICATION REQUIREMENT
FOR IMPORTED GENETICALLY MODIFIED FOODSTUFFS:
AN UNPLEASANT SURPRISE
TEXT: UNCLAS RIYADH 002274

DEPT FOR NEA/ARP, EB/IFD
DEPT PASS TO USTR WASHDC
USTR FOR DWOSKIN
USDOC 4520/ITA/IEP/ONE
USDOC 3131/CS/OIO/ANESA
USDOC 1000/COUNSELOR/KALICKI

E.O. 12958: N/A
TAGS: BBSR, ETRD, EAGR, ECON, SA
SUBJECT: SAUDI ARABIA'S NEW CERTIFICATION REQUIREMENT
FOR IMPORTED GENETICALLY MODIFIED FOODSTUFFS:
AN UNPLEASANT SURPRISE

REF: STATE 154527

1. (SBU) SUMMARY: LAST WEEK'S ANNOUNCEMENT THAT THE SAUDI GOVERNMENT WILL REQUIRE CERTIFICATION FOR ALL GENETICALLY MODIFIED FOODSTUFFS SURPRISED SAUDI IMPORTERS AND U.S. EXPORTERS. WE ARE INFORMED THAT AT LEAST TWO SHIPMENTS HAVE ALREADY BEEN STOPPED BY SAUDI CUSTOMS OFFICIALS. THE FOLLOWING IS THE TEXT OF A DIRECTIVE, DATED AUGUST 1, 2000, FROM THE SAUDI MINISTER OF COMMERCE, USAMA JA'FAR FAQIH, TO THE CHAIRMAN OF THE COUNCIL OF SAUDI CHAMBERS OF COMMERCE INDUSTRY AND THE CHAIRMEN OF THE CHAMBERS OF RIYADH, JEDDAH, AND THE EASTERN PROVINCE CONCERNING GENETICALLY MODIFIED FOODSTUFFS. END SUMMARY.

2. (SBU) BEGIN TEXT:

REFERENCE IS MADE TO THE ONGOING DEBATE BETWEEN SEVERAL DEVELOPED COUNTRIES REGARDING THE EXPORT AND IMPORT OF GENETICALLY MODIFIED FOODSTUFFS, GMF, AND ITS PLACEMENT

ON THE MARKET FOR HUMAN CONSUMPTION. THIS ISSUE HAS NOT BEEN SOLVED YET, AND NO AGREEMENT HAS BEEN REACHED ON THE SCIENTIFIC AND TECHNICAL CONTROLS OR THE REGULATIONS AND LAWS WHICH GOVERN GLOBAL TRADE IN GMF. AT PRESENT, GMF IS NOT ENTIRELY FREE OF ELEMENTS WHICH ARE HAZARDOUS TO HUMAN HEALTH.

IN ORDER TO PROTECT THE SAUDI CONSUMER'S SAFETY AND WITH DUE CONSIDERATION TO GENERAL INTEREST AND PUBLIC HEALTH, WE ASK THAT YOU TAKE THE FOLLOWING ACTION:

I. CIRCULATE INSTRUCTIONS TO ALL CHAMBERS OF COMMERCE DIRECTING ALL CONCERNED PARTIES INCLUDING COMPANIES, MERCHANTS AND IMPORTERS TO AVOID IMPORTING GMF, OR ANY FOODSTUFFS CONTAINING GENETICALLY MODIFIED INGREDIENTS, GMI, SUCH AS SOYA BEAN OIL, CORN OIL, ETC.

II. ADVISE ALL CONCERNED PARTIES OF THE NECESSITY OF SECURING DOMESTIC MARKET NEEDS FROM NATURAL PRODUCTS MANUFACTURED USING BASIC AND SAFE RESOURCES. ALL IMPORTED COMMODITIES WILL HAVE TO BE ACCOMPANIED BY A CERTIFIED HEALTH CERTIFICATE CONFIRMING THAT THEY ARE VOID OF GMI AND THAT THEY ARE SAFE AND FIT FOR HUMAN CONSUMPTION.

III. LETTERS OF CREDIT SHOULD CONTAIN PARAGRAPHS CLEARLY PROTECTING THE FULL RIGHTS OF SAUDI IMPORTERS SHOULD THE IMPORTED COMMODITY PROVE TO BE UNSAFE OR CONTAIN GMI OR SHOULD THE ACCOMPANYING HEALTH CERTIFICATE PROVES TO BE INACCURATE. IMPORTERS WILL BE HELD RESPONSIBLE FOR ANY ACTIONS WHICH VIOLATE THESE REGULATIONS.

IV. ADVERTISE THESE REGULATIONS IN ALL CHAMBER OF COMMERCE NOTICE BOARDS AND PERIODICALS IMMEDIATELY.

V. NOTIFY THE MINISTRY, ANY OF ITS BRANCHES, OR LABORATORIES IN THE EVENT OF THE DISCOVERY OF SUSPICIOUS IMPORTS OR COMMODITIES SUSPECTED OF BEING UNHEALTHY, OR UNFIT FOR HUMAN CONSUMPTION, OR CONTAINING GMI. END TEXT.

END TEXT

3. (SBU) COMMENT: SCO AND A/ECONCOUNS HAVE CONFERRED WITH SENIOR MINISTRY OF COMMERCE OFFICIALS, PRIVATE SECTOR CONTACTS, AND OTHER DIPLOMATS FROM FOOD EXPORTING COUNTRIES AND CONFIRMED THAT THE BAN IS IN EFFECT. A SHIPMENT OF PRINGLES POTATO CHIPS HAS ALREADY BEEN BLOCKED BY CUSTOMS INSPECTORS AT JEDDAH PORT DEMANDING CERTIFICATION REGARDING GENETICALLY MODIFIED FOODS. THE U.K. EMBASSY ALSO REPORTS THAT A KRAFTS FOODS SHIPMENT HAS BEEN STOPPED FOR THE SAME REASON. THE AMBASSADOR TALKED WITH MINISTER OF COMMERCE FAQIH ON AUGUST 12 AND REGISTERED OUR CONCERN OVER THE LACK OF PRIOR NOTIFICATION WARNING HIM THAT

UNILATERAL ACTIONS OF THIS TYPE COULD VIOLATE WTO RULES
ANDTHUS IMPEDE SAUDI ARABIA'S CHANCES OF ACCESSION.
SCO AND A/ECONCOUNS WILL MEET WITH SENIOR MINISTRY OF
COMMERCE OFFICIALS TO FORMALLY MAKE REFTEL POINTS AS
SOON AS POSSIBLE.
FOWLER

TOR: 08/13/00 07:51:30

DIST: SIT: BOLAN BRUNS NSC CAMP DUNCAN LIN MALLEY POLLACK POPAL RIEDEL
PRT: USTR{P\\SOCKS\GRD-2PS,O6}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHDNA0899 2272130-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 142130Z AUG 00
LINE4: FM AMCONSUL SYDNEY
OSRI: RUEHDN
DTG:
ORIG: AMCONSUL SYDNEY
TO: RUCPDOG/USDOC WASHDC
INFO: RUEHC/SECSTATE WASHDC 2457
RUEHBY/AMEMBASSY CANBERRA 9184
RUEHBN/AMCONSUL MELBOURNE 1097
RUEHPT/AMCONSUL PERTH 0228
RUEHGP/AMEMBASSY SINGAPORE 2645
SUBJ: IMI: GENETICALLY MODIFIED FOOD LABELING ISSUE DECIDED
(00/85)

SUMMARY

TEXT: UNCLAS SYDNEY 000899

USDOC FOR 3132/USFCS/OIO/EAP/CDALOSIO
USDOC FOR 4530/IEP/EAP/OPB/GPAINE
USDOC FOR 6132/ITA/BI/EARAKAKI/SKEITZ
STATE FOR EAP/ANZ
SINGAPORE FOR FCS

E.O. 12958: N/A

TAGS: BTIO, EIND, ETRD, AS

SUBJECT: IMI: GENETICALLY MODIFIED FOOD LABELING ISSUE DECIDED
(00/85)

SUMMARY

THE AUSTRALIAN NEW ZEALAND FOOD STANDARDS COUNCIL (ANZFSC) CONSISTS OF HEALTH MINISTERS FROM NEW ZEALAND AND THE AUSTRALIAN FEDERAL, STATE AND TERRITORY GOVERNMENTS. THE ANZFSC MET IN WELLINGTON, NEW ZEALAND ON JULY 28, 2000, AND MADE A NUMBER OF DECISIONS CONCERNING THE LABELING OF GENETICALLY MODIFIED FOOD IN AUSTRALIA AND NEW ZEALAND. THE COUNCIL RECOMMENDED A DRAFT AMENDMENT TO STANDARD A18 OF THE FOOD STANDARDS CODE. END SUMMARY.

BACKGROUND

IN AUGUST 1999, THE ANZFSC AGREED IN PRINCIPLE TO EXTEND THE LABELING PROVISIONS IN STANDARD A18 TO PROVIDE MANDATORY LABELING OF ALL GENETICALLY MODIFIED FOODS.

ACCORDING TO THE AUSTRALIA NEW ZEALAND FOOD

AUTHORITY (ANZFA), "THIS DECISION WAS TAKEN SO THAT CONSUMERS COULD BE PROVIDED WITH THE INFORMATION NECESSARY TO MAKE INFORMED CHOICES". THE ANZFSC STATED THAT THE DECISION TO EXTEND LABELING DID NOT CONCERN THE SAFETY OF GM FOODS, WHICH ARE ALREADY REQUIRED TO UNDERGO A PRE-MARKET SAFETY ASSESSMENT BY ANZFA BEFORE THEY ARE RELEASED ONTO THE MARKET. (ANZFA IN COOPERATION WITH THE AUSTRALIAN FEDERAL, STATE AND TERRITORY GOVERNMENTS, AND THE NEW ZEALAND GOVERNMENT, DEVELOPS FOOD STANDARDS AND OTHER REGULATORY MEASURES FOR AUSTRALIA AND NEW ZEALAND.)

A COST ANALYSIS WAS COMMISSIONED AND AN INTER-GOVERNMENTAL TASK FORCE WAS ESTABLISHED TO EXAMINE AND REPORT ON TRADE IMPLICATIONS, WAYS OF REGULATING CLAIMS THAT FOOD IS FREE FROM GENETIC MODIFICATION, AND HOW TO TEST AND ENFORCE THE NEW REQUIREMENTS. THE ANZFSC MINISTERS MET ON JULY 28, 2000, TO REVIEW THE WORK OF THE TASK FORCE AND TO DECIDE ON A LABELING REGIME FOR GENETICALLY MODIFIED FOODS BEING SOLD IN AUSTRALIA AND NEW ZEALAND.

PROPOSED REGULATIONS

THE PROPOSED REGULATION AND REVISED DRAFT STANDARD REQUIRES:

- LABELING OF FOOD AND FOOD INGREDIENTS WHERE NOVEL DNA AND/OR PROTEIN IS PRESENT IN THE FINAL FOOD; AND
- LABELING OF FOOD AND FOOD INGREDIENTS WHERE THE FOOD HAS ALTERED CHARACTERISTICS

EXEMPT FROM THESE REQUIREMENTS ARE:

- HIGHLY REFINED FOOD WHERE THE EFFECT OF THE REFINING PROCESS IS TO REMOVE NOVEL DNA AND/OR PROTEIN;
- PROCESSING AIDS AND FOOD ADDITIVES EXCEPT THOSE WHERE NOVEL DNA AND/OR PROTEIN IS PRESENT IN THE FINAL FOOD;
- FLAVORS WHICH ARE PRESENT IN A CONCENTRATION LESS THAN OR EQUAL TO 0.1 PERCENT IN THE FINAL FOOD; AND
- FOOD PREPARED AT THE POINT OF SALE.

THE STANDARD ALLOWS ANY INGREDIENT TO CONTAIN UP TO ONE PERCENT OF UNINTENDED PRESENCE OF GENETICALLY MODIFIED PRODUCT.

THE COUNCIL ADDITIONALLY ENDORSED THE PRINCIPLE C) F DUE DILIGENCE AND VERIFIABLE DOCUMENTATION (SUCH AS AN AUDIT TRAIL) OR TESTING FOR COMPLIANCE PURPOSES AND NOTED THAT THE PROTOCOL FOR COMPLIANCE WILL ELABORATE ON THOSE PROCESSES USED TO PRODUCE HIGHLY REFINED FOOD. THIS WILL MEAN THAT MANUFACTURERS WILL NOT HAVE TO TEST INDIVIDUAL BATCHES OF FOODS PRODUCED USING SUCH RECOGNIZED PROCESSES.

THE REQUIREMENT TO TEST OR DETERMINE WHETHER DNA IS PRESENT IN THE AREAS OF HIGHLY REFINED INGREDIENTS, PROCESSING AIDS, FOOD ADDITIVES AND FLAVORINGS WILL IMPOSE A FINANCIAL COST ON INDUSTRY. ACCORDING TO SENATOR GRANT TAMBLING, PARLIAMENTARY SECRETARY TO

THE MINISTER FOR HEALTH AND AGED CARE, THIS WILL BE REFLECTED IN THE COST OF FOOD TO CONSUMERS. THE AUSTRALIAN COMMONWEALTH GOVERNMENT WILL BE ENGAGING IN DISCUSSIONS WITH INDUSTRY AND OTHER STAKEHOLDERS TO ASSESS THE IMPACT ON COSTS AND EXPORT COMPETITIVENESS AS A RESULT OF THE NEW LABELING REGULATIONS.

IMPLEMENTATION

IT IS ANTICIPATED THAT THE REVISED STANDARD WILL BE PUBLISHED IN LATE SEPTEMBER WITH THE STANDARD TAKING EFFECT AS FROM SEPTEMBER 2001, TWELVE MONTHS AFTER GAZETAL (SIMILIAR TO AN ANNOUNCEMENT IN THE U.S. GOVERNMENT FEDERAL REGISTER).

CONSUMERS

A RECENT SURVEY CONDUCTED BY QUANTUM MARKET RESEARCH FOUND THAT 93 PERCENT OF AUSTRALIANS SUPPORT LABELING OF GM FOODS TO ENABLE THEM TO MAKE AN INFORMED CHOICE. THOSE WHO SAID THEY WOULD NOT CHOOSE TO BUY GM FOODS STATED THAT SAFETY WAS THEIR MAJOR CONCERN. HOWEVER, ANOTHER RECENT SURVEY, CONDUCTED BY BIOTECHNOLOGY AUSTRALIA, A FEDERAL GOVERNMENT AGENCY WHICH OVERSEES POLICY AND REGULATORY ISSUES, FOUND THAT IF GENETICALLY MODIFIED FOODS WERE LABELED, 37 PERCENT OF PEOPLE SURVEYED SAID THAT LABELS WOULD MAKE NO CHANGE TO THE TYPE OF FOOD THEY BOUGHT. A FURTHER NINE PERCENT SAID THEY WOULD ACTIVELY PURCHASE GM FOODS.

FURTHER INFORMATION

FURTHER INFORMATION ON THE REVISED FOOD STANDARD CAN BE OBTAINED FROM: WWW.ANZFA.GOV.AU POST WILL CONTINUE TO MONITOR ANY DEVELOPMENTS IN THIS AREA.

COMPANIES INTERESTED IN LEARNING MORE ABOUT THE BIOTECHNOLOGY INDUSTRY IN AUSTRALIA SHOULD CONTACT:

MONIQUE ROOS
COMMERCIAL SPECIALIST
U.S. COMMERCIAL SERVICE
PSC 280
UNIT 11024
APO AP 96554-0002
TEL: 61 2 9373 9210
FAX: 61 2 9221 0573
E-MAIL: MONIQUE.ROOS#MAIL.DOC.GOV

(DRAFT:FSN:MROOS; APPR:DSCO:JMCCARTHY)
GREENE

TOR: 08/14/00 20:27:24

DIST: SIT: Bernard NSC CHRISTY JARRETT LIEBERTHAL MCADEN OSIUS PRITCHARD SMITHH

Cable

PREC: IMMEDIATE
CLASS: ~~CONFIDENTIAL~~
LINE1: OAACZYUW RUEHRHA2339 2320405-CCCC--RHEHAAX.
LINE2: ZNY CCCCC ZZH
LINE3: O 190405Z AUG 00
LINE4: FM AMEMBASSY RIYADH
OSRI: RUEHRH
DTG:
ORIG: AMEMBASSY RIYADH
TO: RUEHC/SECSTATE WASHDC IMMEDIATE 2135
INFO: RUCPDO/USDOC WASHDC 1593
RUCLRFA/USDA WASHINGTON DC
RUEHZM/GCC COLLECTIVE
SUBJ: SAUDI BAN ON GENETICALLY MODIFIED FOOD
IMPORTS: U.S. DEMARCHE DELIVERED: SIX MONTH
GRACE PERIOD GRANTED
TEXT: ~~CONFIDENTIAL~~ RIYADH 002339

DEPARTMENT FOR NEA/ARP, EB/IFD
DEPT PASS TO USTR; USTR FOR DWOSKIN
USDOC 4520/ITA/IEP/ONE
USDOC 3131/CS/OIO/ANESA
USDOC 1000/COUNSELOR/KALICKI
USDA FOR RICHARD PETGES

E.O. 12958: DECL: 8/15/10
TAGS: ETRD, EAGR, ECON, SENV, TBIO, SA
SUBJECT: SAUDI BAN ON GENETICALLY MODIFIED FOOD
IMPORTS: U.S. DEMARCHE DELIVERED: SIX MONTH
GRACE PERIOD GRANTED

REFS: A) RIYADH 2274, B) STATE 154527

CLASSIFIED CONFIDENTIAL BY AMBASSADOR WYCHE FOWLER,
JR., FOR REASONS 1.5 (B) AND (D). THIS CABLE CONTAINS
BUSINESS PROPRIETY INFORMATION - PLEASE PROTECT.

1. ~~(C)~~ SUMMARY: FOLLOWING UP ON THE AMBASSADOR'S
CONVERSATION WITH MINISTER OF COMMERCE FAQIH (REF A)
REGARDING GENETICALLY MODIFIED FOOD (GMF), SENIOR
COMMERCIAL OFFICER (SCO) DELIVERED REF B DEMARCHE TO
DEPUTY MINISTER OF COMMERCE FAWAZ ALAMY. DESPITE THE
INITIAL UPROAR CAUSED BY THE SURPRISE GMF DIRECTIVE,
IMPORTS LACKING THE CERTIFICATION ARE NOT CURRENTLY
BEING BLOCKED. ON AUGUST 16, MINISTRY OF COMMERCE
DIRECTOR GENERAL FOR INSPECTION AND QUALITY CONTROL
HAMAD AL-AWFI REPORTED TO THE EMBASSY THAT THE SAG HAS
GRANTED A SIX-MONTH GRACE PERIOD BEFORE THE GMF
CERTIFICATION REQUIREMENT COMES INTO EFFECT. THIS
GIVES US TIME TO TRY TO CONVINCE THE RELEVANT
AUTHORITIES THAT GMF IS SAFE. THE UPCOMING WTO

DECLASSIFIED
E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By VL NARA, Date 11/24/06
7016-0579-2 (2.70)

NEGOTIATIONS WILL GIVE US AN OPPORTUNITY TO ADDRESS GMF RESTRICTIONS AND THE NEED FOR PRIOR CONSULTATION ON STANDARDS ISSUES. END SUMMARY.

DEMARCHE DELIVERED

2. ~~(C)~~ ON AUGUST 13, SCO CALLED DEPUTY MINISTER OF COMMERCE FAWAZ ALAMY AND EXPRESSED OUR DEEP CONCERN ABOUT THE UNEXPECTED SAUDI REQUIREMENT THAT A GMF CERTIFICATION ACCOMPANY ALL IMPORTED FOODSTUFFS. ALAMY INDICATED THAT HE HAS BEEN IN DIRECT TOUCH WITH USTR CONCERNING THIS ISSUE, BUT ADMITTED HE WAS NOT YET FAMILIAR WITH HOW THE NEW CERTIFICATION PROCESS WILL WORK. SCO MADE THE POINTS OUTLINED IN REF B TO ALAMY AND FOLLOWED UP WITH A NON-PAPER TO THE MINISTRY OF COMMERCE.

3. ~~(C)~~ TO DATE, TWO FOOD SHIPMENTS WERE REPORTEDLY DELAYED BY SAUDI AUTHORITIES FOR NOT HAVING ADEQUATE GMF DOCUMENTATION. THE FIRST WAS A PROCTOR & GAMBLE SHIPMENT OF PRINGLE'S POTATO CHIPS HELD AT JEDDAH PORT. THE SECOND WAS A KRAFT'S FOODS SHIPMENT FROM THE UNITED KINGDOM. HOWEVER, BOTH SHIPMENTS HAVE BEEN RELEASED AND WE ARE AWARE OF NO OTHER IMPORTS OF FOODSTUFFS OR OTHER PRODUCTS BEING BLOCKED DUE TO THE NEW GMF CERTIFICATION REQUIREMENTS.

SAUDI RESPONSE: SIX-MONTH GRACE PERIOD

4. (U) ON AUGUST 16, THE DIRECTOR GENERAL OF THE COMMERCE MINISTRY FOR INSPECTIONS AND QUALITY CONTROL INFORMED THE EMBASSY'S AGRICULTURAL TRADE OFFICE THAT FOOD IMPORTERS WILL HAVE A SIX-MONTH GRACE PERIOD BEFORE THE GMF CERTIFICATION REQUIREMENT GOES INTO EFFECT.

COMMENT

5. ~~(C)~~ ALTHOUGH FAWAZ ALAMY IS THE DEPUTY MINISTER FOR TECHNICAL AFFAIRS (AND RESPONSIBLE FOR IMPORT STANDARDS REQUIREMENTS) BY ALL ACCOUNTS HE WAS INITIALLY OUT OF THE DECISION-MAKING LOOP ON THIS ISSUE. IT APPEARS THAT THE IMPETUS FOR THE GMF BAN CAME DIRECTLY FROM MINISTER FAQIH'S OFFICE - PERHAPS UNDER PRESSURE FROM RELIGIOUS CONSERVATIVES. FOLLOWING THE AMBASSADOR'S CONVERSATION WITH MINISTER OF COMMERCE FAQIH AND THEN THE INVOLVEMENT OF DEPUTY MINISTER ALAMY, THE SAUDIS STEPPED BACK FROM THEIR INITIAL POSITION ENACTING AN IMMEDIATE BAN. HOWEVER, SAUDI ARABIA HAS LONG MAINTAINED FOOD IMPORT BANS ON SUCH ITEMS AS BRITISH DAIRY PRODUCTS AND AUSTRALIAN VETCHES, DESPITE COGENT SCIENTIFIC EVIDENCE THAT THESE

PRODUCTS ARE NOT HARMFUL. DURING THE UPCOMING WTO
NEGOTIATION PROCESS, WE SHOULD EMPHASIZE BOTH THE NEED
FOR PRIOR CONSULTATION ON STANDARDS ISSUES AND THE
APPROPRIATE MEANS TO EVALUATE THE MERITS OF GMF
PRODUCTS.

FOWLER

TOR: 08/19/00 00:23:44

DIST: SIT: BOLAN BRUNS NSC CAMP DUNCAN LIN MALLEY POLLACK POPAL RIEDEL
PRT: USTR{P\SOCKS\GRD-2PS,06}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHTHA3918 2371219-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 241219Z AUG 00
LINE4: FM AMEMBASSY ATHENS
OSRI: RUEHTH
DTG:
ORIG: AMEMBASSY ATHENS
TO: RUEHML/AMEMBASSY MANILA 0007
INFO: RUEHC/SECSTATE WASHDC 0879
RUEHIK/AMCONSUL THESSALONIKI 0138
SUBJ: PAMPHLET OFFERING ? ?FOOD SAFETY: REGULATING
PLANT AGRICULTURAL BIOTECHNOLOGY IN THE UNITED STATES?
TEXT: UNCLAS ATHENS 003918

MANILA FOR RUEHMLR/RPC

STATE FOR IIP/T/CP; PAPD/EUR/MSCOTT

THESSALONIKI PLEASE PASS TO MARIA MAKRI

E.O. 12958: N/A

TAGS: KPAO, OIIP, OPRC, ETRD, EAGR, TBIO

SUBJECT: PAMPHLET OFFERING ? ?FOOD SAFETY: REGULATING
PLANT AGRICULTURAL BIOTECHNOLOGY IN THE UNITED STATES?

REF: STATE 158655

1. POST WISHES TO ORDER 410 COPIES OF SUBJECT PAMPHLET
IN ENGLISH.

2. PLEASE CHARGE U.S. DOLS. 123.00 AGAINST OUR FY-2000
PRE-FUNDED PRINTING ACCOUNT. THANK YOU. BURNS

TOR: 08/24/00 07:53:45

DIST: SIT: BOWLES NSC ORFINI

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. cable	Re: [Biotechnology Negotiations] (3 pages)	08/23/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1999 - Dec 2000 ([GMO...])
OA/Box Number: 530000

FOLDER TITLE:

[07/03/2000 - 09/29/2000]

2013-0836-F

ke3018

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Cable

PREC: ROUTINE

CLASS: UNCLASSIFIED

LINE1: RAAUZYUW RUEHSA1316 2421553-UUUU--RHEHAAX.

LINE2: ZNR UUUUU ZZH

LINE3: R 291553Z AUG 00

LINE4: FM AMCONSUL SAO PAULO

OSRI: RUEHSO

DTG:

ORIG: AMCONSUL SAO PAULO

TO: RUEHC/SECSTATE WASHDC 4535

INFO: RUEHBR/AMEMBASSY BRASILIA 4954
RUEHBU/AMEMBASSY BUENOS AIRES 0485
RUEHSG/AMEMBASSY SANTIAGO 0263
RUEHAC/AMEMBASSY ASUNCION 0329
RUEHLP/AMEMBASSY LA PAZ 0337
RUEHMN/AMEMBASSY MONTEVIDEO 0361
RUEHRG/AMCONSUL RECIFE 0513
RUEHRI/AMCONSUL RIO DE JANEIRO 2327
RUEHRC/USDA FAS WASHDC 0293
RUCPDOG/USDOC WASHDC

SUBJ: SAO PAULO ORDERS REMOVAL OF GMO PRODUCTS FROM
SUPERMARKETS PENDING LABELING

TEXT: UNCLAS SECTION 01 OF 03 SAO PAULO 001316

USDOC 4322/ITA/IEP/WH/OLAC-SC

USDOC 3234/USCS/OIO/WH

STATE PASS OPIC FOR DMORONSE, NRIVERA, AND CMERVENNE

STATE PASS USTR FOR CRONIN, ALLGEIER, BURCKY

STATE PASS AID FOR LAC/DPB/EA

SENSITIVE

E.O. 12958: N/A

TAGS: EAGR, SENV, TBIO, TSPL, EINV, ETRD, ECON, BR

SUBJECT: SAO PAULO ORDERS REMOVAL OF GMO PRODUCTS FROM
SUPERMARKETS PENDING LABELING

1. (U) SENSITIVE BUT UNCLASSIFIED, PLEASE PROTECT ACCORDINGLY.

SUMMARY

2. (SBU) ON AUGUST 1, THE STATE OF SAO PAULO (SP) PUBLIC HEALTH AUTHORITY ORDERED SUPERMARKETS TO REMOVE FROM THEIR SHELVES NINE PROCESSED FOOD PRODUCTS THAT CONTAIN GENETICALLY MODIFIED INGREDIENTS, PENDING PROPER LABELING. THIS IS THE FIRST TIME THAT THE STATE HAS ENFORCED ITS GMO LABELING LAW (THE ONLY STATE-LEVEL LAW OF ITS KIND IN BRAZIL) SINCE IT WAS PASSED IN DECEMBER 1999. THE SAO PAULO OFFICE OF THE NON-GOVERNMENTAL CONSUMER DEFENSE INSTITUTE UNILATERALLY CONDUCTED THE TESTS THAT LED TO THE ORDER. THE

REACTION TO THE LAW IS MIXED. CONTACTS ON BOTH SIDES OF THE SUBJECT AGREED THAT THE ISSUE IS AN EMOTIONAL ONE AND THAT ADEQUATE INFORMATION FOR THE CONSUMER IS NOT AVAILABLE. THE FOOD INDUSTRY ASSOCIATION IS NOT ACTIVELY CAMPAIGNING TO REVERSE THE LAW BUT THEY ARE WORRIED. THE LAW ITSELF IS VAGUE AND LACKS SPECIFIC IMPLEMENTING REGULATIONS. PUBLIC HEALTH AUTHORITIES LACK THE RESOURCES TO MONITOR FOOD PRODUCTS IN ORDER TO ENFORCE THE LAW AND ARE WAITING FOR AN UPCOMING FEDERAL-LEVEL DECISION (SEE SEPTTEL) TO BETTER DEFINE THE RULES. END SUMMARY.

BACKGROUND

3. (SBU) ON AUGUST 1, THE STATE OF SAO PAULO PUBLIC HEALTH ORGAN (VS - VIGILANCIA SANITARIA) ORDERED SUPERMARKETS TO REMOVE FROM THEIR SHELVES NINE PROCESSED FOOD PRODUCTS THAT WERE FOUND TO CONTAIN GENETICALLY MODIFIED INGREDIENTS PENDING PROPER LABELING. THE STATE GAVE PRODUCERS AND SUPERMARKETS 15 DAYS TO COMPLY. ACCORDING TO VS, THE ORDER IS PURSUANT TO STATE LAW 10,467 PASSED ON DECEMBER 12, 1999 AND FEDERAL LAW 8,078 FROM SEPTEMBER OF 1990. THE STATE LEGISLATION REQUIRES THAT ANY GENETICALLY MODIFIED FOOD PRODUCT OR ANY FOOD PRODUCT CONTAINING GENETICALLY MODIFIED FOOD INGREDIENTS SOLD IN THE STATE BE LABELED "GENETICALLY MODIFIED FOOD" OR "CONTAINS IN THE COMPOSITION GENETICALLY MODIFIED FOOD," RESPECTIVELY. THE FEDERAL LAW REQUIRES THAT FOOD LABELS CONTAIN INFORMATION ABOUT "THE RISKS THAT ARE PRESENTED TO A CONSUMERS' HEALTH AND SECURITY."

4. (SBU) CONSULATE AG AND ECON OFFICERS DISCUSSED THE ISSUE WITH REPRESENTATIVES OF THE SAO PAULO STATE SUPERMARKET ASSOCIATION (APAS); THE STATE'S PUBLIC HEALTH ORGAN (VS - VIGILANCIA SANITARIA); THE BRAZILIAN FOOD INDUSTRY ASSOCIATION (ABIA); THE SAO PAULO OFFICE OF THE CONSUMER DEFENSE INSTITUTE (IDEC); AND THE STATE'S CONSUMER DEFENSE ORGANIZATION (PROCON-SP).

A TEST CASE

5. (SBU) THIS IS THE FIRST TIME THAT SP HAS ENFORCED ITS GMO LAW SINCE IT WAS PASSED IN DECEMBER 1999. THE SP LAW (THE ONLY STATE-LEVEL LAW OF ITS KIND IN BRAZIL) IS STRICT AND REQUIRES THAT A PRODUCT BE LABELED IF IT CONTAINS EVEN A TRACE ELEMENT OF GENETICALLY MODIFIED INGREDIENTS. EARLIER THIS YEAR, IDEC SENT 44 PRODUCTS TO SWITZERLAND FOR GMO CONTENT TESTS AND NINE CAME BACK "GMO POSITIVE." IDEC BROUGHT THE POSITIVE TEST RESULTS TO THE ATTENTION OF STATE AUTHORITIES ONLY AFTER THE BUSINESSES THAT COMMERCIALIZE THE PRODUCTS REFUSED TO RESPOND TO ITS REQUEST FOR A SAFETY ASSESSMENT, ACCORDING TO IDEC'S LEGAL COUNSEL.

6. (SBU) VS OFFICIALS INDICATED THAT THE ORDER IMPACTS ONLY THOSE PRODUCTS AND LOTS INDICATED IN THE PUBLIC ANNOUNCEMENT AND DOES NOT CONSTITUTE A BLA: IS PROPERLY LABELED OR THE COMPANY WILL FACE PUNISHMENT RANGING FROM FINES TO CLOSURE OF THE FIRM. THE NINE PRODUCTS INVOLVED

ARE :
UNCLAS SECTION 02 OF 03 SAO PAULO 001316

USDOC 4322/ITA/IEP/WH/OLAC-SC
USDOC 3234/USCS/OIO/WH
STATE PASS OPIC FOR DMORONSE, NRIVERA, AND CMERVENNE
STATE PASS USTR FOR CRONIN, ALLGEIER, BURCKY
STATE PASS AID FOR LAC/DPB/EA

SENSITIVE

E.O. 12958: N/A
TAGS: EAGR, SENV, TBIO, TSPL, EINV, ETRD, ECON, BR
SUBJECT: SAO PAULO ORDERS REMOVAL OF GMO PRODUCTS FROM
SUPERMARKETS PENDING LABELING

- BACO'S BACON FLAVOR CHIPS
- KNORR'S CREME CORN SOUP MIX
- CUP O' NOODLES CHICKEN FLAVOR
- VIENNA SAUSAGES
- VARIOUS SOY MILKS
- VARIOUS DIET DRINKS

A MIXED REACTION

7. (SBU) THE REACTION TO SP'S LAW IS MIXED. FOOD INDUSTRY ASSOCIATIONS ARE NOT ACTIVELY TRYING TO REVERSE THE LAW. HOWEVER, ABIA AND APAS ARE WORRIED. ABIA SAID THAT IT PROBABLY WOULD CHALLENGE THE LAW IN COURT, WHILE INDICATING THAT A NATIONAL LABELING LAW IS DESIRABLE IN ORDER TO STANDARDIZE REGULATIONS BETWEEN STATES. ABIA ALSO QUESTIONED THE FACT THAT THE "GMO POSITIVE" FINDINGS DO NOT COME FROM AN OFFICIAL BRAZILIAN LAB, SO THE LAB'S METHODOLOGY AND ITS CREDENTIALS ARE UNKNOWN. WHILE APAS SAID THAT THE LAW IS MORE PROBLEMATIC FOR PRODUCERS AND SUPPLIERS, SUPERMARKETS ARE POTENTIALLY LIABLE FOR UNLABELED GMO PRODUCTS ON THEIR SHELVES. AS SUCH, SUPERMARKETS INTEND TO INCLUDE A CLAUSE IN THE PURCHASING CONTRACT REQUIRING THE SUPPLIER TO INSURE THAT THE PRODUCT CONFORMS TO PERTINENT FOOD SAFETY REGULATIONS, ACCORDING TO THE APAS OFFICIAL.

8. (SBU) IRONICALLY, CONSUMER ORGANIZATIONS AND STATE AUTHORITIES ALSO HAD MIXED REACTIONS. PROCON IS CONCERNED THAT THERE IS NOT ENOUGH INFORMATION AVAILABLE TO EDUCATE THE PUBLIC PROPERLY WITHOUT FRIGHTENING CONSUMERS. WHILE THE ORGANIZATION HAS NOT RECEIVED ANY COMPLAINTS OR DENUNCIATIONS REGARDING THE GMO QUESTION TO DATE, IT IS TRYING TO COLLECT DATA AND INFORMATION FOR THE INEVITABLE QUESTIONS THAT WILL ARISE. THE DIRECTOR OF THE VS EVEN ACKNOWLEDGES THAT THERE IS NO CONSENSUS AMONGST SCIENTIFIC STUDIES AS TO THE BENEFITS OR DANGERS OF GMOS. SHE ALSO ACKNOWLEDGED THAT THERE ARE SOME CONSTITUTIONAL QUESTIONS IN REGARD TO THE STATE LAW BUT SAYS IT IS HER AGENCY'S JOB TO ENFORCE THE LAW, NOT JUDGE ITS EFFECT OR MERIT.

9. (SBU) CONTACTS ON BOTH SIDES OF THE SUBJECT AGREED THAT

THE ISSUE IS EMOTIONAL AND THAT THE CONSUMER DOES NOT HAVE RELIABLE, CLEAR INFORMATION. IN FACT, ALL OF THE ORGANIZATIONS REQUESTED THAT THE CONSULATE OR USG PROVIDE INFORMATION. ALL PARTIES ARE WATCHING THE PUBLIC DEBATES ON THE GMO ISSUE IN THE UNITED STATES WITH RAPT ATTENTION. CONSUMER ORGANIZATIONS ARE ALSO LOOKING TO THEIR INTERNATIONAL COUNTERPARTS FOR GUIDANCE ON HOW TO DEAL WITH GMOS.

COMMENT:

10. (SBU) THE SAO PAULO LAW IS VAGUE AND LACKS SPECIFIC IMPLEMENTING REGULATIONS ABOUT CENTRAL ISSUES SUCH AS STANDARDIZED LABELING. VS PREFERS TO WAIT FOR AN UPCOMING FEDERAL-LEVEL ACTION TO "FLESH OUT THE DETAILS." ADDITIONALLY, NO LABS IN BRAZIL ARE EQUIPPED TO PERFORM THE SOPHISTICATED GMO TESTS REYOe AND TESTING ON THE FINAL PRODUCT PRICE IS NOT BEING DISCUSSED.

11. (SBU) THE FACT IS THAT THE PUBLIC HEALTH AUTHORITIES SIMPLY LACK THE RESOURCES TO ENFORCE THE LAW. IF IDEC HAD NOT COME TO THE AGENCY WITH APPARENT EVIDENCE THAT THE LAW HAD BEEN VIOLATED, VS PROBABLY WOULD HAVE IGNORED THE LAW'S EXISTENCE. IN FACT, THE DIRECTOR OF VS MADE CLEAR THAT IT WILL NOT TEST PRODUCTS FOR GMOS BUT WILL ENFORCE THE EXIGENCIES OF THE LAW ONLY FOR THOSE PRODUCTS PROVEN TO CONTAIN TRANSGENIC MATERIALS BY THIRD PARTY TESTING. ALL PARTIES ARE ANXIOUSLY AWAITING THE FEDERAL REGULATIONS THAT SHOULD BE RELEASED IN THE COMING DAYS. BUSINESS ASSOCIATIONS WANT STANDARDIZATION AND A CLEAR SET OF RULES
UNCLAS SECTION 03 OF 03 SAO PAULO 001316

USDOC 4322/ITA/IEP/WH/OLAC-SC
USDOC 3234/USCS/OIO/WH
STATE PASS OPIC FOR DMORONSE, NRIVERA, AND CMERVENNE
STATE PASS USTR FOR CRONIN, ALLGEIER, BURCKY
STATE PASS AID FOR LAC/DPB/EA

SENSITIVE

E.O. 12958: N/A
TAGS: EAGR, SENV, TBIO, TSPL, EINV, ETRD, ECON, BR
SUBJECT: SAO PAULO ORDERS REMOVAL OF GMO PRODUCTS FROM
SUPERMARKETS PENDING LABELING

ON HOW TO DO BUSINESS AND SAO PAULO STATE PUBLIC HEALTH
AUTHORITIES WANT THE HEAT TAKEN OFF OF THEM AND THE RULES
CLEARLY DEFINED.
MARTINEZ

TOR: 08/29/00 12:39:59

DIST: SIT: BRUNS NSC DUNCAN HAMMER HANLEY HOLLIS LIN MERLETTI ORFINI
VALENZUELA WALLACE
PRT: USTR{P\SOCKS\GRD-2PS,06}

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHTHA4036 2431445-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 301445Z AUG 00
LINE4: FM AMEMBASSY ATHENS
OSRI: RUEHTH
DTG:
ORIG: AMEMBASSY ATHENS
TO: RUEHC/SECSTATE WASHDC 0966
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHZN/ENVIRONMENT SCIENCE AND TECHNOLOGY COLLECTIVE
RUEHAK/AMEMBASSY ANKARA 0074
RUEHNC/AMEMBASSY NICOSIA 0066
RUEHIK/AMCONSUL THESSALONIKI 0166
SUBJ: TEXT OF NEW LAW ON LABELLING GENETICALLY MODIFIED FOODS
TEXT: UNCLAS SECTION 01 OF 02 ATHENS 004036

FOR ELIZABETH BERRY, USDA ROME

E.O. 12958: N/A

TAGS: EAGR, KSCA, SENV, GR
SUBJECT: TEXT OF NEW LAW ON LABELLING GENETICALLY MODIFIED FOODS

REF: ATHENS 3934

1. THIS IS AN ACTION CABLE (SEE PARAGRAPH 3).
2. BELOW IS THE OFFICIAL TRANSLATION OF THE NEW LAW ON LABELLING FOODS CONTAINING GENETICALLY MODIFIED ORGANISMS (GMOS), AS MENTIONED IN REFTEL. THE LAW WAS SIGNED ON AUGUST 22 BY DEPUTY MINISTER OF DEVELOPMENT MILENA APOSTOLAKI, WHOSE PORTFOLIO INCLUDES OVERSIGHT OF THE GREEK FOOD CONTROL AGENCY (AFET). BASED ON AGSPECIALIST'S INQUIRIES WITH THE MINISTRY OF DEVELOPMENT AND WITH THE SUPREME CHEMICAL LABORATORY (WHICH IS RESPONSIBLE FOR TESTING ALL IMPORTED FOODS) OF THE MINISTRY OF NATIONAL ECONOMY, THE LAW WILL APPLY TO ALL FOODS SERVED IN RESTAURANTS (INCLUDING FAST FOOD ESTABLISHMENTS) AND SOLD AT GROCERY STORES AND KIOSKS, BUT WILL NOT PERTAIN TO ANIMAL FEED. THE LAW WILL REQUIRE LABELING OF PACKAGED FOODS AS WELL AS REFRIGERATION UNITS OR SHELF SPACE WHERE THE FOOD IS STORED. RESTAURANTS WILL HAVE TO LABEL FOODS WITH GM CONTENT ON MENUS OR PRICE LISTS.
3. ACTION REQUEST: WASHINGTON FEEDBACK ON WHETHER THIS LAW MAY CONTRAVENE GREECE'S INTERNATIONAL TRADE OBLIGATIONS IS REQUESTED. MEETINGS WITH GREEK GOVERNMENT AUTHORITIES REGARDING THIS ISSUE WILL LIKELY TAKE PLACE WEEK OF SEPTEMBER 11.

BEGIN TEXT:

ATHENS AUGUST 22, 2000
REF. NO. Z3/1065

HELLENIC REPUBLIC
MINISTRY OF DEVELOPMENT
GENERAL SECRETARIAT FOR THE CONSUMER
DIRECTORATE FOR TECHNICAL CONTROL
DEPARTMENT A'

CC: AS PD. 14/89 AD

SUBJECT: LABELING OF GENETICALLY MODIFIED FOOD
BASED ON:

1. THE LAW NO. 1558/85 (GOVERNMENT AND GOVERNMENTAL ORGANIZATIONS)
2. THE PRESIDENTIAL DECREE 27/96 (THE MERGING OF MINISTERS OF TOURISM INDUSTRY, ENERGY, TECHNOLOGY AND COMMERCE TO A MINISTER OF DEVELOPMENT)
3. THE PRESIDENTIAL DECREE 197/97 (ESTABLISHMENT OF THE GENERAL SECRETARIAT FOR THE CONSUMER AND ITS RESPONSIBILITIES)
4. THE LAW 136/96 (ABOUT THE MARKET POLICE CODE) AS IT WAS AMENDED AT A LATER STAGE
5. THE 14/89 (CODING OF MARKET POLICE REGULATIONS ISSUED UNTIL THE 16th ARTICLE 1
 1. FOODS WHICH ARE PRODUCED ON THE WHOLE, OR PARTLY, FROM GENETICALLY-MODIFIED ORGANISMS AND WHICH ARE DESTINED TO SUPPLY THE END CONSUMER OR TO BE CONSUMED IN UNITS OF MASSIVE NOURISHMENT, ARE SUBJECT TO ADDITIONAL NEED FOR LABELING ACCORDING TO THE PROVISIONS OF THE REGULATIONS OF PARA. 6 ABOVE UNDER THE SAVING CLAUSE (RESERVATIONS ?) FOR EXCEPTIONS PROVIDED IN THE SAME REGULATIONS ABOVE.
 2. THE REQUIRED ADDITIONAL SPECIAL INDICATIONS IN THE LABELING WILL BE PRONOUNCED ON:
 - A. THE LABEL OF THESE FOODS, WHEN THEY ARE SUPPLIED TO THE CONSUMER IN A PRE - PACKED FORM
 - B. A RELEVANT SIGN WHICH MUST BE PRESENT AT SELLING POINTS (REFRIGERATORS, SHOP-WINDOWS, ETC.) WHEN THIS FOOD IS SUPPLIED TO THE FINAL CONSUMER IN BULK OR IN PACKAGES FOR IMMEDIATE CONSUMPTION AND
 - C. ON SIGNS OR MENUS WITH THE PRICE LISTS, WHEN THESE FOODS ARE OFFERED FOR CONSUMPTION IN ESTABLISHMENTS FOR MASSIVE NOURISHMENT.

ARTICLE 2

1. THE PRESENT MARKET POLICE ORDER IS EFFECTIVE FROM ITS PUBLICATION TO THE GOVERNMENT GAZETTE AND TO BE PUBLISHED TO THE DAILY PRESS.
2. THE REGULATIONS CITED IN ARTICLE 1 ABOVE, PARAGRAPH 2, SUBPARAGRAPH (C) WILL BE PUT INTO EFFECT ONE (1) MONTH AFTER THE INITIATION OF EFFECTIVENESS OF THE PRESENT MARKET POLICE ORDER.

UNCLAS SECTION 02 OF 02 ATHENS 004036

FOR ELIZABETH BERRY, USDA ROME

E.O. 12958: N/A

TAGS: EAGR, KSCA, SENV, GR

SUBJECT: TEXT OF NEW LAW ON LABELLING GENETICALLY MODIFIED FOODS

3. VIOLATORS OF THE PRESENT ORDER WILL BE SENTENCED ACCORDING TO
THE EFFECTIVE REGULATIONS OF THE MARKET POLICE CODE.

DISTRIBUTION WITHIN THE MINISTRY:

- DIRECTORATE (1)
- DEPARTMENT A' (1)
- PRESS OFFICE (1)

SIGNED BY THE DEPUTY MINISTER OF DEVELOPMENT

MILENA APOSTOLAKI

END TEXT.

BURNS

TOR: 08/30/00 10:21:55

DIST: SIT: Bernard BLINKEN Bowles NSC CRAWFORD DAVIDSON GREENWOOD KASS MUNTER
NORLAND YEE

Cable

PREC: PRIORITY
CLASS: UNCLASSIFIED
LINE1: PAAUZYUW RUEHROA5451 2500917-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: P 060917Z SEP 00
LINE4: FM AMEMBASSY ROME
OSRI: RUEHRO
DTG:
ORIG: AMEMBASSY ROME
TO: RUEHC/SECSTATE WASHDC PRIORITY 2788
INFO: RUEHMIL/AMCONSUL MILAN 6112
RUEHNP/AMCONSUL NAPLES 4333
RUEHFL/AMCONSUL FLORENCE 2612
RUEHBU/AMEMBASSY BUENOS AIRES 0028
RUEHGV/USMISSION GENEVA 2702
RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUCPDOG/USDOC WASHDC
RHFJUSC/USCUSTOMS WASHDC
SUBJ: GOI SCRAMBLING TO IMPLEMENT GMO-CORN BAN
TEXT: UNCLAS ROME 005451

STATE PASS USDA FOR U/S SCHUMACHER, FAS OA/GALVIN
ITP/SHEIKH/MAKCE/SLUTSKY, GDF/RIEMENSCHNEIDER
GENEVA FOR USTR AND AGRICULTURE

SENSITIVE

E.O. 12958: N/A
TAGS: EAGR, ETRD, USTR, IT
SUBJECT: GOI SCRAMBLING TO IMPLEMENT GMO-CORN BAN

REF: (A) STATE 156317 (B) ROME 4856

SENSITIVE BUT UNCLASSIFIED; PROTECT ACCORDINGLY.

1. (SBU) THE GOI DECREE BANNING FOUR GMO VARIETIES OF CORN, THEORETICALLY EFFECTIVE AS OF AUGUST 23, CLEARLY HAS CAUGHT IMPLEMENTING MINISTRIES BY SURPRISE. MOST SENIOR OFFICIALS, LIKE ITALIANS GENERALLY, SPEND AUGUST AT THE BEACH. WE PRESENTED CUSTOMS-RELATED ASPECTS OF REF A DEMARCHE TO GOI CUSTOMS DIVISION DIRECTOR WALTER SBANDI ON AUGUST 30, ONE OF HIS FIRST DAYS BACK IN THE OFFICE. DISARMINGLY CANDID, SBANDI SAID THERE HAS BEEN NO ENFORCEMENT OF THE BAN TO DATE AND NONE IS POSSIBLE UNTIL THE MINISTRY OF HEALTH ISSUES IMPLEMENTING REGULATIONS.
2. (SBU) ASKED HOW THE GOI WOULD GO ABOUT SAMPLING AND TESTING CORN-CONTAINING IMPORTS FOR THE PRESENCE OF THE FOUR BANNED GMO VARIETIES, SBANDI PLED

IGNORANCE AND TELEPHONED A COLLEAGUE AT THE CUSTOMS LABORATORY IN ROME (ONE OF SEVERAL CUSTOMS LABS IN ITALY). AFTER A LENGTHY SIDE-BAR CONVERSATION, HE TOLD US HE HAD BEEN INFORMED THAT EQUIPMENT NECESSARY TO DO THE TESTING HAS BEEN ORDERED FROM ROTTERDAM AND SHOULD BE IN PLACE BY SEPTEMBER 15. HE ADDED THAT THE SAMPLING METHODOLOGY WOULD BE DEVELOPED AFTER PROMULGATION OF THE MOH REGULATIONS WHICH HE EXPECTS WILL INCLUDE AN INSTRUCTION ON THE APPLICABILITY TO THESE FOUR PRODUCTS OF THE ONE PERCENT GMO TOLERANCE STANDARD ADOPTED BY THE EU FOR ADVENTITIOUS GMO PRESENCE IN "NOVEL FOODS." SBANDI ALSO LOOKS TO MOH TO GUIDE CUSTOMS ON WHICH PRODUCTS TO INSPECT. NOTE. THE MOH OFFICIAL HE NAMED AS RESPONSIBLE FOR ISSUING GUIDANCE ON THE DECREE, A CLOSE FAS CONTACT, LATER DENIED INVOLVEMENT. THAT CONTACT NAMED ANOTHER MOH OFFICIAL WHO, EARLIER IN AUGUST, HAD SIMILARLY DENIED ANY ROLE IN IMPLEMENTING THE BAN. END NOTE.

3. (SBU) SBANDI SAID ITALIAN CUSTOMS WOULD APPLY THE DECREE TO IMPORTS FROM ALL ORIGINS. WITH REGARD TO PRODUCTS TRANSSHIPPED THROUGH OTHER EU STATES, HE SAID POINT-OF-ENTRY OFFICIALS WOULD HAVE THE OPTION OF APPLYING ITALIAN LAW (I.E., THE BAN) WHEN INSPECTING SHIPMENTS BOUND FOR ITALY OR REDIRECTING A GIVEN SHIPMENT IN BOND TO ITALY.

4. (U) IN RESPONSE TO FURTHER OPERATIONAL QUESTIONS, SBANDI INVITED US TO SEND A WRITTEN REQUEST, WHICH HE PROMISED TO ANSWER AS BEST HE COULD.

5. (U) WE HAVE REQUESTS FOR DEMARCHE APPOINTMENTS PENDING AT ALL INVOLVED MINISTRIES AND WILL REPORT RESULTS.

FOGLIETTA

TOR: 09/06/00 07:10:08

DIST: SIT: BLINKEN BRUNS NSC CRAWFORD DAVIDSON DUNCAN GREENWOOD KASS LIN
MUNTER NORLAND YEE
PRT: USTR{P\\SOCKS\GRD-2PS,06}

Cable

PREC: PRIORITY

CLASS: UNCLASSIFIED

LINE1: PAAUZYUW RUEHBSA5000 2521536-UUUU--RHEHAAX.

LINE2: ZNR UUUUU ZZH

LINE3: P 081536Z SEP 00

LINE4: FM USEU BRUSSELS

OSRI: RUEHBS

DTG:

ORIG: USEU BRUSSELS

TO: RUEHRC/USDA FAS WASHDC PRIORITY
RUEHC/SECSTATE WASHDC PRIORITY
RUCPDO/USDOC WASHDC PRIORITY
RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHGV/USMISSION GENEVA
RUEHMIL/AMCONSUL MILAN
RUEHAG/AMCONSUL HAMBURG
RUEHSW/AMEMBASSY BERN
RUEHBR/AMEMBASSY BRASILIA
RUEHBU/AMEMBASSY BUENOS AIRES
RUEHKO/AMEMBASSY TOKYO
RUEHOT/AMEMBASSY OTTAWA

INFO: ////

SUBJ: BIOTECH: EU SCIENTISTS REJECT ITALIAN GMO BAN

TEXT: UNCLAS BRUSSELS 005000

SENSITIVE

STATE PASS USTR FOR FRASER, MURPHY
USDA/OSEC/SIDDIQUI
FAS FOR OA/GALVIN; ITP/SIMMONS/MACKE/RICHEY/SCHWARTZ
FAS FOR OFSTS/HARBERT/SLUTSKY
FAS FOR CMP/LEE/RIEMENSCHNEIDER
STATE FOR E - PENCE, EUR/ERA, EB/TPP, OES/ETC
USDOC FOR DAS LUDOLPH

GENEVA FOR USTR, ALSO AGRICULTURE
POSTS PASS AGRICULTURE AND ECON
CONGEN MILAN PASS AGR OFFICE

E.O. 12958: N/A

TAGS: TBIO, EAGR, ETRD, EUN, IT

SUBJECT: BIOTECH: EU SCIENTISTS REJECT ITALIAN GMO BAN

REF: A) STATE 156317 B) ROME 4683 C) BRUSSELS 04909

1. (U) THIS MESSAGE IS SENSITIVE BUT UNCLASSIFIED.
PLEASE DO NOT DISTRIBUTE VIA THE INTERNET OR IN OTHER
PUBLIC CHANNELS.

2. (U) THE EU'S SCIENTIFIC COMMITTEE ON FOODSTUFFS ON

SEPTEMBER 7 PRONOUNCED ITS OPINION REGARDING ITALY'S BAN ON GM CORN PRODUCTS. THE TEXT OF THE OPINION HAS BEEN EMAILED TO WASHINGTON AGENCIES.

THE CONCLUSION READS:

"THE COMMITTEE IS OF THE OPINION THAT THE INFORMATION PROVIDED BY THE ITALIAN AUTHORITIES DOES NOT PROVIDE DETAILED SCIENTIFIC GROUNDS FOR CONSIDERING THAT THE USE OF THE NOVEL FOODS IN QUESTION ENDANGERS HUMAN HEALTH."

3. (SBU) A DG TRADE CONTACT, IN REITERATING WHAT HE SAID ON 29 AUGUST TO USEU REPS (SEE REF C), EMPHASIZED TO USEU THAT THE NEXT STEP WILL BE FOR THE COMMISSION TO DRAW UP A PROPOSAL WITH A NEGATIVE DECISION ASKING ITALY TO REMOVE THE BAN. THIS PROPOSAL WOULD THEN BE FORWARDED TO THE STANDING COMMITTEE ON FOODSTUFFS FOR A VOTE ON OCTOBER 18-19 (DETAILS REF C). THE CONTACT SUGGESTED, HOWEVER, THAT BECAUSE THE COMMISSION HAS NOT YET MADE AN OFFICIAL DECISION REGARDING ITS COURSE OF ACTION, IT WOULD BE WORTHWHILE FOR THE USG TO REINFORCE WITH DG SANCO, THE COMPETENT AUTHORITY, THE POINTS WE MADE IN REF DEMARCHE LAST WEEK.

4. (SBU) COMMENT. WE PLAN TO PROCEED TO REITERATE REFTTEL POINTS WITH OUR CONTACTS, BUT WOULD WELCOME ANY FURTHER INSTRUCTIONS OR GUIDANCE WASHINGTON MAY WISH TO PROVIDE, PARTICULARLY ON THE ISSUE OF SUBSTANTIAL EQUIVALENCE. AS OUTLINED IN REFTTEL, THIS POSITIVE STEP BY THE SCIENTIFIC COMMITTEE DOES NOT GUARANTEE A POSITIVE OUTCOME IN THE STANDING COMMITTEE OF MEMBER STATE REPS. END COMMENT. (DRAFTED:ECON:SMOUTON)

MORNINGSTAR

TOR: 09/08/00 13:24:31

DIST: SIT: Bowles NSC ORFINI
PRT: USTR{P\SOCKS\GRD-2PS,06}

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. cable	Re: [French Agriculture Minister] (2 pages)	09/08/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1999 - Dec 2000 ([GMO...])
OA/Box Number: 530000

FOLDER TITLE:

[07/03/2000 - 09/29/2000]

2013-0836-F
ke3018

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. cable	Re: [International NGO] (3 pages)	09/08/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1999 - Dec 2000 ([GMO...])
OA/Box Number: 530000

FOLDER TITLE:

[07/03/2000 - 09/29/2000]

2013-0836-F
ke3018

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHRHA2601 2570546-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 130546Z SEP 00
LINE4: FM AMEMBASSY RIYADH
OSRI: RUEHRH
DTG:
ORIG: AMEMBASSY RIYADH
TO: RUEHC/SECSTATE WASHDC 2390
INFO: RUCLRFA/USDA WASHINGTON DC
RUCPDOG/USDOC WASHDC 1637
RHEHNSC/NSC WASHDC
SUBJ: SAUDI ARABIA GMO IMPORTER PLEDGE AND US
EMBASSY DEMARCHES
TEXT: UNCLAS RIYADH 002601

STATE PASS TO GCC COLLECTIVE
USDA/FAS/EAMED/GALVIN/FLEMING/HARBERT/SLUTSKY
USDA/OSEC/SIDDIQUI
USDA/OFS/WILCOX
USDA/MRP/FIGUEROA
UND SEC OFC/SCHECTMAN
USDA/APHIS/MCCAMMON
USDA/OGC/LA PIANA
USDA/OCE/GOODLOE
USDA/ORACBA/SHAFFER
USDA/ARS/PARRY
USDA/ERS/SMITH
USDA/GIPSA/PITCHFORD
USDA/AMS/FERNANDEZ

STATE PASS USTR FOR BUNTIN/WHITE
EPA FOR MILEWSKI
USITC FOR LEAHY
USAID FOR LEWIS
FDA FOR MARYANSKI

USDOC 3131/CS/010/ANESA
USOC 1000/OC/KALICKI

E.O. 12958: N/A
TAGS: EAGR, ETRD, ECON, USTR, WTRO, SA
SUBJECT: SAUDI ARABIA GMO IMPORTER PLEDGE AND US
EMBASSY DEMARCHES

REF: (A) STATE 168851; (B) 8/19 DWOSKIN/ALAMY TELECON;
(C) RIYADH 2403; RIYADH 2274; STATE 154527

1. AGRICULTURAL TRADE OFFICER (ATO) RIYADH HAS LEARNED FROM SAUDI
ARABIA IMPORTERS AND PORT OFFICIALS THAT ON AUGUST 15, 2000, THE

SAUDI MINISTRY OF COMMERCE STARTED REQUIRING SAUDI FOOD IMPORTERS TO SIGN A PLEDGE CONCERNING THE POSSIBLE HEALTH RISKS OF CONSUMING GMO PRODUCTS IMPORTED INTO THE COUNTRY (SEE ENGLISH TRANSLATION OF ARABIC TEXT BELOW). ACCORDING TO SAUDI OFFICIALS THE PLEDGE IS BEING USED TO INFORM SAUDI IMPORTERS OF THE IMPENDING LABELING REQUIREMENT SET TO TAKE EFFECT IN MID-FEBRUARY AFTER THE SIX MONTH GRACE PERIOD GRANTED IN AUGUST EXPIRES. DURING THE MEETING ON AUGUST 22 BETWEEN U.S. EMBASSY STAFF AND SAUDI MINISTRY OF COMMERCE OFFICIALS, THE SAUDI'S WERE NOT CLEAR AS TO WHEN THE PLEDGE WOULD TAKE EFFECT.

2. ON SEPTEMBER 5, THE U.S. EMBASSY SENT A DIPLOMATIC NOTE TO SAUDI MINISTRY OF COMMERCE OFFICIALS REQUESTING A MEETING TO DELIVER AN OFFICIAL DEMARCHE ON THIS ISSUE AND OTHER BIOTECHNOLOGY CONCERNS. AT PRESENT, THE U.S. EMBASSY HAS NOT RECEIVED A MEETING DATE. HOWEVER, ACCORDING TO ATO CONTACTS IN THE MINISTRY OF COMMERCE, THE MINISTRY WILL MOST LIKELY ARRANGE A MEETING IN A FEW DAYS. IF WASHINGTON HAS ADDITIONAL GUIDELINES ON THIS ISSUE, WE WOULD APPRECIATE RECEIVING IT ASAP.

3. WRITTEN PLEDGE. BEGIN TEXT:

I, THE UNDERSIGNED BELOW ---- (FULL NAME) ----, THE OWNER/GENERAL MANAGER OF ---- (NAME OF THE COMPANY/ESTABLISHMENT) ----, LOCATED AT ---- (STREET ADDRESS) ----, ---- (TELEPHONE NUMBER) ----, ---- (FAX NUMBER) ---- (P.O. BOX NUMBER) ----, ---- CITY ----, HEREBY CERTIFY THAT I HAVE READ THE INSTRUCTIONS ISSUED BY THE MINISTRY OF COMMERCE WHICH WERE DISSEMINATED TO THE CHAMBERS OF COMMERCE AND INDUSTRY IN CIRCULAR NUMBER 1129/4/55/E DATED 1/5/1421 (H). I AM AWARE OF ALL POSSIBLE HEALTH RISKS AND IMPENDING THREATS/DANGERS RESULTING FROM THE IMPORT OF GENETICALLY MODIFIED PRODUCTS OR PRODUCTS THAT CONTAIN GENETICALLY MODIFIED ELEMENTS.

THEREFORE I HEREBY PLEDGE TO AVOID THE IMPORT OF THESE PRODUCTS OR PRODUCTS THAT MAY CONTAIN THOSE ELEMENTS, AND TO PROVIDE CONSUMERS WITH NATURAL PRODUCTS. I WILL ALSO STIPULATE IN MY IMPORT CONTRACTS AND L.C.'S A PROVISION THAT WILL STATE ON THE TAG THE FOLLOWING STATEMENT: "THIS PRODUCT IS FREE FROM GENETICALLY MODIFIED COMPONENTS" AS PER EXHIBIT A. IN THE EVENT THAT GENETICALLY MODIFIED PRODUCTS ARE IMPORTED, THE FOLLOWING STATEMENT SHOULD BE INCLUDED "THIS PRODUCT IS GENETICALLY MODIFIED" AS PER EXHIBIT B. THESE STATEMENTS SHOULD BE WRITTEN CLEARLY IN ARABIC AND ENGLISH AND IN INK DIFFERENT FROM THE TAG COLOR SO THAT THE CONSUMER WILL BE ABLE TO SEE IT AND READ IT EASILY.

NAME OF THE COMPANY/ESTABLISHMENT:
NAME OF THE OWNER/MANAGER:
SIGNATURE:
DATE:
STAMP OF THE COMPANY/ESTABLISHMENT:

TRANSLATION:

EXHIBIT A: (CIRCULAR SHAPE)

A PRODUCT THAT DOES NOT CONTAIN GENETICALLY MODIFIED
ELEMENTS

EXHIBIT B: (TRIANGULAR SHAPE)

A GENETICALLY MODIFIED PRODUCT. END TEXT

BRAYSHAW

TOR: 09/13/00 02:08:22

DIST: SIT: BOLAN BRUNS NSC CAMP DUNCAN LIN MALLEY POLLACK POPAL RIEDEL WARDS
PRT: USTR{P\SOCKS\GRD-2PS,O6}

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. cable	Re: [GMO Policy] (2 pages)	09/13/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1999 - Dec 2000 ([GMO...])
OA/Box Number: 530000

FOLDER TITLE:

[07/03/2000 - 09/29/2000]

2013-0836-F
ke3018

RESTRICTION CODES

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Cable

PREC: PRIORITY
CLASS: UNCLASSIFIED
LINE1: PAAUZYUW RUEHROA5627 2580916-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: P 140916Z SEP 00
LINE4: FM AMEMBASSY ROME
OSRI: RUEHRO
DTG:
ORIG: AMEMBASSY ROME
TO: RUEHC/SECSTATE WASHDC PRIORITY 2964
RUEHRC/USDA FAS WASHDC 1179
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
RUEHGV/USMISSION GENEVA 2728
RUCPDOG/USDOC WASHDC
RUEHMIL/AMCONSUL MILAN 6156
RUEHNP/AMCONSUL NAPLES 4362
RUEHFL/AMCONSUL FLORENCE 2655
RUEHSS/OECD POSTS COLLECTIVE
SUBJ: HEALTH AND AGRICULTURE COMMENTS ON
ITALY'S GMO CORN BAN
TEXT: UNCLAS ROME 005627

STATE EB/TPP/ATT/ATP/MARILYN BRUNO
FOR U/S LOY; OES FOR BRILL
WHITE HOUSE FOR DR. NEAL LANE
STATE PASS USDA FOR OSEC SIDDIQUI,
US/SCHUMACHER, OA/GALVIN,
FAS FOR ITP/SHEIKH/MACKE/SLUTSKY,
CMP/G&F/RADLER, FAA/WILSON
GENEVA FOR USTR, ALSO AGRICULTURE
BRUSSELS ALSO FOR USEU
POST COLLECTIVE PLEASE PASS TO CONSULAR POSTS
PARIS ALSO FOR OECD
MILAN FOR PRINCIPAL OFFICER;
NAPLES FOR PRINCIPAL OFFICER
FLORENCE FOR PRINCIPAL OFFICER

SENSITIVE

E.O. 12958: N/A
TAGS: EAGR, ETRD, TBIO, SENV, KSCA, EU, IT
SUBJECT: HEALTH AND AGRICULTURE COMMENTS ON
ITALY'S GMO CORN BAN

REF. (A) ROME 05451, (B) ROME 05553, (C) STATE
156317, (D) BRUSSELS 04909

1. SUMMARY: EMBOFFS DELIVERED DEMARCH (REF C)
TO DIRECTORS GENERALS AT BOTH HEALTH AND
AGRICULTURE ON SEPTEMBER 7 (BEFORE THE OUTCOME
OF EC SCIENTIFIC COMMITTEE DELIBERATIONS WAS

KNOWN). PERHAPS MOST STRIKING WAS THAT THESE TWO KEY MINISTRIES ARTICULATED VERY DIFFERENT VIEWS OF HOW THE DECREE MIGHT BE IMPLEMENTED, WITH HEALTH LEANING TOWARD A SELF-CERTIFICATION APPROACH. AGRICULTURE, NOT SURPRISINGLY, WILL LIKELY TAKE A MUCH MORE AGGRESSIVE APPROACH, INITIALLY FOCUSING ON BULK COMMODITIES AT PORTS OF ENTRY. (THERE APPEARS TO BE NO COORDINATION BETWEEN THE TWO MINISTRIES). BOTH DIRECTORS GENERAL ADMITTED THAT IMPLEMENTATION DETAILS WERE SKETCHY AT THIS POINT, BUT PROMISED TO KEEP EMBOFFS INFORMED OF THEIR RESPECTIVE MINISTRIES PLANS. THE FACT THAT THE DECREE FACES CHALLENGES BOTH IN BRUSSELS (REF D), AND BY THE PRIVATE SECTOR IN ITALY (REF B) MAY AFFECT IMPLEMENTATION PLANS. END SUMMARY.

2. MINISTRY OF HEALTH - DR. ROMANO MARABELLI, MOH DIRECTOR GENERAL OF FOOD SANITATION AND NUTRITION AND HEAD OF THE VETERINARY SERVICE TOLD AGMINCOUNS THAT A RESPONSE IS NEEDED FROM THE EUROPEAN COMMISSION THAT WILL ADDRESS THE PROCEDURE FOR ESTABLISHING SUBSTANTIAL EQUIVALENCE, AS OPPOSED TO THE SAFETY, OF THE FOUR GMO CORN PRODUCTS BANNED BY ITALY. DR. MARABELLI READILY ADMITTED THAT THE CURRENT DECREE FACES PROBLEMS IN RELATION TO ITALY'S WTO OBLIGATIONS, BUT QUICKLY PASSED THE RESPONSIBILITY OF RESOLVING THESE ISSUES TO PRIME MINISTER AMATO'S OFFICE, SINCE THE PRIME MINISTER SIGNED THE DECREE AGAINST THE HEALTH MINISTER'S ADVICE. ACCORDING TO MARABELLI, THE MOH IS NOT GOING TO ISSUE IMPLEMENTING REGULATIONS OR CLARIFICATION OF THE DECREE. (NOTE: THIS WILL BE PROBLEMATIC FOR CUSTOMS, WHICH IS CHARGED WITH IMPLEMENTING THE DECREE AND IS EXPECTING SUCH GUIDANCE FROM MOH - REF A. END NOTE). INSTEAD, MOH BELIEVES THAT IT IS THE PRIVATE INDUSTRIES' RESPONSIBILITY TO SELF-CERTIFY THAT THEY ARE COMPLYING WITH THE DECREE. HE ACKNOWLEDGED THAT IMPLEMENTATION WOULD BE A GREAT CHALLENGE GIVEN THAT THE EU IS A SINGLE MARKET AND THAT GENETICALLY MODIFIED DNA AND PROTEIN WOULD BE DIFFICULT TO DETECT IN HIGHLY PROCESSED CORN PRODUCTS. (NOTE: A BRIEF WRITTEN RESPONSE TO THE QUESTIONS RAISED IN REF C WAS RECEIVED BY THE AGOFFICE ON SEPTEMBER 12 FROM HEALTH UNDERSECRETARY OMBRETTA FUMAGALLI CARULLI CONFIRMING THAT THE SUSPENSION REFERS TO BOTH INGREDIENTS AND FINISHED PRODUCTS AND THAT IT WOULD BE APPLIED EQUITABLY TO PRODUCTS ORIGINATING IN THE EU AND THIRD COUNTRIES. AN INFORMAL TRANSLATION IS PROVIDED IN PARA 9. END NOTE.)

3. ACCORDING TO MARABELLI, WHO APPEARS TO HAVE NO DOUBT THAT THE CURRENT PRODUCTS POSE NO

CONCERN TO HUMAN HEALTH, THE REAL ISSUE IS WHETHER THE USE OF THE SIMPLIFIED PROCEDURE FOR APPROVING THE GMO PRODUCTS WAS APPROPRIATE. MARABELLI SAID THAT IF THIS QUESTION IS NOT ADDRESSED, THE ISSUE OF THE SAFETY OF THE PRODUCTS WILL CONTINUE TO BE RAISED. AGMINCOUNS SAID THAT IT WAS INAPPROPRIATE FOR THE SUBSTANTIAL EQUIVALENCE ISSUE TO BE ADDRESSED AT THE MEMBER STATE LEVEL OR EVEN THE EU LEVEL, BUT THAT IT SHOULD BE THE PURVIEW OF INTERNATIONAL ORGANIZATIONS TO ENCOURAGE GLOBAL CONSISTENCY AND FACILITATE TRADE. AS PRESIDENT OF THE OFFICE OF INTERNATIONAL EPIZOOTICS (WHICH ESTABLISHES GLOBAL STANDARDS FOR ANIMAL HEALTH), MARABELLI APPRECIATED THIS POINT AND SUGGESTED IMPROVED US-EU COLLABORATION TO THIS END. HE AGREED THAT A MEETING BETWEEN HEALTH MINISTER VERONESI, AND THE AMBASSADOR, ALONG WITH FAS ADMINISTRATOR TIM GALVIN, WHO WILL BE IN ROME IN OCTOBER, WOULD PROVIDE AN EXCELLENT OPPORTUNITY TO DISCUSS BIOTECH ISSUES FURTHER.

4. MINISTRY OF AGRICULTURE - EMBOFFS ALSO DISCUSSED THE DECREE WITH MR GIUSEPPE AMBROSIO, DIRECTOR GENERAL FOR DOMESTIC AGRICULTURAL POLICIES, OF THE ITALIAN MINISTRY OF AGRICULTURE. AMBROSIO REPEATEDLY EMPHASIZED THAT THE DECREE CALLED FOR A "SUSPENSION", IMPLYING A TEMPORARY ACTION, AS OPPOSED TO A BAN, WHICH IS MORE PERMANENT. ACCORDING TO AMBROSIO, THIS "SUSPENSION" WOULD GIVE ITALY TIME TO REVIEW THE PRODUCTS IN ORDER TO ARRIVE AT A FINAL DECISION, WHICH HE SAID COULD BE REACHED "IN A FEW WEEKS". A "SUSPENSION", IN AMBROSIO'S VIEW, WAS DIFFERENT THAN A BAN IN TERMS OF ITALY'S WTO OBLIGATIONS. HE ALSO SUGGESTED THAT IT IS NOT UNCOMMON FOR COUNTRIES TO MAINTAIN A POLICY THAT IS SUSPECTED OF VIOLATING WTO RULES UNTIL A WTO RULING IS ISSUED AGAINST THEM. WHEN AGMINCOUNS ASSERTED THAT ITALY'S UNILATERAL ACTION WAS INAPPROPRIATE AND THAT SUCH ISSUES SHOULD BE ADDRESSED IN INTERNATIONAL FORA, AMBROSIO RESPONDED THAT ITALY HAD CHANGED ITS FISHING REGULATIONS IN RESPONSE TO UNILATERAL ACTS OF THE UNITED STATES (I.E. DRIFTNETS).

5. AMBROSIO AGREED THAT THERE WERE A LOT OF QUESTIONS AS TO HOW THE DECREE WOULD BE IMPLEMENTED BUT HE FELT THAT THE DETAILS WOULD BE WORKED OUT BETWEEN THE CUSTOMS DEPARTMENT AND THE AGMINISTRY'S ANTI-FRAUD SERVICE RESPONSIBLE FOR INSPECTING PRODUCTS IN THE SUPPLY CHAIN TO ENSURE THAT THEY COMPLY WITH ITALIAN REGULATIONS. ACCORDING TO AMBROSIO, THE "SUSPENSION" REFERS TO BULK COMMODITIES AND HE ASSUMED IT WOULD BE ENFORCED AT THE PORT OF ENTRY (NOTE: AMBROSIO SAID IT WOULD NOT BE

"APPROPRIATE" FOR IMPORTERS TO AVOID THE BAN ON RAW PRODUCTS BY IMPORTING PROCESSED GOODS SUCH AS CORN OIL BUT HE DID NOT APPEAR TO HAVE ANY KNOWLEDGE OF HOW OR WHEN THE BAN WOULD BE EXTENDED TO SUCH PRODUCTS. END NOTE). AMBROSIO SAID THAT HE WOULD BE WORKING OUT THE INSPECTION DETAILS WITH THE ANTI-FRAUD SQUAD. HE PROMISED TO INFORM THE AGMINCOUNS OF THE OUTCOME OF MEETINGS ON THIS ISSUE SCHEDULED FOR SEPTEMBER 11 AND 12. THROUGHOUT THE MEETING AMBROSIO SUGGESTED THAT, GIVEN THE SENSITIVITY OF THIS ISSUE, A SUBSEQUENT MEETING SHOULD BE HELD WITH MINISTER PECORARO SCANIO.

6. COMMENT: AMBROSIO'S CHARACTERIZATION OF THE DECREE AS MAINLY AFFECTING BULK COMMODITIES, AT LEAST AT THE OUTSET, IS DIFFERENT FROM THE INTERPRETATIONS OF THE ITALIAN INDUSTRY ASSOCIATION (ASSOBIOTEC), CUSTOMS (REF A), AND HEALTH THAT PROCESSED FOODS WILL BE BANNED BASED ON THE DECREE'S REFERENCE TO THE NOVEL FOODS DIRECTIVE. ALSO, IT IS OUR UNDERSTANDING THAT THE ANTI-FRAUD SERVICE IS NORMALLY INVOLVED WITH INSPECTIONS AT THE RETAIL LEVEL AND RARELY OPERATES AT THE PORT. OF THE GOI OFFICIALS WITH WHOM WE HAVE DISCUSSED THIS ISSUE, AMBROSIO WAS THE ONLY ONE WHO IS ENTHUSIASTIC ABOUT THE DECREE, ARGUING THAT ITALY'S FUTURE LIES IN HIGH QUALITY, TRADITIONAL PRODUCTS AND NOT WITH BIOTECHNOLOGY, REFLECTING HIS GREEN PARTY MINISTER'S VIEW. END COMMENT.

7. ANALYSIS - BASED ON THE MEETINGS HELD ON THIS ISSUE, IT IS CLEAR THAT THE DECREE IS A HOT POTATO THAT THE TWO MINISTRIES WITH LEAD IMPLEMENTATION AUTHORITY (FINANCE AND HEALTH) ARE RETICENT TO ENFORCE. THE RECENT DECISION BY THE EU SCIENTIFIC COMMITTEE ON FOOD, THAT THE DECREE IS NOT JUSTIFIED IN CONJUNCTION WITH PRIVATE SECTOR ACTIONS (REF B), MAY PROVIDE THESE MINISTRIES WITH JUSTIFICATION TO ENFORCE THE BAN IN A SUPERFICIAL MANNER. HOWEVER, BASED ON THE RULING COALITION'S NEED TO MAINTAIN THE POLITICAL SUPPORT OF THE GREEN PARTY, IT IS FAR FROM A CERTAINTY THAT ITALY WILL WITHDRAW THE DECREE. MORE LIKELY, HEALTH AND CUSTOMS WILL DRAG THEIR FEET ON IMPLEMENTATION FOR PROCESSED PRODUCTS WHILE FURTHER STUDIES ARE DONE, WHILE AGRICULTURE WILL PUSH FOR IMMEDIATE IMPLEMENTATION ON BULK COMMODITIES. DEPENDING ON THE OUTCOME OF THE ELECTIONS NEXT SPRING, THE DECREE WOULD EITHER BE DROPPED OR RESURRECTED.

8. FOLLOW-UP - POST WILL ASK THE APPROPRIATE MINISTRIES FOR THEIR REACTION TO THE EU COMMITTEE'S DECISION AND WILL EMPHASIZE THAT THE DECISION PUTS ITALY IN AN EVEN MORE UNTENABLE POSITION IN REGARD TO ITS WTO OBLIGATIONS. A

MEETING HAS ALSO BEEN REQUESTED WITH THE MEMBERS OF PRIME MINISTER AMATO'S STAFF RESPONSIBLE FOR BIOTECHNOLOGY AS WELL AS WITH THE MINISTRIES OF FOREIGN TRADE AND FOREIGN AFFAIRS. IN ADDITION, A SERIES OF HIGH LEVEL MEETINGS WITH VARIOUS MINISTRIES TO DISCUSS THE ISSUE FURTHER ARE BEING ARRANGED TO COINCIDE WITH THE VISIT OF FAS ADMINISTRATOR GALVIN IN EARLY OCTOBER.

9. TRANSLATION OF MOH RESPONSE: SEPTEMBER 4, 2000. DEAR COUNSELOR. IN RESPONSE TO YOUR LETTER OF 16 AUGUST, 2000, I AM PROVIDING YOU, AS YOU REQUESTED, WITH SEVERAL CLARIFICATIONS. THE PRECAUTIONARY SUSPENSION, ISSUED BY DECREE OF THE PRESIDENT OF THE COUNCIL OF MINISTERS ON AUGUST 4, 2000 REFERS TO THE COMMERCIALIZATION OF THE 4 TYPES OF GMO CORN, BOTH AS INGREDIENTS AND FINISHED PRODUCTS. REGARDING THE IMPORT CONTROLS IN RELATION TO THIS DECREE, THEY WILL APPLY TO PRODUCTS FROM BOTH OTHER EU MEMBER STATES AS WELL AS THIRD COUNTRIES. THE OFFICIAL CONTROL ON THE GMO PRODUCTS IN QUESTION WILL BE CARRIED OUT USING THE STANDARD ANALYSIS METHODS USED IN EUROPE (JRC ISPRA). REGARDS, OMBRETTA FUMAGALLI CARULLI, UNDERSECRETARY, MINISTRY OF HEALTH. FOGLIETTA

TOR: 09/14/00 07:48:16

DIST: SIT: BABBITT BANBURY Bernard BLINKEN BRUNS NSC CRAWFORD DAVIDSON DUNCAN GREENWOOD KASS LIN MCLEAN MUNTER NAPLAN NORLAND PATTEN SCHWARTZ SHEA SMITHP WILCOX YEE
PRT: USTR{P\SOCKS\GRD-2PS,06}

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010. cable	Re: [GMO Agriculture] (2 pages)	09/14/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1999 - Dec 2000 ([GMO...])
OA/Box Number: 530000

FOLDER TITLE:

[07/03/2000 - 09/29/2000]

2013-0836-F
ke3018

RESTRICTION CODES

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHKO A6736 2622352-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 182352Z SEP 00
LINE4: FM AMEMBASSY TOKYO
OSRI: RUEHKO
DTG:
ORIG: AMEMBASSY TOKYO
TO: RUEHC/SECSTATE WASHDC 8293
RUEHRC/USDA FAS WASHDC 6357
INFO: ////
SUBJ: UNAPPROVED GENETICALLY MODIFIED U.S. CORN
DETECTED IN JAPAN

SENSITIVE BUT UNCLASSIFIED

TEXT: UNCLAS TOKYO 006736

USDA FOR FAS/OA/GALVIN;
FAS/CMP/RIEMENSCHNEIDER;
FAS/FSTSD/SLUTSKY, DUNAHAY

E.O. 12958: N/A
TAGS: EAGR, ETRD, JA

SUBJECT: UNAPPROVED GENETICALLY MODIFIED U.S. CORN
DETECTED IN JAPAN

SENSITIVE BUT UNCLASSIFIED

1. (U) SENSITIVE BUT UNCLASSIFIED. NOT FOR
DISTRIBUTION OUTSIDE THE USG OR ON THE INTERNET.

2. (SBU) SUMMARY. A GOVERNMENT OF JAPAN (GOJ)
OFFICIAL, SPEAKING ON CONDITION OF ANONYMITY, REPORTED
THAT GOJ SCIENTISTS HAVE DETECTED AVENTIS CROP SCIENCE
CBH-351, A VARIETY OF GENETICALLY MODIFIED (GM) CORN
WHICH IS NOT APPROVED BY THE GOVERNMENT OF JAPAN, IN A
SAMPLE OF IMPORTED U.S. FEED. THE OFFICIAL SAID THE
TEST RESULTS ARE "VERY CONCLUSIVE". IF TRUE, THIS
REPRESENTS THE FIRST CONFIRMED DETECTION OF AN
UNAPPROVED GM U.S. PLANT VARIETY IN JAPAN. RELEASE OF
THIS INFORMATION TO THE PUBLIC IS PENDING INTRA-MINISTRY
CLEARANCE. POSSIBLE REGULATORY ACTIONS BY THE
GOVERNMENT OF JAPAN IN RESPONSE TO THE FINDING INCLUDE
REQUIRING A FEED SAFETY ASSESSMENT AND MONITORING
IMPORTS FOR THE PRESENCE OF CBH-351. END SUMMARY.

3. (SBU) IN RESPONSE TO A MAY 27, 2000 PRESS RELEASE
FROM THE JAPAN "NO GM FOOD CAMPAIGN" ANNOUNCING THAT IT
HAD DETECTED AVENTIS CROP SCIENCE CBH-351 CORN (TRADE

NAME "STAR LINK") IN TWO SAMPLES OF IMPORTED U.S. ANIMAL FEED, GOJ RESEARCHERS BEGAN TESTING FOR THE PRESENCE OF CBH-351 IN IMPORTED U.S. CORN. PCR TESTING WAS CONDUCTED AFTER COLLECTING GENETIC INFORMATION FOR CBH-351 FROM AVENTIS.

4. (SBU) A GOJ OFFICIAL, SPEAKING ON CONDITION OF ANONYMITY, SAID AT LEAST ONE CONFIRMATION TEST WAS "POSITIVE" FOR THE PRESENCE OF CBH-351 AND "VERY CONCLUSIVE". HE SAID THE TEST RESULT WILL NOT BE RELEASED BY THE GOJ UNTIL THE INTRA-MINISTRY CLEARANCE PROCESS IS COMPLETED. POSSIBLE NEGATIVE JAPANESE CONSUMER REACTION AGAINST MEATS FROM DOMESTIC LIVESTOCK IS A PARTICULAR CONCERN.

5. (SBU) WHILE THE ORIGIN OF THE SAMPLE MATERIAL THAT GENERATED THE POSITIVE RESULT IS UNKNOWN, THE "NO GM FOOD CAMPAIGN" PRESS RELEASE CLAIMED THAT TWO ANIMAL FEEDS OBTAINED FROM THE JAPANESE MARKET CONTAINED THE UNAPPROVED VARIETY (A CHICKEN FEED (TRADE NAME "LM18" KAJIMA FEED CO.) AND A COW FEED (TRADE NAME "DAIRY 18", CHUBU FEED CO.)).

6. (SBU) POSSIBLE GOJ ACTIONS IN RESPONSE TO THE TEST RESULT REPORTEDLY UNDER REVIEW INCLUDE CONTINUED RANDOM SAMPLING TO DETERMINE THE EXTENT OF CONTAMINATION OF IMPORTED U.S. CORN BY CBH-351 AND, POTENTIALLY, REQUIRING A SAFETY ASSESSMENT FOR ANIMAL FEEDS (MAFF'S VOLUNTARY FEED SAFETY ASSESSMENT HAS BEEN IN EFFECT SINCE 1996 WITH 23 GM FEEDS APPROVED TO-DATE)

7. (SBU) IN ADDITION, THE GOJ OFFICIAL EXPECTS THE MINISTRY OF HEALTH AND WELFARE (MHW) WILL LIKELY MONITOR IMPORTS FOR THE PRESENCE OF CBH-351 WHEN ITS MANDATORY SAFETY ASSESSMENT FOR GM PLANT VARIETIES TAKES EFFECT ON APRIL 1, 2001. PRIOR TO THE RECENT FINDING, MHW WAS ALREADY PLANNING TO MONITOR IMPORTS FOR UNAPPROVED VARIETIES IN 2001, DESPITE CONTINUED U.S. OPPOSITION, AS A COMPLIANCE MEASURE IN SUPPORT OF ITS MANDATORY SAFETY ASSESSMENT UNDER ARTICLE 7 OF THE FOOD SANITATION LAW. ARTICLE 7 PROHIBITS SALE OR IMPORTATION OF SUBSTANCES WHICH ARE SUBJECT TO MANDATORY SAFETY ASSESSMENT AND NOT YET APPROVED BY MHW.
FOLEY

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CLASS: UNCLASSIFIED
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ORIG: AMEMBASSY LONDON
TO: RUEHC/SECSTATE WASHDC 8921
INFO: RUEHXQ/ALL EUROPEAN UNION POST COLLECTIVE
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RUEHBS/USEU BRUSSELS
SUBJ: LORD MELCHETT'S ACQUITTAL AND ITS IMPLICATIONS
TO AGRICULTURAL BIOTECHNOLOGY IN THE UK
TEXT: UNCLAS SECTION 01 OF 03 LONDON 006991

DEPT FOR EU/PAPD (GECARLSON), EU/PD (GGALLEGOS),
EUR/UBI (KPITTERLE) STATE FOR ECA/PE/U, EB/TPP/ATP,
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E.O. 12958: N/A
TAGS: TBIO, SENV, EAGR, ETRD, EUN, OEXC, SCUL, OIIP,
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SUBJECT: LORD MELCHETT'S ACQUITTAL AND ITS IMPLICATIONS
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1. (SBU) SUMMARY: THE UNITED KINGDOM HAS BEEN AT THE
FOREFRONT OF HOSTILITY TO AGRICULTURAL BIOTECHNOLOGY.
ONE COULD HAVE EXPECTED THAT THE MEDIA WOULD HAVE
REACTED TO THE ACQUITTAL OF THE 28 GREENPEACE
ACTIVISTS, INCLUDING ITS EXECUTIVE DIRECTOR LORD
MELCHETT, OF VANDALIZING GM CROPS AS A VINDICATION OF
PREVIOUS HYSTERICAL HYPERBOLE AGAINST AGRICULTURAL
BIOTECHNOLOGY. HOWEVER, COVERAGE HAS BEEN MORE

BALANCED, PERHAPS INDICATING A SHIFT IN MEDIA
PERCEPTION OF THE TECHNOLOGY. EMBASSY LONDON WILL
CONTINUE TO EDUCATE UK OPINION LEADERS ABOUT THE
RESEARCH WORK AND THE REGULATORY PROCESS IN THE UNITED
STATES ON AGRICULTURAL BIOTECHNOLOGY AS WELL AS WORK

WITH PREVIOUS UK GM PROGRAM PARTICIPANTS ON FUTURE
OUTREACH PROJECTS. END SUMMARY

WHAT HAPPENED WITH THE VERDICT ?

2. (U) ON SEPTEMBER 20, LORD MELCHETT, FORMER LABOUR
MINISTER AND CURRENT EXECUTIVE DIRECTOR OF GREENPEACE
UK, ALONG WITH 27 SUPPORTERS WERE FOUND NOT GUILTY BY A
JURY IN THE NORWICH CROWN COURT OF CRIMINAL DAMAGE
RELATED TO THE MAY, 1999 DESTRUCTION OF A TEST CROP OF
GM CORN. THE GROUP WAS EARLIER TRIED IN APRIL, WHICH
ENDED IN A HUNG JURY OVER THE CHARGE OF CRIMINAL DAMAGE
AND A VERDICT OF NOT GUILTY ON THEFT OF THE CROPS.

3. (U) LORD MELCHETT PERSONALLY LED A RAID AT LYNG,
NORFOLK, ON JULY 26, 1999, ON SIX ACRES OF GM CORN
BEING GROWN AS PART OF THE GOVERNMENT'S FARM SCALE
TRIALS OF GM CROPS. THE GOVERNMENT'S FARM SCALE
TRIALS, INVOLVING 25 FIELDS OF 10 HECTARES EACH, BEGAN
IN THE SPRING OF 1999. THE PURPOSE OF THESE TRIALS IS
TO LOOK INTO THE ENVIRONMENTAL IMPLICATIONS OF GM
CROPS. GM RAPESEED, FODDER BEET, AND FODDER MAIZE IS
BEING GROWN ALONG WITH STANDARD RAPESEED, FODDER BEET,
AND FODDER MAIZE OVER A FOUR YEAR PERIOD. SCIMAC (THE
SUPPLY CHAIN INITIATIVE ON MODIFIED AGRICULTURAL
CROPS), AN INDUSTRY GROUP REPRESENTING FARMERS, PLANT
BREEDERS, THE SEED TRADE AND BIOTECHNOLOGY COMPANIES,
ON NOVEMBER 5, 1999, REACHED AN AGREEMENT WITH THE UK
GOVERNMENT THAT THERE WILL BE NO WIDESPREAD CULTIVATION
OF GM CROPS UNTIL COMPLETION OF THE FARM-SCALE
EVALUATIONS FOLLOWING HARVEST OF CROPS PLANTED IN 2002.

4. (U) GREENPEACE USED A DEFENSE BASED ON THE CRIMINAL
DAMAGE ACT, 1971, WHICH STATES THAT, IN CERTAIN
CIRCUMSTANCES, A PERSON MAY DAMAGE ANOTHER'S PROPERTY
IN ORDER TO PROTECT LIFE OR NEIGHBORING PROPERTY. THIS
LAWFUL EXCUSE ARGUMENT, FOR EXAMPLE, ALLOWS A FIREMAN
TO BREAK DOWN A DOOR TO PUT OUT A FIRE IN A HOUSE.
HOWEVER, THE PROPERTY DEFENDED MUST BE A FAR GREATER
VALUE THAN THE PROPERTY DESTROYED.

5. (U) GREENPEACE CLAIMED THAT THEY ACTED IN GOOD FAITH
BECAUSE THEY HONESTLY BELIEVED THAT THERE WAS A RISK OF
"GENETICALLY POLLUTING" NEARBY CROPS AND THAT THEY
ACTED IN PROPORTION TO THAT RISK BY HAVING THE
MACHINERY, BAGS AND TRUCKS NECESSARY TO REMOVE THE CROP
BEFORE POLLINATION. ACCORDING TO INDUSTRY CONTACTS,
THE GREENPEACE ACTIVISTS WERE FOUND NOT GUILTY DUE
PRIMARILY TO THE SEVERITY OF THE CHARGE OF CRIMINAL
DAMAGE AND NOT BECAUSE THE JURY SIDED WITH THEIR
ACTIONS. MANY OF THE DEFENDANTS WERE MIDDLE CLASS
CITIZENS, ONE BEING A BAPTIST MINISTER, AND THE JURY
APPARENTLY SHIED AWAY FROM CONVICTING THESE PEOPLE AS
FELONS.

THE MEDIA REACTION

6. (SBU) THE PUBLIC ATMOSPHERE TO GM CROPS SEEMS TO BE

UNDERGOING AN IMPORTANT CHANGE TOWARDS A MORE RATIONAL APPROACH TO THIS NEW TECHNOLOGY. THE MEDIA HAS BEEN MORE CAUTIOUS IN REPORTING THE VERDICT AND LESS QUICK TO JUMP ON THE EXTREMIST ENVIRONMENTAL BANDWAGON THAT WAS SEEN IN PREVIOUS HIGHLY PUBLICIZED GM EVENTS SUCH UNCLAS SECTION 02 OF 03 LONDON 006991

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AS WHEN ARPAD PUSZTAI MADE PUBLIC HIS STUDY ON GM
POTATOES IN FEBRUARY 1999.

7. (SBU) DURING THE RECENT COVERAGE OF LORD MELCHETT'S ACQUITTAL, MOST NEWSPAPERS, EVEN THOSE WITH A BIAS AGAINST GM TECHNOLOGY, QUOTED FREELY FROM GROUPS THAT SUPPORT AGRICULTURAL BIOTECHNOLOGY, SUCH AS THE NATIONAL FARMERS UNION, CROPGEN (A CONSUMER AND MEDIA INFORMATION INITIATIVE FUNDED BY THE BIOTECH INDUSTRY) AND SCIMAC. IN FACT, THE MESSAGE FROM MANY IN THE MEDIA SEEMS TO BE THAT THE UK IS A DEMOCRATIC SOCIETY, WHICH RESPECTS THE RULE OF LAW, AND THAT THERE IS NO REASON FOR A GROUP TO RESORT TO EXTREME ACTION AGAINST OTHER PEOPLE'S PROPERTY. MANY IN THE MEDIA THOUGHT THAT CROP TRIALS SHOULD CONTINUE, ALTHOUGH IT MAY BE DIFFICULT AFTER THE VERDICT. IN AN EDITORIAL, THE GM-SKEPTICAL "INDEPENDENT" NEWSPAPER, FOR INSTANCE, WROTE THAT "LORD MELCHETT'S VICTORY WILL PROVE TO BE A DEFEAT FOR SCIENTIFIC TRUTH" WHILE AN EDITORIAL IN THE INFLUENTIAL "GUARDIAN" STATED THAT "GREENPEACE'S ACTION WAS VANDALISM AND INHIBITS THE NEED FOR SCIENTIFIC RESEARCH."

THE IMPORTANCE OF THE UK TO THE GM DEBATE

8. (SBU) ACCORDING TO CONTACTS IN THE AG BIOTECH INDUSTRY, THE UK IS PIVOTAL IN THE WORLDWIDE DEBATE OVER AGRICULTURAL BIOTECHNOLOGY. THE UK IS THE CENTER OF THE BRITISH COMMONWEALTH AND STILL INFLUENCES PUBLIC OPINION IN MANY COMMONWEALTH COUNTRIES AS WELL AS THE ENGLISH SPEAKING WORLD IN GENERAL AND THE REST OF

EUROPE. SECOND, THE UK IS WELL KNOWN FOR ITS STRICT REGULATORY SYSTEM, ITS RULE OF LAW, AND ITS HISTORY OF SCIENTIFIC INNOVATION. THE GOVERNMENT ALSO SUPPORTS SOUND SCIENCE IN SETTING POLICY AND THE RATIONAL USE OF AGRICULTURAL BIOTECHNOLOGY. INDUSTRY SOURCES SAY THAT AGRICULTURAL BIOTECHNOLOGY WOULD SUFFER GRAVE HARM IF THE HMG WERE TO BUCKLE INTO THE DEMANDS OF A SMALL UNELECTED GROUP OF EXTREMISTS, RESPONSIBLE TO NO ONE.

9. (SBU) THE UK GOVERNMENT, HOWEVER, HAS SHOWN NO SIGNS OF BACKING DOWN, REITERATING ITS COMMITMENT TO THE FARM SCALE TRIALS. NONETHELESS, FARM INDUSTRY REPRESENTATIVES ARE REQUESTING A MEETING WITH GOVERNMENT OFFICIALS TO DEMAND ADDITIONAL GOVERNMENT PROTECTION OF THE FARMS INVOLVED IN THE FARM SCALE TRIALS. ACCORDING TO INDUSTRY SOURCES, FARMERS INVOLVED IN THE TRIALS HAVE BEEN SUBJECT TO SEVERE HARASSMENT BY ANTI-BIOTECH ACTIVISTS.

WHERE DO WE GO FROM HERE?

10. (SBU) THE DEBATE OVER AGRICULTURAL BIOTECHNOLOGY IN THE UK WILL REMAIN IN THE BALANCE FOR THE NEXT TWO TO THREE YEARS. OPINION POLLS IN THE UK SUGGEST THAT THE LACK OF INFORMATION ON AGRICULTURAL BIOTECHNOLOGY IS THE UNDERLYING REASON FOR CONCERN. OVER THE LAST 18 MONTHS, EMBASSY LONDON HAS PUT TOGETHER ONE OF THE MOST AMBITIOUS AND EFFECTIVE EDUCATIONAL OUTREACH PROGRAMS ON AGRICULTURAL BIOTECHNOLOGY IN THE WORLD.

11. (SBU) EMBASSY LONDON HAS SENT FIVE GROUPS OF UK OPINION LEADERS, INCLUDING ELEVEN JOURNALISTS, TO THE UNITED STATES ON A PROGRAM ON AGRICULTURAL BIOTECHNOLOGY ORGANIZED BY THE VOLUNTARY VISITORS DIVISION OF THE OFFICE OF INTERNATIONAL VISITORS (E/VFE). THE PROGRAM OFFERED THE PARTICIPANTS AN OPPORTUNITY TO MEET WITH USDA, FDA, EPA, FARMERS, CONSUMER AND ENVIRONMENTAL GROUPS AS WELL AS RELEVANT AGRICULTURAL TRADE ASSOCIATIONS AND MAJOR BIOTECHNOLOGY COMPANIES. WE HAVE FOUND THAT FACE-TO-FACE MEETINGS WITH U.S. REGULATORS, FARMERS AND BIOTECH COMPANIES AND OTHER U.S. STAKEHOLDERS ON THIS ISSUE ARE INVALUABLE IN HELPING TO IMPROVE UNDERSTANDING IN THE UK AND TO CORRECT THE MISCONCEPTIONS OF AGRICULTURAL BIOTECHNOLOGY. WE HAVE SELECTED PARTICIPANTS FOR THESE TRIPS IN ORDER TO GAIN A MULTIPLIER EFFECT WHEN THEY UNCLAS SECTION 03 OF 03 LONDON 006991

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REPORT BACK TO THEIR RESPECTIVE ORGANIZATIONS OR WHEN
THEY WRITE MEDIA ARTICLES.

12. (SBU) EMBASSY LONDON HAS ALSO SPONSORED ELEVEN U.S. SPEAKERS TO COME TO THE UK TO DELIVER SEMINARS, TO PARTICIPATE IN DEBATES AND TO ENGAGE IN MEDIA INTERVIEWS. SPEAKERS INCLUDED REPRESENTATIVES FROM EPA, USDA, TUSKEGEE UNIVERSITY, GEORGETOWN UNIVERSITY, THE INTERNATIONAL FOOD INFORMATION COUNCIL, IOWA STATE UNIVERSITY AND CORNELL UNIVERSITY, ALONG WITH AN INDEPENDENT SCIENTIST AND SEVERAL LAWYERS WHO ARE EXPERTS ON REGULATORY SYSTEMS FOR BIOTECHNOLOGY. WE HAVE ALSO USED DIGITAL VIDEO CONFERENCES AND TELECONFERENCES TO ENGAGE OFFICIALS FROM USDA, EPA, FDA AND KEY U.S. UNIVERSITIES DURING SEVERAL OF THESE SEMINARS.

13. (SBU) THE TARGETED AUDIENCES FOR THESE OUTREACH EVENTS HAVE BEEN STAKEHOLDERS IN THE BIOTECH FOOD DEBATE, NAMELY THE PRESS, PROFESSIONAL WOMEN'S GROUPS, CONSUMER AND ENVIRONMENTAL GROUPS, NUTRITIONISTS, DIETICIANS, FOOD INDUSTRY EXECUTIVES AND MEMBERS OF PARLIAMENT. WE ARE TARGETING OPINION LEADERS ON FOOD AND ENVIRONMENTAL SAFETY, WHO WOULD BE ABLE TO REINFORCE THE SPEAKERS' POSITIVE MESSAGES ON BIOTECHNOLOGY TO THE UK PUBLIC.

14. (SBU) THERE HAS BEEN AN INCREASING RANGE OF PRO-BIOTECHNOLOGY ARTICLES IN THE BRITISH MEDIA, OFTEN PRESENTED BY PEOPLE WHO HAVE HAD THE BENEFIT OF OUR OUTREACH PROGRAMS. FOR EXAMPLE, A REPORTER FROM "THE EVENING STANDARD," LONDON'S PREMIER COMMUTER PAPER, AND PAST PARTICIPANT IN A GM PROGRAM TO THE UNITED STATES, RECENTLY WROTE AN EXTREMELY POSITIVE ARTICLE ENTITLED "WHY I'M HAPPY TO EAT GM FOOD." THE GM-SKEPTICAL "GUARDIAN" NEWSPAPER RAN A POSITIVE FRONT PAGE ARTICLE ABOUT ONE OF THE EMBASSY SPONSORED SEMINARS ON GM PLANT BASED VACCINES. THE AUTHOR OF THE ARTICLE WAS THE ENVIRONMENTAL CORRESPONDENT, AN EARLIER PARTICIPANT IN AN AGRICULTURAL BIOTECHNOLOGY PROGRAM TO THE UNITED STATES. THE SCIENCE CORRESPONDENT OF "THE TIMES," ANOTHER PARTICIPANT IN OUR GM PROGRAM, RECENTLY WROTE AN ARTICLE EXTOLLING THE POTENTIAL BENEFITS OF GM APPLES.

15. (SBU) OUR STRATEGY IS TO CONTINUE TO ENCOURAGE OPEN MINDED ORGANIZATIONS AND INDIVIDUALS (WHETHER FROM THE MEDIA, GOVERNMENT, THE SCIENCE COMMUNITY, OR CONSUMER

GROUPS) TO LEARN AS MUCH AS THEY CAN ABOUT THE RESEARCH WORK AND THE REGULATORY PROCESS IN THE UNITED STATES. EMBASSY LONDON PLANS TO CONTINUE TO SEND OPINION LEADERS TO THE UNITED STATES ON PROGRAMS ON AGRICULTURAL BIOTECHNOLOGY AND WILL CONTINUE TO BRING U.S. SPEAKERS TO THE UK WITH POSITIVE MESSAGES TO SPEAK WITH UK STAKEHOLDERS ON THE ISSUE.

16. (SBU) EMBASSY LONDON IS ALSO WORKING WITH THE BRITISH NUTRITION FOUNDATION (BNF) TO DEVELOP A TEACHERS' GUIDE ON AGRICULTURAL BIOTECHNOLOGY TO BE DISTRIBUTED TO 13,000 HIGHSCHOOL SCIENCE TEACHERS ACROSS THE COUNTRY. THE BNF IS A WELL RESPECTED NON-PROFIT ORGANIZATION WHICH DISTRIBUTES MATERIAL AND ORGANIZES INFORMATION CAMPAIGNS ON NUTRITION, FOOD SAFETY AND HEALTH. THE CATALYST FOR THE PROJECT WAS THE RECENT PARTICIPATION OF THE DIRECTOR GENERAL OF THE BNF IN THE GM PROGRAM TO THE UNITED STATES IN JULY. IN ADDITION, EMBASSY LONDON IS WORKING WITH OTHER GM PROGRAM PARTICIPANTS FROM SEVERAL UNIVERSITIES IN THE UK TO DEVELOP A CONFERENCE ON AGRICULTURAL BIOTECHNOLOGY AT THE END OF MAY, 2001. LADER

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RUEHZL/EUROPEAN POLITICAL COLLECTIVE
SUBJ: SWITZERLAND'S DRAFT GMO LAW AND U.S.-SWISS
BIOTECHNOLOGY CONSULTATIONS

SUMMARY

TEXT: UNCLAS SECTION 01 OF 02 BERN 002568

STATE PASS USTR
STATE PASS EPA
STATE PASS FDA

E.O. 12958: N/A
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SUMMARY

1. DRAFT LEGISLATION IS UNDER CONSIDERATION BY THE SWISS PARLIAMENT WHICH WOULD STRENGTHEN THE GOVERNMENT'S REGULATION OF GMOS FOR CONSUMPTION OR CULTIVATION. THE DRAFT, KNOWN AS THE "GEN-LEX", WOULD ALSO REQUIRE THE GOVERNMENT TO PROVIDE GREATER INFORMATION TO THE PUBLIC ABOUT THE REGULATORY PROCESS WHILE PROVIDING EXPANDED OPPORTUNITIES FOR PUBLIC/NGO INPUT AND COMMENT ON GMO REGULATORY MATTERS. MOST OBSERVERS THINK THE GEN-LEX STRIKES A FAIRLY GOOD BALANCE BETWEEN THE INTERESTS OF BUSINESS, ENVIRONMENTALISTS, AND THE GENERAL PUBLIC, THOUGH ENVIRONMENTALISTS MAY STILL TRY TO LOBBY PARLIAMENT TO ADD LANGUAGE TO THE DRAFT IMPOSING A MORATORIUM ON GMO CULTIVATION. PASSAGE OF THE LEGISLATION IN ITS CURRENT FORM APPEARS LIKELY, THOUGH PROBABLY NOT BEFORE 2002. THE EMBASSY PLANS TO OFFER U.S. VIEWS ON GMO REGULATION THROUGH A BILATERAL BIOTECHNOLOGY CONFERENCE IN BERN ON NOVEMBER 10. EMBASSY FORESEES EXPERT AND POLICY LEVEL EXCHANGES BETWEEN OFFICIALS. END SUMMARY.

PROMISED LEGISLATION HELPS DEFEAT RESTRICTIVE GMO INITIATIVE

2. IN 1998, A COALITION OF SWISS ENVIRONMENTAL, FARM AND OTHER SPECIAL INTEREST GROUPS SUCCEEDED IN GETTING A PUBLIC INITIATIVE ON THE BALLOT WHICH WOULD HAVE EFFECTIVELY PUT AN END TO BIOTECH RESEARCH IN SWITZERLAND AND SEVERELY RESTRICTED THE IMPORT AND USE OF GMO PRODUCTS. THE GOVERNMENT, SCIENTIFIC COMMUNITY, CHEMICAL/PHARMACEUTICAL INDUSTRY, AND OTHER BUSINESS GROUPS STRONGLY OPPOSED THE INITIATIVE ARGUING IT WAS CONTRARY TO SWISS INTERESTS, PARTICULARLY IN ITS IMPACT ON GMO/BIOTECH RESEARCH. SWISS INDUSTRY MOUNTED ONE OF THE MOST EXPENSIVE CAMPAIGNS IN THE COUNTRY'S HISTORY TO DEFEAT THE EFFORT. THE GOVERNMENT, PICKING UP ON BUSINESS' FEAR THAT THE INITIATIVE WOULD CRIPPLE SWITZERLAND'S LEADING ROLE IN THE EUROPEAN BIOTECH INDUSTRY AND IN ACADEMIC RESEARCH ALSO WORKED TO EDUCATE THE PUBLIC ABOUT THESE CONSEQUENCES. AT THE SAME TIME, RECOGNIZING THAT THE INITIATIVE HAD STRUCK A CORD WITH A GENERAL PUBLIC INCREASINGLY WARY OF GMO PRODUCTS (AS IS THE CASE IN MUCH OF EUROPE), THE GOVERNMENT PLEDGED THAT IF THE INITIATIVE WERE DEFEATED, IT WOULD INTRODUCE NEW LEGISLATION TO ADDRESS SOME OF THE PUBLIC'S CONCERNS ABOUT GMOS. THE INITIATIVE WAS ULTIMATELY VOTED DOWN BY A CONVINCING MARGIN OF ALMOST 2 TO 1, AS MOST VOTERS DID NOT WANT TO SEE A CURTAILING OF GMO RESEARCH FOR MEDICAL PURPOSES. THE INITIATIVE'S SPONSORS PROBABLY MADE A TACTICAL ERROR BY INCLUDING MEDICAL RESEARCH ALONG WITH THE OTHER TARGETS OF THEIR EFFORT.

NEW PROTECTIVE MEASURES AND GOVERNMENT ADVISORY BODIES

3. THE FEDERAL COUNCIL'S PROMISED DRAFT LEGISLATION WAS FORWARDED TO THE PARLIAMENT LAST MARCH. A KEY ASPECT OF THE LEGISLATION ARE NEW "PROTECTION MEASURES" WHICH WILL TOUGHEN THE PROCEDURES FOR APPROVAL OF GMO PRODUCTS INTENDED FOR CONSUMPTION OR RELEASE IN SWITZERLAND. IN ADDITION TO IMPOSING NEW, YET TO BE DETERMINED GUIDELINES FOR PRODUCT APPROVALS, THE LAW SPECIFIES THAT NEW CRITERIA INCLUDING THE IMPACT ON BIOLOGICAL DIVERSITY AND PROTECTING THE "DIGNITY OF LIVING ORGANISMS" WILL BE PART OF THE GOVERNMENT'S APPROVAL PROCESS. THIS CRITERIA OF PROTECTING THE DIGNITY OF LIVING ORGANISMS STEMS FROM A SUCCESSFUL 1992 INITIATIVE THAT INSCRIBED THIS ILL-DEFINED CONCEPT IN THE SWISS CONSTITUTION SAYING ALL NEW LEGISLATION ON GENE TECHNOLOGY MUST TAKE THIS INTO ACCOUNT. ONE GOVERNMENTAL STATEMENT SEEKING TO HELP FURTHER EXPLAIN THIS CONCEPT STATES THAT, "THE PRODUCTION OF TRANSGENIC ORGANISMS (I.E., GMOS) PER SE DOES NOT INJURE THE DIGNITY OF LIVING ORGANISMS. SUCH DIGNITY IS INJURED WHEN, AND ONLY WHEN, THE GENETIC INTERVENTION LEADS TO AN IMPAIRMENT OF THE ABILITIES AND FUNCTION OF THE TRANSGENIC ORGANISM. IN THESE CASES A CAREFUL MORAL DELIBERATION IS REQUIRED."

4. THIS MORE CAREFUL DELIBERATION IS SUPPOSED TO BE

ASSISTED WITH THE HELP OF A NEW "GENE TECHNOLOGY ETHICS COMMISSION", INITIALLY ESTABLISHED IN 1998, BUT WHICH WILL RECEIVE AN EXPLICIT LEGAL BASIS UNDER THE DRAFT GEN-LEX LEGISLATION. THE COMMISSION, COMPOSED OF "OUTSTANDING SCIENTISTS IN ETHICS AND OTHER DISCIPLINES SUCH AS BIOLOGY, MEDICINE OR LAW", WILL HAVE THE RIGHT AND OBLIGATION TO ISSUE ITS VIEWS OR RECOMMENDATIONS CONCERNING GMO ISSUES AND WILL SEEK TO KEEP THE PUBLIC BETTER INFORMED AT THE SAME UNCLAS SECTION 02 OF 02 BERN 002568

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BIOTECHNOLOGY CONSULTATIONS

TIME, THE COMMISSION'S CONCLUSIONS AND ANALYSES ARE SOLELY ADVISORY AND IN NO WAY BINDING ON THE GOVERNMENT AGENCIES WITH THE ACTUAL DECISION MAKING AUTHORITY.

5. AS PART OF THE REGULATORY STRENGTHENING THE GOVERNMENT HOPES TO INTRODUCE WITH THE GEN-LEX, THE FEDERAL COUNCIL ANNOUNCED THIS MONTH THAT IT IS ESTABLISHING A NEW INTERDEPARTMENTAL GENE TECHNOLOGY WORKING GROUP. WITH THE ENVIRONMENT MINISTRY SERVING AS THE SECRETARIAT, THE WORKING GROUP WILL BE COMPOSED OF REPRESENTATIVES FROM SOME 13 FEDERAL AGENCIES AS WELL AS THE SWISS INSTITUTE FOR ACCIDENT INSURANCE (BECAUSE OF THE LIABILITY ISSUES). ITS MANDATE WILL BE TO EXCHANGE INFORMATION HELPFUL IN THE LEGISLATIVE PROCESS AND TO ADVISE THE FEDERAL COUNCIL ON ESTABLISHING COMPREHENSIVE BIOTECHNOLOGY POLICIES.

GMO MORATORIUM REJECTED, LIABILITY TO BE STRENGTHENED

6. ANOTHER KEY ASPECT OF THE DRAFT GEN-LEX IS THE EXPANSION OF LIABILITY FOR THOSE WHO PRODUCE OR USE GMO PRODUCTS. THE PROPOSED LEGISLATION STIPULATES THAT ANYONE CLAIMING DAMAGES ARISING FROM GMOS WILL HAVE TO BRING CHARGES AGAINST THE MANUFACTURER OR END-USER OF THE SUBSTANCE WITHIN THREE YEARS, BUT THE STATUTE OF LIMITATIONS MAY BE EXTENDED TO A MAXIMUM OF 30 YEARS IF THE DAMAGE DOES NOT BECOME EVIDENT UNTIL A LATER DATE. BEFORE FINALIZING THE DRAFT LEGISLATION, THE FEDERAL COUNCIL DEBATED WHETHER TO IMPOSE A MORATORIUM ON FURTHER APPROVALS OF GMO PRODUCTS, A POSITION STRONGLY ADVOCATED BY ENVIRONMENT MINISTER LEUENBERGER. ECONOMIC MINISTER COUCHEPIN'S COUNTER ARGUMENTS, THAT A MORATORIUM WOULD BE TOO EXTREME AND WOULD HARM SWISS INDUSTRY, WON THE DAY AND THE COMPROMISE OF TOUGHENING LIABILITY WAS AGREED. A FEW MONTHS LATER THE GENE TECHNOLOGY ETHICS COMMISSION MADE HEADLINES WHEN, WHILE IT FAILED TO REACH A CONSENSUS, A MAJORITY OF ITS MEMBERS CAME OUT IN FAVOR OF A MORATORIUM -- A LEANING WHICH DIRECTLY CONFLICTED WITH THE FEDERAL COUNCIL'S EARLIER DECISION.

PUBLIC TO BE BETTER INFORMED, MORE INVOLVED

7. THE OTHER SIGNIFICANT PROVISION OF THE GEN-LEX PROVIDES FOR IMPROVING THE PUBLIC'S KNOWLEDGE OF GMO TECHNOLOGY ISSUES AND THE GOVERNMENT'S APPROVAL PROCEDURES FOR THESE PRODUCTS. THIS IS TO BE ACHIEVED VIA VARIOUS MEANS INCLUDING MAKING ALL AVAILABLE INFORMATION ABOUT THE GOVERNMENT'S GMO REGULATORY/APPROVAL ACTIVITIES AVAILABLE ON THE INTERNET AND THROUGH OTHER MULTI-MEDIA CHANNELS, AND BY HOLDING PUBLIC HEARINGS AND ALLOWING PUBLIC GROUPS TO SUBMIT OPINIONS ON GMO-RELATED ISSUES.

8. THE SCIENCE, EDUCATION AND CULTURE COMMITTEE OF THE SWISS PARLIAMENT'S UPPER HOUSE IS CURRENTLY CONSIDERING THE GEN-LEX. THE LOWER CHAMBER WILL BEGIN THE SAME PROCESS TOWARD THE END OF THE YEAR. THE SWISS PARLIAMENT IS NOT NOTED FOR MOVING EXPEDITIOUSLY, AND FINAL PASSAGE OF THE GEN-LEX IS NOT EXPECTED BEFORE 2002, ESPECIALLY IF THE TWO CHAMBERS APPROVE DIFFERENT VERSIONS WHICH MUST BE RECONCILED. THE MAIN PARLIAMENTARY OPPOSITION TO THE BILL WILL COME FROM THE SOCIAL DEMOCRATS WHO WILL LIKELY CONTINUE PUSHING TO AMEND THE LEGISLATION TO INCLUDE A MORATORIUM. GIVEN THE INFLUENCE OF THE FARM LOBBY AND ENVIRONMENTALISTS, PARLIAMENTARIANS FROM OTHER PARTIES WHO HAVE SIGNIFICANT CONSTITUENCIES FROM THESE GROUPS COULD ALSO FEEL PRESSURE TO ADD MORE RESTRICTIVE PROVISIONS TO THE DRAFT GMO LEGISLATION. THE ENVIRONMENT OFFICE, HOWEVER, EXPECTS THE LEGISLATION WILL PASS ESSENTIALLY IN ITS PRESENT FORM.

COMMENT

9. ALTHOUGH MUCH SWISS PUBLIC OPINION IS SKEPTICAL ABOUT GMO PRODUCTS, SWITZERLAND'S MAJOR COMMERCIAL AND RESEARCH INTEREST IN GMO DEVELOPMENT HAS HELPED DEFLECT HARSHLY RESTRICTIVE LEGISLATION. WE BELIEVE THAT SWISS OFFICIALS AND MANY LAWMAKERS REMAIN PRAGMATIC ABOUT FINDING A BALANCED APPROACH TO GMO PRODUCTS AND IMPROVING THE CLIMATE FOR DISCUSSION. OUR NOVEMBER 10 BILATERAL CONSULTATION ON BIOTECHNOLOGY IS INTENDED TO BE A STEP TOWARDS A USEFUL DIALOGUE WITHIN THE FRAMEWORK OF THE U.S.-SWISS JOINT ECONOMIC COMMISSION. FREDERICKS

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