*(English version)*

**Question for written answer E-002092/25**
**to the Commission**
**Maria Zacharia (NI)**
*(25 May 2025)*

*Subject:* Greek Ministry of Health granted American companies exclusive rights to genetic material (DNA) of 100 000 newborns for the period 2025-2029

The contract signed by the Ministry of Health with the American companies RealGenix and Beginnings, granting them the exclusive right to collect, analyse and commercially exploit the genetic material (DNA) of 100 000 newborns over the period 2025-2029, has caused alarm and public outcry in Greece.

The contract was signed in complete violation of the Charter of Fundamental Rights of the EU Articles 1, 3 (in particular the free and informed consent of the person, the prohibition on the commercialisation of the human body, the protection of personal self-determination), 7 and 8. It took place without public consultation, any competitive procedure or publication on 'The Transparency Portal (Diavgeia)', but with a confidentiality clause, in violation of the principles of transparency, accountability and Directive 2014/24/EU on public procurement.

The Institute of Child Health (ICH) was completely bypassed, while its Scientific Council expressed unanimous opposition, citing serious legal, ethical and scientific issues.

The genetic material of newborns (DNA) is classed as the companies' exclusive property, while its collection is carried out without the explicit consent of the parents. The agreement also provides for the transfer of the National Newborn Screening Programme from the public to the private sector, without any democratic or scientific control.

In view of the above:

1. Is the Commission aware of the agreement and the procedures followed?

2. Does it intend to launch an investigation and request the suspension of the agreement?

3. Does it intend to establish a common European framework for bioethics and the genetic data of minors?

Submitted: 25.5.2025

**Answer given by Mr McGrath on behalf of the European Commission**
*(3 September 2025)*

The General Data Protection Regulation (GDPR) ([1]) applies also when genetic material of newborns is processed. In accordance with the principle of lawfulness, the processing must be based on a valid legal basis under Article 6(1) GDPR.

Furthermore, genetic data falls within the special categories of personal data which can be processed only if one of the conditions in Article 9(2) GDPR is fulfilled. This provides an additional layer of protection considering the potential risks arising from the processing of this type of data.

The Commission has no knowledge of this specific agreement nor if it contains any data protection clauses.

The monitoring and enforcement of the application of the GDPR falls within the competence of the national data protection authorities (DPAs) and courts, without prejudice to the Commission's competences as guardian of the Treaties. It is therefore for the Greek DPA to examine whether the processing activities at stake comply with the GDPR.

The Commission does not plan to establish a common European framework for bioethics and the genetic data of minors which largely remain a national competence.

([1]) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1-88.