(English version)

Question for written answer E-000451/26
to the Commission
Thomas Waitz (Verts/ALE)
(4 February 2026)

Subject: Enforcement of EU genetically modified organism law for imports of plants obtained by new genomic techniques

Following the judgment of the Court of Justice in Case C-528/16, organisms obtained by new genomic techniques (NGTs) fall under EU genetically modified organism (GMO) legislation. Consequently, NGT plants and the products derived from them are subject to the authorisation requirements of Directive 2001/18/EC and regulations (EC) Nos 1829/2003 and 1830/2003, including for traceability and labelling obligations.

As no authorisations for the import of NGT plants or products have so far been requested or granted, their import into the EU market is prohibited.

It also appears that for many NGTs no routinely applicable detection methods are available, raising significant concerns about the effective enforcement of EU GMO law at EU borders and points of entry.

Moreover, the Commission's proposal on NGT-1 plants and products envisages a simplified procedure for their placing on the market and cultivation within the EU but currently contains no specific provisions on imports from non-EU countries.

1. How does the Commission ensure the effective prevention of imports of unauthorised NGT plants or products under the current legal framework, in line with the precautionary principle?

2. What concrete monitoring, documentation and verification requirements are currently applied to imports from non-EU countries where NGT crops are being cultivated?

3. How does the Commission intend to address the issue of NGT-1 imports in the proposed new regulatory framework, in particular regarding equivalence, traceability and enforcement?

Submitted: 4.2.2026

Answer given by Mr Várhelyi on behalf of the European Commission
(22 May 2026)

Plants obtained by new genomic techniques (NGT) and their products can now only be imported into the EU if they meet the Genetically Modified Organisms (GMO) legislation's requirements ([1]).

The proposed Regulation for plants obtained by certain NGTs ([2]) will apply equally to NGT plants and their products originating in the EU and those imported from non-EU countries.

Therefore, if the proposed Regulation — as amended by the co-legislators in the provisional agreement on 3 December 2025 — is adopted, NGT plants and products would only be allowed for import if they comply with the provisions of that regulation. It also specifies Member States' control obligations, also for imports.

Operators within and outside the EU bear primary responsibility for ensuring that products placed on the EU market are compliant with EU legislation. Member States are responsible for import controls and enforcement actions, as relevant in accordance with Regulation (EU) 2017/625 ([3]).

Depending on the goods, they have to be controlled systematically at the first point of arrival in the EU or with appropriate frequency at an appropriate place within the customs territory of the Union.

The Commission carries out audits and controls in Member States and third countries and takes action as necessary. For Category c NGT plants, Member States will be responsible for ensuring that before these plants are released or placed on the market, a decision confirming Category c NGT plant status has been taken.

Official controls go beyond analytical testing and include a wide range of methods and techniques, as specified in Article 14 of Regulation (EU) 2017/625.

([1]) https://food.ec.europa.eu/plants/genetically-modified-organisms/gmo-legislation_en.
([2]) COM(2023) 411 final.
([3]) https://eur-lex.europa.eu/eli/reg/2017/625.

Such approaches are widely used and are particularly relevant in areas of EU law where analytical detection is limited or impossible.