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EU Commissioner for Health  
Mr Markos Kyprianou  
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CC: Commissioner for Environment, Mr Stavros Dimas  
Commissioner for Agriculture, Ms Mariann Fischer-Boel

BY EMAIL and FAX

28 April 2007

## **URGENT - Unauthorised genetically engineered US maize entering the European market**

Dear Commissioner

Greenpeace wish to alert you that we found an unauthorized genetically engineered (GE) maize in a shipment coming from the United States to Ireland and the Netherlands. We are writing to request that you take immediate action to confiscate this cargo and stop further contaminated products entering the EU.

On April 10, a Greenpeace biosafety patrol took samples of a US maize shipment from the Vessel Pakrac, in the harbour of Rotterdam. The captain of the Pakrac had claimed that the shipment was GMO-free, and had given samples of the cargo to Greenpeace. We sent these samples to an independent, accredited laboratory and received test results yesterday (attached). The results reveal the presence of an illegal, unapproved variety of Pioneer/Dow Agrosiences GE maize in the shipment - Herculex(R) RW – 59122. This is a Bt maize resistant to the corn rootworm expressing two Bt proteins, Cry34Ab1 and Cry35Ab1. The percentage of Herculex found in the samples was 2.4 %.

According to the test results, the shipment also contained a high quantity of Monsanto maize MON863, which is suspected to have significant health risks<sup>1</sup> and is currently under revision by the EFSA.

This is at least the fourth time within the past two years that illegal, unapproved GMOs enter the European market. We are highly concerned that the official traceability and testing systems are patently unable to detect illegal GMO varieties on time. We urge you to propose immediate measures that will protect EU citizens and defend the integrity of the EU's regulatory system for food safety.

As it appears that the United States of America face particular problems in ensuring that its exports to the European Union comply with EU law, we call on you temporarily suspend all imports of US agricultural produce which is at risk of being contaminated with unauthorized, illegal GMOs.

In addition, we urge you to take the following immediate measures:

- Put in place emergency measures to detect contaminated products and prevent further illegal imports of genetically engineered food and feed

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<sup>1</sup> See: Séralini, G-E, Cellier, D. & Spiroux de Vendomois, J. 2007. New analysis of a rat feeding study with genetically modified maize reveals signs of hepatorenal toxicity. Archives of Environmental Contamination and Toxicology DOI: 10.1007/s00244-006-0149-5.

- Ask the Irish and Dutch authorities to trace and confiscate the cargo of maize containing illegal unapproved varieties of GMOs
- Notify all EU member states regarding the illegal import, the risk of further illegal imports, and the potential health risks associated with this illegal GE maize
- Ensure that Member States and food companies implement an immediate and extensive testing programme to protect consumers from this GE maize with appropriate product recalls if necessary.

Further urgent measures need to be taken at EU level in order to prevent accidental or intentional imports of illegal genetically modified food or feed into Europe. Greenpeace believes that the European Union should adopt the following measures:

- All countries that export food and feed crops or seeds to the EU must deliver a complete list of all GMO releases for commercial and experimental use in their country;
- For every GE crop, a validated test must be provided to the European Union, so member states can take steps to prevent unauthorised crops coming into the EU market. This must include any crops grown commercially or in open field trials;
- A meeting of national authorities and the European Commission should be convened urgently, to discuss why illegal GMOs imports continue to escape official detection systems, and to decide on and implement improved measures of control;

We would appreciate the opportunity to meet with you to discuss how the recurring problem of illegal GMO imports to the European Union can be resolved swiftly and effectively.

Thank you very much for your attention to this urgent matter. I look forward to hearing from you.

Yours sincerely,



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Attachment: Test result from Genetic ID (Europe) AG laboratory