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Modern mutagenesis techniques are GMOs according to the European Court of Justice Advocate General

On Thursday 18 January, the European Court of Justice published [the opinion](#) of its Advocate General on the legal statute of modern mutagenesis, including some of the techniques known as “new breeding techniques”.

This opinion confirms what [civil society](#) and [the Greens/EFA](#) have been claiming from the beginning: these are not “breeding techniques” but GMOs. This is a clear victory against a corporate newspeak aimed at creating false public acceptance.

However, it isn't all good news. At the same time, the Advocate General opens the door for some of these techniques to be exempt from risk assessment, traceability and labelling. These potential exemptions are all the more unwelcome given that the criteria proposed by this opinion are vague and subject to controversy, including within the scientific community. More worryingly, whereas a long history of safe use had been up until now considered a pre-requisite to release any products from mutagenesis in the environment without a prior risk assessment, the Advocate general considers this to be unnecessary.

Green MEP Bart Staes comments: *“It would be absolutely reckless and unacceptable if products legally defined as new types of GMOs were to be released without a case-by-case risk assessment and without any labelling. Farmers have the right to know what they sow, and citizens what they eat.”*

Equally baffling is the fact that the Advocate General has completely ignored the EU's legal international obligations under the Cartagena protocol to ensure traceability and labelling of the products of all modern biotechnologies.

We certainly hope that the European Court of Justice, whose final decision is due this spring, will not make the same mistakes. We also reiterate our opinion that citizens should be the ones to discuss and decide which technologies should be authorised in their society - [this essential debate](#) is still to take place.

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