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Report Highlights:

The Government of Spain is currently preparing a coexistence decree. If ultimately sustained, as we believe it is currently drafted, it could centralize, maybe even increase the use of genetically modified corn (GM) varieties in some regions. However, the decree will likely impose requirements not imposed on producers and consumers of other, non-GM corn varieties. As a result, it will also likely add to the production costs of GM corn, and could deter GM production on small parcels. (DP4SH4)

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Madrid [SP1]
[SP]

Executive Summary

The Ministry of Agriculture will soon release a “Proyecto de Real Decreto,” that will guide/govern the handling, planting, isolation, harvest, storage, inspection, and record keeping of GM crops. This will be the current Government of Spain’s first foray into the realm of controlling domestic GM crops. We believe the authorization and direction of the decree to be based on authority and guidance granted through European Communities (EC) regulations and directives including, among others 1829/2003, 1830/2003, 2001/18/CE, and 2003/556/CE.

The proposed coexistence legislation would likely minimize/preclude adventitious corn contamination through pollen or mechanical means from seed storage to first-buyer crop delivery, require labeling of all GM crops, and establish inspection of and reporting requirements by farmers, seed companies, elevators, the Autonomous Governments and the Government of Spain. With its provisions, the Government would also attempt to minimize the development of pest resistance in planted GM varieties.

We expect that the pending decree will dictate that farmers, intent on growing GM corn varieties, cover the following bases: 1) Notify neighboring farmers and the local Autonomous Government of the GM-variety, intended planting parcel location and size, etc. 2) Establish a 25-meter minimum buffer zone between GM corn and traditionally-bred varieties grown by conventional or organic methods; 3) Where such a buffer zone could not be established, plant four rows of traditionally-bred corn varieties (around the GM corn) to be harvested and labeled as GM corn; 4) Where the GM variety is insect resistant, plant 20 percent of the parcel area in non-GM varieties to protect against insects developing resistance; 5) Dedicate harvesters to the harvest of GM corn with that/those harvesters not available for the harvest of traditionally-bred varieties (unless very restrictive requirements are met); 6) Maintain strict planting (certified seed only), harvesting, drying, storage, and delivery procedures to preclude commingling; and, 7) Keep and provide for inspection purposes accurate records of all labels and all efforts to comply with the decree (a minimum of five percent of all GM acreage will need to be inspected).

Points 2) and 3) above would not likely apply where an entire zone is planted to GM corn and where the only other production in the zone is non-corn. As a result, it seems quite likely that farmers, will make every effort to plant, encourage others to plant, entire zones with GM corn. However, where a zone cannot be planted exclusively to GM varieties, these same points 2) and 3) may have a deleterious effect on current and future GM corn production within these zones.