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Report Highlights:

Austria continues to be one of the leading forces in Europe opposed to the use of agricultural biotechnology. Anti-biotech NGOs, who have a strong influence on Austrian consumers, farmer organizations, the food-processing sector, and the retail sector all campaign against genetically engineered agricultural and food products. However, acceptance of innovative biotechnologies is gaining some traction within informed stakeholder groups. Since all major Austrian political parties oppose biotechnology in agriculture, it is unlikely that Austria's hostile biotech environment will change with a new government after general elections which took place on September 29, 2024. Soybeans and soybean products for feed use are the only major genetically engineered products imported by Austria. The Austrian government strongly opposes the EU Commission's proposal of the regulation of "new genomic techniques (NGTs)" to allow for easier market access for products deriving from "NGTs."

Executive Summary

Austria continues to be one of the leading forces within Europe opposed to the use of biotechnology in agriculture. Austrian politicians, governmental decision makers, farmer organizations, and consumers share the opinion that agricultural biotechnology carries incalculable risks. Austrian legislation successfully prohibits the cultivation of genetically engineered (GE) crops. Austria has adopted the so-called “opt-out” European Union (EU) legislation to restrict or ban the cultivation of GE plants on its territory.

Austria’s anti-biotech sentiment has effectively kept labeled biotech foods off the shelves in supermarkets and grocery stores. The Austrian retail sector refrains from stocking or selling any foods containing ingredients that require GE labeling. Anti-biotech non-governmental organizations (NGOs) who have a strong influence on Austrian consumers, farmer organizations, the food-processing sector, and the retail sector all have steady marketing campaigns promoting GE-free foods.

Despite this widespread opposition towards GE products, the Austrian livestock sector is highly dependent on imports of soybeans and soybean meal. A large majority of the about 550,000 metric tons of soybeans and soybean meal used in Austria is GE. Soybeans and soybean meal are currently the only major agricultural biotech commodities found on the Austrian market.

Within informed stakeholder groups like scientists, seed breeders, seed traders, and some farmer representatives, the acceptance of innovative biotechnologies (or “new genomic techniques – NGTs”) is much higher than for traditional GE crops. To date, these techniques are not widely discussed by the general public. The Austrian government heavily criticized the [EU Commission’s Draft Regulation on “New Genomic Techniques”](#). Since all relevant Austrian political parties oppose biotechnology in agriculture, there are no expectations for a change of the Austrian hostile biotech environment with a new government after the general elections which took place on September 29, 2024. More information about the EU draft regulation on “NGTs” can be found in the 2023 EU Agricultural Biotechnology Annual Report.

Currently, there is no public discussion on biotech and cloned animals. It can be expected that the public opinion towards GE animals would be even more hostile than the already very negative opinion towards GE plants.

There is no public awareness of microbial biotechnology.

For more information on the EU biotech situation please see the current EU Agricultural Biotechnology Annual Report, which can be found at the [FAS GAIN Report Data Base](#).

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CHAPTER 1: PLANT BIOTECHNOLOGY

PART A: PRODUCTION AND TRADE

- a) **RESEARCH AND PRODUCT DEVELOPMENT:** There is no GE plant product development for the commercialization of food and feed anticipated in Austria in the next five years. There are some small-scale research projects at the university level focused on pest resistance of select crops and nutritional improvement of food and feed crops. However, these are only in contained areas.
- i. **GE Plants to Produce Antibiotics or Pharmaceuticals:** There are scientific projects to produce pharmaceutical proteins in grains and corn but only in contained areas.
- b) **COMMERCIAL PRODUCTION:** There is no biotech crop production in Austria. Austrian federal and state legislation successfully prevents the planting of EU-approved biotech crops. Austria has adopted the so-called “opt-out” EU legislation to restrict or ban the cultivation of GE plants on its territory ([See below](#)). The Austrian federal states have issued amendments to their “biotech precautionary bills” or other related laws to implement that legislation. Austria has applied for an amendment of the geographical scope with the EU to exclude the cultivation of all approved biotech crops from Austrian territory. However, national cultivation and import/processing bans of biotech crops are still in place for political reasons. For more details, please see the section “[Austrian Federal Law](#)” in Part B. Additionally, all Austrian federal states are members of the “[European Network of GMO-Free Regions](#).”
- **“Non-GMO” Seed Corn:** Austria is an important corn seed producer, and the Austrian seed industry actively promotes “non-genetically modified organisms” (“non-GMO”) seed corn and other seeds. Additionally, Austria is increasingly producing organic seeds. In 2023 (latest

available data), Austria planted almost 10,300 hectares of seed corn and more than half is exported. In 2017, DuPont Pioneer Austria (now “Corteva”) opened a new parental and organic seed production facility in northeastern Austria. The country’s “GMO-Free” status was a factor for the company to choose this location.

- c) **EXPORTS:** Since there is no commercial GE plant production, Austria does not export GE crops to the United States or other countries. However, there is some transshipment via Austria.
- d) **IMPORTS:** The livestock and poultry industries are important components of Austrian agriculture and account for almost 50 percent of total agricultural output. Animal production is highly dependent on imports of soybeans and soybean meal. On average, Austria imports 550,000 MT of soybeans and soybean meal per year for feed, the majority of which is GE. Those imports are mainly transshipments from Germany and the Netherlands, where soybeans from North and South America are processed into soybean meal. Currently, soybean products are the only agricultural biotech products that can be found on the Austrian market.
- e) **FOOD AID:** Austria is not a food aid recipient. In terms of foreign assistance, Austria only provides direct food aid for disaster relief of which most is sourced locally or close to the disaster site. Austria does not source GE products for food aid. Most of the support Austria provides for food security includes provisions for sustainable food production systems (which in Austria is understood to exclude biotechnology).
- f) **TRADE BARRIERS:** All EU trade barriers related to GE crops apply to Austria. Most importantly, the EU mandatory labeling of the presence of GE ingredients in food causes traders, processors, and retailers to avoid GE ingredients including GE soybeans or corn used for processing of oil. Additionally, Austria has implemented its own cultivation and marketing bans on EU approved GE crops (see chapter “[Regulatory Framework](#)”).

PART B: POLICY

- a) **REGULATORY FRAMEWORK:** As a member of the EU, generally EU regulations on biotech products also apply to Austria, (see current EU Agricultural Biotechnology Annual Report, which can be found at the [FAS GAIN Report Data Base](#)).

i. Table of Legal Terms

Legal term (in German)	Legal Term (in English)	Laws and Regulations where term is used	Legal Definition (in English)
Gentechnisch veränderte Organismen (GVO)	Genetically Modified Organisms (GMO)	<ul style="list-style-type: none"> Gentechnikgesetz und Durchführungsverordnungen (“Gene Technology Act“ and related Ordinances) 	<p>Organisms whose genetic material has been modified in a way that does not occur under natural conditions through crossing or natural recombination or other conventional breeding techniques. Methods of modifying genetic material in this sense are in particular</p> <p>a) DNA recombination techniques using vector systems,</p> <p>b) direct introduction into an organism of genetic information prepared outside the organism, including macroinjection, microinjection, microencapsulation, electroporation, or use of microprojectiles,</p> <p>c) Cell fusion and hybridization processes in which living cells are created with new combinations of genetic material that do not occur under natural conditions.</p>

ii. Responsible Government Ministries:

- Federal Ministry of Social Affairs, Health, Care and Consumer Protection (“Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz”) – referred to as the Social Ministry. This Ministry is responsible for reviewing and approving the contained use and deliberate release applications from industry and research institutions, except universities.

- Austrian Federal Ministry of Education, Science and Research ("[Bundesministerium für Bildung, Wissenschaft und Forschung](#)"). Responsible for reviewing and approving contained use and deliberate release applications from universities.
 - Federal Ministry of Agriculture, Forestry, Regions and Water Management ("[Bundesministerium für Land- und Forstwirtschaft, Regionen und Wasserwirtschaft](#)") – referred to as Ministry of Agriculture. Overall regulatory responsibility for the cultivation of biotech crops. This includes the reviewing and approving of applications.
 - Environment Agency Austria ("[Umweltbundesamt](#)"). Responsible for technical issues with the cultivation of biotech crops. In case of (unlikely) deliberate releases and placing “GMO” products on the market, the Environment Agency would provide expert comments.
- iii. Biosafety Committee:** The Committee for Gene Technology (“Gentechnik-Kommission” in German) is an advisory body consisting of representatives from science, industry, government, NGOs and trade unions. This committee gives comments on regulations and ordinances, establishes technical guidelines, and gives periodic reports to the Parliament. Its scientific subcommittees give advice on actual applications of contained use and deliberate release. The Austrian Gene Technology Act lays out the rules for the installation and work of this commission and its three standing scientific committees.

The procedural rules of the Committee for Gene Technology are laid down in the Rules of Procedure of the Gene Technology Committee ("[Geschäftsordnung der Gentechnikkommission](#)" in German).

The Austrian Ministry of Agriculture initiated the Task Force on Gene Technology in Agriculture (“Arbeitsgruppe Gentechnik in der Landwirtschaft” in German) with the aim to achieve a coordinated approach for managing the coexistence of “GMO” crops, conventional crops, and organically produced crops in all nine Federal States. Since there is currently no GE production in Austria, the task force develops possible scenarios of coexistence for the unlikely event of GE production in the future and for coexistence issues with neighboring countries. This task force consists of members of the Agriculture Ministry, the Social Ministry, representatives of the nine federal states, the chambers of agriculture, and representatives of the organic farmers association.

- iv. Political Factors:** All major Austrian political parties consistently vote against the use of agricultural biotechnology. The current Austrian government policy plan by the two coalition parties, the “People’s Party” ([ÖVP in German](#)), and the “Greens” ([Die Grünen - in German](#)) includes a commitment to ensure GE-free agricultural cultivation. Since all relevant Austrian political parties oppose biotechnology in agriculture, there is no anticipated liberalization to Austria’s biotech environment after the general elections on September 29, 2024. A recent survey carried out by “[ARGE Gentechnik-frei](#)” confirms a broad party consensus for the continuation of Austria’s critical stance on biotech in agriculture. Only the “[NEOS](#)” party (last general elections: 8.1 percent of votes) is in favor of softening the current EU biotech legislation. The four current major Austrian parties (ÖVP, [SPÖ](#), [FPÖ](#), and the Greens) unanimously support the mandatory labeling for all “NGTs”. However, the ÖVP softened its

stance on “NGTs” from requiring stringent approval processes and labeling to a more ambiguous position. The full survey (only available in German) can be found at: <https://gentchnikfrei.at/der-parteien-check/>. Austrian opposition to biotech crops is a controversial factor in EU free trade negotiations particularly with countries producing biotech crops - like the United States.

- v. Distinctions for GE Plant Products Containing DNA in Final Product**
See current EU Agricultural Biotechnology Annual Report, which can be found in the [FAS GAIN Report Data Base](#).
- vi. Distinctions for GE plant Products Considered Living Versus Non-Living**
See current EU Agricultural Biotechnology Annual Report, which can be found in the [FAS GAIN Report Data Base](#).
- vii. Distinctions of the Approval for Food, Feed, Fiber, Pulp, Processing, Environmental Release:**
See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).
- viii. Pertinent Pending Legislation with the Potential to Affect U.S. exports:**
See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).
- ix. Timeline for Approvals**
See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).
- x. If no Regulation in Place – Discussion**
Not applicable (n/a)
- xi. Additional Product , Seed Registration – Beyond GE Plant Approval**
See current EU Agricultural Biotechnology Annual Report which can be found at the [FAS GAIN Report Data Base](#).
- xii. Is Re-Registration Required**
See current EU Agricultural Biotechnology Annual Report which can be found at the [FAS GAIN Report Data Base](#).
- xiii. Are Approvals/Authorization Limited**
See current EU Agricultural Biotechnology Annual Report which can be found at the [FAS GAIN Report Data Base](#).

Austrian Federal Law: As a member of the EU, Austria has fully implemented the EU directives, decisions, regulations and guidelines pertaining to “Genetically Modified Organisms” (“GMOs”) through federal laws and ordinances (see current EU Agricultural Biotechnology Annual Report which can be found at the [FAS GAIN Report Data Base](#)).

The Austrian Gene Technology Act (“[Gentechnikgesetz](#)” in German) regulates the main aspects of biotechnology and genetic engineering, including contained use of “GMOs”, deliberate release of “GMOs” into the environment, the sale of products that contain “GMOs”, and the application of biotechnology in human medicine.

After the publication of [EU Directive 2015/412](#), which allowed Member States to restrict or ban the cultivation of GE plants in their territory without scientific justification, the Austrian government issued the Biotech Cultivation Framework Law (“[Gentechnik-Anbauverbots-Rahmengesetz](#)” in German), published on August 3, 2015. Since the cultivation of plants is regulated by state laws (not federal laws), the Biotech Cultivation Framework Law, which is a federal law, establishes a common coordinated legal basis for all nine Austrian federal states to ban the cultivation of biotech crops. It also introduces a Biotech Advisory Council. All nine federal states have made amendments to their laws to implement EU “opt out” legislation.

Austria implemented the above referenced option (to exclude the cultivation of EU-approved biotech crops from its territory) by amending the geographical scope of the particular crops. This provision required an amendment of the Austrian Gene Technology Act which also came into force on August 3, 2015. Biotech crop cultivation applications are and will be handled with restricted geographical scope. For political reasons, Austria also maintains its earlier issued cultivation and import/processing bans.

Liability: The Biotechnology Act also makes the cultivation of biotech crops unattractive. Specifically, the Biotech Act foresees a) comprehensive compliance with the precautionary principle; b) “duty of care” against unintended mingling of biotech and non-biotech crops; c) the introduction of a “biotechnology register” to record dates and places of the release of biotech crops, and most important; d) liability and compensation rules regarding perceived damage from biotech crops neighboring conventional or organic farms. The law considers the presence of biotech DNA to be a basis for harm, rather than physically demonstrable damage.

The Ordinance on Work with “GMOs” in Contained Use (“[Systemverordnung](#)” in German) defines the Gene Technology Act in more detail, such as risk assessment, the classification of Living Modified Organisms (LMOs), the necessary equipment of laboratories according to classification and scale, qualification of staff, safety aspects, and the measures to be taken in case of accidents.

The Ordinance on the Deliberate Release of “GMOs” into the Environment (“[Freisetzungsverordnung](#)” in German) is also based on the Gene Technology Act and contains the requirements that have to be considered by applicants for the approval of a deliberate release of a “GMO” in Austria.

The Ordinance on Public Hearings (“[Anhörungsverordnung](#)” in German) prescribes in more detail the administrative procedures that have to be considered in those cases where the Austrian Gene

Technology Act requires a mandatory public hearing, including applications for deliberate release and contained use of “GMOs”.

The chapters of the Book of Biotechnology (“[Gentechnikbuch](#)” in German) outline the current "state of technology" in the field of biotechnology and genetic engineering and are meant to keep pace with biotech advances. The book has the legal status of a qualified expert opinion. If necessary, chapters of the book can be published as an ordinance and thus enter into force like a law.

The Register of Products Containing “GMOs” (“[Gentechnikregister](#)” in German) continuously lists those products that have been EU-approved.

The Ordinance on the Register of Products Containing “GMOs” (“[Gentechnik-Registerverordnung](#)” in German) specifies the structure and the chapters of the Register of Products Containing “GMOs”.

The Ordinance on Labeling of Products that Contain “GMOs” (“[Gentechnik-Kennzeichnungsverordnung](#)” in German) prescribes the mandatory labeling for products that contain “GMOs” or consist of mixtures of both modified and non-modified organisms.

The Ordinance on “Genetically Modified Seed” (“[Saatgut-Gentechnik-Verordnung](#)” in German) prescribes the mandatory labeling for all EU approved GE seed varieties. It sets up a threshold of 0.1 percent for an accidental low-level presence of GE events in conventional or organic seed.

The Ordinance on Thresholds of Certain “Genetically Modified Organisms” in Feed (“[Futtermittel-GVO-Schwellenwert-Verordnung](#)” in German) sets up a threshold of 1 percent for accidental or technically unavoidable contamination of feed with certain (approved) “GMOs”.

The Ordinance on Seed Production Areas (“[Saatgut-Anbaugebiete-Verordnung](#)” in German) lays down requirements for seed production.

The Ordinance to Limit Emissions in Waste Water Resulting from Work with “GMOs” (“[AEV Gentechnik - Verordnung zur Begrenzung von Abwasseremissionen aus Arbeiten mit gentechnisch veraenderten Organismen](#)” in German) regulates the limitation for emissions in waste water resulting from work with “GMOs” in containment.

The Codex Alimentarius Austriacus (Lebensmittelbuch in German) contains guidance about the definition of GE-free products. (“[Codexrichtlinie zur Definition der "Gentechnikfreiheit"](#) in German). This guidance applies to foodstuffs that are labeled as "biotech-free."

Federal State Law: In Austria, natural conservation, water sheds, animal breeding, crop cultivation, and fisheries are covered by state laws. In principle, state laws on nature conservation lay down a prohibition of the deliberate release of “GMOs” into nature.

[Biotechnology precautionary bills and biotech free zones](#) (in German) are established in all nine of Austria’s federal states. State-level biotech precautionary bills generally include the authority to pass statutory coexistence measures that protect against “contamination” from biotech crops. All federal states have made amendments to their bills in order to implement the “opt out” legislation and prohibit biotech cultivation in their territories.

- b) **APPROVALS/AUTHORIZATIONS:** With the implementation of the “opt-out” clause, Austria now bans all EU approved GE crop varieties under this provision for cultivation in its territory. Austria allows for the import of EU approved GE feed. A list of approved GE products at the EU level can be found at: <https://webgate.ec.europa.eu/dyna2/gm-register/> However, as Austria is, out of principle, against the approval of all biotech events, it consistently votes against the approval of biotech events at the EU level.
- c) **STACKED OR PYRAMIDED EVENT APPROVALS/AUTHORIZATIONS:** See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).
- d) **FIELD TESTING:** Austria generally does not carry out biotech crop field trials. That being said, very small-scale trials in contained areas have taken place. Theoretically, Austria has regulations on how to apply and how to approve biotech field trials. Since Austria opted out from planting biotech crops it is practically impossible to apply for field testing of biotech crops. In the past, there have been very limited confined trials, primarily on fruit trees.
- e) **INNOVATIVE BIOTECHNOLOGIES:** To date, there is no Austrian regulation on “New Breeding Techniques” or “New Genomic Techniques” (NGTs) in plant production. The Austrian government heavily criticized the [EU Commission’s Draft Regulation on “New Genomic Techniques”](#). This position of the current government is unlikely to change after the general elections taking place September 29, as the four current major Austrian parties (ÖVP, SPÖ, FPÖ, and the Greens) unanimously support the mandatory labeling for all “NGTs” and a strict approval process. Only the “[NEOS](#)” party is in favor of softening the current EU biotech legislation. After the European Commission published the proposal for the new regulation, the Austrian Agriculture Minister (ÖVP), the Environment Minister (Greens Party), and the Social Minister (Greens Party) heavily criticized the draft in a joint press release. They said it is “unacceptable” that the EU Commission intends “to force” Member States to accept the “uncontrolled” cultivation of “genetically modified plants”. This would be a threat to “the Austrian way” in agriculture and take away the freedom of choice for consumers. In contrast to the government, the president of the Austrian Academy of Science and former Science Minister called the draft “a step in the right direction,” as the potential for research could be better used. Within informed stakeholder groups like scientists, seed breeders, seed traders, and partially farmers and farmers’ representatives, the acceptance of innovative biotechnologies is much higher than for traditional GE crops. Many of these stakeholders appreciate the benefits these

techniques could bring. Innovative biotechnologies are still not widely discussed in the general public, but the majority of the population is expected to be against these new techniques.

- f) **COEXISTENCE:** Austria has no federal coexistence law, but all nine provinces implemented precautionary bills that include coexistence regulations. The Austrian Agriculture Ministry commissioned an expert team consisting of representatives of the Federal States, the Chambers of Agriculture, the Austrian Agency for Health and Food Safety, and the Agriculture Ministry. In addition, an enlarged team with representatives from breeders' associations, the seed production sector, and consumers was included to develop recommendations for a national strategy on coexistence. The expert group worked on developing uniform Austria-wide guidelines for coexistence management to help state authorities decide whether cultivation of biotech crops is possible in a given case and under which conditions such cultivation can be permitted (e.g., minimum isolation distances from non-biotech crops). These guidelines will be published if an actual need to establish buffer zones for a proposed planting arises.

Within the Austrian agricultural community, many maintain that biotech crops pose a hazard to both organic and conventional farming. Austrians, including most farmers, think that coexistence of biotech crops and conventional crops is impossible in Austria due to its small-scale farm structure.

- g) **LABELING AND TRACEABILITY:** EU regulations for labeling GE food are fully implemented in Austrian law. For more details see the current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#). The Austrian Ordinance on Labeling of Products that Contain "GMOs" ("[Gentechnik-Kennzeichnungsverordnung](#)" in German) prescribes the mandatory labeling for products that contain "GMOs" or consist of mixtures of both "GMO" and "non-GMO" products. This regulation does not apply to "novel foods" (a novel food is a type of food that does not have a significant history of consumption or is produced by a method that has not previously been used for food), pharmaceuticals, or products that are only destined for contained use or scientific purposes. Regulations only require the labeling of food where GE crops are used as ingredients. Meat or dairy products deriving from animals fed with GE feed do not require GE labeling which Austrian anti-biotech NGOs constantly criticize. The Austrian GE-free ("GMO-free") labels may only be used for meat and dairy products deriving from animals only fed by GE-free feed.
- Voluntary Label "GMO-Free": There is an Austrian label for biotech free products issued by "ARGE Gentechnik-frei" ([Platform for "GMO-Free" Food Products only in German](#)) which follows the requirements for biotech-free food products laid down by the Austrian food codex. The label states "produced without biotechnology" ("ohne Gentechnik hergestellt"). Currently, more than 4,500 products are labeled under this voluntary program. Companies who want to use the "GMO-Free" label on their products must apply for each product with this platform and prove that the requirements for biotech-free production are met. Major products are milk and dairy products (cows must not be fed GE feed), bread and bakery products, eggs (laying hens must not be fed by biotech feed), soybean products, meat, fruits, and vegetables.



Voluntary Label “GMO-free”

- **Danube Soya Initiative:** To help support demand for meat from animals produced with non-biotech feeds, Austria is promoting the local production of soybeans and supports the [Danube Soya Initiative](#) (Donau Soja) to increase the production and processing of non-biotech soybeans in the Danube region. Austrian dairy, egg and most of the broiler producers agreed to only use GE-free soybean products in feed rations. The Austrian egg industry agreed to only use soybeans certified under the Danube Soya Initiative in their feed rations for layer chickens. This is a result of pressure from the Austrian retail sector that uses the label “GMO-Free” for promoting its products.
- h) **MONITORING AND TESTING:** Austrian state level authorities ensure compliance with requirements regarding GE products in food and feed and related labeling regulations. Food inspectors of the federal states take samples at processing and from trading companies for analysis of food, feed, and seed. The number of samples to be tested is risk-based and laid down in a control plan. Either the food testing institutes of the federal states or the Austrian Agency for Health and Food Safety ([AGES](#)) carry out testing. The Austrian Federal Office for Food Safety ([BAS](#)) is the competent authority for monitoring seeds and propagating material.
- i) **LOW LEVEL PRESENCE (LLP) POLICY:** Austria does not have its own policy for LLP. It does follow the “technical solution” guidance that defines zero as an allowance of 0.1 percent, as outlined in [EU Regulation 619/2011](#). This regulation lays down the methods of sampling and analysis of official control of feed regarding the presence of GE material for which an authorization procedure is pending or the authorization has expired. For further details see the current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).
- j) **ADDITIONAL REGULATORY REQUIREMENTS:** n/a
- k) **INTELLECTUAL PROPERTY RIGHTS (IPR):** A range of laws safeguard the protection of intellectual property in Austria. Regulations for intellectual property are laid down in the Austrian Patent Act, the Copyright Act, the Industrial Design Act, and the Trademark Protection Act. However, Austria is against patents on plant varieties and animals, and so has no protections in place (this includes conventional varieties).
- l) **CARTAGENA PROTOCOL RATIFICATION:** Austria signed the Cartagena Protocol on May 24, 2000. It was ratified in August 2002 and entered into force on September 11, 2003. The

Federal Environment Agency (“[Umweltbundesamt](#)”) acts as the National Focal Point and Biosafety Clearing House in the framework of the Cartagena Protocol on Biosafety.

- m) **INTERNATIONAL TREATIES AND FORUMS:** Austria is a member of several international organizations dealing with food and plants. Most notably the Organization for Economic Co-operation and Development, Food and Agriculture Organization of the United Nations, European and Mediterranean Plant Protection Organization, and Codex Alimentarius. Austria always takes an anti-biotech position in these organizations.
- n) **RELATED ISSUES:** The Austrian government supports the introduction of socio-economic criteria for GE crops. These are criteria which are not justified by natural sciences but based on issues like public morality, cultural-political goals, socio-political goals, etc. It was a leading driver in the EU for the introduction of the cultivation opt-out clause for member states to independently decide whether they want to cultivate GE crops or not. However, the Austrian government did not support the EU Commissions’ opt-out for use proposal (This proposal provided for deciding whether or not to use – in contrast to cultivate - GE crops. The proposal has not been adopted).

PART C: MARKETING

- a) **PUBLIC/PRIVATE OPINIONS:** Due to a generation of anti-biotech NGOs and government messaging, the average Austrian consumer has a very negative attitude towards biotech crops and food derived from biotech crops. Food products labeled “biotech” do not sell in Austria.
- b) **MARKET ACCEPTANCE/STUDIES:** Because of the anti-biotech attitude of Austrian consumers, the Austrian retail sector agreed to refrain from stocking or selling biotech foods. Anti-biotech NGOs, farmers’ organizations, the food-processing sector, and the retail sector carry out anti-biotech campaigns promoting GE-free food.
- **Campaigning for “GMO-Free” Food:** Anti-biotech NGOs, the Austrian government, and increasingly, the retail sector and the food industry promote biotech-free food products. According to the Austrian food codex, which provides criteria for labeling requirements for biotech-free products, meat, eggs, and dairy can only be labeled “biotech-free” if produced from animals fed biotech-free feed. Several years ago, a few Austrian dairies began promoting “biotech-free” milk. Today, all milk produced in Austria meets the requirements for biotech-free production. As of October 2010, most Austrian fresh egg production, and as of January 2012 most Austrian broiler production use biotech-free feeds. GE soybean products remain a main ingredient in pig-feed.

[Austrian studies related to GE products \(in German\)](#) can be found at a website of the Austrian Social Ministry.

CHAPTER 2: ANIMAL BIOTECHNOLOGY

PART D: PRODUCTION AND TRADE

- a) **RESEARCH AND PRODUCT DEVELOPMENT:** There is no research on GE and cloned animals for the food market in Austria. However, GE- and cloned laboratory-animals are used for medical and pharmaceutical research, mainly at universities. One focus of GE and cloned animal research is on ‘gene farming’ for cancer medication.
- b) **COMMERCIAL PRODUCTION:** There is no commercial production of GE or cloned animals in Austria.
- c) **EXPORTS:** There are no exports of GE or cloned animals from Austria.
- d) **IMPORTS:** There are no imports of GE or cloned animals to Austria.
- e) **TRADE BARRIERS:** See the current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

PART E: POLICY

- a) **REGULATORY FRAMEWORK:** As an EU member, EU regulations on animal biotechnology and cloning of animals apply to Austria. The country does not have any further specific regulations on animal biotechnology and the cloning of animals. However, the Austrian government expressed in public statements (press interviews and press releases) that animal cloning should not be used for food production. Additionally, all major Austrian political parties consistently vote against the use of agricultural biotechnology at the EU level. For additional information on the EU regulatory framework, see the current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

i. Table of Legal Terms

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Gentechnisch veränderte Organismen (GVO)	Genetically Modified Organisms (GMO)	<ul style="list-style-type: none"> Gentechnikgesetz und Durchführungs- verordnungen ("Gene Technology Act" and related Ordinances) 	Organisms whose genetic material has been modified in a way that does not occur under natural conditions through crossing or natural recombination or other conventional breeding techniques. Methods of modifying genetic material in this sense are in particular <ol style="list-style-type: none"> DNA recombination techniques using vector systems, direct introduction into an organism of genetic information prepared outside the organism, including macroinjection, microinjection, microencapsulation, electroporation, or use of microprojectiles, Cell fusion and hybridization processes in which living cells are created with new combinations of genetic material that do not occur under natural conditions.

ii. Responsible Government Ministries:

Same as in the plant section above (Chapter 1, [Part B: Policy, sub-paragraph a\) Regulatory Framework](#)) for the Austrian ministries that would potentially be involved with the regulation of GE and cloned animals.

iii. Assessments of Political Factors

Same as in plant section ([Part B: Policy, Regulatory Framework](#))

iv. Pertinent Pending legislations with Potential to Affect U.S. exports

See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

v. If no Legislation in Place – Discussion: n/a

vi. Additional Registration

See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

vii. Re-Registration

See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

viii. Approvals/Authorizations Limitation

See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

ix. Legislation- Animal Section

Theoretically the same legislation as for GE plants applies to GE animals. See the plant section above ([Part B: Policy, Regulatory Framework](#)).

b) APPROVALS/AUTHORIZATIONS: No GE animals are approved for use or import into the EU. See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

c) INNOVATIVE BIOTECHNOLOGIES: Currently, there is no Austrian regulation on “New Breeding Techniques” for use in animals.

d) LABELING AND TRACEABILITY: There are no regulations on GE animals or animal clones. Government officials express the need for labeling and traceability of animal clones.

e) ADDITIONAL REGULATORY REQUIREMENTS: n/a

f) INTELLECTUAL PROPERTY RIGHTS (IPR): Regulations for intellectual property are laid down in the Austrian Patent Act, the Copyright Act, the Industrial Design Act and the Trademark Protection Act. Austria is against patents on animals, and so has no protections in place.

g) INTERNATIONAL TREATIES AND FORUMS: Austria is a member of several international organizations dealing with animals and food deriving from animals. The most important organizations are the World Organization for Animal Health (WOAH), the Food and Agriculture Organization of the United Nations (FAO), and Codex Alimentarius. Austria always takes an anti-biotech position in these organizations.

h) RELATED ISSUES: n/a

PART F: MARKETING

- a.) **PUBLIC/PRIVATE OPINIONS:** Currently there is no public discussion on biotech and cloned animals. It can be expected that the public opinion towards GE animals would be even more hostile than the already very negative opinion towards GE plants.
- b.) **MARKET ACCEPTANCE/STUDIES:** There is very little awareness of GE animals in the Austrian public. There are no Austria specific marketing studies regarding GE animals.

CHAPTER 3: MICROBIAL BIOTECHNOLOGY

PART G: PRODUCTION AND TRADE

No Austrian specific information available. For more details see the current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

- a.) **COMMERCIAL PRODUCTION:**
No information available.
- b.) **EXPORTS:**
Austria exports alcoholic beverages, dairy products, and processed products, which may contain microbial biotech-derived food ingredients.
- c.) **IMPORTS:**
Microbial biotech-derived food ingredients imported by Austria are those traditionally used in the production of alcoholic beverages, dairy products, and processed products. Likewise, Austria imports alcoholic beverages, dairy products, and processed products, which may contain microbial biotech-derived food ingredients.
- d.) **TRADE BARRIERS:**
See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

PART H: POLICY

- a.) **REGULATORY FRAMEWORK:**
 - i. **Table of Legal Terms**
n/a
There is no regulation of microbial biotechnology.

ii. Responsible Government Ministries

Federal Ministry of Social Affairs, Health, Care and Consumer Protection (“Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz”).

For all following headers and sub-headers:

See current EU Agricultural Biotechnology Annual Report which can be found in the [FAS GAIN Report Data Base](#).

iii. How do Regulations of Microbial Biotech Differ: n/a

iv. Classes of Products of GE Microbial Biotech Allowed in Food and Food Production: n/a

v. Regulation of GE Microbes in Agricultural Production: n/a

vi. Are there Additional Product Registrations for Microbial Biotech: n/a

vii. Any Pertinent Pending Legislation with Potential Affect to U.S. Exports: n/a

viii. If no Legislation – Any Discussion: n/a

b.) APPROVALS/AUTHORIZATIONS: n/a

c.) LABELING AND TRACEABILITY: n/a

d.) MONITORING AND TESTING: n/a

e.) ADDITIONAL REGULATORY REQUIREMENTS: n/a

f.) INTELLECTUAL PROPERTY RIGHTS (IPR): n/a

g.) RELATED ISSUES: n/a

PART I: MARKETING

a.) PUBLIC/PRIVATE OPINIONS:

There is no public awareness of microbial biotechnology.

b.) MARKET ACCEPTANCE/STUDIES: n/a

Attachments:

No Attachments