USDA Foreign Agricultural Service
GAIN Report
Global Agricultural Information Network

Required Report - public distribution

Date: 6/11/2012

GAIN Report Number: NL2017

Netherlands

Agricultural Biotechnology Annual

Annual 2012

Approved By:
Mary Ellen Smith
Prepared By:
Bob Flach

Report Highlights:
This report describes the trade and production of genetically engineered (GE) plant products, the use of GE animals for research purposes, and related government policies in the Netherlands. An EU-wide overview is provided by the EU Consolidated Biotechnology Annual drafted by FAS Paris.

Section I. Executive Summary:

The Dutch government and agricultural sector have a pragmatic approach towards the import and use of genetically engineered (GE) agricultural products. However, crop trials and commercial cultivation of biotech crops are effectively prevented by cumbersome regulations and by the threat of protests from environmental groups. The Dutch livestock sector depends on feed imports from third countries, mainly soybean meal, which for a major part is GE. The livestock sector does not keep GE animals nor do Dutch agricultural research institutes keep them for research purposes.

Section II. Plant Biotechnology Trade and Production:

In the Netherlands, there are no commercial plantings of biotech crops and no biotech crops under development that will be on the market in the coming year. A large share of the Dutch agricultural imports from the United States consists of feed products and requires labeling for biotech content under the European Union's traceability and labeling legislation. The slow approval process of new GE events by the European Union has significantly affected U.S. exports to the Benelux region in particular corn gluten feed (CGF) and Distillers Dried Grains (DDG).

Section III. Plant Biotechnology Policy:

As EU member state, the Netherlands has implemented harmonized legislation regarding agricultural biotechnology. The following three Ministries are responsible for implementation and enforcement of the regulatory framework for agricultural biotechnology:

The Ministry of Public Health, Welfare and Sport (VWS). VWS is the coordinating ministry in the policy-making process in the field of medical and agricultural biotechnology. The VWS is also the central competent authority with responsibility for GE legislation in the area of food.

The Ministry of Housing, Regional Planning and Environment (VROM). VROM is responsible for implementation and enforcement of legislation regarding living GE plants and animals, such as used in laboratory research and feed trials.

The Ministry of Economic Affairs, Agriculture and Innovation (ELI). ELI is responsible for GE legislation in the feed and seed area. With VWS, ELI plays an important role in the implementation of the EU Traceability and Labeling legislation. ELI has two bodies responsible for enforcement of the legislation regarding biotech feed and food;

-The Netherlands Food and Consumer Product Safety Authority (NVWA). This organization is responsible for documentation and physical control of food and feedstuff imports entering through Dutch ports.
-The Netherlands Inspection Service for Agriculture (NAK) is responsible for inspection of crops and seed imports into The Netherlands.
In 2011, four field trials were conducted with genetically engineered (GE) potatoes, and one with a GE apple

variety. In 2012, a new trial was planned with the GE potato variety Amflora. This experiment has, however been cancelled by the company as it terminated its biotech activities in the EU. As a result, there are no trials with GE crops expected to be conducted in the Netherlands in 2012. Experimental planting of biotech crops is almost impossible in the Netherlands. Crop trials are effectively prevented by cumbersome regulations imposed by the government and by the threat of protests from environmental groups.

On November 2, 2004, the Dutch agricultural sector and NGOs jointly presented their coexistence agreement to the Dutch Ministry of Agriculture. The Dutch sector still needs to reach agreement on the scope of a compensation fund for possible damage to conventional and organic crops, and a monitoring system in the field. A compensation fund for potatoes has been established, but not yet for corn and sugar beets. The Wageningen University is reportedly working on a monitoring protocol. Some sector sources believe that the combination of restrictions will practically ban the cultivation of GE events in the Netherlands.

Because the Dutch agricultural sector is highly dependent on trade, The Dutch government and agricultural sector have a pragmatic approach towards the import and use of genetically engineered (GE) agricultural products. Besides a Low Level Presence (LLP) regulation for unapproved GE varieties in feed the Dutch Government pleads for a LLP regulation for food. In general, the Dutch Government follows the advice of the EFSA in the approval of GE plant varieties.

The Dutch Government opinions that for the import of GE products, the current EU harmonized regulations should apply. The Dutch Government, therefore, opposes to a study for the marketing approval for biotech products by the Member State, in addition to the study of the EFSA. On the other hand, the Dutch Government supports the use of socio-economic criteria for the approval of producing GE products. As such, national Member State regulations should be conclusive, applying socio-economic criteria. According the Dutch Government, this dossier of nationalizing approval for cultivation is not making any progress on an EU level. The new plant breeding techniques is another dossier which has the strong attention of the Dutch Government.

Section IV. Plant Biotechnology Marketing Issues:

The Dutch Farmers Organization (LTO) is pragmatic and in favor of planting biotech crops. But points to the resistance of retailers and consumers towards food products containing biotech components, in particular in export markets such as Germany. The Dutch livestock sector depends on feed imports from third countries, mainly soybean meal, which for a major part is GE. There is no resistance by consumers as this meat produced with biotech feed does not have to be labeled.

An obstacle in the adoption of genetic modification practices in the Dutch breeding and propagation sector are the high development costs and the costs for the application and approval of the GE varieties. Plantum NL, the association for Dutch plant breeding and propagation sector has, however, the opinion that the current legislation (EC/18/2001) offers sufficient leeway to exempt new breeding technologies from the current EU restrictive legislation for GE crops. Plantum NL has further the position that biological material protected by patent rights should be freely available for the development of new varieties.

Section V. Plant Biotechnology Capacity Building and Outreach:

FAS The Hague has indentified the following strategy for plant biotechnology capacity building and outreach:

- Maintain contact with host country livestock producers on the problem of feed availability. Serve as a ready source of unbiased, scientific information.
- Promote with host government rational policies concerning adventitious presence of non-approved GE events and the acceptability of meat and dairy products from animals fed with GE feeds.
- Nominate appropriate host country specialists for the International Visitors Program, and utilize other Public Diplomacy programs.
- Work to get U.S. specialists invited to seminars in host countries. FAS The Hague feels that U.S. farmers, producer groups, academics and scientists, are most qualified to objectively address their views on biotech in crop production and will be listened to by the press and consumers. Arguments by these groups are more difficult for anti-biotech groups to counter.

Section VI. Animal Biotechnology:

In the Netherlands, the genetically engineered bull Herman, sparked a debate on the desirability of the genetic engineering of animals. This debate led to the introduction of legislation to regulate the application of biotechnology. In the Netherlands, there are no GE animals used for commercial use. GE animals are authorized for use as laboratory animal for medical research at universities and academic hospitals. Annually, 15 to 20 licenses are granted. The largest group of GE animals is mice. The Dutch livestock sector does not keep GE animals nor do agricultural research institutes in the Netherlands keep them for research purposes.

In the Netherlands, organizations which want to use GE animals for medical research need to request a license from the Dutch Ministry of Economic Affairs, Agriculture and Innovation (ELI). The Animal Experiments Commission (DEC) assesses the incoming license requests for biomedical research experiments. The Dutch Committee on Animal Biotechnology assesses the other incoming license requests. These licenses are granted only if the genetic engineering does not have any unacceptable consequences for the animal's health and welfare. Nor should there be any ethical objections against the proposed application. The rules for a biotechnology application request are laid down in the Animal Biotechnology Decree. The Food and Consumer Product Safety Authority enforces these regulations. In addition to a license granted by the Minister of Agriculture, institutes or corporations wanting to make, reproduce, keep or transport GE animals also need a license from the Minister of Housing, Spatial Planning and the Environment, who assesses the project's potential adverse effects on humans and the environment. This requirement is based on the Decree on Genetically Modified Organisms.