



News in December 2006

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...WTO ruling concerning EU and GMO

Andrew Leonard, Nov. 27, 2006 <http://www.salon.com>

The World Trade Organization's final decision on the dispute between the U.S. and the European Union over the importation of genetically modified organisms into the E.U. clocks in at 1,148 pages, reportedly the longest ruling in the history of the WTO. Following up on the preliminary decision released by the WTO in February, a panel of judges found that between 1998 and 2003, the E.U. had been operating a "de facto moratorium" blocking GMOs. The ruling did not say that the E.U. cannot ban GMOs on scientific grounds. Instead, it declared that the E.U. had been engaging in "undue delay" in processing import applications, and that individual E.U. countries were wrong to ban products that the E.U. had declared safe.

Now the battle will commence on whether all those words mean anything. On Nov. 21, the E.U. declined to appeal the ruling, arguing that changes made to the application process in 2004 made the ruling moot. In a gorgeous example of passive-aggressive trade diplomacy, European Commission trade spokesman Peter Power stated that "The European Commission has decided not to appeal the GMO decision as the current regulatory provisions are not in any way affected by the judgment... "The impact of that judgment is entirely of historical interest."

WTO Ruling Disregards Political Precautionary Principle: Favors Science-Based 'Approach' to EU Biotech Rules.

Institute for Trade, Standards and Sustainable

Development, Dec. 8, 2006 <http://www.itssd.org/publications.htm>

In a legal backgrounder released today by the Washington Legal Foundation (WLF), entitled, WTO Ruling on Biotech Foods Addresses "Precautionary Principle", international business and trade expert Lawrence Kogan of the non-profit Institute for Trade, Standards and Sustainable Development, Inc. (**ITSSD**), argues that a recent World Trade Organization (WTO) ruling represents a blow to the proponents

of the "Precautionary Principle" in Europe and a victory for 'best available science' in the regulatory process. The WTO issued its ruling on the complaint by the United States, Argentina, and Canada, on September 29, and much to the chagrin of environmental groups, EC accepted it as final, on November 22. As Mr. Kogan relates, the WTO panel found that European Union restrictions on approval of genetically-enhanced seeds and food products violated provisions of the WTO Sanitary and Phytosanitary Agreement. The EU's anti-biotech policies, the panel found, were based more on political considerations than scientific evidence.

BIOTRIN is non-profit organization formed by academic community for dissemination of information on modern biotechnology