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# GAIN Report

Global Agricultural Information Network

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## Germany

**Post:** Berlin

### **No cultivation of biotech corn in Germany**

**Report Categories:**

Biotechnology and Other New Production

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**Report Highlights:**

Seed companies have not objected to Germany for applying the “opt out” regulation for biotech corn varieties. Now, the companies will take Germany out of their cultivation applications and there will be no biotech corn cultivation in Germany for the foreseeable future.

**General Information:**

Biotech corn varieties will not be cultivated in Germany for the time being. The seed companies concerned let a deadline pass against the “opt out” regulation without objections. Thus, the companies take Germany out of pan-European cultivation applications for biotech corn. That means seed companies have given up on the cultivation of biotech corn in Germany for the time being. The seed companies concerned are Monsanto, Syngenta, Dow AgroSciences and DuPont-Pioneer. Same applies to a large number of European countries such as France, Poland and Italy.

For a complete European overview please see

[http://ec.europa.eu/food/plant/gmo/authorisation/cultivation/geographical\\_scope\\_en.htm#de](http://ec.europa.eu/food/plant/gmo/authorisation/cultivation/geographical_scope_en.htm#de)

The European Union has the responsibility for approving the biotech cultivation applications. However, Member States may use the opt-out scheme for EU approved biotech crops by national legislation. Germany has applied the opt-out regulation and now the seed companies passed a deadline for objections to the German opt-out regulations. If the companies had insisted on the approval of their products, the German Ministry for Agriculture would have been obliged to initiate the second phase of the opt-out procedure. Then the Ministry would have been compelled to adopt a ban against individual biotech plant varieties.

The companies themselves would have seen good chances to win their case on single varieties in court. However, companies would have faced a barrage of criticism by media and non-governmental organizations. This would have further complicated the debate on biotech in Germany since public rejection of genetically engineered (GE) plants is widespread. In addition, there is no public support by farmers and their associations. The companies are more focused on EU applications for biotech imports. The passing of the deadline with no objections is another sign that seed companies have given up hope to cultivate biotech products in Germany in the foreseeable future.

"We have successfully succeeded," said Federal Minister for Food and Agriculture Christian Schmidt. He described this as a result of the active cooperation of federal and state governments in the first phase of the process. "This confirms my line that federal and state governments in Germany share common responsibilities on this significant issue. Federal and state governments must now create a reliable legal basis for future approval procedures that prohibits biotech cultivation in Germany," says Schmidt.

The framework of opt out regulations in Germany has been discussed for months between the Agricultural Ministry, the coalition partner SPD and the federal states. Federal AgMinister Schmidt wants to make the German federal states responsible for opt out regulation, or at least share the competence between federal and state level. From his point of view, such a ban would create more legal certainty. But SPD and the Green Party, as well as federal states, point to the exclusive competence of the federal level and warn of the consequences of 16 different opt out regulations in the states.

For more information please see GAIN report: [Agricultural Biotechnology Annual 2015](#).