Follow up to the European Parliament non-legislative resolution on the draft Commission implementing decision renewing the authorisation for the placing on the market of products containing, consisting of or produced from genetically modified maize NK603 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council

1. **Resolution tabled pursuant to Rules 115(2) and (3) of the European Parliament's Rules of procedure**

2. **References:** 2025/2958(RSP) / B10-0562/2025 / P10_TA(2025)0327

3. **Date of adoption of the resolution:** 16 December 2025

4. **Competent Parliamentary Committee:** Committee on the Environment, Climate and Food Safety (ENVI)

5. **Brief analysis/assessment of the resolution and requests made in it:**

The resolution calls on the Commission to withdraw the Commission draft implementing decision (**paragraph 3**) on the grounds that it exceeds the implementing powers provided for in Regulation (EC) No 1829/2003 (**paragraph 1**) and that it is not compatible with the aim of that Regulation and the general principles of Regulation (EC) No 178/2002, i.e. the protection of human life and health, animal health and welfare, the environment and consumer interests, whilst ensuring effective functioning of the internal market (**paragraph 2**).

The resolution calls on the Commission not to renew the authorisation of the Genetically Modified (GM) maize due to the lack of sufficient evidence on long-term impacts on biodiversity, food safety, farmers' livelihoods and animal health, in line with the One Health Approach (**paragraph 4** and **recitals E** to **L** and **recital R**).

The resolution considers that independent monitoring and surveillance of potential adverse effects on biodiversity, soil health, pollinators and non-target organisms remain insufficiently guaranteed (**recital J**).

The resolution urges the Commission to consider the EU's obligations under international agreements, such as the Paris Climate Agreement, the United Nations (UN) Convention on Biological Diversity and the UN Sustainable Development Goals, as regards pesticide reduction and considers that authorising the import for food or feed uses of any GM plant which has been made tolerant to herbicides that are banned in the Union is inconsistent with

those commitments and would allow imports that do not meet standards applied to the EU farmers, putting them at a competitive disadvantage (**recitals M** and **N** and **paragraph 6**).

The resolution refers to the conclusions of the Strategic Dialogue on the Future of EU Agriculture which call on the Commission to reassess its approach on market access for agri-food imports and exports, given the challenge of diverging standards of the EU and its trading partners. It also recalls that fairer trade relations, at a global level, consistent with goals for a healthy environment, were one of the main demands of farmers during the demonstrations of 2023 and 2024 (**recital O**).

The resolution calls on the Commission to submit, without delay, a legislative proposal to reform the decision-making procedure on Genetically Modified Organisms (GMOs) in order to respond to the consistent objections of Parliament and the lack of qualified majority support among Member States (**paragraph 5** and **recitals P** and **Q**).

6. Response to the requests and overview of actions taken, or intended to be taken, by the Commission:

The Commission would like to recall that the draft implementing decision concerns the renewal for the placing on the market of products containing, consisting of or produced from GM maize NK 603, but not the cultivation of this maize.

With respect to **paragraphs 1** and **3** of the resolution, the Commission would like to point out that the draft decision has been prepared in line with and has undergone the procedural steps set out in Regulation (EC) No 1829/2003 on GM food and feed and in Regulation (EU) No 182/2011 on comitology, as illustrated below:

- on 11 March 2024, Bayer Agriculture B.V., on behalf of Bayer CropScience LP based in the United States, submitted an application to the Commission for the renewal of that authorisation in accordance with Articles 11 and 23 of Regulation (EC) No 1829/2003 for the authorisation of the placing on the market of this GM maize for food/feed and other uses, with the exception of cultivation;
- on 20 June 2025, the European Food Safety Authority (EFSA) published an opinion in accordance with Articles 6 and 18 of Regulation (EC) No 1829/2003 concluding that this maize is as safe as its conventional counterpart and the tested non-GM maize reference varieties with respect to the potential effects on human and animal health and the environment;
- in its scientific opinion, EFSA considered all the questions and concerns raised by the Member States in the context of the consultation of the

national competent authorities as provided for by Article 6(4) and Article 18(4) of Regulation (EC) No 1829/2003;

- the EFSA opinion was subject to a public consultation, and no comments were received;
- the draft decision was voted in the Standing Committee on 14 October 2025 with no qualified majority against or in favour;
- the draft decision was voted in the Appeal Committee on 28 November 2025 with no qualified majority against or in favour;
- in accordance with the rules set out in Regulation (EC) No 1829/2003, a decision has to be taken on the application;
- in accordance with the rules set out in Regulation (EC) No 182/2011 on comitology, it is for the Commission to decide on the adoption;
- on that basis, the Commission adopted this decision on 27 February 2026.

The Commission therefore considers that by going forward with the adoption process of a decision that fully complies with the procedural steps set out by the co-legislators in the GMO legislation, it did not exceed its implementing powers.

With respect to the other provisions of the resolution, the Commission considers that they fall outside the remit of the right of scrutiny, which is limited to the question of whether the implementing act exceeds the implementing powers provided for in the basic act. The Commission is not required to justify the implementing act as regards these points. Nevertheless, the Commission has carefully considered the position expressed by the Parliament and would like to make the following comments:

EFSA performed a comprehensive risk assessment of this GM crop which concluded positively, after considering Member States' comments. Therefore, the Commission considers that its decision is in line with the EU legislation on GM food and feed, and the EU's General Food Law and in line with the precautionary principle and the One Health approach (**paragraph 2**).

In relation to the call on the Commission not to renew the authorisation of the GM crop due the alleged lack of sufficient evidence on long-term impacts on biodiversity, food safety and farmers' livelihoods in line with the One Health approach and risks associated with herbicides use (**paragraph 4** and **recitals E** to **L**), EFSA's assessment covered all relevant aspects of food and feed safety, as well as environmental assessment, including interactions of the GM crop with target and non-target organisms, and possible cumulative and combinatorial effects of herbicides use, within the remit of EFSA's responsibilities.

The Commission would like to point out that, while the authorisation of GMOs is not linked to the authorisation of herbicides, the two authorisation systems are geared to ensure a high level of protection of health and the environment.

The risk assessment of an application for food and feed uses of a herbicide-tolerant GM crop includes assessment of the safety of the GM crop sprayed with the herbicide by comparison to its conventional counterparts. EFSA concluded favourably for the GM crop concerned by this resolution.

The environmental risk assessment of active substances and plant protection products is carried out in accordance with Regulation (EC) No 1107/2009 concerning the placing of plant protection products on the market. Maximum residue limits (MRLs) apply to all relevant food and feed, whether domestic or imported, including to GM products and ensure that the health of EU consumers is fully protected.

Regarding concerns about the insufficient independent monitoring and surveillance of potential adverse effects (**recital J)**, the post-market environmental monitoring (PMEM) is composed, according to Directive 2001/18/EC, of a general surveillance and of a case-specific monitoring when specific risks have been identified during the environmental risk assessment. No specific risks were identified during the environmental risk assessment by EFSA in either the original or renewal assessment, a post-market environmental monitoring plan was put in place consisting of general surveillance. EFSA evaluated in the renewal application, in accordance with the GMO legislation and its relevant guidelines, the post market environmental monitoring reports and concluded positively on the safety of the GM crop for the environment, including that there is no indication of an increased likelihood of gene flow to wild relatives like teosinte (**recital I**).

As regards the claim that the renewal authorisation would not be consistent with the EU's international obligations on pesticide reduction (**recital M**), the Commission is fully committed to respecting the EU's international commitments in the field of environmental protection, which have to be implemented in the relevant policy areas (climate change, biodiversity, etc.) or in appropriate initiatives. However, the Commission decisions for the placing on the market of GMOs that do not present risks to health or to the environment do not run counter to such international commitments.

In relation to the concern that authorising the import for food or feed uses of any GM plant which has been made tolerant to herbicides that are banned in the Union would allow imports that do not meet standards applied to the EU farmers, and the call on the Commission to reassess its approach on market access for agri-food imports and exports (**recitals N** and **O** and **paragraph 6**), it should be noted that all imported food and feed must comply with relevant EU regulations and standards relating to safety and health, which are applicable irrespective of whether the product is produced domestically or is imported. Moreover, the GM crop concerned by this resolution has been made tolerant to a herbicide which is not banned in the Union.

The Commission stated in the Vision for Agriculture and Food adopted on 19 February 2025 that it would pursue, in line with international rules, a stronger alignment of production standards applied to imported products. To this end, the Commission has launched in November 2025 a study to prepare an impact assessment that will consider the impacts on the EU's competitive position and the international implications of establishing the principle that the most hazardous pesticides banned in the EU for health and environmental reasons are not allowed back to the EU through imported products .

In the meantime, the Commission proposed in the recently adopted Food and Feed Safety Simplification Omnibus[1] an amendment to the Regulation on maximum residue levels of pesticides in or on food and feed of plant and animal origin (Regulation (EC) No 396/2005) so that, on a case-by-case basis for substances that are not approved in the EU and that have certain particularly hazardous properties, MRLs that have been set based on good agricultural practices in third countries (also referred to as import tolerances) or on Codex maximum limits can be lowered to the technical zero if considered appropriate in the light of the outcome of an impact assessment.

With regard to the call to submit a legislative proposal to reform the decision-making procedure on GMOs in order to respond to the consistent objections of Parliament and the lack of qualified majority support among Member States (**paragraph 5** and **recitals P** and **Q**), the Commission would like to recall that it submitted a proposal to the Council and the Parliament on 14 February 2017 to amend Regulation (EU) No 182/2011, changing the voting rules at the Appeal Committee to increase transparency and accountability in the GMO decision-making process. However, this proposal has not been adopted by the co-legislators. In light of this situation, the Commission decided to withdraw the proposal on 16 July 2025, and the withdrawal was published on 6 October 2025.

[1] COM(2025) 1030 final