



**Statement:**  
***Update 2 on European Court of Justice ruling on honey containing pollen from a Genetically Modified Organism.***

The Standing Committee on the Food Chain and Animal Health met on Monday 24 October and continued the discussion on the status of pollen in honey. This statement provides a summary of the discussion.

The Commission held meetings at the end of September with representatives from honey exporting countries and with EU stakeholders. At the meeting on 24 October, they confirmed that the implications of the ECJ ruling are clear in that: pollen is regarded as both a component of honey and an ingredient as defined in food labelling legislation. Honey should therefore be labelled with a list of ingredients ('honey, pollen'). If some or all of the pollen is from a GM source, it should be labelled accordingly unless it is exempt under the 0.9% threshold for the adventitious presence of authorised GM materials. This proportion is calculated in relation to the total pollen content of the product.

The Commission's Joint Research Centre is evaluating methods for extracting pollen DNA from honey and will advise further at the next meeting of the Committee, which is scheduled for mid-November. Some initial results from samples taken by Member States have confirmed earlier findings of GM rapeseed DNA in imported "canola" honey but have also found traces of GM soya DNA in some products. It is not clear whether the soya DNA is derived from pollen or some other contaminant.

EFSA has been asked to advise on the safety of pollen from GM maize MON810. The full statement is due to be published shortly but their basic conclusion is along the lines that MON810 pollen is as safe as pollen from other types of maize. By itself, this opinion does not change anything and the existing approval for food use of MON810 cannot be extended to pollen until the company (Monsanto) makes a formal request.

Like MON810, two GM varieties of oilseed rape (GT73 and MS8/Rf3) are currently approved for food use but the terms of the authorisation do not include pollen. Applications for wider authorisation were submitted in 2010 and these are being evaluated by EFSA.





The Commission has asked for further information before determining what further action is needed, for example to amend and clarify the original intention of the legislation that led the ECJ to its unexpected conclusion. Such action is likely to be lengthy and resource-intensive, and both the FSA, and the Commission need to understand the practical implications of the ruling before deciding what can reasonably be done to remedy the situation.

The FSA will continue to work with Defra on the issues arising from the ECJ opinion and the next steps, in terms of implementing the ruling and finding a long-term solution. The next meeting of the Standing Committee is scheduled for later this month.

1 November 2011

