

Conclusions: Commission III

prof. dr. em. Margaret Rosso Grossman (president)

mr. dr. J.W.A. Rheinfeld (general reporter)

National Reports and discussions in Commission III focused on a wide variety of subjects within and on the borders of agricultural law. To extract conclusions from this broad range of topics cannot do full justice to the diversity of opinions and level of detail that developed from the National Reports and presentations by National Reporters. Nevertheless, members of Commission III agree on the following conclusions and recommendations.

New Technologies

Precision agriculture helps producers to make efficient use of agricultural resources. Precision agriculture can improve food security, optimize both the quantity and the quality of production, enhance environmental protection, and reduce agricultural inputs. As more EU producers use these developing technologies, enhanced data security for the agro-food sector is critical to prevent cyber- or agro-terrorism that may result in economic damage and threaten global food security. Questions regarding access to data and data ownership require appropriate regulation. Legislators at EU and Member State levels should consider enactment of specific data security measures to protect agriculture and food security.

GMOs and Novel Foods

Regulation of genetically modified organisms and novel foods helps to ensure the safety of food and feed and to protect the environment. New techniques of genetic modification, including mutagenesis and other types of gene editing (for example, CRISPR-Cas) are efficient, evolving rapidly, and accessible to scientists. In a controversial July 2018 decision (Case C-528/16), the European Court of Justice held that EU legislation requires organisms developed by certain new techniques of mutagenesis to be regulated as GMOs. In light of this decision and the global importance of rapidly changing technology, EU legislation must protect health and the environment from risks without raising unnecessary barriers to innovative breeding techniques, which promise to improve production and to enhance food security in the EU and other nations. At the same time, however, EU legislation should continue to protect the Member States' right to restrict cultivation of GMOs in their territory.

Improving the Understanding of Agriculture

Both general law and law specific to agriculture apply to producers. General laws are often drafted without sufficient knowledge of agriculture. Moreover, diminishing public appreciation of the practice and limitations of agriculture cause additional difficulties for producers. More knowledge and appreciation of agriculture by legislators, the judiciary, and the public would help to reduce conflicts between the various sectors. Agricultural professionals could assist the process by making educational programs available.

Animal and Human Health

Communicable animal diseases — most recently, African Swine Fever — pose threats to wild and domestic livestock in many Member States. EU and Member State regulation should govern biosecurity to minimize the loss of animals to communicable diseases and threats to human health that may result. Measures to ensure fair compensation to farmers who suffer financial and consequential loss from animal disease should apply. Moreover, excessive use of antibiotics in farm animals results in resistance to important antibiotics, which poses threats to human health. Regulatory measures at EU or Member State level should restrict antibiotic use, especially in food animals, to situations of medical necessity. In addition, the use of mechanisms to transfer knowledge to change behaviour should be encouraged.

Poznan, 21 September 2019