

CRISPR and legislation – looking at it from a science perspective

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The ruling of the ECJ on the interpretation of mutagenesis and genome editing in the EU GMO legislation seems to close the door for a more product-oriented interpretation of the EU GMO definition. And because the court considers genome editing not to fall under the current exemption for mutagenesis, all genome edited organisms will have to comply with all provisions of the EU GMO legislation.

In its ruling the court refers to a limited number of risk-related issues, while ignoring others. This can be criticized. Consequently, one must conclude that the current EU GMO Directive is no longer in line with our current scientific understanding.

The ruling is likely to have a negative impact on innovative R&D involving modern precision breeding techniques such as CRISPR in Europe. Having to market genome edited organisms as GMOs creates a significant regulatory hurdle that will halt the development of innovative crops by small, medium, and even larger European plant breeding companies for Europe.

The scientific community feels a strong need for action to bring the EU regulatory framework in line with our current scientific understanding and with international developments.