



EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL

Director-General

SANCO

21. 08. 2006

Brussels,
SANCO/E1/DA/cc (2006)D/510553

Dear Mr Penn,

The Commission was informed by US Agriculture State Secretary Mike Johanns on the 18th of August 2006 that trace amounts of a genetically modified variety of rice were detected in samples of commercial rice and may have entered the food and feed supply in the United States. I would have personally preferred to be informed of this event as soon as the US authorities had been aware of this problem. Contacts are taking place today with the US Administration in order to get more precise information but as time is pressing I prefer to inform you of the data the Commission will need as a matter of urgency.

The traces found in the US would concern LL Rice 601, which was not submitted to the US Regulatory authorities for evaluation, as this rice was not intended for commercialisation. Also in the EU this genetically modified rice is not authorised and no application for authorisation has been submitted. According to EU legislation, even traces of unauthorised genetically modified organisms are illegal and products containing them can not be marketed.

The Commission has been informed that the US authorities (USDA and FDA) have reviewed the available scientific data and concluded that there is no human health, food safety or environmental concerns associated with this genetically modified rice. It appears that the US authorities have been supplied with information, leading them to give this reassurance. The Commission would appreciate if you could provide us without delay this safety information including the risk assessments on which it is based.

Moreover, the Commission needs urgently to get information on potential exports of contaminated food, feed or seed supplies to the EU. We would ask you for full information about these exports including the channels they may have taken in the EU.

Furthermore, I would like to ask you to provide us urgently with the detection method specific to LL Rice 601 which has been validated by the US authorities with the details in order to understand the performance of the method and to assess the validation exercise. Control samples will also be needed.

Mr JB Penn
Under Secretary
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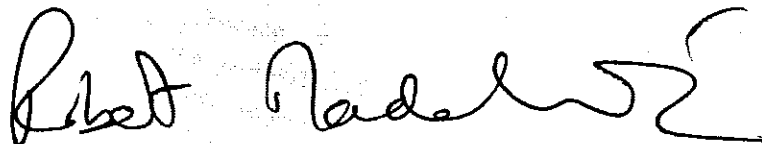
The Commission would like to be informed of the investigations APHIS is doing as regards the fact that test trials took place between 1998 and 2001 with this GM rice, that trace amounts have been found in the 2005 harvest and detected in 2006. We would like to know the levels of contamination found in the samples tested, whether other samples are being tested and the results of these new tests.

Although State Secretary Johanns does not see a need for regulatory measures for the domestic market, the Commission would like to know what actions the US authorities intend to take in order to avoid exports of food, feed or seed to the EU containing traces of this GM LL 601 rice.

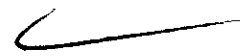
On more general terms, this issue will once again raise concerns about the adequacy of controls of genetically modified crops and their products in the US. Requests from EU Member States and NGOs are expected. I am afraid that this issue will provide further ammunition for critics of the use of gene technology in agriculture and undermine our efforts to increase consumer's confidence in this technology in Europe.

In view of the urgency of the matter I would be grateful if you could provide, as State Secretary Johanns offers, the information requested without delay. Based on the information received, the Commission will examine whether further measures are necessary in order to protect EU markets from imports of non authorised genetically modified products.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Robert Madelin', written in a cursive style.

Robert Madelin

A handwritten mark or signature in black ink, consisting of a single, sweeping horizontal stroke.