

## Will first law on GMOs protect Bulgarian people and environment?

*"GM free Bulgaria" Coalition Statement on the new law for GMOs in Bulgaria*

Before the passing of the new law on genetically modified organisms, there was no single policy in Bulgaria regulating GMOs in laboratories, neither in the environment, nor in food. With this law, a legislative framework is made to set the conditions for GMOs under controlled conditions (laboratories) and for release into the environment.

The Bulgarian Parliament adopted the GMO law after a long discussion among politicians, representatives of environmental NGOs, and scientists. The law was officially published as an act on 29 March 2005 in the State gazette. Thanks to the effort of environmental NGOs, parliamentarians, political parties, scientists and citizens, the first draft of the law was to a great extent altered. Now, the adopted law is for most part in line with EU legislation. Svetla Nikolova, chairperson of Agrolink, said: "The law creates opportunities to establish a system of control and enforcement, but additional efforts should be made to harmonize with all EU legislation regarding GMOs and to assure a proper implementation of the law."

The law can put an end to the uncontrolled release of GMOs into the environment and contamination of agricultural crops as has happened in the last years. Environmental NGOs perceive this law as a step ahead, and hope the implementation of the law will not fail.

The first draft version of the law voted by the Parliament in February 2004 was not based on the general philosophy of the EU legislation. Even more, participation of NGOs and civil society in the process of decision-making on release of a GMO crop was not included. The creation of a coalition "GMO Free Bulgaria" and the pressure of civil society, parliamentarians, NGOs and scientists led to important alterations in the law.

This law protects several important crops for Bulgaria for release into the environment: tobacco, rose for oil, grapevines, vegetables and fruits, cotton and wheat, the first three crops even excluded from genetical modification in controlled environments. However, the door for the most common GM-crops like maize, soybean and rapeseed is open.

Environmental NGOs appreciate very much the decision of the parliament to safeguard protected areas in the National Ecological Network and their 30-kilometers surrounding belt, and organic farms and their neighboring fields against GM-crops. In addition, the ban on release of GMOs containing genes for antibiotic resistance is welcomed.

Moreover, the law is harmonized with EU directives 90/219/EEC and 2001/18/EC (on release of GMOs into the environment), but lacks harmonization with Regulation

1829/2003 (on GM food and feed), Regulation 1830/2003 (on traceability and labelling of GMOs) and EU regulation 1946/2003 (on transboundary movement of GMOs).

Furthermore, the law runs short of several important issues. For example, there is no guarantee yet that consumers will be informed about what they consume. Also, the participation of non-governmental organisations in the ministerial Commission for GMOs is limited and without any right to vote. Koen De Rijck, GM campaigner for Agrolink and Za Zemiata, continues: "Totally admissible is the lack of a compensation manner for affected farmers. GM-free farmers and producers may in no single way be disadvantaged by GM-producers and GM-industry selling for more profits." Environmental NGOs propose the introduction of the polluter-pays-principle, meaning that a GM-farmer can be held liable for the damage caused by genetic contamination (unwanted presence of GMOs) in neighboring conventional and organic fields.

The first and urgent task for the Parliament should be to harmonize the whole legislation on GMOs and create opportunity for long-term surveys to study the impacts of GMOs on environment and people's health.

The coalition continues to defend the initial declaration that Bulgaria should be a GMO free region. Environmental NGOs consider that priority should be on sustainable agriculture, a modern form of agriculture with a future for farmers, communities, consumers, biodiversity and environment.

**For more information, please contact "GM free Bulgaria" Coalition:**

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