

## Strict gene-edited crop rules in France could threaten US agriculture exports, USDA warns

In May 2020 France notified the European Commission of its intention to delist in-vitro random mutagenesis with chemical or physical agents to comply with French Council of State's February 2020 ruling. That ruling was based on the European Court of Justice (ECJ) 2018 decision on New Breeding Techniques (NBTs).

This decision will ban [Clearfield herbicide resistant varieties](#) of rapeseed for use, disallowing these varieties of rapeseed and requiring a zero-tolerance for any contamination from these varieties. It will negatively impact rapeseed and seed exports from Canada, other EU countries and South America to France. If France determines additional measures are needed to implement the ECJ decision, U.S. agricultural exports for products developed using NBTs could be negatively impacted as well.

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Interestingly, the French decree only names Clearfield rapeseed that was planted on a minimal 10,000 hectares out of a total rapeseed area of 1.1 million hectares in 2020. It exempted sunflower varieties that were developed using similar techniques that were widely adopted by French growers. One-third of the 2020 French sunflower area of 700,000 hectares is believed to be planted with Clearfield sunflower varieties.

Herbicide resistant chicory varieties were also not included into the French list. Implications for EU Single Market France also notified the commission of its intention to amend its official catalog of seed. It will remove seven banned Clearfield herbicide resistant varieties of rapeseed registered on the French official seed catalog as well as 103 varieties listed on the official European seed catalog (developed and approved in other EU Member States). This decision could undermine the EU single market principle as those 103 varieties are legally marketable in any EU countries under EU rules.

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