

**Opinion of the European Food Safety Authority in accordance with
Articles 6 and 18 of Regulation (EC) No. 1829/2003 on
application EFSA-GMO-NL-2008-51**

**Application for the placing on the market of herbicide tolerant genetically
modified cotton GHB614 for food and feed uses from Bayer CropScience AG.**

(Question No. EFSA-Q-2008-016)

10 March 2009

Summary

This document provides an overall opinion of the European Food Safety Authority on genetically modified cotton GHB614 in accordance with the requirements of Articles 6 and 18 of Regulation (EC) No. 1829/2003.

The scope of this application is genetically modified cotton GHB614 for food and feed uses¹. The scope does not include cultivation.

The Scientific Panel on Genetically Modified Organisms has carried out the scientific assessment of genetically modified cotton GHB614 in accordance with Articles 6(6) and 18(6) of Regulation (EC) No. 1829/2003 and considers that the genetically modified cotton GHB614 is unlikely to have any adverse effect on human and animal health or on the environment in the context of its intended uses.

The Community Reference Laboratory considers the method validated as fit for the purpose of regulatory compliance. The certified reference materials of cotton GHB614 can be accessed at the American Oil Chemists' Society (AOCS- USA).

The information presented for the Cartagena Protocol, the labelling proposal and the monitoring plan are in line with Regulation (EC) No. 1829/2003.

Under the terms of the Regulation (EC) No. 1829/2003, the overall opinion fulfils the requirements of Articles 6 and 18 for the placing on the market of genetically modified cotton GHB614.

¹ This does include GM cotton GHB614 for import and processing as designated under part C of Directive 2001/18/EC

Background

On 25 January 2008, the European Food Safety Authority (EFSA) received from the Competent Authority of the Netherlands an application for authorisation of GM cotton GHB614 (BCS-GHØØ2-5) submitted by Bayer CropScience AG within the framework of Regulation (EC) No. 1829/2003 on genetically modified food and feed (reference EFSA-GMO-NL-2008-51).

The scope of this application is genetically modified cotton GHB614 for food and feed uses². The scope does not include cultivation.

In accordance with Articles 5 and 17 of Regulation (EC) No. 1829/2003, EFSA informed the Member States and the European Commission and made the summary of the application publicly available on the EFSA website³ on 30 January 2008. EFSA initiated a completeness check of the application to check compliance with the requirements laid down in Articles 5 and 17 of Regulation (EC) No. 1829/2003. On 22 November 2007 and 28 February 2008, the Community Reference Laboratory (CRL) confirmed receipt of the detection method, samples and control samples in accordance with Articles 5 and 17 of Regulation (EC) No. 1829/2003. EFSA declared the application valid on 11 March 2008 and started the clock in accordance with Articles 6 and 18 of Regulation (EC) No. 1829/2003.

From that date, EFSA has endeavoured to respect a time limit of 6 months in giving its overall opinion (Articles 6(1) and 18(1)). EFSA made the valid application available to Member States and the European Commission. Following the procedure laid down in Articles 6(4) and 18(4) of Regulation (EC) No. 1829/2003, EFSA consulted the Member States. In this context, the Member States risk assessment bodies, as well as the national competent authorities under Directive 2001/18/EC, were given three months after the date of receipt of the valid application (*i.e.* until 11 June 2008) within which to make their opinion known.

Making use of the provisions under Articles 6(2) and 18(2), EFSA requested additional information from the applicant and the clock was stopped from 03 September 2008 to 24 February 2009⁴.

² This does include GM cotton GHB614 for import and processing as designated under part C of Directive 2001/18/EC

³ <http://registerofquestions.efsa.europa.eu/roqFrontend/questionLoader?question=EFSA-Q-2008-016>

⁴ Request for additional information from EFSA-GMO Panel: requested (1) on 03/09/2008 - received on 01/12/2008, requested (2) on 12/11/2008 - received on 12/01/2009, and clock restarted on 24/02/2009.

GMO Unit

The overall opinion on application EFSA-GMO-NL-2008-51 includes the scientific opinion of the Scientific Panel on Genetically Modified Organisms (GMO Panel) together with the particulars required under Articles 6(5)(a-g) and 18(5)(a-g) of Regulation (EC) No. 1829/2003: i) the name and address of the applicant, ii) the designation of the food and its specification, iii) the information required under Annex II to the Cartagena Protocol, iv) the labelling proposal, v) the method for detection, validated by the Community Reference Laboratory, including sampling, identification of the transformation event in the food-feed and/or foods-feeds produced from it, vi) an indication of where appropriate reference materials can be accessed, vii) the monitoring plan and viii) Member States' comments submitted during the three-month consultation period.

Applicant

The application was submitted by
Bayer CropScience AG
Alfred-Nobel-Strasse 50
D-40789 Monheim am Rhein
Germany

Bayer BioScience NV
Technologiepark 38
B-9052 Gent
Belgium

Designation and specification of the product

The scope of this application is genetically modified cotton GHB614 for food and feed uses⁵. The scope does not include cultivation.

Cotton GHB614 expresses a mutated *epsps* (*2mepsps*) maize gene leading to the production of a mutated 5-enolpyruvyl-shikimate-3-phosphate synthase (mEPSPS) enzyme that confers tolerance to glyphosate-based herbicides.

Scientific opinion of the GMO Panel

The GMO Panel has carried out the scientific assessment of the genetically modified cotton GHB614 in accordance with Articles 6(6) and 18(6) of Regulation (EC) No. 1829/2003 and adopted its scientific opinion on 05 March 2009. The GMO Panel considered all comments submitted by Member State bodies and where deemed necessary, requested additional information from the applicant before finalising its scientific assessment. The GMO Panel concludes that the information available for GM cotton GHB614 addresses the scientific comments raised by the Member States and considers that GM cotton GHB614 is unlikely to have any adverse effect on human and animal health or the environment in the context of its intended uses (Annex A).

Cartagena Protocol

The information presented in the application and as required under Annex II of the Cartagena Protocol on Biosafety is in line with the scientific opinion of the GMO Panel (Annex B).

⁵ This does include GM cotton GHB614 for import and processing as designated under part C of Directive 2001/18/EC

Labelling

The labelling proposal provided in the application is in line with the requirements in Regulation (EC) No. 1829/2003. On the basis of the scientific opinion of the GMO Panel that GM cotton GHB614 is compositionally and phenotypically equivalent to its non-genetically modified cotton GHB614 except for the introduced traits, EFSA is of the opinion that there is no need for a specific labelling in accordance with Articles 13(2)(a) and 25(2)(c) (Annex C).

Method for detection

The Joint Research Centre (JRC) as Community Reference Laboratory for the GM Food and Feed has carried out a collaborative study to assess the performance of a quantitative event-specific method to detect and quantify the GHB614 transformation event in cotton DNA. The reports were published on 14 March 2007 and 5 September 2008. The Community Reference Laboratory considers that the method is applicable to the control samples provided, in accordance with the requirements of Annex I-2.C.2. to Commission Regulation (EC) No 641/2004 (Annexes D1, D2, D3).

Certified reference materials

The certified reference materials of genetically modified cotton GHB614 can be accessed at the American Oil Chemists' Society (Annex E).

Post market environmental monitoring

The GMO Panel evaluated the environmental monitoring plan proposed by the applicant. The GMO Panel considered that the monitoring plan provided by the applicant is in line with the intended uses for the GMO (Annex F).

Member States' Comments

The GMO Panel has addressed the comments submitted by the Member States during the three months consultation period (Annex G).

List of annexes:

Annex A:	Scientific opinion of the GMO Panel (cotton GHB614)
Annex B:	Cartagena Protocol (cotton GHB614)
Annex C:	Labelling (cotton GHB614)
Annex D1:	Validation report (cotton GHB614)
Annex D2:	Validated method (cotton GHB614)
Annex D3:	Sampling and extraction (cotton GHB614)
Annex E:	Certified reference materials report (cotton GHB614)
Annex F:	Post market monitoring plan (cotton GHB614)
Annex G:	Member States' comments (cotton GHB614)