

Position paper dated 02/2007 of the European Professional Beekeepers Association regarding genetically engineered crops and beekeeping.

This document describes the individual problem areas which must satisfactorily be solved in any of the GMO legislation for the beekeepers.

#### REGISTRY OF GM FIELDS:

As beekeepers, we welcome a registry of fields, where GM crops have to be listed prior to being planted. A certain level of information should be made available to the general public, but neighbours and beekeepers shall be able to request additional information in a timely fashion.

It will depend on the practice of the formalities and the time for processing these requests, whether this really helps us beekeepers. We must be able to decide at short notice, (i.e. within less hours or days), whether we move our bees to a certain location to take advantage of honeyflow or offer pollination service.

Under no circumstances, the site registry may be understood as a requirement for the beekeeper to evacuate his colonies from the area or lead to it that a beekeeper forfeits possible damage compensation claims, if he does not remove his bees from the surroundings of a filed listed in the site registry.

The registry must include any GM-crop including research crops, because they represent a special problem for beekeepers.

#### EXPULSION OF THE BEEKEEPERS AS GOOD FARMING PRACTICE

The basic concept of the good farming practice requires the GM farmer to do everything in his power to avoid contaminations of the cultures of his neighbours.

Since our bees for many crops represent one of the most important vectors for the gene transfer, we fear that it could be part of the good farming practice that no stands are made available for beekeepers near GM fields.

Not only would this be an unacceptable solution for our profession, but the expulsion of the beekeepers would lead to the cessation of the pollination and consequently create inferior yields for farmers at different cultures in the surroundings of a deserted bee stand.

#### FORFEITED LIABILITY CLAIMS

It also must be made sure, that a farmer who wants to work without GM crops does not forfeit his liability claims towards the GM farmer, if he has granted stands on his land for beekeepers, which may increase the likelihood a contamination of his harvest.

In principle, it needs to be determined, how the products of beekeepers (honey, pollen etc.) can be protected from any contamination by GM material. It would be appropriate to maintain a distance of at least 3 km, (better 5 km) from the next fixed bee stand or stand for moving beekeepers as a good farming practice for the GM farmer.

#### LOSS OF POLLINATION FOR A WHOLE REGION

All attempts to create a legal framework for coexistence, are lacking provisions dealing with the

question of how to compensate farmers, whose crops are dependent on pollination by honey bees, but can't get any beekeeper to provide the pollination service because of a GM farmer in the neighbourhood. If the beekeepers can't market this honey, because it is contaminated, they would have to charge a high fee to provide the service, if they are willing to expose their hives to this danger at all.

Few fields with GM crops in a fruit growing region would suffice to prevent the pollination in this area completely or let the prices for this service rise dramatically.

## BEE HEALTH

The legislation in effect or proposed in many EU countries does not include any liability for bee losses caused by the toxins generated by GM-crops. Research results indicate that there is a significant danger that Bt maize pollen is harmful to bees.

## RESEARCH RELEASES

No consideration to honey bees seems to have been given in the rules governing research releases. Carrying out research on GM crops in open fields carries the risk of a contamination of bee products.

How will be made sure, that bee products with genes and active agents can't reach the human food-chain from research releases? How will the beekeepers be compensated.

In the case of research releases for example of poplars or other plants which do not have any approval as a food, zero tolerance applies and a contaminated product may not be marketed at all. This is not a question of labelling, but such a product may most likely have to be destroyed.

## MONSANTO-MÄRKA MODEL

In some countries, the rules permits private arrangements with the neighbors that are different of the coexistence rules. Whether beekeepers must be included in these arrangements is unclear.

## HONEY IDENTIFICATION

It is a common misconception, that honey is exempt from labeling rules.

This is not the case. This regulation is justified with the argument which is old and being not correct provably in connection with this that the pollen share is in the honey less than 0.9%.

The suggested regulation for the honey identification does not correspond to the claims of the beekeepers because we stand here before the following dilemma:

Monitoring program identification means that we are killed by the analysis costs therefore identification works only at take-over of the costs connected with that -- (provided by the EU genetic engineering right anyway, e.g. about which).

no identification means that the honey is excepted from the electoral freedom promised by the EU for producers and consumers. There is no legal basis for it.

Bee products will get with the consumer into discredit if analyses find pollen changed genetically of the trade and the consumer shields as this has already happened at Canadian honey. By the contamination with GMOs Canadian beekeepers complained about problems of acceptance on the European market. But also for American beekeepers the export question of GVO honey is a topic.

According to our information one already has a try, by the removal of the pollen by means of extremist filtration to avoid the honey, the problem. However, this would represent a violation of the EU honey directive and the principles of the GM law. Furthermore the question arises, in connection with this, whether a honey is fit to be marketed, if the contained GMOs do not have any approval as a food in the EU. (More on this below).

No identification means either that we are largely outlawed in the neighbor right (distance rules, damage compensation entitlements).

As beekeeper associations we do not assert any statement concerning the question of the honey identification because of this because us in the case of the identification obligation with this one at our products particularly high analysis costs be alone let and be able to not assert any damage compensation entitlements in the case without identification obligation even if our products are rejected by the market because we cannot furnish the proof of the genetic engineering liberty.

The promise of electoral freedom and coexistence was the basis for the abolition of the genetic engineering moratorium by the EU. Why is it not realized in the case of the honey, however, and why shall we be left with the expense as classic not users?

## FOOD TRADE

Since the supermarkets, unlike many politicians, react to the will of the consumer, beekeepers may suffer financial damages independently of the EU-labelling rules, if certificates stating that the product is free of GM genes are required by the trade. As long as the legislator does not forbid the food trade to demand such certificates, our problem remains unsolved.

Furthermore the law must provide a liability of the GM user independently of the EU labelling laws so that we recover our financial damages, when we loose sales to the large majority of customers who insist on GM free food. This includes the considerable analysis costs which arise for us, if there is even the possibility of a contamination of our products.

Even if initially only a few percent of our products turn out to be contaminated, we have 100% of the analysis costs in every case.

## POLLEN

Other bee products, such as pollen, are already subject to the labeling requirement. Already today the analysis costs exceed the value of the product and also arise if nothing is found. These costs may not be imposed on the beekeepers. You must be carried by the users of the genetic engineering.

## Pharmaceutical CROPS and industrial useful plants

There are no rules dealing with the enormous uncertainty resulting from pharma crops and industrial plants grown on open fields. For example there is extensive genetic research going at the University of Freiburg on the poplar tree. The bees collect pollen and resin of the poplar. Many plants which are used as a pharma crops are used for foraging by bees.

The EU directive 1829/2003/EC is not applicable since there is not food or feedstuffs here. General rules for genetic engineering as well as rules for drugs need to be taken into account. This means, that for tests with such plants the rules for closed systems set forth in the guideline 90/219/EEC should apply.

The EU release guideline 2001/18/EC applies to tests in the open, but does not take the possibility of contamination of bee products of beekeepers in the area.

There is no suitable law basis for the commercial use of these products apparently. However, as far as we know, the pharmaceutical industry wants to the same rules used for planting food crops for research to also apply for commercial growing of pharma crops. However, this cannot be right, since the rules were made for scientific experiments and not for the extension on a massive scale. There is here need for action of the government so that we are not exposed to such cultures defenselessly.

Also, the consumers react very sensitively towards the possibility, that pharmaceutical substances or their raw materials could be found in food. Zero tolerance is required in the case of research releases because there is no approval as a food item. A contaminated bee product is not marketable.