

Germany's top court upholds restrictive GM crops law

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A genetically-modified maize cob. Germany's top court has upheld a two-year-old law placing sharp restrictions on the use of genetically modified crops, saying it protected the public from the risks of the technology.

Germany's top court on Wednesday upheld a two-year-old law placing sharp restrictions on the use of genetically modified crops, saying it protected the public from the risks of the technology.

The Federal Constitutional Court said that 2008 legislation requiring buffer zones between GM and conventional [crops](#) were justified due to the risk of "contamination" between the plants and open questions about the technology.

"The legislative branch is pursuing legitimate public welfare objectives

and must be given generous room to implement state regulation in order to realise these objectives against the backdrop of the broad social and scientific debate about the use of [genetic engineering](#)," the court said.

The law mandates a 150-metre-wide (490-foot-wide) "protective zone" between GM crops and standard [farmland](#) and a 300-metre-wide gap next to organic crops.

GM fields must also be registered so any co-mingling can be traced back to the source and the responsible farmers can be held liable.

The law had been challenged by the rural eastern state of Saxony-Anhalt even before it was passed.

Environmental watchdog Greenpeace welcomed the ruling saying that a "risky technology such as genetic engineering cannot be forced on anyone".

"The decision confirms that there are dangers and risks associated with the seeding of GM plants," Stephanie Toewe of the group said in a statement.

A state secretary at the agriculture ministry, Robert Kloos, said the court's ruling "protects the population and the environment and allows for responsible use of GMOs," genetically modified organisms.

But the German Farmers' Association said upholding the principle of liability for any co-mingling presented "incalculable and uninsurable risks" for the sector and as a result, advised against planting [GM crops](#).

The European Union has struggled to establish a unified line on GM, with two crops currently authorised -- a maize strain for [animal feed](#) and a potato for paper-making -- but decisions on another 15 are deadlocked.

Countries and regions have subsequently banned cultivation unilaterally, or declared themselves GM-free, with products containing traces blocked at ports.

The European Commission, the EU's executive arm, says such policies risk breaching World Trade Organization guidelines.

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