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STATUTORY INSTRUMENTS

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**2019 No. 705**

**The Genetically Modified Food and Feed  
(Amendment etc.) (EU Exit) Regulations 2019**

**PART 3**

Amendment of retained direct EU legislation

**Amendment of Regulation (EC) No. 1829/2003**

**10.** In Article 6—

- (a) in paragraph 2, omit “or a national competent authority through the Authority”;
- (b) for paragraph 3, substitute—

“**3.** In order to prepare its opinion, the Food Safety Authority—

- (a) must verify that the particulars and documents submitted by the applicant are in accordance with Article 5 and examine whether the food complies with the criteria referred to in Article 4(1);
  - (b) may ask a competent authority designated in accordance with Article 4 of [Directive 2001/18/EC](#) to carry out an environmental risk assessment; however, if the application concerns GMOs to be used as seeds or other plant-propagating material, the Food Safety Authority must ask a competent authority to carry out the environmental risk assessment;
  - (c) may ask a public analyst to carry out a safety assessment of the food;
  - (d) must forward to the reference laboratory referred to in Article 32 the particulars referred to in Article 5(3)(i) and (j). The reference laboratory must test and validate the method of detection and identification proposed by the applicant;
  - (e) must, in verifying the application of Article 13(2)(a), examine the information and data submitted by the applicant to show that the characteristics of the food are not different from those of its conventional counterpart, having regard to the accepted limits of natural variations for such characteristics.”;
- (c) in paragraph 4, for “national competent authority within the meaning of [Directive 2001/18/EC](#), designated by each Member State for this purpose”, substitute “competent authority designated in accordance with [Directive 2001/18/EC](#)”;
  - (d) in paragraph 5(f), omit “Community”;
  - (e) for paragraph 6, substitute—

“**6.** The Food Safety Authority must forward its opinion to the appropriate authority and the applicant, including a report describing its assessment of the food and stating the reasons for its opinion and the information on which this opinion is based.”;
  - (f) for paragraph 7, substitute—

“7. The Food Safety Authority must make its opinion public, after deletion of any information identified as confidential in accordance with Article 30 of this Regulation. The public may make comments to the Food Safety Authority within 30 days from such publication.”.