



Biotechnology Facts

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Timeline for WTO Case on Biotechnology

- April 1990:** The EU adopts Directive 90/220, which establishes an approval process for products of agricultural biotechnology.
- May 1995:** First U.S. approval of a commercially significant biotech soybean, called Roundup Ready, in the United States.
- 1994-1998:** The EU authorizes 9 crop products/plants, mostly varieties of corn, soybeans, and oilseeds.
- Feb 1997:** Austria bans a corn variety (Novartis Bt176) that has already been approved by the EU. The Commission refuses to challenge this action. This begins a trend of EU member states placing unchallenged bans on EU-approved products. In 1999, Austria bans two other EU-approved corn varieties; France bans two EU-approved rapeseed varieties in 1998; Germany bans an EU-approved corn variety in 2000; Greece bans an EU-approved rapeseed variety in 1998; Italy bans four EU-approved corn varieties in 2000; and Luxembourg bans an EU-approved corn in 1997.
- Oct 1998:** The EU Commission and member states stop approving all agricultural biotech crops. Two biotech carnation varieties become the last biotech crops approved under Directive 90/220.
- June 1999:** EU members announce a moratorium on new approvals of agricultural biotech products. Ministers from Denmark, France, Greece, Italy and Luxembourg declare they will do whatever is necessary to ensure that new approvals are suspended until new rules are in place.
- June 2000:** French Environmental Minister Dominique Voynet insists on the need for a "liability scheme" for biotech products. Voynet says there are "no divisions among the five member states who voted for a moratorium on GMO's ... [w]e believe there needs to be a liability scheme in place before any new GMOs are approved."
- July 2000:** EU Environmental Ministers meet at an informal session and support continuing the EU moratorium at least until the Commission prepares proposals for labeling and for tracing biotech products in foods such as vegetable and corn oils. The Commission assures the United States that it will develop its proposal by the end of the year and restart the approval process promptly.

- July 2001:** The Commission produces its traceability and labeling proposals. The Commission assures the United States it will lift the moratorium within weeks. Several EU member states again take actions to prevent approvals. At an October 2001 informal meeting of the Environment Council, eight Member States – France, Austria, Finland, Luxembourg, Denmark, Italy, the Netherlands and Sweden – effectively reject the Commission’s plan to consider new authorization and declare that the new regulations must be in force before they will allow the approval process to operate.
- Oct 2002:** Directive 2001/18, the successor to Directive 90/220 is implemented on Oct. 17, 2002. EU Environment Commissioner Wallstrom states on October 17: “I have stopped guessing when the moratorium would be lifted. We have put in place the legal framework... but some member states are opposed to GMOs and they will try to move the goal posts. They will try to find another obstacle.”
- Dec 2002:** The Council agrees to a Common Position on traceability and labeling legislation. The Danish delegation declares the moratorium should remain in place until the EU has developed and implemented special environmental liability legislation for biotech products.
- Aug 2003:** At the request of the United States, Argentina and Canada, the WTO establishes a Panel to examine the EU’s moratorium on new biotechnology approvals and the Member State bans.
- Mar 2004:** After disputing parties are unable to reach agreement on a slate of panelists, WTO Secretary General selects the three panelists in the dispute.
- Feb 2006:** Interim confidential report released to disputing parties.
- May 2006:** Final Report released to the disputing parties. Report remains confidential until report is translated into Spanish and French, the other two official WTO languages.
- Sep. 2006:** Release of final report, in 3 official WTO languages, to all WTO Members and to the public. Triggers beginning of possible appeal process.
- Early 2007:** Completion of a possible appeal to the WTO Appellate Body