



News Release:
Thursday, April 4th, 2002

Still More on the Mexican GM Maize Scandal:

Conquering *Nature!* ...and Sidestepping the Debate over Biotech and Biodiversity

***Nature* magazine's flip-flop today over the testing protocols involved in determining GM maize contamination in Mexico – in the Centre of Genetic Diversity for the vital food crop - is just the latest in a string of absurdities as the scientific community struggles over what to do as genetically-modified germplasm invades the genetic homelands of the world's food supply.**

De-naturing *Nature*: *Nature* magazine - arguably one of the world's most influential peer-reviewed science publications - in an editorial note today, states that contrary to its report of November 29th, 2001, "...the evidence is not sufficient to justify the publication of the original paper." In other words, farmers' fields in Oaxaca and Puebla have not been proven to be contaminated with GM maize. The issue of *Nature* contains two articles - one by scientists refuting the original contamination claims, and the other by the two scientists who authored the original peer-reviewed report. David Quist and Ignacio Chapela of the University of California at Berkeley stand by their study and add that other studies by the Mexican Government released in January confirm their findings.

Blind-siding Biodiversity: *Nature's* double take couldn't have come at a better time for the Biotech industry. Next Monday, more than 150 governments and equal numbers of civil society organizations will gather in The Hague, Netherlands for the tenth anniversary meeting of the UN Convention on Biological Diversity (CBD – April 8 - 26). A moratorium on Terminator technology, the protection of forests, and discussions around a just-completed treaty on plant genetic resources are all on the agenda. The case of GM contamination in Mexico was bound to be on the minds of many delegations. The final week of meetings is set aside to review progress on the Cartagena Biosafety Protocol adopted two years ago. The elements of that protocol and its crucial Precautionary Principle would bring the Mexican scandal to the fore as well. "If the CBD can't act on the Mexican situation, if governments cannot agree that the Precautionary Principle applies in this case," says Silvia Ribeiro of ETC, "then there is little hope that this ten-year old Convention serves any useful purpose." *Nature's* editorial could have the effect of de-fusing and confusing governmental concern.

Withholding Evidence? The scientific battle raging since at least last September has been over the efficacy of the testing processes. There has been almost no substantive discussion of the likelihood or the implications of GM contamination. In fact, most maize scientists agree that contamination is highly likely and inevitable given the breeding habits of the crop.

Meanwhile, Mexican farmers and other civil society organizations are impatiently awaiting two overdue new reports on the situation commissioned by the Mexican Government. It now appears that political pressure is being applied within the Government to delay publication until after the international conference in The Hague. Although the Secretary of Environment of Mexico, through its Institute of Ecology (INE) contracted two institutions to undertake new tests, the results have been excessively delayed. According to CSOs in Mexico City, the testing done to date all confirms the original Berkeley study.

Precautionary Practices: Civil Society Organizations gathered at the World Social Forum in Brazil wrote on February 6th to both the Consultative Group on International Agricultural Research (CGIAR) and to the UN Food

and Agriculture Organization (FAO) asking them to take action with respect to Mexican maize contamination. The CGIAR's flagship institute, the International Maize and Wheat Improvement Centre (CIMMYT) is just outside Mexico City and is deeply embroiled in the GM debate. In a reply dated February 13th, CGIAR expressed concern but declined to take any specific steps. The global network of public research institutes is partly funded by the U.S. Government and is negotiating a number of technology licensing agreements with the biotech industry. "One official told us that the issue was just too hot politically for the CGIAR to get involved," Pat Mooney of ETC group notes.

FAO has been more forthcoming. In a letter dated March 22nd, FAO acknowledged that the situation was serious and reported that the UN agency - in contrast to CGIAR - has requested CIMMYT to investigate the implications for genetic diversity in Mexico and any possible consequences for CIMMYT's maize gene bank. The world's most important international maize collection is held in trust by CIMMYT under the auspices of FAO. FAO expects CIMMYT to report on the situation when its intergovernmental commission meets in Rome this October. Further, FAO is developing a Code of Conduct on Biotechnology and the issues of GM contamination in Centres of Crop Genetic Diversity will now be part of the agenda.

Biodiversity's Bottom line: "The whole debate in *Nature* is an obfuscation of the real issue," Hope Shand of ETC group says, "Maize breeders and geneticists all know that GM introgression with traditional farmers' maize varieties in Mexico is inevitable and most are convinced that it has already taken place. Whatever the status of the various studies, the reality is that a Centre of Crop Genetic Diversity has been contaminated and no one is doing anything about it. We realize that some scientists do not consider the contamination to be a problem. We disagree. Regardless, we all agree – even CIMMYT – that rigorous study of the implications is needed. In the meantime however, there must be a complete moratorium. The CGIAR should stop stalling and get with the programme!"

For further information:

Pat Roy Mooney: etc@etcgroup.org (204) 453-5259 CST - Winnipeg
Hope Shand: hope@etcgroup.org (919) 960-5223 EST – North Carolina
Silvia Ribeiro: silvia@etcgroup.org (52) 5555-63-26-64 CST - Mexico City

The Action Group on Erosion, Technology and Concentration, formerly RAFI, is an international civil society organization headquartered in Canada. The ETC group is dedicated to the advancement of cultural and ecological diversity and human rights. www.etcgroup.org

Consultative Group on International Agricultural Research (CGIAR)
IAN JOHNSON
Chairman

February 13, 2002

Mr. Pat Mooney
Executive Director
ETC Group
478 River Avenue, Suite 200
Winnipeg MB R3L 0C8
Canada

Dear Mr. Mooney:

Thank you for your letter of February 6, 2002 sharing your concern about genetic contamination of genebanks of the CGIAR-supported International Maize and Wheat Improvement Center (CIMMYT), Mexico. I have noted that several civil society groups meeting in Porto Alegre, Brazil (including Messrs. Jean Marc von der Weid and Peter Rosset, former and current member of the CGIAR NGO Committee) are co-signatories to the letter.

At the outset, let me say that as the world's leading research group charged with promoting sustainable agriculture for food security, poverty reduction, and environmental protection in developing countries, the Consultative Group on International Agricultural Research (CGIAR) takes its scientific, developmental, stewardship, and advocacy roles very seriously. This is especially true in the case of genetic resources, where we have a specific mandate from the Food and Agriculture Organization (FAO) to hold in-trust, for the benefit of humanity, one of the world's largest collections of genetic resources containing over 660,000 accessions. Therefore, the concerns you raise are of utmost importance, both to the CGIAR in its role as a provider of public goods' research and to the developing countries it seeks to serve.

Since receiving your letter, I have consulted with my colleagues, including at CIMMYT. The issue — genetic contamination of Mexican land races of maize held in CIMMYT's genebank with the cauliflower mosaic virus common promoter 35S (CaMV 35S) — has been examined rigorously by CIMMYT scientists under the direction of Timothy Reeves, Director General, CIMMYT. I gather that he is in regular contact with you on this issue, including on the methodological aspects. As recently as February 7, CIMMYT made available the results of two additional sets of screening on a total of 39 Mexican maize landraces from its genebank and determined that none of them carried the CaMV 35S common promoter (This latest test followed on earlier tests conducted in October and November 2001 which screened 43 landraces drawn from CIMMYT genebanks and all of them tested negative for the presence of the CaMV 35S promoter sequence). In light of the results obtained, and the assurances of my colleagues, I request that we maintain a watching brief on this issue and revisit it again if new, independent and scientifically-verifiable evidence becomes available.

I would be extremely grateful if you could share my reply with all the cosignatories listed in your letter of February 6, 2002. I might add that we are witnessing a revolution in the biological sciences, and the case for ensuring availability of agricultural knowledge — as a global public good — has never been stronger. The CGIAR, with the support of its members particularly developing countries, is committed to ensuring that its research — both products and processes inherent in that research — are public goods. Thank you again for taking the time to write to me on this important issue.

With best wishes,

Sincerely,
[signed]
Ian Johnson
Chairman, CGIAR

Copy: Messrs. Jesus Moncada de la Fuente (INIFAP-Mexico), Timothy Reeves (CIMMYT), Francisco Reifschneider (CGIAR), and Mmes. Ann Waters-Bayer and Monica Kapiriri (CGIAR NGO Committee Co-Chairs)

[Received March 22. 2002]

Dear Mr. Mooney,

I acknowledge receipt of your letter to the Director-General of 6 February 2002. I should like to thank you for drawing the attention of FAO to the important question of the introgression of transgenes into maize in Mexico. We have requested information on the issue from the International Maize and Wheat Improvement Centre (CIMMYT) and understand that the Government of Mexico is considering the matter.

If the scientific evidence on the introgression of transgenic DNA into traditional landraces and designated material kept in trust by CIMMYT under the auspices of FAO is confirmed by CIMMYT, we need to know the degree to which this has occurred and the rate at which it is expected to continue. We have also requested information on the possible consequences for the genetic diversity and integrity of germplasm designated under CIMMYT's Agreement with PAO.

In addition, and as you know, the International Agricultural Research Centres (IARCs) including CIMMYT. Are expected to provide a progress report on the material designated in trust to the next regular session of the FAO Commission on Genetic Resources for Food and Agriculture, in October this year. It is likely that CIMMYT will bring the issue to the attention of FAO member countries on that occasion.

More generally, the issue of the introgression of transgenes into landraces as well as the possible need for international action, in line with the Cartagena. Biosafety Protocol, is expected to be considered by member countries of FAO in the next regular session of the FAO Commission, in the context of the further development of the Code of Conduct on Biotechnology as it relates to Genetic Resources for Food and Agriculture.

We look forward to an open dialog with ETC and other stakeholders on this important matter.

Yours sincerely,

[signed]

Louise O. Fresco
Assistant Director-general
Agriculture Department