

Section A List of Briefing and Page Numbers

CABINET SECRETARY FOR RURAL AFFAIRS & ISLANDS

RAINE Committee Appearance

Wednesday 12 January 2022

What	Evidence session with the Rural Affairs Islands and Natural Environment (RAINE) Committee
When	[REDACT]
Who	<p>RAINE Committee:</p> <p>Finlay Carson, Convener - Scottish Conservative and Unionist Party Beatrice Wishart, Deputy Convener - Scottish Liberal Democrats Karen Adam, Member - Scottish National Party Alasdair Allan, Member - Scottish National Party Ariane Burgess, Member - Scottish Green Party Jim Fairlie, Member - Scottish National Party Rachael Hamilton, Member - Scottish Conservative and Unionist Party Jenni Minto, Member - Scottish National Party Mercedes Villalba, Member - Scottish Labour</p>
Why	<p>You have been invited to give evidence to the Committee on the draft budget.</p> <p>[REDACTED]</p>
Supporting official	<p><i>(Please provide both mobile and office contact numbers for supporting official)</i></p> <p>[REDACTED]</p>
Briefing contents	[REDACTED]

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SECTION B – BRIEFING ON THE DRAFT BUDGET

Statement

[REDACTED]

[REDACTED]

Annex AO: SASA – Topical Issues

GMOs and Gene Editing

Issue:

- In early 2021, England consulted on removing gene editing (GE) from the definition of genetically modified organisms (GMOs). Despite a negative response from the majority of respondents, in late September Defra announced plans to firstly facilitate GE in plants for research trials, and secondly to remove GE, where the genetic change could have been achieved by traditional breeding, from the definition of a GMO in English regulations. Defra's changes to the definition of a GMO may have implications for Scotland as a result of the Internal Market Act, and officials are awaiting details from Defra of their planned changes to English regulations in order to assess the nature and timing of these.
- At the end of April the EU published a study on the status of novel genomic techniques under the existing GMO legislation, concluding that the current regulations were not fit for purpose in regulating these new techniques and recommending a review of the legislation. In September they announced that they will consult on the use of certain novel genomic techniques on plants in Q2 of 2022 and legislate in Q2 of 2023. Scotland has indicated it will align with the EU in this area.

Top Lines

- Scotland's policy on GMOs has not changed. We remain opposed to the use of GM in farming, to protect the clean, green brand of Scotland's £15 billion food and drink industry.
- We are aware of current debate around novel genomic techniques and how these relate to existing GM legislation, and we note in particular the consideration of this at EU level. The Scottish Government is committed to keeping close to the European Union when appropriate, and we are closely monitoring the EU position on this issue.
- We are aware of Defra's plans to review the English regulatory definitions of a GMO, to exclude organisms produced by gene editing and other genetic technologies if they could have been developed by traditional breeding. We are considering the implications for Scotland and will continue to engage with Defra, Wales, and Northern Ireland to ensure that devolved competences are respected.

Background

- GE is one of many 'novel genomic techniques' (NGTs) developed since the main GMO legislation was made in 2001. NGTs were ruled to be in scope of the legislation by the European Court of Justice (ECJ) in 2018, effectively preventing their use outside of a laboratory. This was seen as controversial since NGTs are different, more precise techniques than GM and can bring about changes which could have occurred naturally. Early GMO techniques insert untargeted foreign DNA into the genome.
- In April 2021 the EU published a study concluding that the GMO legislation (which Scotland has transposed) is unfit for purpose with regard to NGTs. The Commission are now preparing a consultation and impact assessment to review the legislation for

Section E: Correspondence with RAINE Committee

targeted mutagenesis and cisgenesis in plants – essentially novel genomic techniques where no foreign DNA is used.

- Scotland has historically been opposed to the use of GMOs in the environment, a subject which provokes strong views in public and media debate. With GE, there is as yet low public awareness of the term and of differences with GM techniques.

[REDACTED]