

DELEGATED POWERS AND LAW REFORM COMMITTEE

15th Meeting, 2022 (Session 6) Tuesday 10 May 2022

Instrument Responses

Genetically Modified Food and Feed (Authorisations) (Scotland) Regulations 2022 (SSI 2022/137)

On 28 April 2022, the Committee asked the Scottish Government:

The instrument implements a decision to authorise five, and to renew authorisation for four, products containing genetically modified organisms to be placed on the market in Scotland. Regulation 3 gives effect to schedules 1 – 9 of the instrument which set out the scope, extent and requirements of authorisation for the use of specified genetically modified organisms including the methods to be used to detect the genetically modified substance in food and food ingredients, feed and other products.

Paragraphs 4(2) of schedules 3 and 7 relate to authorisations involving GM maize MON 87427 and specify the method to be used in detecting this substance in products. Both paragraphs refer to the following document entitled “Event-specific Method for the Quantification of Maize MON 87427 Using Real-time PCR”, reference “EURL-VL-0417VP” as the one in which the relevant method is described. However, that reference number relates to the document also specified in para 4(2) of schedule 2 which prescribes the method for detection of GM maize MZIR098.

1. Please confirm whether the document references for “Event-specific Method for the Quantification of Maize MON 87427 Using Real-time PCR” in paragraphs 4(2) of schedules 3 and 7 should be to EURL-VL-03/12VP rather than EURL-VL-0417VP.
2. Please confirm whether any corrective action is proposed, and if so, what action and when.

On 2 May 2022, the Scottish Government responded:

1. Thank you for bringing this to our attention. It is correct that the document references for “Event-specific Method for the Quantification of Maize MON 87427 Using Real-time PCR” in paragraphs 4(2) of schedules 3 and 7 should be to EURL-VL-03/12VP rather than EURL-VL-0417VP.

2. We have considered whether there should be any corrective action.

When the whole title of the document, as it appears in the instrument, "*Event-specific Method for the Quantification of Maize MON 87427 Using Real-time PCR*", reference "EURL-VL-04/17VP", is searched, the correct reference document for GM Maize 87427 is reached, that being the document with reference number EURL-VL-03/12VP.

When the reference number "EURL-VL-04/17VP" alone is searched this leads to the document for GM Maize MZIR098. The title of the document, "*Event-specific Method for the Quantification of maize MZIR098 by Real-time PCR*" we consider, makes it immediately obvious for someone searching for the detection method for MON 87427 that this is incorrect.

Whilst paragraph 4(2) of schedules 3 and 7 cite the incorrect document reference number, the fact that the correct document title is listed in full and appears when a search is carried out (even with the incorrect reference number), we think, still allows the reader to find the correct reference document easily. Therefore, we are not proposing any corrective action.