

**Request from the European Commission related to the safeguard clause invoked by Austria on maize MON810 and T25 according to Article 23 of Directive 2001/18/EC**

**Scientific opinion of the Panel on Genetically Modified Organisms**

(Question No EFSA-Q-2008-314)

**Adopted on 04 December 2008**

**SUMMARY**

On 10 June 1999 and on 8 May 2000, Austria invoked Article 16 of Directive 90/220/EEC (safeguard clause) to provisionally prohibit the placing on the market of the authorised genetically modified (GM) maize events MON810 and T25 on its territory. In February 2004 and November 2007, Austria provided additional information to support the national safeguard measure to be considered under Article 23 of Directive 2001/18/EC. To define whether the information submitted by Austria comprises new information that would affect the environmental risk assessment for the uses laid down in the corresponding consent, the European Commission requested in a letter, dated 18 April 2008, a scientific opinion from the European Food Safety Authority (EFSA).

Following investigation of the evidence presented in the Austrian submission, the Scientific Panel on Genetically Modified Organisms (GMO Panel) of EFSA concludes that there is no new scientific evidence that would invalidate the previous risk assessments of maize MON810 and T25. Therefore, no specific scientific evidence, in terms of risk to human and animal health and the environment, was provided that would justify the invocation of a safeguard clause under Article 23 of Directive 2001/18/EC for the marketing of maize MON810 and T25, for its intended uses, in Austria.

**Key words:** GMOs, maize (*Zea mays*), MON810, T25, Austria, safeguard clause, human health, animal health, environment, Directive 90/220/EEC, Directive 2001/18/EC