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COMMISSION IMPLEMENTING DECISION

of 25 June 2013

authorising the placing on the market of food containing or consisting of genetically modified oilseed rape Ms8, Rf3 and Ms8 × Rf3, or food and feed produced from those genetically modified organisms pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council

(notified under document C(2013) 3873)

(Only the German text is authentic)

(Text with EEA relevance)

(2013/327/EU)

(OJ L 175, 27.6.2013, p. 57)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Implementing Decision (EU) 2019/1195 of 10 July 2019	L 187	43	12.7.2019



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Article 1

Genetically modified organism and unique identifiers

Genetically modified oilseed rape (*Brassica napus* L.) Ms8, Rf3 and Ms8 × Rf3, as specified in point (b) of the Annex to this Decision, are assigned the unique identifiers ACS-BNØØ5-8, ACS-BNØØ3-6 and ACS-BNØØ5-8 × ACS-BNØØ3-6 respectively, as provided for in Regulation (EC) No 65/2004.

Article 2

Authorisation

The following products are authorised for the purposes of Articles 4(2) and 16(2) of Regulation (EC) No 1829/2003 in accordance with the conditions set out in this Decision:

- (a) foods and food ingredients containing, consisting of, or produced from ACS-BNØØ5-8, ACS-BNØØ3-6 and ACS-BNØØ5-8 × ACS-BNØØ3-6 oilseed rape;
- (b) feed produced from ACS-BNØØ5-8, ACS-BNØØ3-6 and ACS-BNØØ5-8 × ACS-BNØØ3-6 oilseed rape.

Article 3

Labelling

For the purposes of the labelling requirements laid down in Articles 13(1) and 25(2) of Regulation (EC) No 1829/2003 and in Article 4(6) of Regulation (EC) No 1830/2003, the ‘name of the organism’ shall be ‘oilseed rape’.

Article 4

Monitoring for environmental effects

1. The authorisation holder shall ensure that the monitoring plan for environmental effects, as set out in point (h) of the Annex, is put in place and implemented.

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2. The authorisation holder shall submit to the Commission annual reports on the implementation and the results of the activities set out in the monitoring plan in accordance with Decision 2009/770/EC.

*Article 5***Community register**

The information set out in the Annex to this Decision shall be entered in the Community register of genetically modified food and feed, as provided for in Article 28 of Regulation (EC) No 1829/2003.

*Article 6***Authorisation holder**

The authorisation holder shall be ►**M1** BASF Agricultural Solutions Seed US LLC, USA, represented by BASF SE, Germany ◄.

*Article 7***Validity**

This Decision shall apply for a period of 10 years from the date of its notification.

*Article 8***Addressee**

This Decision is addressed to ►**M1** BASF SE, Carl-Bosch-Str. 38, 67063 Ludwigshafen ◄, Germany

▼B*ANNEX***▼M1****(a) Applicant and authorisation holder:**

Name: BASF Agricultural Solutions Seed US LLC

Address: 100 Park Avenue, Florham Park, New Jersey 07932, United States of America

Represented by BASF SE, Carl-Bosch-Str. 38, 67063 Ludwigshafen, Germany.

▼B**(b) Designation and specification of the products**

(1) foods and food ingredients containing, consisting of, or produced from ACS-BN005-8, ACS-BN003-6 and ACS-BN005-8 × ACS-BN003-6 oilseed rape;

(2) feed produced from ACS-BN005-8, ACS-BN003-6 and ACS-BN005-8 × ACS-BN003-6 oilseed rape.

The genetically modified ACS-BN005-8, ACS-BN003-6 and ACS-BN005-8 × ACS-BN003-6 oilseed rape, as described in the applications, express the phosphinothricin acetyl transferase (PAT) protein which confers tolerance to the herbicidal active ingredient glufosinate-ammonium and *barnase* (ACS-BN005-8) and *barstar* (ACS-BN003-6) proteins for male sterility and restorer of fertility.

(c) Labelling

For the purposes of the specific labelling requirements laid down in Articles 13(1) and 25(2) of Regulation (EC) No 1829/2003, and in Article 4(6) of Regulation (EC) No 1830/2003, the 'name of the organism' shall be 'oilseed rape'.

(d) Method for detection

- Event specific real-time PCR based method for the quantification of ACS-BN005-8, ACS-BN003-6 and ACS-BN005-8 × ACS-BN003-6 oilseed rape;
- Validated on seeds by the EU Reference Laboratory established under Regulation (EC) No 1829/2003, published at <http://gmo-crl.jrc.ec.europa.eu/statusofdoss.htm>
- Reference Material: AOCS 0306-B, AOCS 0306-F and AOCS 0306-G are accessible via the American Oil Chemists Society at <http://www.aocs.org/tech/crm>

(e) Unique identifiers

ACS-BN005-8, ACS-BN003-6 and ACS-BN005-8 × ACS-BN003-6

(f) Information required under Annex II to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity

Biosafety Clearing-House [to be entered in the Community register of genetically modified food and feed when notified].

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- (g) **Conditions or restrictions on the placing on the market, use or handling of the products**

Not required.

- (h) **Monitoring plan**

Monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC [*to be entered in the Community register of genetically modified food and feed when notified*].

- (i) **Post market monitoring requirements for the use of the food for human consumption**

Not required.