

## Genetic Engineering Newsletter 28

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### LEGAL AND POLITICAL DEVELOPMENTS

#### Europe

##### Labelling laws leaves EU in GMO quandary

The European Commission plans compulsory labels for all food products made from genetically modified organisms (GMOs). These strict measures have raised problems with U.S. farmers and exporters, who believe them to be unworkable. But they may be able to live with them if - as the Commission wants - they lead to the swift lifting of a three-year-old de facto ban on approvals of new GM varieties in Europe. Under new traceability proposals, any food product derived from a GM crop must be labelled as such, even if the genetic material is removed during the manufacturing process - as is the case with some vegetable oils. The regulation will require manufacturers to provide certificates of GM content at each stage of the production process, an obligation that according to U.S. farmers will augment costs and be an administrative burden open to mistakes and fraud. They would prefer a system based on the testing for GM content in the final product placed on the market. The Commission has been forced to take a tough line to appease a hard core of the six member States: France, Austria, Denmark, Luxembourg, Italy and Greece, which have said they would not authorise any new GM crops until the laws were in place. A total of 13 GM varieties have been in regulatory limbo since 1998, leaving companies like Monsanto and Novartis waiting for years to know whether their new strains of modified maize, soy and cotton can be sold in the EU. The Commission has now proposed that approvals restart immediately, even though the new

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labelling laws have not yet been adopted - a process that could take another two years. It suggested last month that the EU should license new GMOs as long as their producers agreed to be bound by the new rules. However, it appears that the hard core of member states are sticking to their guns, and demanding the legislation to be fully in place on the statute books before any new approvals could be made. During a meeting of EU environment ministers in Luxembourg in October, only Spain, the Netherlands and the UK showed any willingness to accept the Commission's idea. "It isn't possible to start discussing a possible end to the moratorium as long as there is no operational system on traceability and labelling, and that is some way off," the French Minister for the Environment Yves Cochet told during the meeting. Some countries, such as France and Luxembourg, are also hinting they may insist on additional laws covering the environmental liability of GMOs - leading to extra delays (Reuters 11/09/2001, cited from GENET 11/16/01). Germany might be about to join the group of countries opposing against a lifting of the moratorium. Germany's Minister for Consumer Protection, Food and Agriculture Renate Künast wrote a letter to the Commission signalling a shift in the country's policy towards overt support for the ban (Environmental Daily 10/17/2001, cited from GENET 10/31/2001).

#### GM seed labelling measures approved by the Welsh Assembly

The Welsh Assembly approved to take new measures towards genetically-modified seed after being threatened with a 300 million £ fine from the EU. Members voted to approve new regulations for strict labelling of GM seeds after being warned the Assembly was in breach of EU obligations as the measures should have been passed in February. Plaid Cymru abstained from the vote on the measures, saying they did not go far enough. The regulations come on top of new directives approved by the Assembly in October aimed at consolidating the internal market on seeds and introducing new safeguards on genetically-modified plant varieties. The Assembly was forced to scale down its opposition to GM crops after being warned refusal to do so could result in legal proceedings from Europe. The Lib-Lab coalition has pledged to press for a moratorium on all GM crop trials in Wales. That policy is in line with the Assembly's expressed desire to operate the most restrictive policy possible on future commercial GM crop developments within the context of existing EU legislation (icWales, UK, <http://icwales.icnetwork.co.uk/0100news/0200wales/page.cfm?objectid=11413817&method=full> - GENET 11/16/2001).

#### Slovak cabinet approves draft law on GM food

According to a draft bill which the cabinet passed on the 31<sup>st</sup> of October, genetically modified food products or food made of genetically modified materials will have to be labelled. If passed by parliament, the bill will be effective from the beginning of next year. The law on the use of genetic technologies and genetically modified organisms is the first of this kind in Slovakia and is necessary for harmonising the Slovak law in this field with the legal norms of the European Union (BBC Monitoring UK, cited from GENET 11/05/2001).

#### Lower yields and higher costs planting GM maize

The Spanish regional newspaper "Diario de Navarra" published some results of a three years study on the transgenic maize variety COMPA CB which is based on Novartis event 176 maize. According to the news the yields of the transgenic variety are no higher and in fact often lower than equivalent non-GMO maize varieties. The seed costs about 1000 pesetas more per dosis (packets of 50.000 seeds). For these reasons, plus the fact that transgenic maize is now hard to market, the Navarre Agricultural Research Institute (ITG.A) considers to cease the transgenic maize production

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in Navarre (Diario de Navarra 10/23/2001; cited from GENET 10/29/2001).

## **North America**

### US regulators renew the registration for Bt corn use for 7 years / economist are studying the economic impact of planting Bt corn

The U.S. Environmental Protection Agency (EPA) renewed the registration for the cultivation and marketing of five Bt maize varieties, which had been applied by several companies. According to the EPA risk assessment studies on the Bt-varieties made by Monsanto Co., DuPont Co., Dow Chemical and Syngenta AG didn't reveal any risks for human health or the environment (Reuters 10/18/2001, cited from GENET 10/18/2001. A team of researchers at the Purdue University (USA) which studied the economic impact of planting Bt corn found out that higher-priced Bt seed, combined with lower corn borer infestation levels and other issues, makes transgenic corn less attractive than traditional varieties for farmers in Indiana. Bt corn costs are often higher than returns in Indiana. In total farmers at the eastern end of the nation's Corn Belt are less likely to recover the cost of planting seed containing the gene *Bacillus thuringiensis* (Bt), than producers farther west, (AgAnswers, by Purdue University, USA – 10/25/2001 - [http://www.agriculture.purdue.edu/aganswers/2001/10-26\\_Corn\\_Costs.html](http://www.agriculture.purdue.edu/aganswers/2001/10-26_Corn_Costs.html); cited from GENET 10/29/2001)

### Restaurants and grocers asked to avoid transgenic fish

Three environmental groups are asking seafood retailers across the United States not to sell genetically engineered fish and to oppose their commercialisation. Citing potential negative human health effects and a threat to the genetic purity of wild salmon, Friends of the Earth, the Center for Food Safety, and Clean Water Action announced a new campaign that aims to prevent the commercialisation of genetically engineered fish. Transgenic fish of various species of salmon, tilapia, channel catfish and others are being actively investigated worldwide as possible new food producing varieties (Environmental News Network 10/22/2001; cited from GENET 10/31/2001).

### Food policy Institute awarded 2.5 million \$ from USDA

The US Department of Agriculture (USDA) awarded a \$ 2.5 million grant to the Food Policy Institute, a multi-disciplinary and multi-institutional institute based at Cook College and the New Jersey Agricultural Experiment Station. The grant was awarded for evaluating the consumer perception on biotechnology, which is seen as a key issue facing the food industry and the public (Ascribe News, The Public Interest Newswire <http://www.ascribe.org>; cited from AGNET 10/26/2001).

### Organic Farmers from Saskatchewan plan suit against biotech companies

Saskatchewan organic farmers plan to take legal aim at developers of genetically-modified (GM) crops, claiming that transgenic canola has crashed their market for the oilseed. At a news conference the Saskatchewan Organic Directorate (SOD) announced its intention to file a class action lawsuit, likely against companies involved in GM crop development such as Monsanto. The group's lawyer was cited as confirming that SOD will launch a fund today to pay for the claim. The lawsuit will seek compensation from 'those responsible for the damage caused to organic farmers of Saskatchewan caused by the introduction of genetically engineered canola.' The suit will also attempt to prevent the introduction of GM wheat into Saskatchewan. There was no indication when the suit will be filed (The Leader-Post, Canada 10/12/2001; cited from GENET 10/29/2001).

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## Asia

### Bt cotton controversy in Gujarat/India – an update

Unapproved GM cotton (the variety "Navbharat 151") was detected in Gujarat (India) in the beginning of October (see Genetic Engineering Newsletter 27). The company Navbharat Seeds which sold this variety announced now that it has not carried out genetic engineering methods to produce seeds. The company has even no facilities of genetic engineering research. It has basically produced a hybrid from cotton plants collected from Maharashtra, selected superior hybrids, which had been registered as the hybrid "Navbharat 151". This hybrid variety was marketed during the last two years. The company argues that the source of the Bt-gene in the "Navbharat 151" hybrid has come from either the open field trials undertaken by Monsanto and MAHYCO or by cross-pollination from their trials with other cotton varieties. In either case Monsanto and MAHYCO are the source of the genetic pollution which has now entered the commercial seed supply through hybridisation either intentional or natural (Research Foundation for Science, Technology and Ecology, India – 11/ 12/2001; cited from GENET 11/14/2001).

## Others

### New Zealand: Government extends moratorium on commercial GE release

New Zealand's Prime Minister Helen Clark today confirmed the Government would extend a moratorium on the commercial release of genetically engineered organisms for two years. She also confirmed the widely signalled plan to allow GE research to continue under "contained conditions" with mandatory controls and monitoring (New Zealand Herald – 10/30/2001 – <http://www.nzherald.co.nz/storydisplay.cfm?storyID=225617&thesection=news&thesubsection=general> – cited from GENET 10/30/2001)

### Mexico: Fox administration to legalize GM crops

According to Greenpeace the Mexican Agriculture Secretariat (Sagarpa) is working to legalize the cultivation of genetically modified (GM) crops. Sagarpa discussed in closed-door meetings with agribusiness executives, the creation of a measure that would set the rules by which GM agricultural products could be grown and sold on a large scale (The News Mexico – 11/02/2001; cited from GENET 11/06/2001).

### Soya productivity in Brazil surpassed the USA without transgenics

Soybean productivity in Brazil surpassed that of the United States this year, thanks to technological advances in agriculture which did not include the use of genetically modified crops. Brazil's productivity averaged 2,708 kg per hectare this year, compared to 2,594 kg per hectare in the United States, as calculated by the US Department of Agriculture (Inter Press Service (IPS/IMS), Rio de Janeiro – 10/08/2001; cited from AGNET 10/09/2001).

## SCIENCE NEWS

### Transgenic plants for the production of medicines and vaccines

A considerable selection of medicines are produced today by genetic engineering methods. Up to now mainly bacteria and cell cultures derived from animals are used to produce pharmaceutical products like insulin, interferon or vaccines against jaundice. But the production of medicines in

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bacteria or mammal cell cultures has several disadvantages. First the production is quite expensive, since the proteins have to be further processed prior to their application, and second the proteins can cause immune defence reactions or can transmit pathogens like the hepatitis B virus. Interestingly in the public debate when the bacterial derived human insulin was introduced the opponents discussed the argument of bacterial toxins and also the other problems. (On this point it should also be mentioned, that we don't know anything about the possible production of plant toxins and plant derived allergens.) According to Dr. Stefan Schillberg from the Fraunhofer Institute for Molecular Biology and Applied Ecology in Aachen, Germany, the production in plants has the advantage that plants don't produce bacterial toxins, viruses or other pathogens. The expression of heterologous proteins and antigens in plants could be a safer and more economic way to produce pharmaceutical substances. The plant cell contains all components of the protein biosynthesis of higher developed organisms, including mammals, so it is also possible to produce highly complex proteins in plants on condition the gene encoding for these proteins are characterized and suitable gene constructs, which can be successfully transferred into plants, are developed. Another vision regarding the use of plants as "bioreactors" is the possibility to produce edible vaccines in plants. But up to now it is not known how to achieve, that the vaccines are produced steadily in the same concentrations. There exists also a lack of research regarding the absorption of such vaccines. Prior to the application of transgenic plants as "bioreactors" an adequate risk assessment has to be carried out. It has to be guaranteed that health risks and environmental risks, like outcrossing of the transgenic plants including the transfer of foreign genes to closely related wild races and food crops, don't occur. That will be a hard task to achieve (Schillberg & Fischer: Molecular Farming, Enzyklopädie Naturwissenschaft und Technik, 6. Erg.-Lfg. 2/2001; Chargelegue et al.: Transgenic plants for vaccine production. HMS Beagle, Issue 112, 10/12/2001; <http://news.bmn.com/hmsbeagle/112/notes/feature12>).

#### Research on the impact of genetically engineered fish

The U.S. Agency for International Development (AID) has given a four-year, \$425 000,00 grant to the Institute for Social, Economic and Ecological Sustainability (ISEES) at the University of Minnesota for building up the capacity of scientists, regulators and environmental leaders in Thailand to evaluate and regulate the environmental safety of genetically engineered organisms. The AID grant will support the first scientific research on the effects of introducing GM tilapia, a fish that is a major food source in the region. Tilapia has been genetically engineered for growth enhancement. Large numbers of tilapias are raised in fish farms around the world. The species is not native in Thailand, but some have escaped into natural rivers and wetlands and established wild populations. The work will evaluate the potential safety or risk to biodiversity from the introduction of this transgenic line. According to ISEES Director Anne Kapuscinski, a professor of fisheries and conservation biology and principal investigator for the grant, the Thai government has discouraged several requests to introduce GM tilapia on account of the absence of case-specific risk assessment data and insufficient capability to assess and control genetically modified organisms.

The project will measure the likelihood that genetic material will flow from the introduced genetically modified tilapia to the existing wild populations of the fish. The impact of the introduction on other fish populations will also be evaluated. Another goal of the project is to help officials in Thailand and neighbouring countries in increasing their skills in science-based risk assessment and safety management of genetically engineered organisms (GENET 11/06/2001).

#### Pollen transport via honey bees

Daniel Skinner from the Washington State University and Paul St. Amand from the Kansas State University have carried out a three-year risk assessment study on the cultivation of alfalfa (*Medicago*

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*sativa*). According to Daniel Skinner the first commercially available transgenic alfalfa variety can be expected in 2004, therefore it is necessary to evaluate suitable isolation requirements for fields of transgenic alfalfa. Alfalfa relies on insects like honey bees and leafcutter bees for pollination. To evaluate adequate isolation distances it has to be investigated how far these insects carry the transgenic pollen. Skinner and St. Amand planted alfalfa that carried a rare but naturally occurring molecular marker, which allowed the pollen to be tracked as if it contained a new gene. They tracked pollen movement from the marker-bearing alfalfa plants to trap plots planted up to about 1000 m away. Using statistical models Skinner and St. Amand estimated that a minimum isolation distance of about 1.500 m may be required to prevent gene flow. It has to be noted that some putative pollinators fly even greater distances. Such movements couldn't be detected, because of the lack of trap plots in larger distances (<http://www.checkbiotech.org> – 10/11/01).

#### Outcrossing of transgenic squash into wild relatives

Hybridisation between crops and their weedy or wild relatives is an area of concern because the widespread use of genetically engineered crops may allow novel transgenes to enter nearby populations. It is known that crops such as rice, sunflower, rape, squash, sorghum, sugar beet and carrot can hybridise with wild relatives. However, the potential benefits of crop genes to populations of wild relatives, especially the inserted traits of genetically engineered cultivars, are unknown. Possible consequences of gene transfer into wild species or of propagation of transgenic plants cannot be foreseen. For example Canadian farmers are facing now a new weed problem. Transgenic rape varieties carrying a gene for herbicide resistance appeared this summer in fields, where other crops are planted. These canola plants compete with the planted crop - like a weed - about nutrients, water and light. Attempts to eliminate the "new weed" by using conventional herbicides haven't been successful (GENET, 06/22/01, [www.gene.ch/genet.html](http://www.gene.ch/genet.html)). There exists also the possibility that transgenic rape plants hybridise with wild weedy relatives, which could become a kind of "super-weed-species" hardly to get rid off. Spencer & Snow (2001) investigated the extent of gene flow and hybridisation between a transgenic yellow squash cultivar, called Asgrow's Freedom II (a transgenic cultivar of *Cucurbita pepo ssp. ovifera*, var. *ovifera*) and its wild relatives (*Cucurbita pepo ssp. ovifera*, var. *ozarkana* and var. *texana*). In addition they compared different fitness components of both varieties and of wild-crop hybrids (for example survival of seedlings, flowering phenology, flower production and seed production). Flowering times of wild and hybrid plants overlapped extensively, allowing hybrids to backcross with neighbouring wild plants. The study demonstrates that hybrids between transgenic yellow squash and wild *Cucurbita pepo* are vigorous enough to contribute to the gene pool of subsequent generations, thereby allowing transgenes to introgress into free-living populations (Spencer, L.J. & Snow, A.A. (2001): Fecundity of transgenic wild-crop hybrids of *Cucurbita pepo* (*Cucurbitaceae*): implications for crop-to-wild gene flow. *Heredity*, 86, 694-702).

#### New "golden-nematode-resistant" potato developed

Scientists from the US-American Agricultural Research Service (the chief scientific research agency of the U.S. Department of Agriculture) developed a new potato that resists the golden nematode (*Globodera rostochensis*) by using traditional breeding methods. This is an important development because when uncontrolled the pest can reduce potato yields by 80 percent. The golden nematode is known to occur in cooler region of subtropical and tropical areas as well as in temperate regions around the world. The new nematode-resistant potato is named "Eva". Eva is available from foundation seed growers in New York, Pennsylvania and Maine (AGNET 10/10/01).

At the Amsterdam University researchers have produced a substance in laboratory which wakens

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potato cyst nematodes (eelworms) from hibernation. Using this substance in a field of potatoes the eelworms came out of hibernation too early and died from starvation. As mentioned above nematodes cause serious damage to potato crops throughout the world.

Potato cyst nematodes are normally hatched from their protective cyst in spring by a substance excreted by potato plants. Each cyst is in fact the swollen remains of a mature female and it contains several hundred fertilised egg cells. The young nematodes attracted by the potato secrets penetrate the potato plants and live as a parasite on the plant. As result, its growth is impeded. Looking for an environmental-friendly way of confusing the young nematodes the scientists at the Amsterdam University synthetically produced a substance very similar to the substance solano-ecelepin A, which young potato plants excrete via their roots. By testing their products two derivatives showed a promising ability to hatch juvenile nematodes. The team intend doing further research on a wide range of substances derived from solano-ecelepin A. The tests are intended to produce a biologically active substance which will provide an environmentally-friendly means of protecting potato crops against nematode infestation. Farmers would then be able to combat the pest with the substance. They would treat fallow fields with it in order to awaken the nematodes in the ground. These would then die because there would be no potatoes to feed on. Next season, potatoes could be planted without any danger of their being infected by the parasite (AGNET 10/09/2001).

#### Californian researchers developed new natural pesticide

A research team of the company AgraQuest, Inc., in Davis, California developed a natural pesticide that is just as effective as conventional pesticides. Pamela Marrone and her team discovered and developed a strain of the soil bacterium *Bacillus subtilis* that fights a variety of fungal and bacterial diseases, including gray mold, powdery mildew, leaf and stem blights, and fireblight. Called Serenade®, this natural pesticide attacks pathogens on several fronts: it prevents them from attaching to leaves, stops fungal spores from growing, disrupts spore growth and activates the plant's natural defenses. It can be used on pome fruits, grapes and vegetables. Found in an orchard in Fresno County, Calif., Serenade® is just as, or more, effective than conventional pesticides but virtually nontoxic to humans, birds, fish and invertebrates. Farmers may use the pesticide with their existing integrated pest management or biological control systems because it doesn't cause secondary diseases or insect problems, and it is nontoxic to beneficial insects. The U.S. Environmental Protection Agency has approved the pesticide for agricultural and home and garden use. The research team received one of two 2001 Industrial Innovation Awards awarded by the American Chemical Society (AGNET 10/22/2001).

#### Short Notes

**First transgenic animal developed via spermatogonial stem cells by retroviral DNA insertion:** Scientists at the University of Pennsylvania, School of Veterinary Medicine have successfully used a retrovirus to modify genes in spermatogonial stem cells in a mouse - the first instance, in any species, of a transgenic animal created by inserting a gene into male germ-line stem cells. Previous attempts to genetically alter this unique type of stem cell, either through retroviruses or other methods, have met with little success. Retroviruses are the most common vehicles for introducing genes in human somatic cell gene therapy, and some scientists had expressed concern that this approach might result in genetic alterations to germ-line cells. The paper indicates that the germ cells are indeed susceptible to insertion of foreign genes via retroviruses, although the somatic cells that surround stem cells in the body most likely provide a protective shield (GENET 10/23/01).

**Cloning human beings is more likely possible by now:** Scientists of the Oregon Regional Primate Research Center have created the first embryonic clones of an adult primate and are preparing to implant them into surrogate mothers. The work is a significant development in cloning

technology. Until now all the research had suggested that primates would be far more difficult to clone than species such as sheep and goats, which have already been used more or less successfully in experiments (Sunday Times 10/28/2001, cited from GENET 10/30/2001).

## **BUSINESS NEWS**

### Monsanto under fire for 'pirating' Chinese soy strain

Agro-chemical giant Monsanto is under attack from Greenpeace for seeking to patent a natural gene sequence originating from a wild Chinese species of soya. Some experts are worried that the patent would block both local farmers and researchers from freely accessing the soya. As early as April 2000, Monsanto filed the patent application in up to 101 countries, including the United States and China. The application, which claims a total of 64 rights, is presently under evaluation in the patent offices of relevant countries (China Daily – 10/30/2001; cited from GENET 11/05/2001).

### Pharmacia seen spinning off Monsanto

Pharmacia Corp. will likely spin off Monsanto Co. to shareholders next spring as the drug company seeks to rid itself of its volatile agricultural business. Pharmacia completed its acquisition of Monsanto in March last year. Its aim was to gain access to Monsanto's drug unit, which developed the blockbuster arthritis drug Celebrex. Under the transaction, however, Pharmacia also acquired the agricultural business. The requirement to hold on to Monsanto ends in March 2002, and analysts believe Pharmacia will waste no time in getting rid of a business which develops genetically transformed crops and whose main product is Roundup herbicide. Pharmacia has already sold off 15 percent of Monsanto (Reuters . 11/12/2001; cited from GENET 11/14/2001).

## **NEWS FROM ORGANIC FARMING**

### Thailand: The Thai government will promote Organic Farming

The Thai government will promote Organic Farming by financing teaching projects for farmers. In addition financial support is also given to switching farmers. A certificate for chemical-free products or organic transition will also be issued (The Bangkok Post – 11/08/2001; cited from <http://www.checkbiotech.org>).

### Organic Agriculture Worldwide 2001 published by Stiftung Ökologie & Landbau

The third edition of the study “Organic Agriculture Worldwide”, written by Helga Willer and Minou Yussefi, has been published now by “Stiftung Ökologie & Landbau”. Organic agriculture has rapidly developed world-wide the last few years. The third edition of “Organic Agriculture Worldwide” aims at documenting concisely recent developments in global organic farming. In this edition the focus is laid on the world organic market, which exceeds yearly growth rates of more than 20% in some countries (the publication can be downloaded from the internet at [http://www.soel.de/inhalte/publikationen/s\\_74\\_03.pdf](http://www.soel.de/inhalte/publikationen/s_74_03.pdf))

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Annotation:

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