FORMAT FOR THE PRESENTATION OF THE RESULT OF DELIBERATE RELEASE INTO THE ENVIRONMENT OF GENETICALLY MODIFIED HIGHER PLANTS IN ACCORDANCE WITH ARTICLE 10 OF DIRECTIVE 2001/18/EC

1 GENERAL INFORMATION

1.1 European notification number: B/ES/09/26

1.2 Member State of notification: Spain

1.3 **Date of consent and consent number:** Aragón: March 13rd 2009, Cataluña: March 6th 2009 and modification on July 30, 2009

2 REPORT STATUS

2.1 Please indicate whether, according to Article 3 of the present Decision, the current report is:

- the final report
- ~~a post-release monitoring report~~
~~- final - intermediary~~

3 CHARACTERISTICS OF THE RELEASE

3.1 Scientific name of the recipient organism: *Zea mays*

3.2 Transformation event(s) (acronym(s) or vectors[1] used (if transformation event identity not available): 1507xNK603

3.3 Unique identifier, if available : DAS-Ø15Ø7-1xMON-ØØ6Ø3-6

3.4 Please provide the following information as well as the field(s) layout:

[1] In the case of small-scale field trials where several lines may be tested, the vectors used should be mentioned, which gives insight into the introduced traits and/or genetic elements. In the case of larger-scale trials, the number of events notified is limited to only one or a few events.

Geographical location(s) (administrative region and, where appropriate, grid reference)	**Size of the release site(s) ([2]) (m2)**	**Identity ([3]) and approximate number of GM higher plants per event actually released (number of seeds/plants per m2)**	Duration of the release(s) (from … (day/month/year… until… (d/m/y)
Ejea de los Caballeros Zaragoza (Aragón)	Total surface of the release: 4266 m² - 1507xNK603 maize area: 54 m²	1507xNK603 maize: ~ 8,5 plants/m²	From 20/05/09 To: 03/11/09
Nuez de Ebro Zaragoza (Aragón)	Total surface of the release: 4896 m² - 1507xNK603 maize area: 54 m²	1507xNK603 maize: ~ 8,5 plants/m²	From: 21/05/09 To: 05/11/09
Gimenells i El Pla de la Font Lleida/Lérida (Cataluña)	Total surface of the release: 4389 m² - 1507xNK603 maize area: 54 m²	1507xNK603 maize: ~ 8,5 plants/m²	From: 22/06/09 To 12/08/09

([2]) Specify the size of the GM area and, where appropriate, the size of the non-GM area (e.g. non-GM border)
([3]) Vectors used

See the trial layouts in Annex 1.

4 ANY KIND OF PRODUCT THAT THE NOTIFIER INTENDS TO NOTIFY AT A LATER STAGE

4.1 Does the notifier intend to notify the released transformation event(s) as product(s) for placing on the market under Community legislation(s) at a later stage ?

Placing on the market of 1507xNK603 maize for food and feed uses, import and processing in the European Union has been authorized by Commission decision 2007/703/EC.
Cultivation dossier has been applied under # EFSA-GMO-UK-2005-17 by another juridical entity of the group.

☐ YES ☑ NO ☐ Unknown to date

If yes, indicate the country(ies) of notification:
If yes, specify for which use(s):

- ☐ Import
- ☐ Cultivation (eg ; seed/planting material production)
- ☐ Food
- ☐ Feed
- ☐ Pharmaceutical use (or processing for pharmaceutical use)
- ☐ Processing for

- Food use
- Feed use
- Industrial use

- ☐ Others (specify) :

5 TYPE(S) OF DELIBERATE RELEASE(S)

Please select the main type(s) (in boxes) as well as subtype(s) of the release(s). In the case of multi-sites, multi-events and/or multi-annual release(s), please provide a general overview of the type(s) of deliberate release(s) which has/have been carried out for the full duration of the consent. Please tick the appropriate type(s):

5.1 Deliberate release(s) for research purposes ☐

5.2 Deliberate release(s) for development purposes ☑

☐- Event screening
☐- Proof of concept [2]
☑- Agronomic performances (e.g. efficiency/selectivity of plant protection product, yield capacity, germination capacity, crop establishment, plant vigour, plant height, susceptibility to climatic factors/diseases, etc.) (specify) Yield potential and susceptibility to climatic factors and diseases
☐- Altered agronomic properties (e.g. disease/pest/drought/frost-resistance, etc.) (specify)
☐- Altered qualitative properties (prolonged shelf-life, enhanced nutritional value, modified composition, etc.) (specify)
☐- Stability of the expression
☐- Multiplication of lines
☐- Hybrid vigour study
☐- Molecular farming[3]
☐- Phyto-remediation
☐- Others : (specify)

5.3 Official testing ☐

☐- Variety registration on a national variety catalogue
- DUS (=Distinctness, Uniformity and Stability)
- VCU (=Value of Cultivation and Use)

- Others : (specify) : …….

5.4 Herbicide authorization ☐

5.5 Deliberate release(s) for demonstration purposes ☐

[2] For example, testing the new trait under environmental conditions.
[3] « Molecular farming » means the production of substances (for instance, proteins, pharmaceuticals) by plants, which have been genetically modified for a particular trait. "Molecular farming" could be defined as well as the production of plant-synthesized pharmaceuticals, plant-made pharmaceuticals, plant-based proteins production, etc.

5.6 Seeds multiplication ☐

5.7 Deliberate release(s) for biosafety/risk assessment research ☐

☐- Vertical gene transfer studies
- Out-crossing with conventional crops
- Out-crossing with wild relatives

☐- Horizontal gene transfer studies (gene transfer to micro-organisms)
☐- Management of volunteers
☐- Potential changes in persistence or dispersal
☐- Potential invasiveness
☐- Potential effects on target organisms
☐- Potential effects on non-target organisms
☐- Observation of resistant relatives
☐- Observation of resistant insects
☐- Others : (describe) .....

5.8 Other(s) type(s) of deliberate release(s) : ☐

(Describe) : .....

6 METHOD(S), RESULT(S) of the release, management and monitoring MEASURE(S) IN RESPECT OF ANY RISK TO HUMAN HEALTH OR THE ENVIRONMENT

6.1 Risk management measure(s)

Please report the risk-management measures, which have been used to avoid or minimise the spread of the GMO(s) outside the site(s) of release, and in particular those measures :

- *Which were not originally notified in the application,*
- *Which were applied in addition to the conditions in the consent,*
- *Which the consent required only under certain conditions (e.g. dry periods, flooding),*
- *For which the consent allowed the notifier a choice among different measures.*

Tick the examples where appropriate:

6.1.1 Before the sowing/planting :

☑ - Clear labeling of the GM seeds (distinct from other seeds/tubers/etc.) (describe):
Each lot of genetically modified seed was in small paper envelopes, clearly labeled as containing genetically modified material. Each envelope was identified with the entry code according to the experimental protocol, contained the amount of seed needed for one experimental plot, and remained closed until planting.

☑ - Segregation during the processing and transport of the seed/planting material (describe the method involved; provide example(s) of containment to prevent spillage during the processing and transport)
Transport of the seed to the field was done on the planting day, in the envelopes ordered according to the trial design, and inside conveniently labeled and closed boxes.

☑ - Destruction of superfluous seeds/planting material (describe the method involved).

All the GM seeds were planted. There were not any remaining seed, except the remaining seed collected from the planting machine which were buried in the soil as described in 6.1.2.

☐ - Temporal isolation (specify)

☐ - Rotation (specify the previous crop)

☑ - Other(s): (specify):

It was checked that the isolation distance was longer than established in the authorization (at least 200 m to any other non-experimental maize crop).

6.1.2 During the sowing/planting activities :

☑ - Method of sowing/planting (describe)

Seeds were planted with a special sowing machine designed for micro-plot testing which allows an easy cleaning of the remaining seeds and avoids any mixture of seeds.

☑ - Emptying and cleaning of the sowing machinery on the field of release.

At the end of the individual plot sowing, the remaining seeds in the machine (if any) were aspired to a specific container in the planter. Once the sowing was finished at each location the planting equipment was carefully inspected and cleaned before leaving the trial area, and all the remaining seeds were buried in the soil.

☑ - Segregation during the sowing (provide example of containment to prevent spillage during the sowing/planting).

Seeds came to the field in individual envelopes per each micro-plot, and each envelope was opened only after the previous plot was planted, and the remaining seed was captured in the container on the planter.

☐- Other(s) : (specify):

6.1.3 During the period of release :

☑ - Isolation distance (x meters)

- From sexually compatible commercial plant species

  An isolation distance of at least 200 meters was kept from GM trials to any other maize crops
- From sexually compatible wild relatives

  Not applicable, maize has not any sexually compatible relatives in Europe

☑ - Border rows (with the same crop or a different one, with a non-transgenic crop, x meters, etc)

At least eight border rows of non-genetically modified maize of a similar maturity were seeded around the whole trial. At the end of the release, these non-genetically modified maize rows were destroyed like the rest of the plants in the trial.

☑ - Cage/net/fence/signpost (specify):

In the location of Ejea de los Caballeros (Zaragoza), in Aragón, the whole plot where the trial was carried out was surrounded by a fence to protect the trial against predators damage.

☑ - Pollen trap (specify):

The conventional maize hybrid of similar maturity planted around the trial created a pollen trap. At the end of the release, these non-GM rows were destroyed like the rest of the trial.

☐ - Removal of GM inflorescences before flowering (indicate the frequency of removal)

☐ - Other(s): (specify):

6.1.4 At the end of the release :

☑ - Harvest/destruction methods (of crop or part of it) / other means (e.g.: sampling) (describe)

In the locations of Aragón, the harvest of the border rows sown around the trials as pollen traps, and the harvest of each micro-plot in the trials were done using a combine designed to harvest micro-plot trials for agronomic value, and that provides the yield in kilograms and the percentage of moisture of the grain for each individual micro-plot. Once these evaluations were finished, the grain harvested was destroyed using a milling equipment installed in the combine.

The remaining plant materials were destroyed with a chopper equipment installed in the combine, and additionally, by several choppings or disk ploughing.

In the location of Cataluña, the destruction of the trial was done during the vegetative stage of the crop, and before the pollen shed. The reason of this anticipated destruction was due to a heavy hail storm which damaged the plants considerably, and consequently it made impossible to take any relevant data. For the destruction in this location, a chopper and afterwards a disk plough for deep ploughing were used.

☑ - Harvest / destruction before the ripeness of the seeds

In Gimenells (Cataluña), the destruction of the trial was done during the vegetative stage of the crop, before flowering stage as described in paragraph above.

☐ - Effective removal of plant parts

☐ - Segregated storage and transport of crop/waste (provide examples of containment to prevent spillage of collected seeds/crops/wastes)

☑ - Clean up of machinery on the release site.

All the machinery used was carefully cleaned on the release site.

☑ - Destination of the waste, treatment of waste/ surplus yield/plant residues (describe)

In all locations, all the plant residues generated during the release were chopped and incorporated into the soil by deep ploughing.

☑ - Post-harvest treatment and cultivation measures on the release site (describe the method for preparing and managing the release site at the end of the release, including cultivation practices)

Trial area has been chopped several times to destroy the plant material and then deep ploughed to incorporate all the plant waste into the soil.

☐ - Other(s): (describe):

6.1.5 Post-harvest measures:

Please indicate which measures were taken on the release site after harvest:

Frequency of visits (average) Approximately every two months

☑ - Subsequent crop (specify)

The following crop will be any crop different from commercial maize

☑ - Crop rotation (specify)

The following crop will be any crop different from commercial maize

☐ - Fallow/no crop (specify)

☐ - Superficial soil work / no deep ploughing

☐ - False-sowing beds

☑ - Control of volunteers (specify intervals and duration).

A proper monitoring of volunteers will be implemented during the one-year period following the end of the release. If volunteers are observed they will be destroyed before flowering. Special attention will be paid during the period from soil preparation

for sowing to pre-flowering stage. If needed, any undesired plant emerged would be destroyed by means of machines, or by an appropriate herbicide treatment.

☐ - Appropriate chemical treatment(s) (specify)
☐ - Appropriate soil treatment(s) (specify)
☐ - Other(s) (specify)

6.1.6 Other(s) measure(s) : (describe)

6.1.7 Emergency plan(s)

Indicate :

a) If the release proceeded as planned :
- Yes, at Nuez de Ebro and Ejea de los Caballeros (Aragón)
- No (describe for which reason, e.g. vandalism, climatic conditions, etc.)
  No, at Gimenells I El Pla de la Font (Cataluña). The trial was damaged by a heavy hail storm on 1st August, 2009. For agronomic reasons, it was thus terminated earlier. The plants had not reached the flowering stage.

b) if measures according to the emergency plan(s) (Article 6(2)(a)(vi) and Annex III.B of Directive 2001/18/EC) had to be taken
- No
- ~~Yes (describe~~):

6.2 Post-release monitoring measures

Due to the fact that the current report format can be used for the final and post-release monitoring report(s), the notifier is asked to clearly make the difference between both types of report through this section 2 of Chapter 6. Please indicate whether
- **The post-release monitoring plan will start** (in the case of a final report, after the last harvest of the GM higher plants),
- **The post-release monitoring plan is ongoing** (in the case of an intermediary post-release monitoring report),
- **The post-release monitoring plan has been completed** (in the case of the final post-release monitoring report)
- **No post-release monitoring plan has to be fulfilled.**

The results of this monitoring are meant to confirm or invalidate earlier assumptions in the risk assessment.
According to the aforementioned cases, please indicate which monitoring measure(s) will be/are/were taken and where (on the release site/near the site (e.g. on fields edges)). Please be aware that all post-release monitoring measures taken during the whole post-release period shall be indicated here.

The destruction of the trials was made on August 12th in Gimenells (Lérida), November 3rd in Ejea de los Caballeros (Zaragoza) and November 5th in Nuez de Ebro (Zaragoza). The post-release monitoring plan started on these dates.

The trial sites will be visited regularly in order to monitor the presence of volunteers. If they were any, they would be destroyed by means of machines or by an appropriate herbicide treatment. However, at Gimenells i El Pla de la Font, probability of volunteer emergence is negligible since the trial was destroyed prior to flowering (and thus prior any grain production). There were not volunteers in the trial sites so far. No commercial maize will be sown in those sites during 2010.

Specify :

☑- Monitoring measures within site
Duration: one year after the end of the release.
Frequency of visits (average) :approximately every two months
- ~~Observation of resistant relatives~~
- ~~Observation of resistant insects~~
- Control of volunteers (specify intervals and duration): Regular visits, more frequent if some volunteers are detected and destroyed.
- ~~Monitoring of gene flow (specify)~~
- ~~Appropriate chemical treatment(s) and/or soil treatment(s)~~
- ~~Others (specify)~~

☐- Monitoring measures of adjacent areas: Not applicable
Duration
Frequency of visits (average) :
Area monitored :
- Observation of resistant relatives
- Observation of resistant insects
- Control of volunteers and/or monitoring of feral populations (specify intervals and duration)
- Monitoring of gene flow (specify)
- Appropriate chemical treatment(s) and/or soil treatment(s)
- Others (specify)

6.3 Plan for observation(s)/methods(s) involved

In this section the observation plan and the methods used to collect the effects which have to be reported under the next section (section 6.4) need to be specified. Any amendments or modifications to the plan as proposed in the application and the SNIF[4] part B need to be specified in detail.

During the time between the notification and the final report submission, new scientific insights or methods may be developed which cause a change in the methods used. In particular these modifications need to be specified under this section.

The observations were and will be done visually.

On July 2nd , and once the crop was established, a representative from the "Centro de Semillas y Plantas de Vivero" of the Agriculture and Food Departement of the Aragon Government visited the two trial sites in Aragón with a representative of the company in

[4] Summary notification information format (=SNIF)

order to check the fulfillment of the requirements for the GMO release. He also attended the harvest and destruction of the trials.

On both the planting and the destruction date, a representative from Agriculture, Food and Rural Action Department of the Catalan government (Generalitat de Cataluña) visited the trial site in Cataluña with a representative of the company, verifying compliance with regulatory requirements.

6.4 Observed effect(s)

6.4.1 Explanatory note

All results of the deliberate release(s) in respect of any risk for human health or the environment shall be stated, without prejudice to whether the results indicate that any risk is increased, reduced or remains unchanged.

The main objectives of the information given in this section are :

- To confirm or invalidate any assumption regarding the occurrence and impact of potential effect(s) of the GMO(s) which was/were identified in the environmental risk assessment,
- To identify effect(s) of the GMO(s) which was/were not anticipated in the environmental risk assessment.

The observed **effect(s)/interaction(s)** of the GMO(s)

- With respect to any risk to human health,
- With respect to any risk to the environment

Shall be reported under this section.

Particular attention shall be drawn to unexpected and unintended effect(s).

Indications as regards the effects, that the notifier may have to report, are provided hereunder. The effects have obviously to be considered in the light of the crop, the new trait, the receiving environment as well as the conclusions of the environmental risk assessment, which is carried out on a case-by-case basis.

In order to structure the information and to facilitate and efficient search within the given information, the notifier shall use, as far as possible, specific keywords to fill in the text fields under Chapter 6, especially sections 6.4.2, 6.4.3 and 6.4.4. A most updated list of those specific keywords is available on the Internet at : http://gmoinfo.jrc.it.

6.4.2 Expected effect(s)

This section concerns « expected effects », that is to say, potential effects which were already identified in the environmental risk assessment of the notification and could therefore be anticipated.

Notifiers should supply data from the deliberate release(s) which validate the assumptions made in the environmental risk assessment.

The potential reduction in the control of certain lepidopteran insect pests, such as the European corn borer (*Ostrinia nubilalis*), if the target insect pests develop resistance to the insecticidal protein as expressed in 1507xNK603 maize, has been identified in the environmental risk assessment of the notification, as the only potential risk resulting from the interaction between the genetically modified maize and the target organisms. In the trials carried out, no loss of efficacy of 1507xNK603 maize plants on European corn borer was detected. Concretely, no damages caused by the European corn borer were observed on 1507xNK603 maize plants, which lead to the conclusion that there was no developed resistance in the target lepidopteran insects. This confirms that, in the case of the trials carried out, the likelihood of the occurrence of this potential identified adverse effect was negligible, taking into account the small surface occupied by the trials.

6.4.3 Unexpected effect(s) [5]

"Unexpected effects" refer to effects on human health or the environment which were not foreseen or identified in the environmental risk assessment of the notification. This part of the report should contain any information with regard to unexpected effects or observations relevant for the initial environmental risk assessment. In case of any observed unexpected effects or observations, this section should be as detailed as possible to allow a proper interpretation of the data.

Neither damage nor any kind of negative effects on human health or environment were observed.

6.4.4 Other information

Notifiers are encouraged to supply information, which is outside the scope of the notification but which might be relevant to the field trials in question. This may also include observations of beneficial effects.

None

7 CONCLUSION

In this chapter, the notifier should specify the conclusions drawn and the measures taken or to be taken on the basis of the results of the release with regard to further release(s) and where appropriate, make reference to any kind of product the notifier intends to notify at a later stage.

In the case of these deliberate releases, all the control measures were taken to avoid the spreading of pollen and grains of the genetically modified maize plants.

[5] Without prejudice to Article 8 of Directive 2001/18/EC as regards handling of modifications or new information.

No negative effect of any kind has been observed that has or could have effects on the human health or the environment.

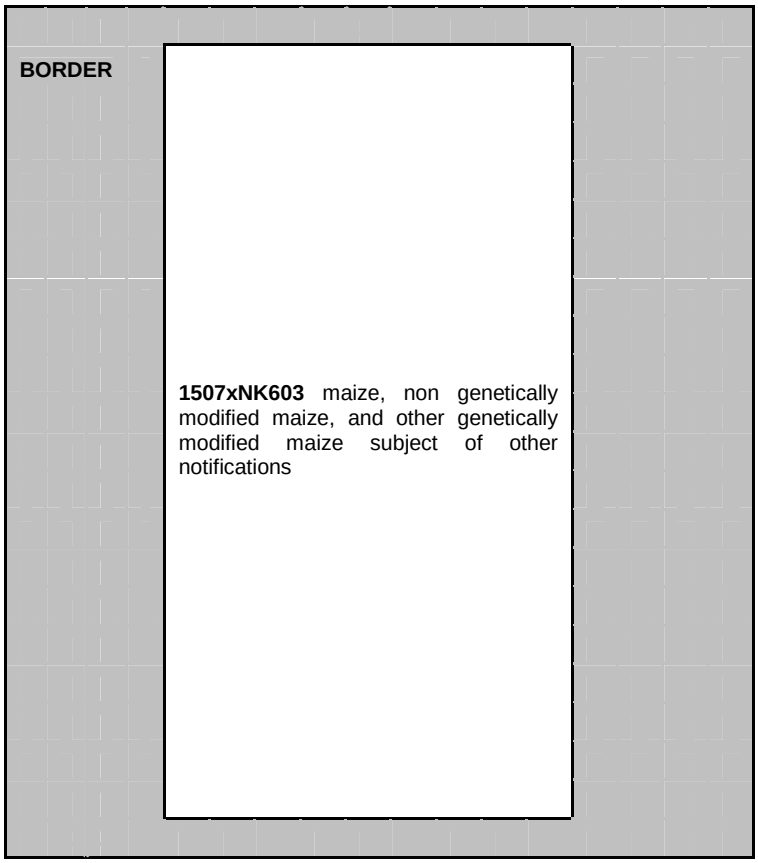
No risk for the human health or the environment has been identified as a result of the deliberate release of the genetically modified maize in these trials.

The measures proposed in the notification and the control measures taken seem to be consistent with the aim of assuring the environment and human health safety

DATE : January 15th ,2010

ANNEX 1: Field Layout

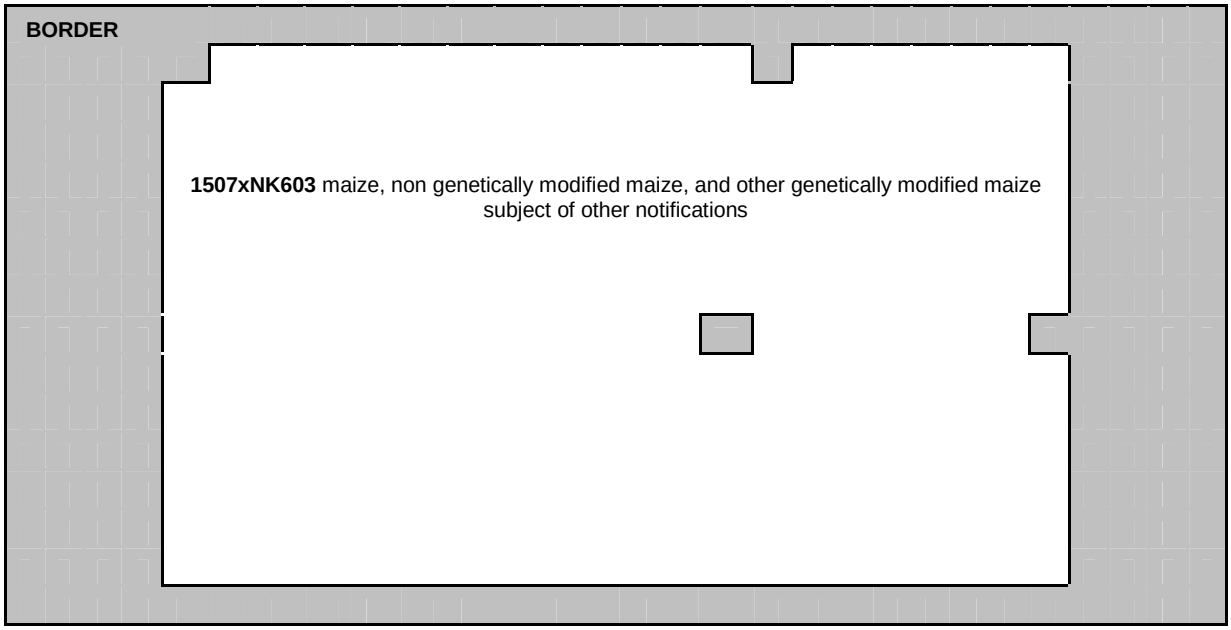
Location: Ejea de los Caballeros (Zaragoza)



Border: at least 8 rows

ANNEX 1….Field Layout

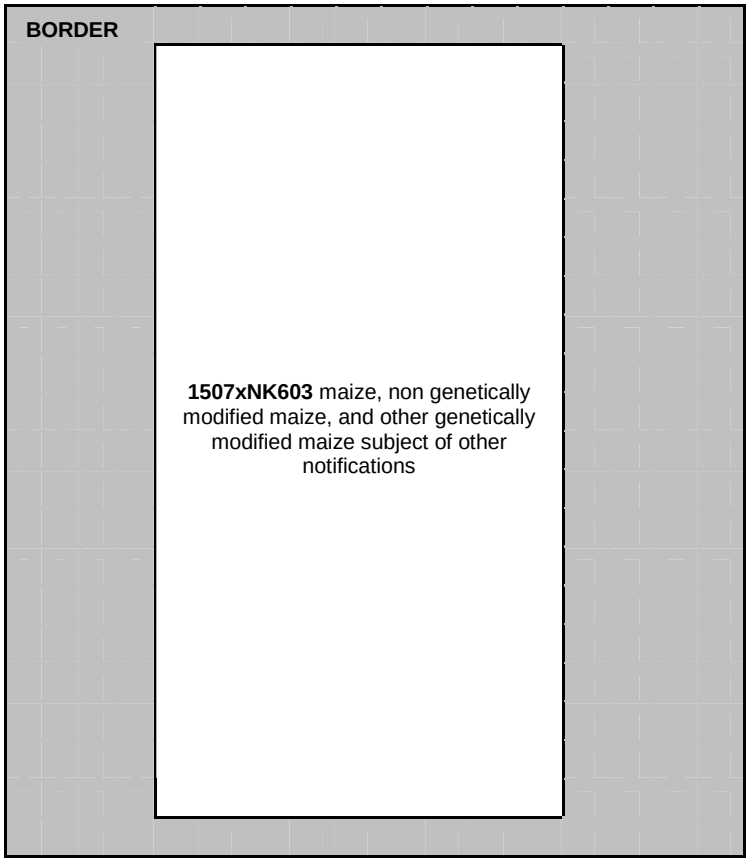
Location: Nuez de Ebro (Zaragoza)



Border: at least 8 rows

ANNEX 1….Field Layout

Location: Gimenells (Lérida)



Border: at least 8 rows