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The risks of "fast-track" for NGTs

Accelerating the risk assessment in the name of sustainability? A grey area in the future European regulation on New Genomic Techniques

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For the first time in more than twenty years, the European Union is on the verge of reviewing the rules governing genetically modified plants; or more precisely, the rules determining which plants produced with New Genomic Techniques (NGTs) should fall or not under GMO legislation. On the 4th of December 2025, the Council and the European Parliament announced that they had reached a provisional political agreement on a new regulation setting a dedicated legal framework for NGTs, which was endorsed by the European Parliament's responsible committee on the 28th of January 2026.

The deal presents itself as a carefully balanced compromise: one that supports competitiveness and innovation in Europe's agri-food sector while ensuring "robust protection for human and animal health and the environment" and contributing to the EU's sustainability goals. It maintains the principle that NGT-1 plants, those considered equivalent to conventional varieties, will follow a simplified procedure, while NGT-2 plants will remain subject to authorization, traceability, and monitoring under the existing GMO rules. It also introduces an exclusion list for traits that cannot fall under NGT-1 (such as herbicide tolerance or the production of insecticidal substances), and includes measures on labelling, coexistence, and intellectual property.

Still a long way to go before entering into force

However, despite the public announcement, the legislative process is not yet complete. The trilogue agreement is informal by nature. After the European Parliament's responsible committee approved the text on January 28th, 2026, the file has moved to legal-linguistic review planed in the coming weeks, followed by the confirmation of the Council (which represents the governments of the member states) expected in March or April 2026, and finally a plenary vote scheduled for April or May 2026. Only once both institutions give their approval will the regulation be published and enter into force.

This development has important implications for both public debate and expert engagement. While the regulation's core political compromises are now largely settled, the focus is shifting to how the agreed provisions will be interpreted and operationalized. At this stage, substantial structural amendments are unlikely; however, technical scrutiny remains highly relevant, particularly given the scientific complexity of the file and its implications for public trust. Several key concepts in the text are intentionally framed at a high level and will be further specified through delegated and implementing acts, as well as through guidance issued by the Commission and relevant agencies. These downstream processes will play a decisive role in shaping the regulation's practical effects across Member States, and they remain open to informed expert input.

For these reasons, close examination of the text at this juncture remains both timely and necessary. While most debates around the regulation focus on NGT1 plants and patents, one clause deserves careful attention: the possibility of accelerating the risk-assessment procedure for certain NGT-2 plants expected to contribute to "a more sustainable agri-food system" (https://secure.ipex.eu/IPEXL-WEB/document/COM-2023-411, whereas #33 and #34). This may appear like common sense: who would oppose faster access to sustainable crops that help the environment? Yet the term "sustainability" has become an almost boundless label in political

discourse, brought up for innovations of widely varying merit that basing regulatory speed on it risks eroding both scientific credibility and public trust.

This article sets out to clarify what is at stake. It first explains the categories of NGT plants defined in the new framework and then examines the political and conceptual vagueness of the proposed "fast-track for sustainability." The core argument is simple: when the criteria guiding regulatory acceleration are blurry, the risk is not only poor policy, but also the weakening of the sustainability agenda the regulation intends to advance.

What are NGT plants?

The debate around NGTs stems from a legal time-lag. The EU's 2001 GMO Directive happened long before the rise of CRISPR and other precise genome-editing tools. Consequently, even plants carrying a handful of targeted base-pair edits created with NGTs have been considered and treated as GMOs, which many view as scientifically outdated and impairing innovation.

In 2023, the European Commission proposed to change the legislation on NGT plants, aiming to leverage genome editing to foster innovation and remain competitive with countries like the US and China. The European Parliament adopted an amended version in February 2024, followed by the Council in March 2025. Since May 2025, negotiations on the final text between the Parliament, the Council, and the Commission (so-called "trilogue") have been underway, with the aim of reaching an agreement in the coming months.

The main idea of this text is to introduce a two-tier system. First, there would be NGT1 plants, whose edits are limited enough that they *could* arise naturally or through conventional breeding. For instance, no more than 20 genetic modifications, and each substitution or insertion shouldn't be longer than 20 nucleotides. Such plants would bypass GMO risk assessment, requiring only technical verification and labelling. One important distinction with plants generated by claissical breeding is that they would remain excluded from organic farming. Then, there would be NGT2 plants that include all others: more complex edits, stacked traits, or sequences from non-crossable species. These plants would still undergo a thorough case-by-case risk assessment similar to the current GMO procedure.

The goal of these legislation changes is to encourage innovation while retaining scrutiny for more intricate changes. Yet, as highlighted by Mundorf et al. (2025), the thresholds rest on debatable scientific grounds, as they ignore genetic context, mutational bias, and functional consequences, which are factors that determine if two edits are truly equivalent in risk or outcome.

The promise of acceleration for "sustainable" traits

Beyond this two-tier design, policymakers added a political signal: NGT2 plants considered "sustainable" could benefit from faster evaluation. The European Parliament's 2024 position explicitly called for *"accelerating the risk-assessment procedure for plants expected to contribute to a more sustainable agri-food system."*

The rationale is pragmatic. Europe needs crops that use less water, nitrogen, and pesticides; and NGTs may deliver such traits more efficiently than traditional breeding. A streamlined process is

therefore portrayed as aligning innovation with the Green Deal. However, neither the criteria nor the procedure is defined. The regulation does not specify who determines a crop's sustainability, which indicators apply, or how much faster the review would be. As it stands, the provision reads more like a political aspiration than an enforceable rule, leaving wide room for interpretation, and for lobbying.

"Sustainability" is conceptually and empirically fuzzy

Few concepts enjoy broader rhetorical appeal and fewer are analytically looser than sustainability. It spans environmental, economic, and social dimensions, often without clear hierarchy. A drought-tolerant crop may reduce irrigation needs, but it can also enable farming to expand into fragile ecosystems, potentially destroying habitats and degrading soils. Herbicide-resistant varieties can lower labour-related emissions or increase chemical dependence. Higher yields may improve food security or deepen market concentration. The net effect depends on context: cropping systems, market incentives, and farmer behavior. Another challenge is deciding where to set the threshold: if an NGT plant variety needs 5% less water, is that enough to be considered sustainable? And what about a variety that consistently uses only 0.5% less water? Is it sustainable enough?

Thus, sustainability cannot be attributed to a genetic trait in isolation, it is an emergent property of the production system. Expecting regulators to certify "sustainable" plants *a priori* ignores these feedbacks. When a concept can justify nearly any claim, it loses its discriminating power and turns policy shortcuts into credibility risks.

Lessons from past "sustainable" innovations

History cautions against premature optimism. Biofuels were once the flagship of green transition but their expansion fueled deforestation and food-price volatility. Biodegradable plastics promised cleaner oceans but often require industrial composting, producing new waste streams. Even no-till farming, designed to curb soil erosion, has raised herbicide use in many regions. All illustrate a structural pattern: early sustainability assessments focus on direct effects while neglecting indirect or systemic ones. A "*fast-track*" for NGT plants risks reproducing this dynamic: approving technologies that appear beneficial under limited metrics, only to confront offsetting impacts later. Without rigorous, context-sensitive evaluation, acceleration may erode the very ecological goals it aims to advance.

Policy shortcuts may backfire

Fast-track mechanisms are politically tempting. They signal agility and competitiveness. Yet they also shift incentives: if *sustainability* becomes the gateway to priority review, developers have every reason to frame their products in the greenest possible terms. Such framing, combined with limited data and compressed timelines, invites regulatory capture. Once a product is authorized, reversing the decision is often politically costly, even if evidence later contradicts early promises. In the present context where public confidence toward technology, *a fortiori* biotechnology, is fragile, and any perception of haste and absence of rigor can amplify public's distrust.

To avoid the negative signal of reversing previous decisions, it may be wise to be particularly cautious when submitting NGT plant varieties for deregulation. The risk is that a “fast track for sustainability” becomes then a detour around precaution.

Conclusion

Toward a clearer framework for sustainable biotech

Improving the proposal does not require slowing down innovation, it requires clarity and accountability. First, it should clearly define measurable indicators: water-use efficiency, nitrogen reduction, greenhouse-gas balance, biodiversity impact, all quantified through independent assessments. It can also make approvals conditional: sustainability claims should be revisited through post-market monitoring; and if benefits fail to be reconfirmed, authorization can be revised. The evaluation panels should also integrate a broad spectrum of fields ranging from agronomy to ecology, and to socioeconomics. Finally, the policy should ensure transparency with open data on trait performance and environmental outcomes helping researchers and citizens verify that accelerated pathways remain evidence-based.

Innovation and oversight are not opposites. When well-designed, they form two pillars of credible governance. The EU’s NGT reform may modernize biotechnology policy and support Europe’s green ambitions. But linking regulatory speed to the blurry notion of sustainability risks replacing science with semantics. If sustainability can mean everything, it ends up meaning nothing and starts being irrelevant. A sound policy must rest on clear definitions, robust evidence, and adaptive monitoring, otherwise “fast-tracking sustainability” may reward the appearance of sustainability rather than actual ecological benefits.