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Maria Weimer, *Risk Regulation in the Internal Market. Lessons from Agricultural Biotechnology*. Oxford: Oxford University Press, 2109. 274 pages.

The monograph by Maria Weimer is '*an attempt to reveal the broader constitutional implications of EU regulation of agricultural biotechnology as a paradigmatic example of the challenges and wicked problems that public regulators encounter when regulating technological risks in globalized risk societies*' (p. 225). I could not agree more with this statement. Since its creation in the 1990s, the GMO (genetically modified organism) regime in the EU has been a one of the most controversial policy sectors, but also the one which has functioned as a test-laboratory of regulatory solutions and governance practices. In a time continuum, it ruthlessly reveals limitations, conflicts, paradoxes, and pitfalls, but also new developments, hopes and reforms of European supranational legal order of GM products, and its core part: the Internal Market for foodstuffs and crops. In light of this work, the regulation of agricultural biotechnology in the EU is a "paradigmatic" case to study, because of its very nature as a "wicked problem" (p. 4) intertwined with the dark and bright sides of risk as regulatory idea (pp. 20-25). One could say, it is a mirror of structural weaknesses underlying European regulation of health and environmental safety, and the EU free market in the globalised world, more generally.

As the book unfolds, the Reader will discover the story of the illusions about the possibility to blatantly enforce a harsh, top-down, neo-liberal agenda of economic globalisation of transgenic products in the EU, based on politicised processes of cost-benefit analyses and risk assessments of narrowly-defined scientific facts, without a due account to the precautionary approach, to be based on an acknowledgement of experts' disagreement, uncertainty of scientific evidence and social acceptance, including socio-economic and distributive claims. To tell this story of the difficult power-sharing between the EU and its Member States over GM products marketing, and of the GMO regulation by public actors (p. 23), the Author combines the theorisation of risk regulation and science and technology (STS) studies (eg, the prominent scholarship of Julia Black and Sheila Jasanoff) with the internal market framing (applying the Stephen Weatherill's 'The Internal Market as a Legal Concept', pp. 15-16) in an interdisciplinary manner. The scene for the book is set out in Chapters 1 and 2 respectively (pp. 19-85) exploring in-depth theoretical underpinnings of risk regulation; and its historical, legal, political, and ethical dilemmas in the European context.

Yet, it is the themes of GMO authorisations for EU-wide circulation/cultivation (Chapters 3 and 4) and the need for differentiated integration in this area (Chapters 5 and 6) which are situated in the epicentre of the book (p. 83). The practice of the overly-technocratic European Commission, who always follows the constantly positive scientific opinions of the European Food Safety Authority regarding products' safety, and approves GMOs either

against the will of many Member States, or facing their abstentions from voting (which is possible under the procedural complexity of GM authorisation system and EU comitology rules) has led, over time, to the flood of national derogations from internal market for GMOs, especially for cultivation purposes (Chapter 5: “*Differentiation through Derogations*”). This in turn, and in the long-run, has prompted the first ever case of the EU ceasing the exercise of its competence based on Art. 2(2) of the Treaty on the Functioning of the European Union. It occurred via the reform Directive in 2015 (Chapter 6: “*GMO Reform – The Internal Market as a Site of Diversity*”). But, the Weimer’s assessment of the partial de-harmonisation of the GMO regulatory regime is mixed as it “*fails to address the epistemic challenge by diverting the focus away from the problems of the EU authorisation procedure (...)*” and so “*(...) both the contestation and the politicization of EU risk evaluation of GMOs are likely to continue.*” (p. 233).

So, reading Weimer’s book, which is extremely rich in normative, technical and theoretical detail, makes us, above all, re-imagine what the “Internal Market” really stands for (and/or should mean); what are the limits and promises of claims for diversity; and finally, how should the EU/national administration function through composite procedures in a way that is democratically legitimate. I truly praise the Author – who is also a well-renowned scholar for her earlier, numerous articles on the EU GMO regime – for her meticulous and thorough work in this monograph, written in an attention-grabbing manner and an original style. The work is enriched with plentiful of scholarly and institutional citations, but also direct quotes from many sources which amounts to a true ‘debate-like’ narrative and allows for both an enhanced development of academic argument and a better understanding of the intricacies of GMO policy field. The area of study is highly technical and complex, but the Author succeeds in moving beyond it to present an account which is important and compelling. Yet, the most important value of this work lies in demonstrating that the European policy on GMOs forces re-thinking not only the design and understanding of European risk regulation, but it goes further, to challenge some established assumptions about EU law (p. 12). This prompts few, short remarks.

The analysis of the GMO regime demonstrates that there is plenty of the *de facto* governance functioning outside the prescribed administrative procedures and beyond the implementation legislative rules (Chapters 4 and 5, in particular). The Author coins this phenomenon as “parallel realities” (p. 9) which actually amounts to overly-large disparity between the law in the books and the real, politicised world. Further, some fundamental distinctions known from normative foundations of legal theory become void of purpose. For example, the difference between abstract/general legislative norms and concrete/individual administrative rules is blurred when desperate Member States employ safeguard clauses and emergency measures – originally designed for urgent, individual products withdrawal from the market – for the purpose of *de facto* blocking the application of EU-wide legislative harmonisation in their territories, invoking possibly justified reasons based on agricultural sustainability, co-existence and land planning (p. 179, Chapters 5 and 6). This distorts the very *rationale* of law: safeguard clauses and emergency measures are employed by national authorities outside their original purpose of rapid response to emergency situations (eg, poisonous and/or unauthorised seed/food products entering the EU supply chains).

As Weimer claims, this situation is caused by the Commission/EFSA’s perception of scientific evidence, its reductionist understanding of risk assessment and lack of employment of the normative framework which – in theory – allows for deliberative problem-solving in network-like horizontal relationships (Chapter 4). The provisions, which could be employed, are not made use of to prompt processes of deliberation (pp. 99-114) and the understanding of risks is traditionally probabilistic, and hence, too narrow for GMO products which carry uncertain an unknown risks. Thus – in light of the argumentation – the legacy of sociological

studies on risk regulation, and STS, calls for much deeper reflection in policy-making. Otherwise, the regulation of agricultural biotechnology in the EU, and possibly, many other risk policy-areas, will remain “*caught in between the scientification of the Commission’s risk management (...) and the politicization of comitology decision-making (...)*” (p. 140, original emphasis); and lacking sufficient democratic legitimacy, which would stem either from supranational deliberation processes in EU administrative procedures (comitology), or from the public input into the regulation and its implementation.

Arguably, the relevant institutions would need to undertake a much more serious work toward understanding of processes of supranational deliberation and its scope conditions in order to maintain its value as a democratising tool at the EU level in turbulent times of XXI century: facing several enlargements, climate threat affecting agricultural conditions, financial, migration and pandemic crises as well as populists governments.

The insufficient democratic legitimacy of the GMO policy, especially of the decision-making of the EU administration, is the next aspect which re-appears throughout the book. The public is an almost ‘invisible actor’ in this field, although it is exactly its societal pressure of national peoples who caused Members States opposition against GMOs at the EU level (pp. 187-190). The general (European?) public typically exercises its voice through illegal actions, Eurobarometer surveys (p.8), and extensive lobbying of environmentalist organisations, such as Greenpeace, but its voice is not recognised in GMO authorisation procedures. Its attempt to exercise (the first ever) European Citizens’ Initiative on GMO-free EU was also not registered by the Commission due to procedural constrains.

Again, it was the demand of the resistant domestic public which led a huge number of food producers, retailers and the whole supply chains to labelling their products: “GMO-free”. It is enough to grab any diary foodstuff in the Italian, Polish, Irish or UK supermarket to see what is the scale of GMO-free labelling schemes. As a result, and paradoxically, market powers in Member States also contributed to the overall contestation and fragmentation of the EU Internal Market on GMOs.

To finalise: this book should be widely applauded for its rich, thought-provoking, and timely content. I highly recommend it to scholars, students, and policy-makers, with an interest not only into product risk regulation & biotechnology, but also in the European economic constitution, democratic legitimacy of EU public rule, (differentiated) integration, administrative governance, and legal ordering in the globalised world. For those unfamiliar with the policy field – it will be an exciting reading; and for those who know the area – much food for thought.