



**THE HON PETER DUTTON MP  
MINISTER FOR HEALTH  
MINISTER FOR SPORT**

Ref No: M14000706

Dr Dennis Jensen MP  
Chair  
Standing Committee on Petitions  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600

Dear [Dr Jensen](#)

Thank you for your correspondence of 31 January 2014 regarding a petition requesting various changes to food labelling requirements for foods containing genetically modified (GM) ingredients and a freeze on all new GM food applications.

The Australian Government is committed to the highest standards of safety for our nation's food. The government is also committed to allowing Australian industry access to the tools they need to produce safe, nutritious food without putting unnecessary strain on natural resources.

Australia has one of the world's strongest regulatory regimes for the approval of GM crops and food products. All dealings with GM organisms, including cultivation of GM trial crops, are regulated by the Gene Technology Regulator (the Regulator) under the Gene Technology Act 2000. The Office of the Gene Technology Regulator (OGTR) performs a thorough assessment of each GM crop before it can reach the market, ensuring that it does not present risks to human health or the environment. The environmental release of any GM crop in Australia is illegal unless authorised by the Regulator. Further information is available on the Office of the Gene Technology Regulator website at [www.ogtr.gov.au](http://www.ogtr.gov.au).

While the Australian Government is aware of the debate and a degree of community interest relating to GM crops and food, the Government considers that gene technology can play an important part in helping to deal with emerging challenges in the agricultural sector, including those arising from climate change, pressure on global food supplies and the management of pests and diseases. The use of the technology can also benefit the environment, through reduced use of agricultural chemicals, and consumers, through the development of products with potential health benefits.

Unsafe foods are not permitted for sale in Australia. Australia has in place a rigorous, transparent, science-based framework for the regulation of GM organisms and GM food which is primarily the responsibility of the Gene Technology Regulator and Food Standards Australia New Zealand respectively. The framework provides assurance that the health and safety of people and the protection of the Australian environment are of paramount importance.

I have enclosed a formal response to the issues raised in the petition for the consideration of the Standing Committee on Petitions.

I appreciate you drawing this petition to my attention and trust the enclosed information assists the House in responding.

Yours sincerely

PETER DUTTON

4/4/14

Encl

## **Petition to the Honourable the Speaker and Members of the House of Representatives**

This petition draws to the Attention of the House that: in-depth and independent scientific data published in peer-reviewed journals has found GM organisms have long term health and safety impacts on experimental animals, in our food and on our farms. The Food Standards Australia New Zealand (FSANZ) assessment regime excludes evidence of such potential harm from its assessments and does not require materials made using GM techniques to be proven safe "beyond reasonable doubt". We have the right to know if our food contains ingredients derived from GM organisms and to have GM-free diets.

We therefore ask the House to:

1. Freeze all new applications for transgenic GM foods while: FSANZ safety assessment regime is aligned with the European Food Safety Authority methods; and past approvals are reassessed;
2. Require full labelling of all foods made using GM techniques including processed products such as: vegetable oils, starches and sugars; and the meat, milk and eggs from animals fed GM feed; and
3. Remove exemptions from GM labelling requirements in Food Standard 1.5.2 so any trace of a GM organism in a foodstuff, stock feed or seed must be fully and clearly labelled as GM in origin.

### **Response**

- 1. Freeze all new applications for transgenic GM foods while: FSANZ safety assessment regime is aligned with the European Food Safety Authority methods; and past approvals are reassessed.**

Australia has a well-established science-based framework for the regulation of GM foods, which falls within the responsibilities of FSANZ, an independent statutory authority. In setting national food standards, FSANZ's primary objective is the protection of public health and safety.

Australia's national framework for managing and regulating GM crops and GM food operates on three levels: GM crops are not released to farmers unless they have been assessed as safe for human health and the environment as determined by the Gene Technology Regulator; GM foods are not approved for sale unless they have been assessed as safe by FSANZ; and foods that are approved must be labelled in accordance with the requirements set out in Standard 1.5.2 – Food produced using Gene Technology in the *Australia New Zealand Food Standards Code*. The primary purpose of existing GM food labelling requirements is to enable consumers to make informed choices about the foods they purchase.

Before any GM foods can be approved for sale in Australia they must undergo a rigorous scientific safety assessment by FSANZ. FSANZ will not approve a GM food if there is any evidence that it could pose a food safety concern. Unapproved GM foods cannot, under Australian law, be sold in Australia.

The methods and approach used by FSANZ are consistent with international guidelines developed by the Codex Alimentarius Commission according to scientific expertise provided by the World Health Organization, the Food and Agriculture Organization of the United Nations, and the Organisation for Economic Co-operation and Development. The same international guidelines are used by other regulators around the world including the European Food Safety Authority.

**2. Require full labelling of all foods made using GM techniques including processed products such as: vegetable oils, starches and sugars; and the meat, milk and eggs from animals fed GM feed.**

The Australian Government is committed to ensuring that consumers have access to appropriate information to make an informed choice about the foods they purchase. Australia's mandatory requirements for GM food labelling are comprehensive and recognised as some of the most practical in the world. It is mandatory for GM foods to be identified on food labels in Australia and New Zealand. GM foods and ingredients (including food additives and processing aids from GM sources) must be identified on labels with the words 'genetically modified', if novel DNA and/or novel protein from an approved GM variety is present in the final food. GM foods must also be labelled if the genetic modification has significantly altered the composition of the food or aspects of its nutritional profile. Labelling will also be required if the food contains substances known to cause allergic responses or if there was a specific intended use for the food. Labelling according to the presence of novel DNA and novel protein rather than the GM process itself provides the necessary assurance that compliance with labelling laws can be properly enforced. All food manufacturers must comply with these labelling laws.

A Review of Food Labelling Law and Policy was conducted by an independent panel, and the final report (*Labelling Logic*) was released in January 2011. *Labelling Logic* contains several recommendations regarding labelling of new technologies, including GM food.

On 9 December 2011, the Legislative and Governance Forum on Food Regulation (the Forum), considered its response to the recommendations in *Labelling Logic*. The Forum has proposed actions and implementation over the next five years that endeavour to balance improving the general information on food labels to meet consumers' needs, against maintaining marketing flexibility and minimising the regulatory burden and costs on industry and barriers to international trade.

The Forum also agreed to a framework that will guide decision making on food labelling matters using a three tiered hierarchy consisting of food safety, followed by preventative health and consumer values issues. The labelling of new technologies (e.g. GM) will be considered on a case-by-case basis. The Forum's response recognises that foods produced or processed using new technologies may need to be treated differently from foods produced using more traditional techniques due to the lack of historical data regarding human consumption, but that this should always be considered on a case-by-case basis. A Ministerial Policy Guideline will be developed that sets out how the case-by-case consideration of both regulatory (i.e. labelling) and non-regulatory measures would apply to a new technology.



**3. Remove exemptions from GM labelling requirements in Food Standard 1.5.2 so any trace of a GM organism in a foodstuff, stock feed or seed must be fully and clearly labelled as GM in origin.**

Some food manufacturers choose to use foods and ingredients from conventional non-GM sources. In these cases, labelling is required only if approved GM material is unintentionally present in a quantity of more than 1 per cent per ingredient in the final food. These regulatory limits have been put in place to acknowledge that biological produce can never be considered as 100 per cent pure, and that trace amounts of GM material may be present due to the bulk handling and transport of food commodities. A similar tolerance level of 0.9 per cent for the presence of GM material applies in the European Union.

The safety of GM crops for environmental release and human consumption is thoroughly assessed before approval can be granted. The safety of GM stockfeed and products produced by animals consuming GM feed has been independently assessed and there is a consensus the use of GM feed raises no safety concerns. Consequently, there is no scientific basis for labelling of foods (e.g. milk, meat, eggs) from animals fed on GM feed. The majority of GM varieties are common crops that are comingled after harvest and before processing into foods for human consumption and stockfeed. The segregation of GM varieties from conventional varieties would involve strict identity preservation systems throughout the supply chain, which would add substantially to the costs of producing food and feed.

Given the comprehensive nature of the pre-market safety assessment, the Government considers process-based labelling of GM foods and feeds could provide no added assurance of safety and would result in measurable increases in production costs, that would almost certainly be passed on to consumers. On balance, the existing product-based system of labelling GM foods allows compliance testing while at the same time provides consumers with meaningful information about the GM status of foods.