

## **Dissenting Report by Independent Senator Nick Xenophon and Australian Greens Senator Rachel Siewert**

- 1.1 The Food Standards Amendment (Truth in Labelling – Genetically Modified Material) Bill 2010 aims to provide consumers with the information they need to make an informed choice about the products they buy and the foods they consume.
- 1.2 The Bill was introduced in September 2010, following independent tests by Greenpeace which revealed that infant baby formula, S-26 Soy, contained traces of genetically modified (GM) material.
- 1.3 Indeed, presence of GM material had been found in a number of separate trials of the product in varying countries in previous years.
- 1.4 However, because the amount of GM material found in the product was less than 1 percent, under Australia's current food labelling standards, manufacturers, producers and distributors are not required to label their products as containing GM.
- 1.5 In fact, if the amount of GM material present is less than 1 percent and the manufacturer, producer or distributor claims it was 'unintentional', they are not in breach of any labelling requirement.
- 1.6 This is despite growing community consensus that consumers have a right to know what they are eating, and many want to know if they are consuming products which include genetically modified materials.
- 1.7 A 2009 Newspan survey found that 90 percent of Australian consumers want all food derived from GM crops to be labelled.
- 1.8 Indeed, while the jury is still out on the potential health impacts of GM food – there are as yet no long term studies on the impact of GM on human health – Australians want to know what's in their food, and what they're feeding their families.
- 1.9 Requiring the truthful and accurate labelling of products containing GM material, no matter what amount or how the GM material came to be present in the product, will enable consumers to make an informed choice.

### **Right to Know**

- 1.10 Consumers have a right to know the origins of their food, the ingredients in their food and whether or not the food contains GM material.
- 1.11 This knowledge enables them to make an informed choice about what they buy and what they eat.
- 1.12 The independent test findings that GM material was found in baby formula which was not labelled particularly concerned mothers around Australia.
- 1.13 While FSANZ argues that it does not approve any food, including GM food, that is unsafe, the simple fact is that Australians remain concerned about the use of GM materials.
- 1.14 Indeed, the full extent of the impact of GM on human health – and the environment – is not fully known, and it is in these situations of uncertainty that precaution should be exercised.

- 1.15 In Europe, all foods and ingredients that are produced in whole or in part from GM organisms must show this information on their labels.
- 1.16 Australia's labelling standards are leaving consumers shopping in the dark.
- 1.17 The intention of this Bill is to require the mandatory labelling of GM material in all food products, no matter the amount, the manner in which it made its way into the food and whether it was intentional or unintentional.
- 1.18 It is intended to ensure that mothers buying baby formula for their infants can buy a product that doesn't contain GM material if that is their wish for their child.
- 1.19 Not addressing this issue is a failure by Australia's food regulation authorities to acknowledge that consumers are demanding truthful and accurate labelling.

### **Proposed amendments**

- 1.20 Understanding that the process FSANZ undertakes to establish standards is convoluted, it is proposed that the Bill be amended in line with the Food Standards Amendment (Truth in Labelling – Palm Oil) Bill 2010, which amends the Consumer Law Act.

### **Recommendation 1**

**That the Bill be passed with amendments**

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