



Representing the Plant Science Industry

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13 April 2007

Elton Humphery  
Committee Secretary  
Community Affairs Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Sir/Madam,

**RE: Inquiry into Gene Technology Amendment Bill 2007**

Thank you for the opportunity to comment on the above Bill.

CropLife Australia is the voice and advocate of the plant science industry in Australia. As the industry's peak body, CropLife progresses the interests of member companies by engaging with decision makers and other stakeholders and influencing the development and implementation of government policies.

A key goal of CropLife is to raise awareness of the contribution that the plant science industry makes to sustainable agriculture and to the ongoing competitiveness of Australian agricultural exports.

CropLife's members invent, develop, manufacture and market 85% of crop protection and 100% of the crop biotechnology products used by Australia's primary producers. These products protect plant yields and improve productivity by controlling weeds, pests and diseases, leading to the production of high quality, affordable and abundant food, fibre and other crops.

CropLife Australia advocates science and risk based legislative frameworks that are consistent in approach and application across the industry and promote competitiveness through innovation, the protection of intellectual property and the introduction of new technologies and practices.

We note an independent panel has reviewed the Gene Technology Act 2000, involving extensive community consultation over a lengthy period. It appears that the Bill reflects the recommendations of the review panel as accepted by the Gene Technology Ministerial Council. Whilst we therefore urge the committee to recommend adoption of the bill largely as presented, we do have some specific concerns in relation to specific sections of the Bill and these are listed below.

**Items 24-35:**

We strongly support the creation of single Gene Technology Ethics and Community Consultative Committee, to replace the two current committees that perform these functions. We agree that this should improve the efficiency of operation of these committees and reduce overlap between their current operations.

However in order to maintain the impartiality of the committee, we consider that persons actively involved (either individually or as part of an organisation) in campaigning in the public arena, either for or against gene technology should not be permitted to be appointed to the committee.

In our opinion, such persons are not necessarily representative of the community and would not present objective considerations or balanced views. Past experience indicates that these biases in persons participating in such committees can lead to polarisation of committee members, subsequently hampering the effectiveness of the committee and the reducing the quality of the advice given to the regulator. The public consultation processes already provided for in the *Gene Technology Act* give ample opportunity for gene technology advocates and opponents to contribute to regulatory decision making.

**We urge the committee to recommend addition to section 108, criteria that exclude the appointment of individuals/organisational representatives actively involved in campaigning for or against gene technology.**

#### **Item 39 with reference to Section 50A**

Subsection 50A (1) (a) refers to the purpose of the application "to conduct experiments." We do not see the need for this section to refer only to the conduct of experiments. This section could and should include any kind of dealing that does not involve commercial sized releases and are carried out under contained conditions. Thus it would allow licence applications under this section to be considered for work such as seed increases on a small scale for future development or other purposes, even if that purpose may not be for experimental work. The purpose of a trial is varied and may or may not relate directly to experiments. It may be irrelevant to the risk assessment process and should not be required under the Act as a criteria for consideration. We recommend that:

**Section 50 (1) (a) and 50A (4) be amended so that the words "to conduct experiments" be changed to "to conduct limited and controlled dealings".**

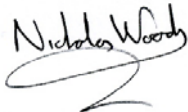
#### **Item 48**

The points made above regarding item 39 also applies to section 71 (2A) (a). We recommend that:

**Subsection 71 (2A) (a) be amended so that the words "to conduct experiments" be changed to "to conduct limited and controlled dealings".**

Thank you for the opportunity to comment on the present Gene Technology Regulations. If you should have any further questions or require any clarifications please do not hesitate to contact me on 02 6230 6399.

Yours sincerely,



**Nicholas Woods**  
General Manager Biotechnology  
CropLife Australia