



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

**re: Invitation by the Community Affairs Committee for written submissions
in relation to the “Inquiry into Gene Technology Amendment Bill 2007”**

The Producers Forum is an Australia-wide group of grain and oilseed growers from Western Australia, dried fruit, grain, dairy and beef producers from Victoria, and cotton, grain, cattle, sheep and oilseed growers from New South Wales and Queensland, whose vision is to ensure timely access to agricultural biotechnologies for the economic, environmental and social benefit of all Australians.

Producers Forum wishes to respond to the recent invitation by the Community Affairs Committee for written submissions in relation to the “Inquiry into Gene Technology Amendment Bill 2007” (herein referred to in this submission as “the Bill”).

We note that this invitation is further to the recommendations of an independent panel has reviewed the Gene Technology Act 2000, involving extensive community consultation over a lengthy period in which we participated. 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 urge the panel to consider current commercial activities, and the ramifications some of the recommendations of the Bill may have.

The Producers Forum’s main concern with the current Bill is the all Australian Governments do not support the intention of the Bill_ that of a national-based regulatory system which ensures that approved GM crops can proceed to commercialisation.

Currently, state governments can ban the use of approved GM crops, thereby denying farmers the right to use products that can positively impact on their competitiveness, economic returns, and the environment. These bans take no account of the fact that all State and Federal farmer organisations now call for access to biotech crops, and that the OGTR and FSANZ have approved the products for use.

Further, ABARE has stated that we gain no premium for our non-GM position, and indeed stand to lose \$3 billion by 2015 if the current position is not reversed.

Currently, 22 countries encompassing 53 percent of the world's population grow GM crops, and their farmers and communities are accruing the economic and environmental benefits that we should be participating in.

We support the Office of the Gene Technology Regulator, which, through the act administers a rigorous science based regulatory system for GM crops, and are grossly disappointed that all states do not support the system as originally envisioned.

We support changes that reduce the timeframe required to bring beneficial technology to market, and the provisions that allow persons who find themselves dealing inadvertently with unlicensed organisms to dispose of them. Although we support, in principle, the consultation on ethics and with scientists, State and Territory Governments, other regulatory agencies and the wider community, we have reservations about how extensive these need to be given the wide practical application and acceptance of GM crops worldwide at this time, and the expectation that this will grow exponentially in the future.

Recently, The Australian Academy of Technological Sciences and Engineering has stated: "Gene technology can play a role in alleviating malnutrition, enhancing sustainability and securing yields worldwide and its potential must be harnessed. In these instances, the lack of full certainty, in an environment of manageable risk should not be used as a reason to postpone measures where GM can legitimately be used to address environmental or public health issues."

We agree with this, but believe that the lack of full certainty in an environment of manageable risk should not be used as a reason to postpone the introduction of GM crops, particularly those that are already accepted as routine in other parts of the world, and those that are showing environmental benefits for their practitioners and the citizens of the countries that currently allow GM technology to be used.

On a more specific note, Item 39 creates a new category of licence application, to be known as 'limited and controlled release' applications. This will allow a streamlined process for the assessment of such applications, which by their very nature of being limited and controlled, present lower risks. Producers Forum

strongly supports the creation of any category which should improve process efficiency, and allow the Regulators' resources to be focused on assessing less controlled releases.

We have concerns regarding criteria listed in subsection 50A(1)(a) that requires applications to have the principal purpose of enabling the licence holder "to conduct experiments". We consider that in protecting the health and safety of people and the environment (which under section 3, is the object of the *Gene Technology Act*), the limits and controls on the proposed dealing are far more important than the purpose of the dealing.

To illustrate this, during the consideration by the Regulator of Monsanto's application for commercial use of Roundup Ready Flex cotton (DIR 059/2005), CSD was able to produce limited quantities of seed under the limited and controlled release conditions of DIR 055/2004. This enabled the produced cotton seed to be stored and be subsequently made available for use by cotton growers when DIR059/2005 was issued.

However these production activities do not fit within the criteria of experiments as defined under subsection 50A(4), and thus in the future would be not allowed under a limited and controlled release.

Excluding such activities from this category only delays access to the environmental and agronomic benefit of technology to growers, yet provided the release fits within the meanings of 'controls' and 'limits', there is no difference in protection of the health and safety of people or the environment.

Other examples of limited and controlled release that may not fit the definition of experiment but are of concern to us are seed breeding activities, seed production for export, seed production for shipment to areas in Australia where commercial use of a GMO is allowed (noting that licences on commercial release could contain geographical restrictions due to differing environments in Australia) and plantings of genetically modified cottons to demonstrate use of the technology to growers.

We urge the committee to recommend removal of subsections 50A(1)(a) and 50A(4) from the Bill.

We thank the committee for the opportunity to provide a submission to their enquiry into the *Gene Technology Amendment Bill 2007*. Should the committee have any questions in relation to the comments provided above, please do not hesitate to contact me.

Yours Sincerely,

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