

**Submission to the Senate Select Committee on the Free Trade Agreement between
Australia and the United States of America**

Submitted by:
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This submission is being made by a concerned citizen and has used information from a variety of sources including analysis by Dr Patricia Ranaid and Louise Southalan, Public Interest Advocacy Centre.

I would ask this committee to look closely at the following concerns

- The impact on the Australian Food Labelling laws and the likelihood of unlabelled foods with high chemical and/or hormonal content on our supermarket shelves and the consequent possible social impacts in terms of increased chemical loads and probable health risks.
- Establishing standards and benchmarks and the associated risk of these standards being developed in the interest of the much more powerful US trade interests and by definition undermining the position of Australian producers and manufacturers particularly with regard to our regional markets.
- Trade interests undermining of our quarantine restrictions and impacting on our disease free status and thereby damaging our other export markets.
- The relationship with local environmental law and the potential for social conflict
- The side agreement which undertakes to ensure the full sale of Telstra, so far without the agreement of the parliament undermining our social fabric

Food labelling laws and regulations.

New processes have been established under the USFTA which will give the US government and US companies direct input into Australian laws and policies on food labelling including labelling of GE food, quarantine and technical standards, .

There are serious issues to do with farming and food labelling. The USA has very lax labelling requirements and has identified Australian food labelling laws as a barrier to trade. USFTA requires Australia and the US to give positive consideration to accepting the other party's technical regulations as equivalent to their own.

In effect this means that we are likely to get unlabelled dairy and meat products. Unlabelled GE foods are also likely to be imported and although some of these foods have been approved by the Gene Regulator there is the question of food allergies and the associated risks to sections of the population many of whom would prefer to have the opportunity to exclude them from their diet.

The current generation of young people are reared in an environment that carries a huge chemical burden. The long term effects of this are unknown but the very least that should be available is the option of avoiding some of the potential hazards in our food.

One of the things that should be noted is that in the USA they inject their cows with Recombinant Growth Hormone, which has been implicated as a probable risk factor in breast cancer, and in childhood cancers. This hormone was not tested by the US FDA before its use was approved.

There is also the question of GE foods and particularly herbicide resistant grains and seeds (such as soy and canola) which have been demonstrated to concentrate glyphosate and other chemicals from weed killers in the seed.

Establishing Standards and Benchmarks

Under this agreement Australia must give US representatives the same rights as Australians to participate in the development of Australian standards and technical regulations. The USFTA even states that the Australian government will recommend that Australian non-governmental bodies should also let US government representatives have the same rights as Australian citizens to participate in Australian NGO processes for developing standards for Australia (Article 8.7).

This will mean an American government representative could be included in all Australian Standards committees. Our standards will then be devised not for Australian conditions but in order to facilitate American business interests.

In relation to our quarantine laws two new committees have been established, one of these committees is concerned with policy and process and the other is a technical working group. Both committees established to handle quarantine matters have been established with the aim of facilitating trade, consequently they have the potential to undermine Australian trade interests and damage producers by threatening our disease free status.

Australian quarantine laws and regulations should only be made on a scientific basis and in the interests of Australia and the Australian environment. The quarantine protection of Australian crops and livestock should not be part of a trade deal particularly where the power relationships are so unequal.

The changes to processes and procedures for regulation of quarantine and GE regulation give the US a formal role in Australian policy. It is likely to ensure that trade obligations will take precedence over consumer concerns and citizens rights

Environment

Both Australia and the US have committed to encouraging the development of 'flexible, voluntary and market-based mechanisms' for environmental protection (Article 19.4). It has been apparent for some time and is demonstrated quite clearly in terms of greenhouse gas emissions and the resistance by some sectors of the forestry, mining and other resource based industries that the market will not protect the environment.

The above statement cannot be enforced through the disputes process, which only

• Applies to environment laws if a government fails to enforce its own laws (Article 19.7.5).

• Inadequate environmental protection is very likely to engender social unrest as it is seen as threatening our very existence and the continuing evidence of the impact of rising seas and severe weather events are confirming the worst fears of climate change.

The government has failed to list water and energy as reservations in the services sector and so they will be fully included in the agreement limiting our ability to adjust policies in response to environmental problems such as greenhouse and drought.

Related side letter, Telstra

There is a Telstra privatisation side letter. This letter outlines the government's policy to sell the rest of Telstra. The US insisted on this letter. This issue is still being debated by the Australian parliament as a matter of public policy, and should not be part of a trade agreement. The Australian government is trading away its future decisions and limiting the choices of the people.