



Submission to:
Office of the Gene Technology Regulator
Phase 2 - 2016-17 Technical Review of the Gene
Technology Regulations 2001

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Introduction

Farmers in Australia generally do not engage directly with how genetically modified organisms and genetically modified technologies are regulated. However, they are the primary market and producers of genetically modified crops, or a plant that has been modified through both GM and non-GM techniques.

Clear regulation is essential to ensure that plants for commercial cultivation meet the requirements described in the *Gene Technology Act 2000*, and its subsequent legislation as administered by the Office of the Gene Technology Regulator (OGTR). For all crops that farmers use, whether genetically modified or conventionally bred, there is the assumption that the crop has the appropriate approvals and will not cause adverse effects on people or the environment.

In Phase 1 of the consultation, WAFarmers asked for consideration of option 4 – *exclude certain new technologies from regulation on the basis of the outcomes they produce*. WAFarmers considers the implementation of option 3 – *regulate some new technologies based on the process used*, to be most in line with the current regulations. It provides clear direction to users of GM technologies, and an indicator of how emerging and developing technologies may be treated in the future under the current regulatory regime.

The Technical Review of the Gene Technology Regulations is an essential step to ensure that genetically modified technologies and the organisms they produce are covered or excluded from the legislation. Clarifying ambiguities that exist is essential to ensure effective regulation of genetically modified organisms.

1. What is your preferred option? Please explain why.

WAFarmers supports Option 2 - *amend the GT regulations by introducing all elements of the draft amendments at Appendix C*. WAFarmers are advocates for the right for farmers to farm as they choose, and appropriate legislations of gene technology enables farmer choice.

A number of the proposed changes provide further clarity to the regulations, and should be supported, whereas some changes are essential to ensure that the regulations adequately address the changing nature of gene technologies and genetically modified organisms.

The changes to a definition of a genetically modified organism are essential for the effective and ongoing regulation of gene technology in Australia. A clear definition that can be refined without continuously updating the legislation is important for clarity within the crop breeding industry, as well as to farmers that engage directly with the market.

The provision of clarity on a number of the undefined terms in the regulations would assist the industry and provide clear guidelines for genetically modified techniques.

2. Do the draft amendments clearly implement the measures described in Section 3 of the Consultation RIS? If not, which areas of the draft amendments do you think require additional clarification, and what clarification is needed?

WAFarmers supports the draft amendments as outlined in Section 3 of the Regulation Impact Statement.

- 3. If your preferred option is Option 3, please indicate which amendments (or parts thereof) you support being progressed and why.**

Not applicable.

- 4. What are the costs and benefits to you or your organisation from the proposed amendments? Please describe these compared to current arrangements, for each area of amendment:**

WAFarmers does not have any costs and/or benefits in consideration of the amendments.

- 5. Are the proposals to change the classification of certain NLRDs and exempt dealings (identified in Appendix B of the Consultation RIS) commensurate with any risks to the health and safety of people and the environment posed by the dealings?**

WAFarmers does not have a position on Notifiable Low Risk Dealings (NLRD) or exempt dealings.

- 6. Are there any features in the options presented that you have concerns with? Or, are there any particular features that you believe should be included? Please explain why and give substantiating evidence where possible.**

Not applicable.

Organisational Background

The Western Australian Farmers Federation (Inc.) (WAFarmers) is the state's largest and most influential rural advocacy and service organisation. WAFarmers boasts a membership of over 3,500 primary production businesses and individual farmers including grain growers, meat and wool producers, horticulturalists, dairy farmers, commercial egg producers and beekeepers. Collectively our members are major contributors to the \$7.5 billion gross value of production that agriculture in its various forms contributes annually to Western Australia's economy. Additionally, through differing forms of land tenure, our members own, control and capably manage many millions of hectares of the state's land mass and as such are responsible for maintaining the productive capacity and environmental wellbeing of that land and the animals that graze it.