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## **2011 Review of the Gene Technology Act 2000 (GT Act)**

### **Submission on the GENE TECHNOLOGY ACT REVIEW by Margaret River Consumers for GM Free Food.**

The view of our group 'Consumers for GM Free Food' is that the OGTR assessments are not serving the needs and aspirations of the Australian community. A review of any public surveys shows that the vast majority of the Australian public wants to eat food which is GM free. In the face of this opposition why have so many GM crops been accepted by the OGTR. The same can be said for our trading partners with countries like the European Union increasing in opposition to these foods over the longer term so even our trade will feel the impact of these outrageous decisions being made by the Office of Gene Technology. The question becomes; whose interests does the Gene Technology Act serve?

#### **Unscientific nature of the Assessments**

The OGTR assessments are not scientific but operate under a so-called 'science-based' and 'case-by case' system. These tags are used to justify an unscientific and ad hoc approach to data collection and assessment methodologies

We consider the independence of this regulator needs to be examined.

There needs to be a review of the protocols and reliability of the methodology of The Gene Technology Act

There is a need to look more closely at the relevance of evidence tendered in support of applications. We say this because we are concerned at the ease with which new transgenic crops have been assessed and accredited in Australia - GM crops which many other countries have banned.

Data from contemporary, controlled experiments conducted in Australia should be the basis of assessments. Instead, the OGTR (also FSANZ ) generally rely on the assessment of an ad hoc suite of data from out-dated and questionable overseas company generated 'trials' or 'tests' (not experiments) to license products.

All interested parties should have full access to all the data and information about the scientific experiments, to enable the independent evaluation and monitoring of experimental design, methodologies, processes and experimental data.

#### **Accessibility of Data**

A key flaw in the system is that the applicant's data is not available to the general public. Without this data, no independent outside assessment of applications is possible. The

documentation published by the OGTR is framed so that the risks and hazards of proposed dealings are made to seem better understood, more predictable and more manageable than they really are.

The necessity to travel to Canberra to photocopy the files is impractical and expensive, and is an unreasonable barrier to full community participation in the OGTR system. There are no good reasons to keep data secret when it comes from genuine scientific experiments on the risks to health and the environment.

Data supporting applications should always be scientific and public, to improve transparency and accountability.

It is very unsatisfactory that OGTR allows information to be secret. The results from trials on GE canola within Australia remain secret. Why? Surely the public have the right to know exactly what the results of these trials were especially given the unethical nature of the company involved.

To be transparent, the OGTR should be required to always publish a full statement of reasons for granting a DIR licence, with time for further public comment prior to any licence being issued.

### **The Onus of Proof**

The burden of evidence-based proof for the environmental and public health safety and efficacy of the GMO should rest entirely on the applicant for a licence.

Peer reviewed scientific evidence which conforms to the requirements of a genuinely scientific system should be necessary in order to discharge this requirement. The fact that this isn't required leaves the public angry that our food security is being treated in such a cavalier fashion.

By denying the interested public access to all the information, the present system unreasonably places the onus on the interested public and regulators to produce evidence that shows conclusively why a licence should NOT be granted. Once again the public interest is being disregarded in favour of the corporations. The Act requires urgent reform.

### **The Precautionary Principle**

The OGTR appears to consistently ignore the precautionary principle which should be fully integrated into the GT Act, as it is in the Environment Protection and Biodiversity Conservation Act.

"We cannot see how the OGTR can proceed on the basis of 'credible scientific hypotheses' when no experiments are required to provisionally accept or refute such hypotheses.

I hope our submission has made it clear that we feel the OGTR does not act transparently, and does not act in the interests of the Australian public. In fact we are very disturbed at the way the act seems to favour multinationals at considerable cost to the integrity of the Australian food system. We hope that as a result of this review Australia will have an Act based on scientific principles, which is transparent and gives opportunities for the public to be engaged in the decision making

Thank you for the opportunity to comment.

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