

## *Genetically Modified Organisms Control Amendment Bill 2014*

### SECOND READING SPEECH

Mr Speaker, I move that the Bill now be read a second time.

This is a Bill with a single purpose. The Bill extends the expiry date of the *Genetically Modified Organisms Control Act 2004* (the Act) from November 2014 to November 2019.

The Act provides for the whole or any part of Tasmania to be declared to be a Genetically Modified Organism (GMO) free area for the purpose of preserving the identity of non-genetically modified (GM) crops and animals for marketing purposes, and for persons to be allowed to deal with GMOs under permits.

Section 36 of the Act specifies that the Act will expire 10 years after it commences, which is November 2014.

The extension allows the current moratorium on the commercial release of GMOs to the Tasmanian environment to continue for another five years.

There would be a public review of the policy and moratorium before it expires in November 2019.

The simple amendment in this Bill continues with the same sensible process of carefully and comprehensively reviewing the State's position on GMOs every five years.

This amendment gives stakeholders certainty that when it comes to GMOs in Tasmania it is business-as-usual. That is because there is no compelling evidence to change the moratorium or the same cautious approach to GMOs that has served Tasmania well.

In 2005, the whole State was declared by Order to be a GMO-free area. This has allowed Tasmania to position itself in the global market as a source of food that is genuinely GMO-free.

There are, for example, discrete markets of premium Tasmanian products, such as beef into Japan, that rely on the moratorium.

This Bill seeks to maintain the legal basis for keeping the moratorium in place. If the Act expires, then the regulation of GMOs in Tasmania will fall under the national regulatory framework. This means that Tasmania would no longer be able to regulate GMOs for marketing purposes.

Moreover, this would mean that GMO crops approved by the Commonwealth Gene Technology Regulator could potentially be planted in Tasmania the very next day. This could be an unrecoverable position.

In June 2013, to allow due consideration prior to the legislation expiring, at the direction of the previous Government, the Department of Primary Industries, Parks, Water and Environment (DPIPWE) conducted a public review of the moratorium on GMOs in Tasmania.

The Terms of Reference for the review were broad and allowed a comprehensive analysis of the issues that would need to be considered in either extending or removing the moratorium.

160 submissions were received. In addition, DPIPWE, working closely with the then Department of Economic Development, Tourism and the Arts, undertook their own investigations and also commissioned market research into the consumer perceptions of GMOs.

I emphasise: the 2013 Review was public, comprehensive and examined all the issues relevant to the moratorium.

It also built upon the findings and issues raised in the successive Parliamentary and Departmental reviews that have been conducted in Tasmania since 2000.

The critical issue raised by stakeholders in the Review was the market advantages or disadvantages of the moratorium. This is because under the national scheme for the regulation of GMOs, States can only regulate on marketing grounds.

To directly quote from the Review Final Report of December 2013:

*“It is not possible for this Review to quantify the market (or marketing) advantages or disadvantages to the State of the moratorium. As observed with previous reviews on GMOs in Tasmania, beyond possibly small discrete markets it is not possible to provide a definitive answer either way. Future policy responses need to take this uncertainty into account.”*

Importantly, the Review determined that *“there is no collective viewpoint across industry as to whether there is an imperative to change the current policy position on the GMO moratorium from a marketing perspective. It depends on each discrete market or product offering as to whether there is a benefit or a cost.*

*Significant industry sectors such as beef, honey, fruit, organics, food tourism and wine all perceive negative market impacts or challenges if the current policy is altered.*

*On the other hand, dairy and poppy growers perceive negative impacts if the current policy does not change or allow for flexibility to meet future developments in GMO technologies.”*

The 2013 Review also found that only three genetically modified (GM) plants are currently approved for commercial release in Australia: GM canola, GM cotton and GM carnations, with Canola the only one suitable to Tasmania.

Other potential GM crops suitable for the Tasmanian environment are not currently approved for commercial release by the Commonwealth Office of the Gene Technology Regulator.

The Review found GM Wheat, GM Pastures and GM Poppies are potentially in the pipeline for approval for either research or commercial release between 2015 to 2020.

However, based on the different evidence to the 2013 Review, the GM pipeline is somewhat uncertain.

The 2013 Review encountered the same issues as previous Parliamentary or Departmental reviews. It is inherently difficult to value the market benefits and costs of the moratorium, and to measure brand attributes.

Despite this uncertainty the value of the market advantage of Tasmania's GMO free status is not insignificant.

What is certain is that if the moratorium were lifted then there will be no opportunity for industries that perceive a market advantage to market their food products as GMO-free.

The GMO free status cannot easily be restored if lifted.

The *Tasmanian Gene Technology Policy 2014-2019* and supporting *Tasmanian Gene Technology Guidelines* provide the details necessary to underpin the operation of the Act.

The new Policy and Guidelines carry forward the key operational elements from previous Tasmanian policy in place since 2009 and they take into account the findings of the 2013 Review.

However, rather than all information being combined into one document the operational details have been separated from matters of policy.

The Government's Gene Technology Policy, and this amendment, is not locking Tasmania out of potentially using GMOs at some point in the future.

Whilst we are maintaining a five year moratorium, we are remaining vigilant to the potential advantages of GMOs. Naturally, we are mindful that the potential use of GMOs requires very careful consideration to avoid negative market or brand impacts.

AgriGrowth Tasmania within the Department of Primary Industries, Parks, Water and Environment will provide the Minister with an annual report on developments in GMOs across three areas:

- 1) new generation GMOs that provide health or other benefits;
- 2) technologies that may provide positive benefits to primary industries and Tasmania as a whole; and
- 3) consumer sentiment in important current and potential future markets.

Stakeholder views will also be captured.



AgriGrowth Tasmania will also advise if based on the evidence, there are significant developments in these three specific matters that warrant the triggering of a review of the moratorium, before the maximum five years.

If such a circumstance arose, the Government would take advice and consider its position on whether to conduct a review of the moratorium earlier than 5 years. This is a responsible position that enables Government to respond should there be a breakthrough technology or a remarkable shift in consumer sentiment which has the potential to significantly benefit Tasmania.

In conclusion:

This Bill fulfils the Government's commitment to extend the GMO moratorium for five years.

The five year timeframe enables technological advances, markets and consumer sentiment to be monitored and understood and for a further review in 2019.

It also enables farmers, agribusinesses and food businesses to confidently invest in marketing and market development activities to sell their products and to demonstrate the value of Tasmania's GMO-free status.

It is a sensible and balanced approach.

Mr Speaker, I commend the Bill to the House.