INQURY INTO REGULATION OF AGRICULTURE:

1) IN AGRICULTURE THE PROBLEM IS THAT BIG BUSINESS IS USING PATENTED SYSTEMS TO MAKE MONEY. THOSE WITH SUCH VESTED INTERESTS SEEM TO BE THE MAIN DRIVERS OF DEREGULATION, WITH MARKEDLY FEW BENEFITS TO AUSTRALIA:

2) WHAT ARE THE STANDARDS FOR FAILURE FOR THE GE FOOD INDUSTRY?

3) WHAT ARE THE STANDARDS FOR FAILURE OF THE OGTR ***(Office of the Gene Technology Regulator), APVMA (Australian Pesticides and Veterinary Medicines Authority) and FSANZ (Food Standards of Australia and New Zealand) ?***

4) REGULATORS :- "SCIENTIFIC RESEARCH IS INDEPENDENT" : We have no evidence of this and are unlikely to because of commercial secrecy, we are told. OGTR, APVMA and FSANZ lack independence themselves. All are victims of regulatory capture. ***Government has largely subjected Australia to a position of infantile dependency on imported, mostly low quality and inappropriate 'commercial science'.*** All regulators depend heavily on commercial data supplied by industry applicants or their allies to make assessments. All depend on approving applications in order to receive funding, with a small top-up from government. This is an appalling situation and unprofessional.
Our farmers and the unwitting Australian public are now tied to subsidizing overseas interests with few if any of the benefits flowing back into our country. Eg with GM crops we now witness the tragic, progressive undermining of the very foundations for our success in agriculture – our 'clean, green and GE-free' image. Australia now seriously lags behind other countries in the sciences, We are shocked to discover Australia no longer features at all among world leaders. (Ref: *Scientific American, October 2015, page 41).*

5) WE WANT AUSTRALIA TO BE A LEADER IN ITS OWN RIGHT, providing it own solutions to its own unique problems, and marketing its own areas of expertise.

6) EMERGING RISKS ARE NOT CONSIDERED BY THE OGTR, which approves virtually every GM application. The 'Ability to genetically engineer new species becoming widely available and used by a range of skilled and unskilled people' poses potential current and emerging risks to the nation's biodiversity. *['Australia State of the Environment 2011', Commonwealth Govt, page 678, last para].*

7) BIOTECHNOLOGY IS ALREADY POORLY REGULATED IN THE USA ***yet OGTR, APVMA and FSANZ rely on the US's antiquated system.***

8) THE VAST MAJORITY OF AUSTRALIAN FARMERS - GE-FREE BY *CHOICE* - FACE HAVING THEIR CHOICE TAKEN AWAY when, as is happening in Canada, their crops eventually become contaminated by GMOs. Their livelihoods are then threatened by loss of markets, most of which want GE-free and Organic products. GE-free and Organic earn

the premiums. Logically supporting agricultural productivity and efficiency should be strongly focused in these most successful farming sectors - but the opposite is happening. ***Why?***

Only a small vocal minority of big-agritech GM contractors backed by big agribusiness want to subscribe to the patented system.

Total deregulation seems a ruthless exercise designed to gradually and permanently remove the choice of GE-Free farmers, and undermine their sought-after GE - free status. Once released into the food chain, there can be no recall of GMOs.

9) AS AN ISLAND CONTINENT, OUR LAND IS BLESSED WITH A NATURAL QUARANTINE ADVANTAGE. Year after year this is enormously cost saving. This natural competitive edge protects our agriculture and livestock industries, the health and safety of Australians, and the world class biosecurity made further possible by our extraordinary bushland and ecological systems. Why isn't government and industry fiercely guarding Australia's valuable natural assets?

It would be irreversibly damaging and extremely costly on many levels to throw this away. Choosing the best path forward with that in mind is critical.

There is no public imperative to market most of the agricultural products of gene technology,

Like Tasmania, our home state of Western Australia has unique geographical and natural quarantine advantages, being bounded up on one side by sea, on the other by desert. That has enabled this State's agricultural sector to gain an enviable reputation status nationally and internationally on the basis of its 'clean, green and GE-free image'.

This winning combination of factors has enabled Western Australia to uphold a strong competitive edge that would be irreparably harmed if the GM patented system of agriculture were allowed to take a hold.

There is a public perception that government appears to be aligned with what the GM food industry wants, not with what most consumers want, and what most farmers want, nor with what is vital for the nation's future food and environmental security.

10) F**ARMERS SAY THEY WANT TO KEEP THEIR WORK SIMPLE.** A PATENTED SYSTEM HAS MANY COMPLICATIONS. Burdens are borne by *both* GE-free farmers and Monsanto GM-contractors. Both GM contractors and non-GM farmers carry all liability. Monsanto appears to absolve itself of all responsibility and liability. GM-contractors cannot purchase seed outright, end up subsidizing the biotech corporations, and are prevented from saving their own seed. The system is very divisive as seen in WA. Non-GM Canola brings the premiums so it is curious why GM farmers take up GM contracts.

11) FREEDOM OF CHOICE TO GROW GM: This was the argument used by cigarette companies to promote unfettered use of their products for over a century. This was proved wrong. In the case of GM food production, we should not have to wait 50 years for evidence to come forward. The Precautionary Principle should apply.

12) LIABILITY AND INSURANCE: THE GM COURT DECISION IN WESTERN AUSTRALIA, in which Organic farmer Steve Marsh brought litigation against neighbouring Monsanto GM-contractor Michael Baxter for contamination, is regarded with much cynicism. ***It took place in a legal vacuum. WA and indeed Australia lack the legal framework to deal with GMO issues. WA is well-known for its lax laws.***

In the first of these two WA court cases there was not even a precedent to work from. Steve Marsh lost his accreditation and the case. An obvious injustice remains. Fundamental issues surrounding the patented system remain unresolved. Ethical and moral issues are glaring. ***Australia's naivete is unfairly taken advantage of by foreign biotech companies. On the basis of these two dubious legal 'precedents', with this aspect of the legal system in its infancy, the whole nation is now being pushed to abandon its agricultural regulatory protection and moral integrity.***

The court case showed that Common Law is not able to deal with the issues. It suggests claims that segregation and coexistence work are simply GM industry PR propaganda backed by government - Canadian organic farmers are steadily losing their battle against GM contamination. An astute government would see opportunities opening for Australia's profitable organic food industry and support it, instead of doing everything to undermine it.

The whole set of circumstances surrounding the case are viewed with suspicion by many. (See * Regulatory capture; 'relationship to federalism' Wikipedia).
https://en.wikipedia.org/wiki/Regulatory_capture

[Relationship with federalism[edit]

There is substantial academic literature suggesting that smaller government units are easier for small, concentrated industries to capture than large ones. For example, a group of states or provinces with a large timber industry might have their legislature and/or their delegation to the national legislature captured by lumber companies. These states or provinces then becomes the voice of the industry, even to the point of blocking national policies that would be preferred by the majority across the whole federation. Moore and Giovinazzo (2012) call this "distortion gap".[7]

The opposite scenario is possible with very large industries, however. Very large and powerful industries (e.g. energy, banking) can capture national governments, and then use that power to block policies at the state or provincial level that the voters may want].

13) UNSATISFACTORY/ INADEQUATE LABELLING REMAINS A SORE POINT WITH MANY CONSUMERS. Despite promises from govt. to rectify this, little has beed done. Many like us simply boycott poorly labelled items.

14) BIOGENETIC WASTE ISSUES ARE INEVITABLE, they pose hazards and a lasting legacy.

15) PATENTED AGRICHEMICALS ARE TREADMILL SOLUTIONS. A major concern about the use of patented GM seeds is the associated, obligatory heavy use of patented pesticides, principally glyphosate-based herbicides. Levels of pesticides in many kinds of fruit, vegetables and grains are now at levels deemed dangerous by biomedical scientists. Pesticide use is on the up. This worries environmental scientists as

pesticides are designed to be biologically active. Agriculture needs to transition away from toxic chemicals, but agrichemical companies do not want this - half Monsanto's profits come from their chemicals. So lax regulation would be in their self-interest, but not in the interests of land care or consumer protection. Agrichemicakls are leaving a toxic environmental legacy worldwide, and jeopardizing the well-being of future generations. Ultimately our economy is undermined.

It has become unduly obsessed with interfering with our food production and food supplies. Australia is losing its food sovereignty, a great worry to many. Government is now widely regarded with suspicion and distrust for its complicity in this.

16) IN THE RUSH FOR QUICK EXCESSIVE PROFITS, CONSUMERS ARE FORCED TO BEAR THE RISKS AND COSTS OF BIOERROR, *and to be participants in a global food experiment without their informed consent. A whole generation is being sacrificed for the sake of profiting a few.*

17) GM FOOD PRODUCTION THREATENS BIOSECURITY: 'Larger areas of unsustainable monocultures, fights over intellectual property and suing of farmers, and further concentration of corporate control over our food supply pose significant biosecurity risks'. (*Australia, State of the Environment 2011).* Farmers say they want things to be simple.

18) MAJOR RISKS ARE: 'Major changes in food production technologies reducing numbers of people living in regional Australia and managing the land for personal and public benefit'. (*Australia, State of the Environment 2011, Page 677*).

19) NEEDED IS AN APPROPRIATE LEVEL OF PROTECTION POLICY (ALOP). We do not have one.

20) A BIOSAFETY PROTOCOL in Australia would allow member states to bar imports of genetically altered seeds, microbes, animals and crops they regard as a threat to their environment. We do not have one.

21) NEEDED ARE SURVEILLANCE AND INTELLIGENCE STRATEGIES that target GMO biosecurity threats, and provide means of early detection and eradication or containment. We do not have them.

22) NEEDED IS A TRACKING SYSTEM THROUGH THE FOOD SUPPLY. We do not have one

23) THE PATENTED FOOD SYSTEM FAVOURS MASSIVE INDUSTRIAL SCALE production methods, reinforcing and expanding monocultures which are notoriously more prone to large scale pest and disease outbreaks, sometimes causing total and permanent losses to farmers. They tend to promote pests and diseases because these are given such a big target.

INTRODUCING GMO 'EXOTICS' CARRIES HIDDEN DANGERS, just as with the introduction of exotic plants into Australia. Attentuated pathogenic GM vaccines are a great

concern, given the adaptability of bacteria. 'We are prepared to spend vast amounts of time and money, and go to great lengths to ensure Mars missions do not export potentially dangerous micro-organisms from Earth. Unfortunately these wholly sensible interplanetary precautions have not been adopted closer to home. Here on Earth many inhabitants are facing the very real prospect of annihilation by alien pathogens'. *[New Scientist, 'Sudden Death', 5 June 2004, page 5].*

The main reason GMOs are accepted into the country as low risk is because it's still too soon for any dangerous potential to be known to science and so they don't feature on our quarantine schedule. It's only when they reveal themselves that they can be added to the list. This is one reason we strongly oppose the proposed commercial introduction of the attenuated pathogenic GM *Escherichia - coli* (GM *E-coli)* commercial chicken vaccine.

LARGE GAPS IN KNOWLEDGE ARE NOT BEING ADDRESSED in the rush by the biotech corporations to market their products. Plant genomes are highly complex. Despite rapid growth in the plant technology sector, understanding is in its infancy. Correspondingly the understanding of nutrition and of human and animal microbiomes are still very much in their infancy, so the effects of GM foods on human and animal health are barely explored. *Our current regulatory system must address this. It still fails to do so.*

PRODUCTIVITY IS BECOMING SEEN IN THE CONTEXT OF THE RISK FACTORS POSED BY GM FOOD PRODUCTION METHODS and their limited marketability. Food quality and safety, and food security are the fundamental concerns of people here and abroad. Unlike long experienced natural foods, safety of GM foods cannot be guaranteed. The reliance of GM food production on heavy pesticide use is unacceptable.

THE POTENTIAL FOR AND LOGISTICS OF REGULATORY OVERSIGHT ARE RAISED especially in relation to GM microorganisms.

MAINTAINING MARKET ACCESS AND INDUSTRY PROFITABILTY, (especially primary industries) is now threatened by GM food production, raising some GMOs to a pest status eg GM Canola escapees which are now found along roadsides in WA's southwest. These can potentially cross breed with wild brassicas to produce herbicide-resistant super weeds - devastating for farmers.