

Chapter 1

Introduction

Background

1.1 The Food Standards Amendment (Truth in Labelling—Genetically Modified Material) Bill 2010 (the Bill) was introduced into the Senate on 16 November 2011 by Senators Xenophon and Siewert.¹

1.2 On 26 November 2010, the Senate adopted the Selection of Bills Committee Report No. 15 of 2010 and referred the Bill to the Community Affairs Legislation Committee (the Committee) for inquiry and report by 16 June 2011.²

Conduct of the Inquiry

1.3 The committee advertised its inquiry in *The Australian* on 8 December 2010 and details of the inquiry, the Bill and associated documents were placed on the committee's website. In addition, the committee contacted 46 organisations in writing alerting them to the inquiry and inviting them to make a submission. A list of submissions can be found at Appendix 1.

1.4 The committee held two public hearings—in Canberra on 18 April 2011 and in Melbourne on 19 April 2011. A list of witnesses who attended the hearings can be found at Appendix 2. The Hansard transcript is available at:

http://www.aph.gov.au/Senate/committee/clac_ctte/labelling_gmm/hearings/index.htm

1.5 The committee wishes to thank all those who assisted with the inquiry.

Report structure

1.6 Chapter 2 of this report will explore the current regulatory framework as it applies to labelling for GMM, what aspects of the *Food Standards Australia New Zealand Act 1991* the bill proposes to amend, and issues raised during the committee's inquiry.

1.7 References to committee Hansard are to the proof Hansard; page numbers may vary between the proof and the official Hansard transcript.

1 Journals of the Senate, No. 9, 16 November 2010, p. 304.

2 Journals of the Senate, No. 16, 26 November 2010, p. 472.

Key provisions of the Bill

1.8 The Bill would require Food Standards Australia New Zealand (FSANZ) to develop and approve, within six months after the commencement of the section, standards to prescribe that producers, manufacturers and distributors of food containing genetically modified material (GMM) must list that material as an ingredient on the food's label, irrespective of:

- The amount of GMM in the food;
- The manner in which the GMM made its way into the food; and
- The fact that the food was not intended to contain GMM.

1.9 FSANZ may subsequently revoke the GM food labelling standard and develop and approve a new standard, provided it also complies with subsection (1) as above.

1.10 The Bill would also require FSANZ to develop guidelines of due diligence by producers, manufacturers and distributors of GM-free food for the prevention of contamination by GMM. These guidelines must be developed within six months after the commencement of the section. The due diligence guidelines must include, but are not limited to, provisions regarding:

- Verification of the chain of custody in relation to ingredients used to produce GM-free food;
- Procurement or supply contract requirements for ingredients for GM-free food; and
- Verification of testing and the results of testing GM-free food:
 - Produced or manufactured in a high risk country; or
 - Containing ingredients sourced from a high risk country.

1.11 Proposed new section 16E would require FSANZ to develop guidelines to assist agencies involved in the compliance testing and enforcement of the Australia New Zealand Food Standards Code in relation to a GM food labelling standard.