COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON PRIMARY INDUSTRIES AND REGIONAL SERVICES

Reference: Primary producer access to gene technology

WEDNESDAY, 15 MARCH 2000

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HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON PRIMARY INDUSTRIES AND REGIONAL SERVICES

Wednesday, 15 March 2000

Members: Fran Bailey *(Chair)*, Mr Adams, Mr Andren, Mr Horne, Mr Katter, Mr Lawler, Mr Ian Macfarlane, Mr Leo McLeay, Mr Nairn, Mr Secker, Mr Sidebottom and Mr Cameron Thompson

Supplementary members: Mr Griffin and Dr Washer

Members in attendance: Mr Adams, Fran Bailey, Mr Cameron Thompson and Dr Washer

Terms of reference for the inquiry:

To inquire into and report on the following areas, with particular emphasis on the capacity of small and medium sized enterprises to access the benefits of gene technology:

- the future value and importance of genetically modified varieties;
- the ability for producers to compete using traditionally available varieties;
- the commercialisation and marketing of agricultural and livestock production varieties;
- the cost to producers of new varieties;
- other impediments to the utilisation of new varieties by small producers;
- assistance to small producers to develop new varieties and the protection of the rights of independent breeders, in relation to genetically modified organisms;
- the appropriateness of current variety protection rights, administrative arrangements and legislation, in relation to genetically modified organisms; and
- opportunities to educate the community of the benefits of gene technology.

WITNESSES

Committee met at 5.17 p.m.

CAIN, Ms Liz, Head, Interim Office of the Gene Technology Regulator, Department of Health and Aged Care

MAGUIRE, Dr Deborah Jane, Scientific Adviser, Genetic Manipulation Advisory Committee Secretariat, Interim Office of the Gene Technology Regulator, Department of Health and Aged Care

SLATER, Mr Terry, National Manager, Therapeutic Goods Administration, Department of Health and Aged Care

CHAIR—I declare open this public hearing of the inquiry by the House of Representatives Standing Committee on Primary Industries and Regional Services into primary producer access to gene technology. Today's hearing is the eighth for this inquiry. I advise the witnesses that the committee's public hearings are recognised as proceedings of the parliament and warrant the same respect that proceedings in the House of Representatives demand. Witnesses are protected by parliamentary privilege in respect of the evidence they give before the committee. Witnesses will not be asked to take an oath or to make an affirmation, however, they are reminded that false evidence given to a parliamentary committee may be regarded as contempt of the parliament. The committee prefers that all evidence be given in public, but if at any stage any of the witnesses wish to provide evidence in private, please ask and the committee will give consideration to your request.

I welcome representatives from the Interim Office of the Gene Technology Regulator and the Genetic Manipulation Advisory Committee. We have received a submission from the Interim Office of the Gene Technology Regulator and have authorised its publication. Do you propose any changes to your submission?

Ms Cain—No, not at this stage.

Mr Slater—We would like to make an opening statement.

CHAIR—I invite you do that now.

Mr Slater—Thank you. With us today is a representative from Dr Wooldridge's office, Dr Joanna Wriedt, and the GMAC secretariat, as we mentioned in our introductions. The IOGTR, the Interim Office of the Gene Technology Regulator, have appeared before the committee previously, and we made a written submission in September 1999. That submission focused on providing input primarily to the committee's term of reference—considering the impact of regulatory arrangements on primary producer access to gene technology. Therefore, the submission referenced the legislative systems that currently regulate genetically modified products and explained the system of controls administered by GMAC. This information remains current, although the committee may be interested in the recent application of the administrative arrangements in relation to Roundup Ready cotton. We will guided by you on your interest in that area.

The submission outlined the need to augment the administrative arrangements with more stringent controls. It outlined key aspects of the federal government's decisions concerning both interim arrangements for the period September 1999 until January 2001 and the development of regulatory underpinning which will address the gaps in the current legislation. We have made considerable ground in the development of the national regulatory system for gene technology in the month since the Interim Office of the Gene Technology Regulator made its submission to the committee in September. We are now in a position to present to the committee an overview of the regulatory framework that has been developed cooperatively by all states and territories and the Commonwealth through an extensive process of broad consultation with non-government stakeholders. This has included individuals and organisations representing primary producers as well as the biotechnology industry, the food manufacturing industry, environmental and consumer interests and Australia's research and development sector. If the committee agrees, we will have pleasure in taking you through the process by which the legislative system was developed and explaining where we are as a result of our recent second round of national consultations.

CHAIR—Thank you very much. That is exactly where I had planned to start, so we are of like minds. Please, go ahead.

Ms Cain—As Terry mentioned, we have recently completed a second round of national consultations on the development of the regulatory system. The first round of consultations commenced in October last year when state, territory and Commonwealth agencies agreed to the content of a plain English discussion paper that set out a possible regulatory approach for genetically modified organisms. We deliberately released this plain English guide well in advance of draft legislation because we had feedback.

CHAIR—Can you tell us who you released it to?

Ms Cain—We direct mailed it to the around 2,500 people who are on the interim office's mailing database. We also advertised the availability of the paper in about 30 state and regional newspapers in Australia and invited people to access it either by downloading a copy from our web site or by asking us to mail a copy to them. I have for the committee a list of the primary producer and related organisations that we specifically invited to participate in the development of the national regulatory system. I can leave that list with the secretariat.

CHAIR—Thank you.

Ms Cain—The list has been ordered by state and territory to give you an idea of the breadth that we sought to achieve in each jurisdiction.

Mr ADAMS—You did not send one to state and territory MPs?

Ms Cain—We sent a copy to each senator and member of parliament at the federal level. We did not provide a copy of it to members of state and territory parliaments or legislative assemblies.

Mr Slater—It was made available.

Mr ADAMS—That was sent some time ago, I take it?

Ms Cain—In October.

CHAIR—Has any other member of the committee seen it?

Mr ADAMS—Did you receive this document in about October? It is a long time ago, I know.

Ms Cain—We have had a number of acknowledgments from parliamentarians.

CHAIR—I was going to ask.

Ms Cain—Could somebody in your office have dealt with that perhaps?

Mr ADAMS—I would not have thought so.

CHAIR—Members of this committee may have been frantically busy with other issues at the time, like many of the other MPs.

Mr ADAMS—We won't worry about it.

CHAIR—I am interested to know that you have actually got some responses from people.

Ms Cain—We have and we could provide some indication to the secretariat of the parliamentarians who acknowledged receipt of it, if that would be helpful to the committee.

Mr ADAMS—I do not think that is necessary.

CHAIR—That is not really necessary.

Ms Cain—The purpose of that discussion paper was to go out to the breadth of stakeholders outside government and get their early input into the development of the regulatory system. It was a long way from a polished proposal for a regulatory system, but that was quite important because we actually wanted legitimate input into the development of the system.

CHAIR—You sent over a couple of thousand in total?

Ms Cain—Yes.

CHAIR—As a percentage, what response did you get from that?

Ms Cain—We had about 200 formal written submissions made. We also received a number of letters, brief faxes and things like that. I have not got the numbers for those. The formal submissions were really very helpful. We started to get some very useful feedback on some key

issues like how you deal with ethics in the regulatory system, which I might come back to in a minute, if I may.

Once we analysed the responses to the discussion paper, we were then in a position to start developing a preliminary draft of the bill. In advance of that, when the discussion paper was out, we had consultations in each state and territory. We deliberately did not go for open public forums at that stage because we wanted to get beyond the polarised 'I love GMOs; I hate GMOs' sort of debate and get into the detail of what a regulatory system should address. So we organised in each state and territory meetings with primary producers separate to environmental groups and consumer groups, separate to manufacturing and production industry and separate to the researchers and the people working in the R&D sector. Then we came back and analysed the results of that round of consultations and the responses to the discussion paper. Again, we worked with states, territories and Commonwealth agencies, including importantly, Agriculture, Fisheries and Forestry Australia, Industry, Science and Resources, and Environment Australia to produce a draft bill. And we also produced another plain English guide. Those documents were signed off by Commonwealth agencies and by states and territories just before Christmas.

CHAIR—Unfortunately, we have a division. We will come back. There may be a series of divisions. There are some refreshments there and I would invite you to participate in them until we return.

Proceedings suspended from 5.29 p.m. to 6.05 p.m.

CHAIR—Could I apologise most profusely to the witnesses. I have taken an executive decision to stop the hearing today. We will look at another date. You are far too important a group of people for us to devote merely 15 or 20 minutes to. I spoke to a few of the other committee members as I was passing in the last division, and we want as many on the committee as possible to be able to hear what you have to say and to have the opportunity to ask questions, rather than just a couple of us. Unfortunately, we have just had a most unusual set of circumstances in the House. I thank you once again for attending. I spoke very briefly to Mr Dundas: we have a new date, in April, that will hopefully suit you. He will contact you. I am very sorry that we were not able to do it today but, to do your presentation justice and to be able to find out the sort of information that we want to find out, we need a full session.

Mr Slater—Thanks.

Resolved (on motion by **Dr Washer**):

That, pursuant to the power conferred by section (a) of standing order 346, this committee authorises the publication of the evidence given before it at public hearing this day.

Committee adjourned at 6.07 p.m.