

## **STANDARD 1.5.2**

### **FOOD PRODUCED USING GENE TECHNOLOGY**

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#### **Purpose**

Division 1 of this Standard addresses health and safety requirements, regulating the sale of food produced using gene technology, other than additives and processing aids. The Standard prohibits the sale and use of these foods unless they are included in the Table to clause 2 and comply with any special conditions in that Table.

The Authority will assess the safety for human consumption of each food produced using gene technology or such class of food prior to its inclusion in the Table. The safety assessment will be performed according to the Authority's approved safety assessment criteria.

Additives and processing aids which are produced using gene technology are not regulated in Division 1 of this Standard. Other Standards in this Code regulate additives and processing aids and require pre-market approval for these substances.

Division 2 of this Standard specifies labelling and other information requirements for foods, including food additives and processing aids, produced using gene technology.

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#### **Clauses**

##### **Division 1 – Sale and use of food produced using gene technology**

###### **1 Interpretation**

For the purposes of this Standard –

**a food produced using gene technology** means a food which has been derived or developed from an organism which has been modified by gene technology.

**Editorial note:**

This definition does not include a food derived from an animal or other organism which has been fed food produced using gene technology, unless the animal or organism itself is a product of gene technology.

**conventional breeding** means all methods used to produce plants, excluding techniques that use gene technology.

**gene technology** means recombinant DNA techniques that alter the heritable genetic material of living cells or organisms.

**line** means –

- (a) a plant, the genetic material of which includes a transformation event or events; or
- (b) any plant, descended from the plant referred to in paragraph (a), that is the result of conventional breeding of that plant with –
  - (i) any other plant that does not contain a transformation event or events; or
  - (ii) any other plant that contains a transformation event or events, whether expressed as a line or event, that is listed in Column 1 of the Table to clause 2 of this Standard;

but shall not be taken to mean any plant derived solely as a result of conventional breeding.

**transformation event** means a unique genetic modification arising from the use of gene technology.

## **2 General prohibition on the sale and use of food produced using gene technology**

A food produced using gene technology, other than a substance regulated as a food additive or processing aid, must not be sold or used as an ingredient or component of any food unless it is listed in Column 1 of the Table to this clause and complies with the conditions, if any, specified in Column 2.

**Table to clause 2**

<b>Column 1</b>	<b>Column 2</b>
<b>Food produced using gene technology</b>	<b>Special conditions</b>
Food derived from amylase-modified corn line 3272 Food derived from glufosinate ammonium-tolerant corn line T25 Food derived from glufosinate ammonium tolerant cotton line LL25 Food derived from glufosinate ammonium-tolerant rice line LLRICE62	

**Table to clause 2 (continued)**

Column 1	Column 2
Food produced using gene technology	Special conditions
<p>Food derived from glufosinate ammonium tolerant soybean lines A2704-12 and A5547-127</p> <p>Food derived from glyphosate-tolerant corn line GA21</p> <p>Food derived from glyphosate-tolerant cotton line GHB614</p> <p>Food derived from glyphosate-tolerant corn line NK603</p> <p>Food derived from glyphosate-tolerant cotton line MON 88913</p> <p>Food derived from glyphosate-tolerant lucerne J101 and J163</p> <p>Food derived from glyphosate-tolerant soybean line 40-3-2</p> <p>Food derived from glyphosate-tolerant soybean line MON 89788</p> <p>Food derived from glyphosate-tolerant sugarbeet line 77</p> <p>Food derived from herbicide-tolerant corn line DP-098140-6</p> <p>Food derived from herbicide-tolerant soybean line DP-356043-5</p> <p>Food derived from high lysine corn line LY038</p> <p>Food derived from high oleic acid soybean line DP-305423-1</p> <p>Food derived from high oleic acid soybean lines G94-1, G94-19 and G168</p> <p>Food derived from insect- and potato leafroll virus-protected potato lines RBMT21-129, RBMT21-350, and RBMT22-82.</p> <p>Food derived from insect- and potato virus Y-protected potato lines RBMT15-101, SEM15-02 and SEM15-15.</p> <p>Food derived from insect-protected and glufosinate-ammonium tolerant corn line 1507</p> <p>Food derived from insect-protected and glufosinate ammonium-tolerant DBT418 corn</p> <p>Food derived from insect-protected and glyphosate-tolerant corn line MON88017</p> <p>Food derived from insect-protected and herbicide-tolerant cotton line T304-40</p> <p>Food derived from insect-protected Bt-176 corn.</p> <p>Food derived from insect-protected corn line MIR162</p> <p>Food derived from insect-protected corn line MIR604</p> <p>Food derived from insect-protected corn line MON 810</p> <p>Food derived from insect-protected corn event MON863</p> <p>Food derived from insect-protected corn line MON 89034</p> <p>Food derived from insect-protected cotton line COT67B</p>	<p>Unless the protein content has been removed as part of a refining process, the label on or attached to a package of a food derived from high lysine corn line LY038 must include a statement to the effect that the food has been genetically modified to contain increased levels of lysine.</p> <p>The label on or attached to a package of a food derived from high oleic acid soy bean lines G94-1, G94-19 and G168 must include a statement to the effect that the food has been genetically modified to contain high levels of oleic acid</p>

**Table to clause 2 (continued)**

Column 1	Column 2
Food produced using gene technology	Special conditions
Food derived from insect-protected, glufosinate ammonium-tolerant Bt-11 corn. Food derived from insect-protected, glufosinate ammonium-tolerant corn line DAS-59122-7 Food derived from insect-protected potato lines BT-06, ATBT04-06, ATBT04-31, ATBT04-36, and SPBT02-05 Food derived from sugar beet line H7-1 Food derived from bromoxynil-tolerant cotton containing transformation events 10211 and 10222 Food derived from glyphosate-tolerant cotton line 1445 Food derived from insect-protected cotton line COT102 Food derived from insect-protected cotton lines containing event 15985 Food derived from insect-protected cotton lines 531, 757 and 1076 Food derived from insect-protected, glufosinate ammonium-tolerant cotton line MXB-13 Oil derived from bromoxynil-tolerant canola line Westar-Oxy-235 Oil derived from glufosinate-ammonium tolerant canola lines Topas 19/2 and T45 and glufosinate-ammonium tolerant and pollination controlled canola lines Ms1, Ms8, Rf1, Rf2 and Rf3 Oil derived from glyphosate-tolerant canola line GT73 Food derived from drought-tolerant corn line MON87460 Food derived from insect-protected soybean line MON87701	

**3 Deleted**

**Division 2 – Labelling etc of food produced using gene technology**

**4 Interpretation and Application**

(1) For the purposes of this Division –

**genetically modified food** means food that is, or contains as an ingredient, including a processing aid, a food produced using gene technology which –

- (a) contains novel DNA and/or novel protein; or
- (b) has altered characteristics;

but does not include –

- (c) highly refined food, other than that with altered characteristics, where the effect of the refining process is to remove novel DNA and/or novel protein;

- (d) a processing aid or food additive, except where novel DNA and/or novel protein from the processing aid or food additive remains present in the food to which it has been added;
- (e) flavours present in the food in a concentration no more than 1g/kg; or
- (f) a food, ingredient, or processing aid in which genetically modified food is unintentionally present in a quantity of no more than 10g/kg per ingredient.

**altered characteristics** means any of the matters specified in paragraphs 7(a), (b), (c) or (d) of this Standard.

**novel DNA and/or novel protein** means DNA or a protein which, as a result of the use of gene technology, is different in chemical sequence or structure from DNA or protein present in counterpart food which has not been produced using gene technology.

(2) Any statement required by clause 5 may be contained in the statement of ingredients where the genetically modified food is an ingredient or processing aid.

(3) Where genetically modified food is displayed for retail sale other than in a package, any information that would have been required under clause 5 of this Standard on the label on the food if it was packaged, must be displayed on or in connection with the display of the food.

(4) This Division does not apply to food intended for immediate consumption which is prepared and sold from food premises and vending vehicles, including restaurants, take away outlets, caterers, or self-catering institutions.

(5) Deleted

(6) Deleted

## **5 Labelling of genetically modified food**

The label on a package of genetically modified food must include the statement 'genetically modified' in conjunction with the name of that food or ingredient or processing aid.

**Editorial note:**

An example for single ingredient genetically modified foods:

Soy Flour  
Genetically Modified

Soy Flour  
From genetically modified soya beans

An example for genetically modified food ingredients:

Ingredients: Soy Protein Isolate (genetically modified); Maltodextrin; Vegetable Oil; Food Acid (332); Emulsifier (471); Vegetable Gum (407); Water Added.

## **6 Labelling of food which is not genetically modified**

The label on a package of food which is not defined as 'genetically modified food' in clause 4 of this Standard is not required to include any statement about the genetic status of the food.

## **7 Additional labelling/information requirements**

Notwithstanding the provisions of this Division, Column 2 of the Table to clause 2 may specify labelling or other information requirements in relation to food produced using gene technology listed in Column 1 of the Table where –

- (a) the genetic modification has resulted in one or more significant composition or nutritional parameters having values outside the normal range of values for existing counterpart food not produced using gene technology;
- (b) the level of anti-nutritional factors or natural toxicants are significantly different in comparison to the existing counterpart food not produced using gene technology;
- (c) the food produced using gene technology contains a new factor known to cause an allergic response in particular sections of the population;
- (d) the intended use of the food produced using gene technology is different to the existing counterpart food not produced using gene technology; or
- (e) the genetic modification raises significant ethical, cultural and religious concerns regarding the origin of the genetic material used in the genetic modification.