

DECLARATION – EXCLUSIVE CAPTURABLE COMMERCIAL BENEFIT

I, Kathryn Anne Wheeler, declare that the application to amend Standard 1.5.2 – Food Produced Using Gene Technology to include foods derived from insect-protected corn containing the eCry3.1Ab and PMI genes – Line 5307 will have exclusive capturable commercial benefit for Syngenta in that it will assist Syngenta to sell 5307 corn seed in the United States and Canada.

For this purpose, Section 8 of the FSANZ Act provides

*An **exclusive, capturable commercial benefit** is conferred upon a person who applies for the development of a food regulatory measure or the variation of a food regulatory measure under section 22 if:*

(a) the applicant can be identified as a person or body that may derive a financial gain from the coming into effect of the draft standard or draft variation of the standard that would be

prepared in relation to the application; and

(b) any other unrelated persons or bodies, including unrelated commercial entities, would require the agreement of the applicant in order to benefit financially from the approval of the application.

Signature *Kathryn Wheeler*

the 15th day of April 2011

