

## **Comments from the Victorian Departments of Environment & Primary Industries and Health**

**Due date of submission – 19 November 2013**

The Victorian Departments of Environment & Primary Industries and Health (the Departments) welcome the opportunity to provide comments on Application A1085. Application A1085 seeks permission for food that has been derived from the lucerne line KK179 which is genetically modified to have reduced lignin levels.

From the FSANZ assessment report it is understood that:

- This line of genetically modified (GM) lucerne is not intended for human consumption as its purpose is for use in animal feed, primarily in North America;
- The Monsanto/Forage Genetics International's agreement with growers for this product would strictly prohibit the commercial sale of KK179 alfalfa seed for food uses;
- Monsanto is not currently intending to commercially release this variety for cultivation in Australia or New Zealand;
- FSANZ has not assessed the safety of animal feed or animals consuming feed derived from this line of GM Lucerne; and
- FSANZ has assessed Application A1085 in the event of inadvertent entry of food from this line of GM lucerne into the Australia/New Zealand food supply.

The Departments are aware that Australia imports a small quantity of lucerne seed from North America. The likelihood of the inadvertent entry into Australia of KK179 alfalfa seed co-mingled with non-GM alfalfa seed for sowing or sprouting, while possible, is low. However, the Departments appreciate the highly precautionary approach taken by FSANZ. Nonetheless, given the low likelihood of entry of this GM lucerne into the Australian food supply, the Departments question the basis of the statement in the assessment report wherein:

FSANZ notes it is not intended that KK179 enter the food supply. However should it enter, food derived from reduced lignin Lucerne line KK179 would be required to be labelled as genetically modified if novel DNA or novel protein is present in the final food.

The Departments contend that labelling may not be required as it would be more likely for food derived from the lucerne to be 'unintentionally present in a quantity of not more than 10 g/kg'. That is, it would not be a GM food under Standard 1.5.2 cl 4(1)(f).

The Departments acknowledge that the safety assessment undertaken by FSANZ was limited to food safety and nutritional issues and that no concerns were raised.