# CONSUMERS SA

**[CONSUMERS' ASSOCIATION OF SOUTH AUSTRALIA INC.]**

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The Consumers Association of South Australia Inc. (Consumers S.A..), is the consumers' voice in South Australia. It is a community based, voluntary, non-profit organisation that represents consumers' interests, encourages the dissemination on issues affecting consumers, provides a forum for discussion of those issues and lobbies on them to all levels of government.

We thank you for the opportunity to comment of the consultation paper, food derived using new breeding techniques.

**COMMENTS ON CONSULTATION PAPER - FOOD DERIVED USING NEW BREEDING TECHNIQUES.**

**3.1.1 Do you agree, as a general principle, that food derived from organisms containing new pieces of DNA should be captured for pre-market safety assessment and approval?**

**Should there be any** exceptions **to this general principle?**

Answer: Whenever and wherever a new piece of DNA is inserted into the genome, pre-market safety assessment and approval for any food for sale from it should be required. There should be no exceptions.

**3.1.2 Should food from null segreant organisms be excluded from pre-assessment and approval? If yes, should that exclusion be conditional on specific criteria and what should those criteria be:?**

**If no, what are your specific safety concerns for food derived from null segreants?**

Answer: No. Horizontal gene transfer is possible between the rootstock and the rest of the plant, including fruit. Suckers from the rootstock (GM) developing could produce leaves and GM fruit. Also the impact upon the soil organisms where such plants are grown, may impact unfavourably on the environment.

Novel gene products not anticipated (or detected)

Unintentional changes to the regulation of other genes.

**3.1.3 Are foods from genome edited organisms likely to be the same in terms of risk to foods derived using chemical or radiation mutagenesis? If No, how are they different? If yes, would this apply to all derived food products or are there likely to be some foods that carry a greater risk and therefore warrant pre-market safety assessment and approval?**

Answer: Any NBT interference with a genome, whether or not any new DNA remains in the organism from which which food is obtained for sale, requires pre-market safety assessment

In this section of the consultation paper a number of different techniques are addressed, all of which are capable of having unintended as well as intended consequences. It is stated in the Consultation paper that 'Genome editing may be used to produce organisms with novel traits (e.g. herbicide tolerant plants, hornless dairy cows) but this may not necessarily result in food with novel or altered characteristic.' However in the case of herbicide tolerant plants, they have certainly had an impact upon the environment with resistance to weeds, loss of biodiversity and contamination of non-ge food crops.
Many of these NBTs have no history of safe use as food, and safety research is still ongoing. FSANZ should adopt the precautionary approach, regulate and label.

**3.2 Are you aware of other techniques not currently addressed by this paper which have the potential to be used in the future for the development of food products?**
**Should food derived from other techniques, such as DNA methylation, be subject to premarket safety assessments and approval?**

Answer: Yes, there are other NBTs in the pipeline not mentioned here, which is another reason why each such technique and the food it may produce must undergo a complete, through pre-assessment on a *case-by-case basis* with no exceptions. Unexpected effects have been observed in all these techniques which belies claims the NBTs are more precise than previous manipulation methods and therefore all outcomes are predictable and known. Studies overseas show this is not the case. (2)

**3.3 Do you think a process-based definition is appropriate as a trigger for pre-market approval in the case of NBTs? If, no, what other approach could be applied to NBTs?**
**Are there any aspects of the current definitions that should be retained or remain applicable?**

The Consultation paper states (3.1) 'NBTs are a diverse range of techniques for modifying genomes.' It therefore follows that any non-naturally occurring, conventional, process that modifies a genome is gene technology. The definition of 'gene technology' in the Food Standards Code should the altered to reflect that the technology is more than just the recombinant DNA techniques that alter the heritable genetic material of living cells or organisms, it includes the New Breeding Technologies (NBTs) Note the Codex definition of Modern biotechnology for example.

**3.4 Are there other issues not mentioned in this paper that FSANZ should also consider, either and part of this Review or any subsequent proposal to amend the Code?**

Although GE food has been around for 3 decades now, there are still doubts about its safety concerning human health and the environment. It is not fully accepted by consumers and there are questions in the public's mind as to the transparency and honesty in the regulatory system(s).

An ongoing issue for consumers has always been labelling and should these NBTs not be regulated they would not be labelled either.

Two key goals of FSANZ are:-

1. Top achieve a high degree in consumer confidence in the quality and safety of food produced, processed, sold or exported from Australia and New Zealand and
2. The provision of adequate information relating to food to enable consumers to make informed choices.

To ensure that FSANZ meets those goals, they must recognise that consumers are, in the main, not desirous of having their food genetically manipulated, by whatever non conventional means are employed. They see little advantage other than making money for multinational companies. Their choice (and that of some famers) becomes more limited.

In addition, if these NBTs result in consumers not being informed that some genetic process has been used in the production of their food through adequate labelling, they are unable to have the information necessary to make an informed choice.

While FSANZ is not responsible for environmental and economical issues surrounding the NBTs, these are still issues that the NBTs raise and should be taken into account.

It is disturbing that some overseas agencies have raised serious concerns that are quite at odds with the findings of FSANZ's Expert Panel, e.g. the Norwegian Environment and Development Agencies, the Austrian Development Agency, and there are others. (1)

The Expert Panel finds no problems with any of these NBTs and in spite of the fact that some form of genetic manipulation takes place, feels that such foods should not be regarded as GM. Where is the honesty in that? This too would appear to be at odds with the Codex definition of 'Modern biotechnology' which covers a range of NBTs.

**In conclusion:**

NBTs are still not fully understood and/or their consequences fully known. Therefore it is essential that any application to use NBTs in the production of food for humans and animals should be considered on a case-by-case basis, as is the present situation.

NBTs should be considered as 'modern biotechnology' (Codex definition) since they modify, change, alter, silence, or otherwise effect change in a genome.

FSANZ should take note of the findings of other countries government agencies, which acknowledge the risks of NBTs and that there are still unknown and unpredicted outcomes in the technologies.

FSANZ should apply the precautionary principle since there are both known and unknown risks.

All food and food ingredients where NBTs are used must be labelled for consumer information to facilitate informed choice. This applies also to farmers and producers.

NO commercialisation of food and food ingredients using NBTs until appropriate regulation is in place. The science must not be allowed to get ahead of the regulation.

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References:

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2. Agapito-Tenfen, S.G & Wilmark, O-G (2015) p.33