

Food Standards Australia New Zealand  
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KINGSTON ACT 2604  
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2 December 2021

Dear Sir/Madam,

**Re: Proposal P1055 – Definitions for gene technology and new breeding techniques**

InterGrain appreciates the opportunity to provide this contribution towards the 1<sup>st</sup> call for submissions on Proposal P1055.

InterGrain is a leading cereal breeding business in Australia with breeding programs in wheat, barley, and oats. We believe that the continuous development of improved crop genetics is fundamental to ensuring a highly competitive grains industry in Australia. InterGrain employs 60 staff, and our programs are designed to target the major cereal growing regions of Australia.

InterGrain's submission to the above proposal is centred around our mission of bringing value to the grower, and this is realised through innovative plant breeding technologies afforded by gene technology and new breeding techniques (NBTs). However, we are mindful that we need to achieve our mission through collaboration between research, industry, and government to transform society's involvement and acceptance in this relatively new and developing scientific field, to ensure a framework of responsible innovation.

[Submission P1055 – Option 3](#)

InterGrain strongly supports the FSANZ position of Option 3 as the preferred approach. Option 3 brings clarity to regulation, accepting that NBT food should not be subject to premarket assessment as it carries an equivalent risk to conventional food. Further, this change is accepting of the fact that NBTs are a broad continuum of approaches.

[Definitions](#)

InterGrain would like to express our support of Australian Seed Federations (ASF) and Croplife Australia (Croplife) definition variations around 'foreign DNA' and 'gene technology':

**Foreign DNA** means the stable integration into the genome of one or more genes that are part of a designed genetic construct and that originate from outside the organism's cross-compatible gene pool and are inaccessible through **conventional methods**.

**Gene technology** means techniques that modify a genome by introducing **foreign DNA** that remains in the final organism used for food.

We do not believe that conventional breeding requires a definition; by virtue of the definition of gene technology being a spectrum, anything that is not gene technology is defined as conventional breeding.

#### Advisory committee

IG shares the concerns of ASF and CropLife regarding the proposed advisory committee. A core component of the FSANZ proposal, P1055 is to remove red tape and provide clarity around NBT food regulation. This committee in our view would contribute to further red tape. We would rather see that the potential purpose of the advisory committee be undertaken by FSANZ itself.

#### Guidance Materials

InterGrain strongly supports ASF and CropLife's proposal on the development of guidance materials, based on examples and/or scenarios. This is mainly due to the Code professing a self-assessment on the food produced from an NBT. This goes hand in hand with reducing the regulation burden and ensuring clarity for the industry. Without this, as a member of the plant breeding industry we see ourselves as submitting all NBT products for an assessment to avert any risk of potentially misclassification of products.

#### Exclusion Criteria

InterGrain is of the view that there is a requirement for exclusion criteria. However, we found that the criteria were vague if not confusing. This could be easily rectified through the provision of the "Guidance Materials" stated above. We agree with the ASF submission which outlines our concerns on this topic and instead re-works these as "**Inclusion Criteria**". For completeness of this submission, we list the suggested edits to the Exclusion Criteria:

- Rewriting of Criteria 1: *"no foreign DNA introduced using gene technology is present in the tissue or cells from which the food is derived"*
- Criteria 2: we are unsure of what is a key nutrient? How would it be defined and quantified say for a loaf of bread? Will there be a range within the purported limits?
- Rewriting Criteria 3: *"The trait introduced using gene technology does not result in the synthesis of a substance that is not present in existing conventional food"*
- Rewriting Criteria 4: *"The change introduced using gene technology does not alter an endogenous protein in a way that introduces or increases homology with a known allergen or toxin relevant to human health."*
- Rewrite of Criteria 5: *"The known endogenous allergen content of the food has not been modified as a result of gene technology"*

InterGrain commends FSANZ for their scientific and risk-based approach towards the regulation of food produced from gene technology and NBTs. As a breeding company we are excited to be able to utilise NBTs within a clear, concise regulatory framework that FSANZ is working towards.

Yours sincerely

