

**GENETICALLY MODIFIED CROPS FREE AREAS REPEAL BILL 2015**

*Second Reading*

Resumed from an earlier stage of the sitting.

**MR W.J. JOHNSTON (Cannington)** [2.53 pm]: I was speaking before the interruption of debate and I want to continue my remarks on this bill.

As I was explaining, the real opportunity for agriculture in Western Australia is in high value, low volume. That is where the real opportunities are. I explained how the member for Willagee and I attended a conference that the former Minister for Agriculture and Food also attended, the In The Zone conference organised by the University of Western Australia and held in Jakarta this year. We had a presentation from the Singaporeans who were explaining how they could make 1 000 tonnes of vegetable food for each hectare of land they use. They can, on a very small footprint, make Singapore substantially self-reliant for particular types of vegetables in a country that most people would see as having no opportunity for agriculture. If our plan for driving the future agricultural sector is broadacre farming, we are actually making a mistake because that will inevitably lead to a race down the cost curve and only the lowest costs will survive, and as in other industries, it will be hard for us to cover our costs in that type of environment.

[Member's time extended.]

**Mr W.J. JOHNSTON:** We are a very efficient producer of broadacre crops and if we are going to spend money trying to improve rural productivity, then instead of spending the money up in the Kimberley, there is probably a lot of opportunity to fight salinity and deal with other issues in the wheatbelt, which would make a real difference to productivity for rural industries.

It will be specialist products that provide the best opportunities. Indeed, one part of that will be making sure that products are being marketed under our brand and that the brand we have comes at a premium. The member for Willagee and I attended a lunch the day before that conference and the example given to us by some Australians who operate in Indonesia was carrots. They pointed out that it was the nature of the Indonesian middle class to be very happy to spend literally thousands of dollars on a handbag, but to worry about spending an extra dollar on carrots. That is just the nature of their society, where they crave brands. Therefore, if we are selling only wheat and that wheat can come from Turkey, Kazakhstan or Australia, we are not going to be able to get a margin. On the other hand, selling truffles or packaged meat that is clearly going to the restaurant trade for a premium is an opportunity for Australian agriculture.

This is where the debate about genetically modified organisms goes awry. There is no doubt that GMO technology increases the productivity of GMO crops; the question is: is that increased productivity rewarded by an increased net return to the farmer? That is the debate. It is not clear that that is actually what occurs, and there are a range of reasons for that. Firstly, GMO crops do not obtain a premium. In fact, the premium is at the other end, for non-GMO crops. They are the ones that obtain the premium. There is a debate in the scientific community about the impact of GMO foods on people. What I say about that debate is that we have to look at the evidence, but there is a separate issue, which is the question of consumer sovereignty. We know, because it is a fact, that consumers in many countries like Japan and many European countries are prepared to pay a premium for non-GMO foods.

Recently, ABC's *The Checkout* had a look at biodynamic and other natural foods and compared them with ordinary foods.

**Mr J.M. Francis:** Is this the one from about four weeks ago—on superfoods?

**Mr W.J. JOHNSTON:** No; this was about biodynamic and other styles of food production compared with traditional food production. I am not relying on the assessment of *The Checkout* as a scientific peer-reviewed analysis, but there are links from its website to the peer-reviewed articles that it quoted from. The point the program made was that there was effectively no chemical difference between biodynamic food and ordinarily produced food. Notwithstanding that, people still pay a heck of a lot more for these types of foods. What is the problem with that? That is called consumer sovereignty. If people want to pay more for one type of food over another, that is their right. As incomes rise in communities, people spend more on these types of lifestyle choices—and good on them; they are allowed to do that. There is nothing wrong with that. The problem with the genetically modified organism argument is that it forgets about the fundamentals of the market. If a higher return can be achieved for non-GMO crops, it is in our interest to do that. That is the problem. I am not an expert on these matters, but everything that I have read explains that the net return is higher for non-GMO because it has lower input costs. Many people debate the merits of GMO, but I am discussing the economics of GMO. The facts are that in the current market, Australia can achieve a premium for non-GMO products. I do not care whether the minister in this house representing the Minister for Agriculture and Food or the Minister for

Agriculture and Food think that the debate about GMO foods is irrelevant, because that is not the debate that should be had. It is the exact same way that the debate about Ord stage 2 was not about the facts of Ord stage 2, but rather about the feelings of the Premier—again, that is happening here.

I have quoted before that one of the reasons that African food production is not as high as it could be is that the Food and Agriculture Organization of the United Nations has not encouraged “super rice”, as it is called, to be grown in Africa, whereas that rice was the basis of the food revolution in Asia. That was because super rice requires chemical fertiliser. A decision was made 30 years ago that the organisation wanted to avoid that in Africa. There is absolutely no doubt that creating a link to chemical fertilisers puts farmers in a position of needing to be part of a chemical supply chain. All the literature on this issue indicates that that situation leads to income leaving developing countries. It can go to the developed world, because the food is often not being produced for export, but for domestic consumption. However, super rice is the basis for the food revolution in Asia that, more than anything else, has lifted Asian people out of poverty. Everybody talks about urbanisation in China. People do not understand that the only reason there has been urbanisation in China is the rise in productivity in rural areas of China. If it did not have that rise in productivity, China would not have had the labour force available to move to the cities. Unfortunately, that has not occurred to the same level in Africa. If I were in Africa, I would probably be looking at GMO, because if additional productivity can be gained from GMO, that would be a good thing. But we are not in that position, and we are not the food bowl for Asia. Asia is the food bowl for Asia.

We should be worried not about volumes, but about price and income. That concludes that the economic argument is in favour of staying non-GM; that is the reality. To have a debate about the science around GMO foods, whether Frankenfood or not, is irrelevant. I am not here to say that people should not eat GMO. I am saying that consumer sovereignty should apply and that people should be allowed to say that they do not want to eat GMO. I am on the small “I” liberal part of this debate. I do not want to see extensive GMO crops in Western Australia because it will undermine the value of our exports.

I have read the Supreme Court decision in respect of the farmers in Western Australia, and I understand what that decision was about: it was not about GMO, but about the certification of GMO. That issue needs to be dealt with regardless of whether we pass this legislation. The reality is that there will be cross-contamination between GMO crops and non-GMO crops when they are grown within a short distance of each other. I urge members to read the Supreme Court decision on this matter. His Honour, in that case, sets out his reasoning very clearly on why there will be cross-contamination—and that is understood. Then the questions are: What is Western Australia going to be? Will we trade on being clean and green? Will we be trading at the higher end of the value chain? Will we be marketing our brand, not just our products, so that people know when it is Western Australian, it is special, and because it is special, it is worth more? This will not be supported by this legislation. I have good friends involved in the GMO sector, and I look forward to them contacting me to tell me their views, because it will be very interesting. I will listen to them and take on board what they say, but from what I have analysed and looked at, and the reports and Supreme Court decision I have read—I have read all these things—this is an economic argument, and the economics do not fall on the side of the Genetically Modified Crops Free Areas Repeal Bill 2015; they fall on the continuation of Western Australia being special, because special means we can charge more for our product. That is a good thing because that is what we want. We want higher prices, not just higher volumes. If we get higher volumes with higher input costs and lower prices, not much money is received back. Let us understand that higher productivity with higher prices for volumes means higher incomes for people in the industry.

We are having the debate about the backpacker tax. One of the problems in the rural industry is that people find it hard to pay reasonable wages and cannot get workers out of the city to work in the bush. One of the reasons for that situation is that they have low productivity. If they lift productivity or if they lift prices, they can reward people in the industry, including the farmers who own the capital. These are important issues and they are not properly addressed by the government in its decision-making process. As the member for Warnbro outlined, the only reason this measure is coming on is that the WA Farmers Federation thinks that the Labor Party will win the next election. The only reason it is being debated is that the member for Jandakot thinks he is about to become the Leader of the Opposition. That is the only reason that we are debating this bill.

**Mr J.H.D. Day:** They have wanted it for years.

**Mr W.J. JOHNSTON:** Yes, minister—exactly. If the government was going to do it, it should have done it years ago. The only reason we are here today is that the National and Liberal Parties and the Farmers Federation think the Liberal Party will lose the state election.

**MR P. ABETZ (Southern River)** [3.08 pm]: I preface my remarks on the Genetically Modified Crops Free Areas Repeal Bill 2015 by saying that when I first graduated from the University of Tasmania with an agricultural science degree, I was very much involved in the organic farming movement in Tasmania and the early discussions on the certification of organic produce before any of that happened commercially in Australia.

I was involved in some of that very preliminary work back in the 1970s. I have met many people who are opposed to allowing GM crops. I have met people who believe that this will be a really positive thing for our agriculture and so on. I have read heaps. I have many files on my shelf containing articles that I have read and recorded over the years, so I am reasonably well-informed about the issues around genetically modified crops. Basically, the bill will rescind the Genetically Modified Crops Free Areas Act 2003 and allow crops cleared by the Office of the Gene Technology Regulator to be grown in WA as they are in the other states. The OTGR is the final stop; it is the decision-making body and Western Australia will accept the decision it makes.

A lot of the opposition to genetically modified crops revolves around the fact that most of the genetically modified crops available on the world market so far contain Monsanto's Roundup Ready, whether it is corn, canola, soy beans or whatever. The opposition to GM is about glyphosate-ready crops. People are very concerned that if more and more crops are GM, more and more of our seed supply will be controlled by one multinational company. That is certainly a legitimate concern; however, we should be thinking about the potential to improve crops through GM technology that can be done apart from Monsanto and the big multinational companies.

I note that the member for Warnbro referred to Bill Crabtree. While the member was speaking, I SMS-ed him and asked whether there was any truth in the member's claim that he had an interest in intellectual property. Mr Crabtree texted me back, and I will read it for the record because I believe the member for Warnbro misled the house. His text states —

I tried to raise funds in 2006 to make GM wheat frost tolerant from an antartic grass (GreenBlueprint) with farmers who were being beaten up by frost.

We needed \$1.5M due to stupid govt red tape partly. We got \$0.7M and we did not get it off the ground and i had to pay \$70,000 from my own pocket to pay accountants and lawyers etc. a sad but noble exercise and now they have cheek to falsely accuse me of this.

**Mr P. Papalia:** Does he own the IP or not?

**Mr P. ABETZ:** There is no IP; he wanted to facilitate the production —

**Mr P. Papalia:** He had a type of genetically modified crop that he was a proponent for.

**Mr P. ABETZ:** No; but he was seeking to raise funds to enable work to be done to see whether a frost-tolerant wheat could be developed in WA by GM technology.

**Mr P. Papalia:** And who would have owned the frost-tolerant wheat IP in the event that it had gone ahead?

**Mr P. ABETZ:** Whoever would invest in that presumably would own the intellectual property. The point is that if producers had ended up with a frost or salt-tolerant wheat that would have had enormous potential for increasing productivity in Western Australia. We need to get beyond looking only at the Roundup Ready issue.

**Mr P. Papalia:** You accused me of misleading Parliament, but actually what you have said confirms what I claimed.

**Mr P. ABETZ:** He does not own any intellectual property.

**Mr P. Papalia:** If you go back and see what I said, you will understand that what you have said confirms what I said.

**Mr P. ABETZ:** We will wait and see what is recorded in *Hansard*. I have not read the transcript of the member's speech. I want to go further with the issue that whether or not the farmers use GM crops depends on the economics. The member for Cannington said that the economics do not stack up, so why should we allow it. We should let the farmer make that decision himself.

**Mr P. Papalia** interjected.

**Mr P. ABETZ:** The member for Cannington said that.

**Mr P. Papalia** interjected.

**Mr P. ABETZ:** Member, I did not interject on you. I would appreciate the opportunity to speak.

Several members interjected.

**Mr P. ABETZ:** Madam Acting Speaker (Ms J.M. Freeman), I seek your protection. The issue is that Roundup Ready canola will never be grown everywhere in Western Australia because the cost involved in getting that seed and following the protocols that Monsanto requires to be followed makes it less viable than growing non-GM. However, in certain situations, such as a paddock with a significant weed issue, GM canola is a very worthwhile crop to grow for a year, but then the producer moves on. It is a great way to clean a paddock of weeds. I believe that farmers have sufficient business acumen or nous—whatever people want to call it—to

know that if non-GM gives them a \$40 a tonne premium, as it apparently does at the moment, they will do the sums and decide what is worthwhile growing. The Parliament does not need to make that decision for them.

Unfortunately, a lot of scare-mongering goes on around GM crops. The issue of labelling keeps coming up. The member for Gosnells made a comment along the lines that if there was a choice between something with GM or something without GM in the afternoon tea room, which one would members choose?

**Ms R. Saffioti** interjected.

**Mr P. ABETZ:** The member for Gosnells mentioned that and he is nodding in agreement.

If we were to ask members what they would choose, the member for Gosnells would be right that many people would avoid the one with GM, because there has been a lot of talk around that. However, if there were two plates of fruit, one with GM fruit and another with a warning, “This fruit has been sprayed with carbamates”, one millilitre of which is sufficient to kill a child, I wonder which one we would eat. It could be a plate of strawberries that were sprayed with Phosdrin, a tiny volume of which is enough to kill a person, but it breaks down very quickly in sunlight and after a few days it is not a problem. Someone could mount a real scare campaign about these compounds, yet most people are buying fruit and vegetables that have been sprayed with these chemicals and nothing on the label says which chemicals have been used in their production. We have to say to ourselves that if it is good enough for the goose, it has to be good enough for the gander. If we want labels to indicate an item has even a tiny bit of GM material in it, we should also label products with whatever sprays have been used in the production of non-GM crops. Why are we singling out one particular thing?

**Mr M.P. Murray** interjected.

**Mr P. ABETZ:** Sure, but people can get anaphylactic shock from peanuts, which is why the packaging states that a product might have tiny traces of nuts, which is helpful for people who need to watch that.

I am highlighting that with many things used in agriculture we rely on government-established authorities, structures and organisations to make rules, control and verify that a product is safe to use or otherwise. If we trust the respective organisations that the government has established to allow these very toxic chemicals to be used in food production, I am a little puzzled why we are also not prepared to trust them with the genetically modified crops issue.

It is important to mention that GM crops and non-GM crops can certainly be grown very safely on adjoining properties in terms of the spread of the genetic material, and there can be some cross-pollination. Crops like canola have very minimal cross-pollination so that is not so much of an issue. An interesting one that has escaped is the Bt gene in maize in Mexico. Many people are not aware that liver cancer is exceedingly common in Mexico, because it has a grub that eats into corn cobs. After the grub has eaten into the corn cob, a mould forms. That fungus produces a phytotoxin, which increases the incidence of liver cancer. The result is that when the Bt gene goes from the Bt GM crops that were commercially grown and controlled by Monsanto because corn cross-pollinates, some of the pollen went across to the non-GM crops. That genetic trait, Bt, which is a protein that comes from the *Bacillus thuringiensis* bacteria, a soil bacterium, produces a substance that leads to the guts of the grubs that eat it dissolving. That gene was put into the Bt cotton, Bt corn and so on. Then it got out into the broader population. That Bt gene is now probably in about 60 per cent of all the corn grown in Mexico. It is totally outside the control of Monsanto. Interestingly, the liver cancer rate has dropped by 40 per cent. This Bt gene getting out has had a really positive public health benefit. Sometimes we need to be aware that it is not all bad and it is not all good. The job of the Office of the Gene Technology Regulator is to look at the data that is presented and make a decision about whether it is worthwhile taking the risk, if there is a risk, of allowing this genetically modified crop or organism to be used in a particular context.

**Mr P. Papalia** interjected.

**Mr P. ABETZ:** That is correct. The people who submit an application have to provide the substantiating data. Exactly the same situation occurs with our agricultural chemicals. I cannot remember what it is called. The Australian Pesticides and Veterinary Medicines Authority does not do its own research. I used to work for a company that put in applications to that organisation. It had to provide all the data and demonstrate that the research was properly done and the authority evaluates the work that is presented. It can come back and say that it wants more work done on this or that aspect and then it has to be done; otherwise, that company cannot get it registered. These checks and balances are in place.

I am conscious of the time and the fact that we want to get on to another bill this afternoon. I also want to highlight another interesting development, which is called RNA interference; that is, a particular type of RNA is sprayed onto a crop and it switches on a particular gene or it switches off a particular gene. If a crop has a gene and the gene is switched on to make a crop —

**Mr P. Papalia** interjected.

**Mr P. ABETZ:** I think I have the call, member for Warnbro. This RNA can be used to switch on a gene, which will produce a particular protein that might be toxic to bacteria or a grub or something that is attacking the crop. That is an exciting new development. The RNA has a very short lifetime on the crop. It is absorbed but it breaks down very quickly. By the time a person consumes the food, it is all gone and there are no issues. RNA is in every cell anyway. We have been eating RNA ever since we started eating food.

There are a lot of exciting new frontiers for agriculture in the whole genetic area. To allow the Office of the Gene Technology Regulator to make that determination is sufficient protection for us. In terms of which crops a farmer grows, farmers will try something once but if it is not viable, they will not bother. I am sure that GM canola, for example, will be grown in bigger areas in some seasons than in other seasons because it will depend on the paddock conditions, the weed load that a particular farmer experiences because of seasonal conditions and so on. We can leave that to the farmers. One of the great things to note is that the United States, which grows massive amounts of GM crops, has massive amounts of organic agriculture, which is fully certified, and they co-exist quite peaceably. There have been a few attempts by some to state otherwise but if we go into some of the cases in which it was not supposed to have worked, we find that some dodgy stuff went on.

I have no problems supporting this bill. I believe that the Office of the Gene Technology Regulator has sufficient control. I hope that this will result in increased investment in GM development in Australia because if it allows another state to grow crops that are not developed, it will make it more interesting or more viable to make that investment. Bill Crabtree tried to get that investment happening for frost-resistant wheat but if too many states automatically ban that, the market for it would be limited, and how would we recover the \$1.5 million that was anticipated as being required for the research project? It simply will not happen. I believe that this bill is a positive step for agriculture in Western Australia.

**MS L.L. BAKER (Maylands)** [3.28 pm]: I rise to speak on the Genetically Modified Crops Free Areas Repeal Bill 2015. I am quite happy to say that I have no scientific expertise in the area of GM crop production. I start my contribution by fessing up to that. I am one of the many people in our society who views the words “genetic” and “modification” with some element of concern because we simply do not know enough about the science around genetic modification to be sensible about our assumptions, whether for or against. I have had to do quite a bit of reading to try to scratch away at the many pieces of research out there. This is such a hugely controversial subject that it really leaves me scratching my head as to why Western Australia would want to go down the path of a wholesale acceptance of GM crops. I have heard many people refer to the facts; from a technical perspective, they know far more than I do about the issues to do with additional crop production and herbicide and pesticide control of a GM crop. From my experience of working in the Asia-Pacific region, I know that in countries such as Nepal, subsistence agriculture is the norm and it is extremely difficult for people to produce enough food to feed their families and themselves. Nepal has no export market for crops whatsoever. People simply plant enough soy and rice and whatever else to survive. These products are used more and more widely in those kinds of countries. I am always concerned when First World science develops products that the Third World, as we used to call the developing countries, then takes on holus-bolus. A country that is in a vulnerable position because it is unable to produce enough food for its own people ends up dependent on what big companies, particularly the multinationals in developed countries, produce. Let us face it: it is a pretty lucrative market for Bayer, Monsanto, Pfizer or any of the big pharmaceutical companies. It is a pretty ready market in the developing world for the kind of products that those companies produce. In many respects, no questions are asked along the way.

I have my own experience with pharmaceutical companies that, if you like, dump products on developing countries. My personal example concerns one of the staff who was working in my home in Nepal for three years. She fell quite ill from an ectopic pregnancy and she had to go to the local hospital for treatment, which involved an operation. It is a fairly common operation in developed countries, of course, but it is slightly more complicated when it is done in a not-too-clean surgery in a hospital in downtown Kathmandu. She was not getting better after the surgery. When she returned to work, she was very sick and became more ill. I asked her whether she would show me what the doctor had given her and her prescription. She brought them into work with her the next day and they were a course of antibiotics. I was not familiar with the brand or with the actual drug, but they were antibiotics. However, they were four years out of date and she had been given them a week earlier. It is very clear to me that the vulnerability that exists in developing countries—the need to feed their children, the need to feed their own families—means that they are probably driven to accept more risk than we would like in our own homes. I do not think many of us would be happy to see our wives, partners, children, whoever, prescribed antibiotics that are four years out of date.

The same point applies to genetically modified crops. From all the evidence and science that I have had some very brief opportunities to look through, there are still questions about the science of GM crops, and that is what concerns me most. When the original specifications on where GM crops could not be grown were put forward, I thought they seemed very sensible. In fact, if it had been up to me, I probably would not have let GM crops be

grown anywhere. There were some exemptions, of course, such as back in 2004 with the Ord River irrigation scheme and the commercial cultivation of canola in 2010, after this government took over. To lift all the regulations around this and to make it open slather for everyone seems to me to be a fairly contentious and high-risk move. I think my colleague the member for Cannington referred to Frankenstein when he talked about genetically modified crops. I am not sure that I am so concerned as to use that word, but with a changing community and a changing socio-economic basis, we do not know what the future will hold for these kinds of products and crops that are grown with this technology, which in some sense is still developing.

I look at the effects of glyphosate, for instance. I am very familiar with glyphosate because I have several acres full of blackberry bushes. I know exactly where glyphosate fits in when trying to manage bad weeds in rural and semirural parts of this state. Glyphosate is a tough pesticide. I remember when I first moved into the hills straight out of Perth. I was at a cocktail party just before Christmas in the hills and I was most bemused because the conversation over hors d'oeuvres and drinks was around glyphosate impacts and a range of chemicals that I had never heard of before, let alone needed to handle. It was with some trepidation that I pulled on the heavy protective gear and mixed my first mix of glyphosate, some 20 years ago now. It certainly kills blackberries. I must tell members that there ain't much else that does. My experience has been that weeds such as blackberries are extremely resilient to everything we throw at them; whether it is hot water or vinegar, it does not matter. Glyphosate is the only thing that knocks them over. Blackberries are a bad weed in this state.

I am aware that it is really, really tempting to use these kinds of chemicals to solve a problem, but whether we should use them and take the easy road is a subject that I have not yet come to terms with. I stopped using glyphosate several years ago when I started to read some of the research that was put out about the production of this chemical and its impact on the community. I must say that I had grave hesitation when a hybrid version of glyphosate was put out with the label "frog safe", because prior to that no label on the product stated "This kills frogs". That is the very point.

**Mr P. Abetz:** There was a wetting agent with it that causes an issue with frogs. That is my understanding.

**Ms L.L. BAKER:** I am happy to take some more advice from the member for Southern River. Is the member saying that glyphosate is not the chemical that kills the frog, but the wetting agent is?

**Mr P. Abetz:** That is my understanding.

**Ms L.L. BAKER:** I am not sure why the products that I buy now state that they are safe. The commercial label that Monsanto uses is Roundup, which contains a wetting agent as well as glyphosate. Clearly, that combination impacted the creatures in our environment. I was not even aware of that when I started using it, and it was not until, as I said, all of a sudden a label appeared stating "This product is safe for frogs and for use in gardens" that I realised it had ever been a problem. I think that is the point that I go back to: we simply do not know sometimes what the outcome of the use of these kinds of chemicals will be and we certainly do not know what the outcome of genetic modification will be at all points in the future. To me, I am not all that comfortable in taking that risk.

Again, I think about the consumer's role. I have heard other members speak about consumers of genetically modified crops. I have read articles from Canada and the like. Some very strong action has been taken against GM crops in Canada. They have strongly said that they do not want to promote GM canola and the like.

Americans are some of the biggest users of GM. Canadians for some time also used a lot of GM, but steps are being taken there to wind that back.

**Ms R. Saffioti:** Really?

**Ms L.L. BAKER:** I think so. I have read information about that. I could certainly be proven wrong on that front. It is my understanding that some moves were afoot to wind back what was being promoted in that country. Notwithstanding any of that, the issue of the consumer's role in all this is critical. We are saying—in some ways agriculture is pretty unique in this area—that most markets work on what the consumer demands. I suppose when we look at the big picture, we understand why GM is such an attractive prospect, because, strategically, at a global level, demand is in food production. When populations are increasingly not able or not prepared to produce enough food for their own communities or countries, of course there will be a real market for that globally. However, I think the situation is different in developed countries. I may be speaking from a very ethnocentric position when I say that I do not think in developed countries like Australia, America, Canada, parts of Europe or the UK that genetically modified products should be the first choice for consumers. I think we see more and more an emerging consciousness around that. I draw a comparison between that and the poultry and egg industry and how the poultry industry has dealt with the issue of labelling eggs in Australia for instance. Members would be aware that the term "free range" has been bandied about quite freely for many years and that as the industry sought to respond to what it thought consumer demand was, with no checks and balances, products were simply labelled "free range" because those in the industry thought that was the label that consumers wanted without really understanding or committing to what the term actually means. The industry

came together and went through a series of iterations of the label at a national level and about 12 years ago drew up some definitions of “free range” and sent them out to the states for consideration. That explained the criteria producers would need to meet if they were going to claim to be free range egg producers and some states took up those recommended national standards.

I am worried about the member for West Swan who is having a coughing fit.

**Ms R. Saffioti:** It’s GM induced.

**Ms L.L. BAKER:** She is having a GM-induced coughing fit.

When those changes were recommended at the state level, producers complied with the law and labelled free range correctly under the criteria.

Since those recommendations were made 12 years ago, some states such as Western Australia refused to accept the industry standards. What was being labelled in Western Australia as free range was anything but, simply because no checks and balances existed in the system. No-one was watching close enough. What happened and indeed is still happening in Western Australia is that producers are packaging and labelling eggs as free range when they simply do not comply with the national standards that were agreed upon and that were in fact only amended this year. For those who are interested, the density measure set 12 years ago by farmers and people who produce eggs was 1 500 chickens per square hectare, and other criteria was attached to it. However, what was actually being packaged and labelled free range in Western Australia was based on a density measure of 60 000 chickens per square hectare. There is a significant difference between 1 500 and 60 000. That has now changed after pressure in particular from the two big retailers and consumers. Coles and ALH Woolworths decided that they would only stock eggs labelled free range if producers guaranteed that the stocking density of the chickens was 20 000 per square hectare. That is still significantly different from the industry accepted standard of 1 500. Consumers now have a much greater understanding of what free range means.

Genetic modification has many critics and there has been a lot of publicity on what we think genetic modification is and what we think GM crops offer the community and the consumer. Every year consumers become more educated and are demanding to know more about the products that are manufactured, grown and produced. As consumers, we need to make sure that those things are not hidden. There is always the danger that in the genetic modification of crops, as well as animals, those changes are cloaked and not put on display or seen.

I refer the Parliament to a set of laws in some countries—indeed, I think they have been implemented in some states in the United States of America but also defeated in 11 states in America. They are called ag-gag laws. Those laws operate to hide the truth about how animals raised on factory farms are kept. Again, that goes to transparency and what consumers demand if ag-gag laws work to stop transparency in the industry.

[Member’s time extended.]

**Ms L.L. BAKER:** Intensive farmers need to understand that consumers demand to know more about how animals are being treated and what their journey is through the intensive farming process. The fact that those animals are destined for the plate is not the issue; it is the fact that many are tortured and kept in totally unacceptable conditions on the journey towards the dinner plate. That is not acceptable.

Ag-gag laws are generally targeted at undercover investigations, whistleblowers and journalists. Ag-gag laws may take three forms. Firstly, they may criminalise the undercover or covert surveillance of animal facilities. Secondly, they may require that any footage of animal cruelty must be turned over to enforcement agencies immediately, stifling long-term investigations into systemic animal abuse. Thirdly, they may require potential employees of commercial animal facilities to disclose current or past ties to animal protection groups. It is fair to say that in recent years, Australians and particularly animal advocates in Australia, have become increasingly concerned about such legislative changes. Indeed, in 2013, the New South Wales government and the then Minister for Primary Industries, Katrina Hodgkinson said —

“It seems every week now where you’ve got animal activists breaking into intensive farms,” ...

...

“These people are vandals. These people are akin to terrorists.”

She labelled undercover activities by animal advocates as fanaticism, radicalism and terrorism—language that has featured prominently in the US—and said that she would do everything in her power to cease the activities of animal activists. In 2014, ag-gag laws were successfully defeated in the South Australian Parliament. In 2015, Western Australian Liberal Senator Chris Back introduced ag-gag laws at the federal level. Fortunately that has not been successful so far.

The point is that the consumer deserves to understand the conditions in which their food, be it vegetable or animal, is being produced and the background to it. Animal cruelty and neglect and violation of animal

protection laws are currently a reality in the factory farming business. In Australia, the vast majority of cruelty complaints are prosecuted by non-profit charitable organisations such as the Royal Society for the Prevention of Cruelty to Animals. Although the work of these organisations is commendable, they have severe resource constraints. As members will know, in Western Australia the Liberal–National government has led a concerted attack on the RSPCA over the last two years. It has seen the RSPCA expend nearly half a million dollars on a legal defence against a government that simply chose to continue its attack on the RSPCA, when that money should have been spent on the protection and welfare of animals. I do not think anyone thinks that that is an acceptable outcome.

A number of my comments have strayed from the topic of GM products, but I hope that in some way my contribution has put on the record a different perspective, from the consumer's view, of these products and how we need to be careful in relation to the consumer in this argument around GM crops.

Debate adjourned until a later stage of the sitting, on motion by **Mr D.A. Templeman**.

[Continued on page 7124.]