

**GENETICALLY MODIFIED CROPS FREE AREAS EXEMPTION ORDER (NO. 2) 2009 —
DISALLOWANCE**

Motion

Pursuant to standing order 152(b), the following motion by Hon Giz Watson was moved pro forma on 21 May 2009 —

That the Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009, published in the *Government Gazette* on 14 April 2009 and tabled in the Legislative Council on 14 May 2009 under the Genetically Modified Crops Free Areas Act 2003, be and is hereby disallowed.

HON GIZ WATSON (North Metropolitan) [2.42 pm]: As members may be aware, this is an unusual disallowance for at least a couple of reasons. Firstly, it is an identical disallowance motion to the disallowance motion dealing with the exemption order which was moved by former South West Region colleague Hon Paul Llewellyn and which was passed on 9 April this year. The other reason the disallowance is unusual is that the GM canola so-called trial crops made lawful by this exemption order have long since been planted. That is rather an ironic twist for a disallowance motion that deals with a crop. I will firstly address why it is still worth debating this disallowance motion. For a start, a number of aspects of this so-called GM canola trial have raised more concern since the previous GM canola disallowance motion was passed. The most concerning things happened over the winter break, but I will talk more about that later.

The second reason is that, since 9 April, the composition of the house membership has changed and there are a lot of new members in this place. Importantly, quite a number of them are Nationals. I am keen, as I am sure others are, to find out what position the Nationals will take regarding the matter of GM canola and their reasons for that position. I note from a number of their inaugural speech contributions that there is a mixture of views, which are of course welcome. I wanted to start by addressing the basics for the sake of new members in this place. Debate relating to GM crops more generally has taken a fair amount of time in this house in recent times. In particular, following the resumption of Parliament in March 2009, Hon Paul Llewellyn initiated much of the discussion on GM crops. I want to refer to some points about the so-called GM canola trials and in some cases GM technology in general and how those points are relevant in today's disallowance debate. Firstly, the issue of growing GM crops is what we fundamentally question, not the issue of appropriately well-tested gene therapy as part of genuine medicine; nor do we oppose the use of non-GM biotechnology in appropriate circumstances. Gene technology is fundamentally different from other forms of biotechnology. Contamination of non-GM organic and biodynamic crops by GM canola is inevitable in this state, as it has been elsewhere. I will go into that in more detail shortly. This has been most recently confirmed by the government's new exemption order, which has been tabled in this place under the Genetically Modified Crops Free Areas Act 2003. I will talk more about that in a minute. Because of the inevitable contamination, this is not a question of choice. When farmers exercise their choice of planting GM canola, they are necessarily putting at risk the choices of their immediate neighbours and farms that do not use GM canola. These will inevitably suffer from the spilling of the seeds along the roads and train lines. Because of the inevitable contamination and by virtue of the admission of the Minister for Agriculture and Food, these are not true trials, but in fact represent the commercial introduction of GM canola in Western Australia, albeit by relatively small commercial plantings. I note also from answers to questions in this place that it is understood that the canola can and will be sold, so I do not quite understand what kind of trial that is.

Until now, Australian canola has been attracting premium prices or, at the very least, preferential market access in Japan and Europe, which countries take a total of 79 per cent of our canola exports. That marketing advantage is derived from our GM-free status and we are now putting that at great risk. Trials of GM canola in New South Wales and Victoria show that the yields were lower than they were for non-Roundup ready canola. There are also very real concerns that the cost of segregation will fall onto non-GM growers eventually, if not during this so-called trial season.

Since the last GM canola disallowance debate, we have commended the minister for apparently agreeing that it was wrong to foist GM canola on the many local government areas that have indicated that they wished to be GM free. In fact, the latest count I have seen via my office is, I think, 22. It has become apparent that it is not enough for local government to simply say that they do not want GM crops grown within their borders. The minister has merely noted the objection and allowed the GM canola there anyway. It is interesting to note that a considerable number of the shires that have declared that they do not wish to have GM crops in their local area are in the minister's electorate. At one stage, it was promised that we would find out exactly where this stuff would be growing. That was useful because the state and federal governments have long said that there is no need for a scheme of statutory liability to attempt to mop up any damage when things go wrong, as they

inevitably will. We have been told instead that common law will suffice. Common law, of course, is a very expensive route to take. Key information necessary when suing under common law is about who to sue when a non-GM crop becomes contaminated. That means we need to know who is growing GM canola and, in particular, exactly where. It was very disappointing then that the minister, after promising to be open and accountable and after last year's genetically modified canola disallowance motion, released to the public only the approximate locations rather than the exact spots where so-called trial plots are being grown. Perhaps the most concerning issue that has arisen since last year's GM canola disallowance motion was the imperceptibly quiet announcement by way of the *Government Gazette* of a new exemption order that effectively concedes that the segregation of GM canola is impossible and that the contamination of WA by GM canola as part of the season's so-called trial is inevitable. From comments recorded in *Hansard* recently, it is clear where Hon Wendy Duncan stands on this issue. She is simply toeing the minister's line in this regard. During this disallowance debate I will be interested to hear the position of her colleagues on genetically modified crops. I will await their contribution with interest.

I will refer to a couple of particular areas because it is important that members understand the decision that is being made. The first point I will go into in some depth is the question of market choice because this goes to the very root of the question. Even people who agree with or support growing GM crops agree that consumers should have choice about what they can purchase and consume.

Hon Jim Chown: They do not know now.

Hon GIZ WATSON: That is a problem in itself. We do not want to make the problem worse, do we? I do not; I do not know about the member.

In 2003, the then Chairman of the Standing Committee on Environment and Public Affairs, which inquired into the impact of GM crops in WA, stated —

... market signals continue to indicate that there are some very serious marketing risks in the State adopting even a single genetically modified crop, because clearly, as the committee recommended, the adoption of a single crop will have overall implications for the State's marketing image generally as one of the cleanest, greenest areas in the world.

By virtue of what has been presented to us as so-called trials, we have reduced, and we will reduce, that option. The Greens (WA) firmly believe that WA has a considerable market advantage and is well placed to remain GM free due to our geographical location.

I now come to the question of the challenges of segregation, because it is argued that we can keep the GM material separate from non-genetically modified material in the production process. The GM canola report of May 2009 was produced by the Ministerial GMO Industry Reference Group, which was chaired by Hon Kim Chance. The report stated that segregation at all levels was a difficult process. My notes show that the report states —

... the costs of segregating GM and non-GM would increase by between 5 and 9 percent ...

My notes show that the leading grain storage and handling company, CBH-Grain Pool, declared that —

... it will be impossible to provide GM-free grain products with the advent of GM crops. Crops such as canola have particular outcrossing problems, but even in crops where out-crossing is not considered a risk, likely contamination within the handling systems automatically dictate that non-GM (GM contaminants at less than prescribed upper limits of tolerance) rather than GM-free must become the norm.

Another concern raised by the Network of Concerned Farmers is that the presence of volunteer GM canola in crops such as wheat and barley may also incur additional costs in marketing to GM-sensitive markets that demand that cereal grain be graded to remove canola from cereals. The inability to effectively segregate GM from non-GM crops may adversely affect GM-sensitive markets and non-GM farmers will be forced to wear increasing costs.

WA's cereal exports account for approximately 50 per cent of Australia's wheat and oat exports. Wheat exports were estimated to have earned \$1.189 billion in 2007-08. According to the Network of Concerned Farmers' website —

At present there is a clear market signal from international and domestic customers that strong reservations exist concerning GM wheat ... Based on AWB Group's experience in managing the National Pool we believe there is currently insufficient capability within the supply chain to ensure complete segregation of GM and non-GM grains.

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I realise that is talking about grains rather than canola, but the point is made.

Western Australia's *Agrifood, Fibre and Fisheries Industries 09 Bulletin No 4757* also stated that non-GM canola in Western Australia is recognised as the highest quality canola in Australia, with an average oil content of between two and four per cent higher than is the case in the other states. Current GM canola does not promote high oil content, hence it is feasible that our current markets for non-GM oils will decline if segregation is not possible.

Hon Jim Chown: Victoria's is actually three per cent higher.

Hon GIZ WATSON: I can only quote the reference that I have. I am happy to tell the member where I got my figures from and for him to table alternative references. The quote that Western Australia's GM canola oil content is between two and four per cent higher is from the *Agrifood, Fibre and Fisheries Industries 09 Bulletin No 4757* from the Department of Agriculture and Food, Western Australian Agriculture Authority 2008. I am no expert in the oil content of canola but I would have thought that that was a fairly reputable source. Monitoring of escaped seeds is required for properties near GM crop sites and on the road and rail reserves used to transport plant matter onto and away from those locations. The question is of the level of monitoring that will be in place to accurately assess the escape of seeds. I do not know how many members know how small canola seeds are. I think mustard seeds are a good equivalent. Anyone who does Indian cooking will know how fine mustard seeds are and how quickly they can be scattered around the kitchen if they are dropped. That gives members some indication. Canola seeds are light, small and mobile. Canola seeds are quite different from wheat and other seeds or grains.

In addition, the genetically modified canola report to which I referred earlier—by the Ministerial GMO Industry Reference Group chaired by Hon Kim Chance—also noted, according to my notes —

While the protocols accept a level of contamination, markets may not and it is argued that the coexistence protocols *do not comply* with the underpinning principles to enable market choice along the supply chain and provide confidence to all customers.

Furthermore, according to my notes it is stated —

With the increasing importance of the European Union as a market for Western Australia, the canola industry must ensure it is not compromised ... It has been claimed that the production of GM canola in Western Australia may adversely impact on the price received for other export commodities such as wheat and livestock.

It is worth touching on the fact that we know some of our major markets are clearly averse to GM crops. We know that 80 per cent of the Japanese consumers who participated in a survey would not choose GM noodles over non-GM noodles, even if a discount were set at five per cent, 10 per cent, 25 per cent, 40 per cent and even 50 per cent. They would still choose to buy non-GM noodles over GM noodles. Japan is, of course, a significant purchaser of Western Australian agricultural products. Similarly, 94.6 per cent of Europeans want the right to choose whether they purchase genetically modified foodstuffs.

To the best of my knowledge, no local or overseas markets have expressed a wish to purchase GM crops and/or products from Western Australia. It is not as though we are actively being encouraged to produce GM products, other than by the companies that sell the seeds and the pesticides associated with them.

I have already noted that more than 20 shires in Western Australia, according to the advice that I have received from the Western Australian Local Government Association, have requested of the minister that they receive GM-free status. The minister has chosen to completely ignore them. The Greens (WA) will make a submission to the review of the Genetically Modified Crops Free Areas Act 2003. Submissions for that close tomorrow. The act needs to be amended to ensure that the minister is required to take into consideration the views of local authorities and local communities.

The next point I make is that this is not a trial. I cannot put it any better than it was put by Hon Kim Chance when he made a speech in this place on 9 April this year on an identical disallowance motion. I am not going to quote his speech in total—members will be relieved about that—but he said in part —

It is not a hectare or two in a trial that is intended to be conducted under the protocols of the Office of the Gene Technology Regulator, such that any volunteer plants would be identified and destroyed over a period of years with the seed from the trial to be crushed and destroyed on site. It is actually 20 different trials spread right across the southern half of the Western Australian wheatbelt, each up to a maximum of 70 hectares; in combination, a total of up to 1 000 hectares. Some members might have trouble visualising 70 hectares. It is a significant area; it is 700 000 square metres, or an area 700 metres wide by one kilometre long. That is the area for just one of these possible trials; it is a very significant

area. It is an impossibility to think that every single surviving volunteer plant for the years that follow that trial could be removed. It is my contention that these trials do not meet the specification that is provided in the act for a trial to be small scale. In section 3 of the act, "Interpretation", a field trial is designated to be a small scale activity for a defined set of circumstances. The act does not go on to describe the area that qualifies as meeting the definition of "small scale". It does not say, for example, "one half of a hectare". However, clearly an area of 1 000 hectares—or, if members prefer, 10 million square metres—is not small scale, and the order should be disallowed on that aspect alone.

We would argue that this is commercialisation of GM canola by stealth. There is no way that we can describe the wide spread and large scale of these particular plantings as a trial. As someone who has a scientific background, I am aware of the difference between a trial and a broad-scale application, and that is what this is. This is the ultimate move by the GM sector to ensure that Western Australia loses its GM-free status. We have no doubt about that.

The government has stated that the common law will apply to any farmers whose crops are contaminated. However, the common law cannot be exercised easily when the exact location of GM crops is kept secret from neighbours and the general public. Therefore, the assurances that have been given on the question of liability for contamination have not been answered by the suggestion that non-GM farmers can resort to common law if their crops become contaminated, because it will be very difficult for them to do that if they do not know where the GM crops are and they do not know the transport routes and likely sites of contamination.

To continue on the question of liability, when my colleague Hon Paul Llewellyn was debating his proposed amendments to the Gene Technology Bill 2005, he made the following point about a new clause that he was seeking to have inserted in the bill —

For that reason the Greens (WA) have moved to add a new clause under which anyone who holds a licence to grow genetically modified plants will face liability. The proposed new clause will impose liability for loss or damage caused by certain dealings. However, the addition of this new clause does not mean that the Greens want to impose an obligation on all dealers. It will apply only to holders of a genetically modified organism licence. Under the scheme established by the Gene Technology Bill, GMO licences are required for high-risk dealings.

As we know, unfortunately there was not support in the Parliament for a strict liability regime. However, I can tell members that people in the agricultural sector in Western Australia, even those who might cautiously support or maintain an open mind to the role of genetically modified crops, still understand that it is a totally reasonable ask that those who introduce this new technology into the environment should bear the liability for the consequences. We know from the way this matter has been played out internationally that the liability has been tied up very nicely by the lawyers for Monsanto and the other GM companies because they have been able to run rings around any farmers who have made claims for compensation when—as was entirely predicted—the contamination of non-GM crops has occurred.

I do not have any further comments to make on this disallowance. However, I would encourage those members who were not in this place when we debated this disallowance motion previously to consider what we are dealing with this afternoon. It is the end of a sitting week. We have been dealing with one particular bill all week. This is just a disallowance that has come on for debate. However, this is a very serious matter, and I would not want this matter to pass without serious consideration. We have been given the opportunity in this Parliament to use the Genetically Modified Crops Free Areas Act—an act that in the view of the Greens was very well constructed—to express our view about the caution that is needed when dealing with genetically modified organisms. If we do not disallow these trials, particularly of canola—which, as I have said, is a very small and mobile seed—we will lose forever the GM-free status of Western Australia.

HON ROBYN MCSWEENEY (South West — Minister for Child Protection) [3.05 pm]: Once again, the government will not be supporting this disallowance. As Hon Giz Watson has said, this exemption order has been disallowed in a previous Parliament. I have spoken at length many times on genetically modified crops. Some people in the community are understandably anxious about GM crops. However, many others are keen to embrace this technology to boost productivity and profitability on their farms.

This is not a new subject for this Parliament. In 2003, I went to Canada and the United States as a member of a committee to look at GM canola. We also discussed many other GM crops and what was happening with gene technology. In fact, the Grains Council in Canada has just said that six million hectares of farmland is now being used for GM canola. GM canola was introduced in Canada in 1995, 14 years ago. The tonnage of GM canola is expected to increase from the current 9.1 million tonnes to 15 million tonnes in 2015. When we were in Canada, we also learnt about the tolerance level. Six years ago, Canada had a GM contamination tolerance level of

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0.5 per cent. I am not a scientist, but I understand that once canola oil has gone through the cooking process, it is impossible to tell whether the canola is GM or non-GM, because the DNA has been destroyed.

The government has spoken to many different stakeholders over the past few months, and we are aware of the emotion that surrounds this debate. I remember that in 2003 this matter was very divisive. I understand that although there is still some emotion about this issue, it has lessened somewhat over the years.

A trial will give us the opportunity to do our own research on how GM canola can be grown in Western Australia and how the industry can manage its transport and storage. The government is taking a cautious and responsible approach to GM technology. The previous government buried its head in the sand somewhat by conducting only small trials. I do not think that GM crops are a silver bullet for the challenges that the world faces. However, GM technology certainly does have a role to play in climate change adaptation and food shortage issues. It may also benefit the environment because it requires fewer chemicals and produces fewer greenhouse emissions. That is also what the government in Canada did. The decision to trial GM canola was made in a science-based and responsible way. Our trial will allow farmers to make a choice about whether GM canola suits their particular enterprise. Once again, it comes back to giving farmers a choice. However, I must say that I do understand where Hon Giz Watson is coming from when she talks about the common law, because confrontations have arisen in Canada when farmer A does not want a GM crop on his property but farmer B does want it on his property.

Hon Giz Watson: Do you think farmers should be told if there is a GM crop on an adjoining property?

Hon ROBYN McSWEENEY: Coming from a farming background, I would like to know what was being grown on a property up the road from my property, but that is my personal view.

Trial crops were sown in April and May, and reports indicate that the trials are progressing well. The Wongan Hills trial has been abandoned because of a lack of rain. The Department of Agriculture and Food is monitoring and auditing the trials and will provide a full report at the end of the season. Information field days have been held throughout the agricultural region and have attracted significant interest with a large number of people attending each event. There has been positive feedback on those field days specifically and the trials in general.

The government's approach to the trials has always been open and transparent and it continues to be so.

During his recent visit to the United States and Canada, the Minister for Agriculture and Food spoke to organic producers and some farmers who have decided not to grow GM crops. Everything he heard and saw reinforced that the Western Australian government is doing the right thing on this issue.

I have already said that the previous government did not really deal with the issue. It did not release the moratorium on growing GM crops. This government believes it is now time, because it owes it to the farmers, to make the effort to at least look at the technology and determine whether it has a place with the trials currently being undertaken in WA. On that note, I will not take up any more time of the house, because in the seven years that I have been in this Parliament I have spoken in this place many times about GM crops.

HON MATT BENSON-LIDHOLM (Agricultural) [3.12 pm]: I support this disallowance motion moved by Hon Giz Watson. I will contribute to this debate on behalf of not only Hon Jon Ford, who had to leave the house, but also Labor.

Like Hon Robyn McSweeney, I will not speak at great length on this disallowance motion; however, Labor needs to make a number of points. I congratulate the Greens (WA) on its stance. Hon Giz Watson made a number of very salient and important points on Labor's stance on genetically modified canola. She focused very much on the nature of a trial. Without going into too much detail, I will follow up on that aspect of a trial. Hon Robyn McSweeney also mentioned a trial, but one of her concluding comments was that Labor did not deal with the issue of trialling GM canola. The Esperance experience is a classic case of a trial gone terribly wrong. Hon Kim Chance, as the previous minister, was prepared to engage in a meaningful trial. Hon Giz Watson said that what we have is simply commercial agriculture by stealth. Hon Giz Watson also talked about segregation and the challenges to achieve that and the basic impossibility of doing it. She mentioned local government areas wishing to be free of GM canola. This really gets to the crux of the issue that I see as not only a consumer, but also an agricultural producer. I suggest to members that if someone demands a particular product, irrespective of what it is, and a producer does not supply that product, he will go broke. There is no doubt about it. If a clothing manufacturer decides to make flared trousers for men—I must confess that the last pair of flared trousers I bought might have been a long time ago —

Hon Simon O'Brien: Are you still wearing them?

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Hon MATT BENSON-LIDHOLM: I am not one for throwing things out, but I think I threw the flares out about 25 years ago.

What I have said illustrates the whole point of this issue. I understand the need for the farming community to maintain its sustainability and viability. At the end of the day, if the market, and the market concept referred to by previous speakers, dictates that a particular product be put onto shop shelves and the like and sent overseas, surely to goodness that is what producers should do. That point is often missed. Certainly that seems to be the case in the previous electorate I represented where there were growers' markets on Saturdays and Sundays, more so than in the electorate I now represent.

Hon Giz Watson also mentioned the level of secrecy surrounding the exact location of these particular trials. She spoke about grain storage and the issues that commercial systems of grain storage have in terms of their capacity to segregate.

If we take a line through Hon Kim Chance's arguments on this issue, there is nothing wrong with trialling GM anything, but it has to be done properly. If we cannot guarantee to the community that contamination and segregation are issues that can be addressed, surely there is an issue with the nature of the trial that is being entered into.

The issue of costs is very interesting. There is not much doubt that costs will rise and, again, Hon Giz Watson mentioned that costs will rise for farmers. By definition, their profitability will drop. If we expand the state's GM network any further into other sorts of grains, fairly obviously those costs will increase significantly.

Hon Nigel Hallett: What will those costs be?

Hon MATT BENSON-LIDHOLM: One of the costs certainly relates to the fact that ultimately farmers, because of the nature of the deals that companies like Monsanto do, will take action against other farmers. If a farmer wants his farm to be completely free of any contamination, he will be the person who will have to put in place structures and techniques whereby he can achieve that. It is not an exact science, because we have not got there yet, but this has been the case in other countries around the world.

Hon Nigel Hallett: They have that cross-contamination down to metres now.

Hon MATT BENSON-LIDHOLM: Again I take on board Hon Giz Watson's comments on the nature of canola seeds. I put it to the member that in a worst-case scenario whereby something went wrong, he would agree with me that there would be an issue. I am not against science or improving agriculture, because as a wine producer I am fully aware of it. A controlled trial is what we need rather than commercial agriculture by stealth. That is the point I make.

The point was also made about the acceptance of contamination levels. I know that by definition storage companies might appear to accept a minimal level of contamination. However, markets do not. This is a prime example of the issue I have in my hometown of Albany where there are growers' markets. People who want GM-free produce will not accept one, two, three or four per cent contamination; they will accept zero contamination. It demonstrates the type of consumers that they are. Again I put it to members that it is a consumer-driven issue. Certainly, Hon Kim Chance mentioned a number of different trials across the southern parts of Western Australia of up to 70 hectares each. I suppose that again exemplifies the point that I would make and that Hon Giz Watson has made about commercial trials.

I take issue also with a couple of the points that Hon Robyn McSweeney made. In talking about the minister heading overseas, I would put it to members that the very few like-minded people whom he went to see about non-GM crops would have been far and away outnumbered by the number of people on the other side of the issue.

I have just a couple of concluding comments. Until we have a complete, full and independent review, my suggestion is that the current arrangement is a bit of a nonsense. Contamination is a given consequence of the current trials, and the ability for us to segregate GM and non-GM crops has gone, as has been indicated. Once that contamination occurs, no matter which way it occurs, we will have contamination forever. As I have already pointed out, ultimately the government trials will pit farmer against farmer in litigation, and that will prove disastrous for local communities. I have a number of family and friend connections in the agricultural region who are very much of that point of view. They are not looking forward to taking litigation, because we can bet our bottom dollar that Monsanto will not lose anything. I suggest to the house that contamination cannot possibly be avoided. Also, the risks, as have been outlined, in both a domestic and an overseas context, exist. We have a unique marketing position. That marketing position may be destroyed by this process. I take on board Hon Nigel Hallett's point. Maybe we can avoid this contamination, but I know where my money would lie.

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I also make the point again about the free shires guarantee. That was just window-dressing. The Shire of Plantagenet, the minister's own electorate area, was treated with contempt. There are fears in other countries. It is well documented that the Japanese are concerned.

Finally, I reiterate to members that, to me, the issue is one of what the consumers and the markets want. If the consumers are demanding a particular type of product—non-contaminated, non-GM—that is what they deserve. Let the companies prove that there will be no contamination. I do not think there has been any significant proof at this stage. I think labelling laws need to be improved significantly also. I will bet one thing, members. If we have proper labelling laws and we put proper labels on food containers that indicate that there are GM components in one container and not in the other, if people have any sense of what the normal punter will do, they will have their money on non-GM any day.

HON JIM CHOWN (Agricultural) [3.23 pm]: Hon Brian Ellis, Hon Nigel Hallett and I are probably three of the few practising farmers in this house. Last Wednesday at Cunderdin I attended the GM trials on Mr John Snook's property. More than 250 farmers were present, and we drove and were bussed out there, so there is no secrecy about the location of that trial at all. His neighbours also attended, and so did the farmers from the surrounding districts who are taking a great interest in the trials. It is a bit of a shame that the people on the other side of the house did not attend these trials as well —

Hon Giz Watson: We weren't invited.

Hon JIM CHOWN: — because, in reality, they might have found out a bit more about GM canola, and it would have possibly put their minds at ease. From the numbers who attended those trials, I believe that there is a significant sentiment out there to undertake these trials on a broadacre scale in the future. In fact, I did not receive one adverse comment from growers who had travelled from as far away as Moora or Katanning to see what these trials were about. It was a very informative day.

In regard to markets, yesterday I happened to have in my office the general manager of Mitsubishi foods, a Mr Rich Kyoya, and his logistics team leader, Mr Fumi Yamanouchi. Mitsubishi foods is the second largest food trader in the world, and it is in the top five traders in the world. My question to them was, "How much GM canola would you take out of this state and import into Japan?" The response was, "How much can you grow, because we need a minimum of 200 000 tonnes of GM canola from this state?" In fact, the company imports 90 per cent of its canola from Canada, and 80 per cent of the area planted in Canada is planted with GM canola. Therefore, that company imports huge amounts of GM canola without any adverse effects on the market price. We must use Canada as a benchmark, because it has grown GM canola for the past decade. It has not been inhibited in its agricultural enterprises, as we have in this state, by misinformed legislation. In fact, coexistence with and segregation from non-GM crops is also evident, just as organic wheat is segregated from conventional wheat. In the Canadian province of Saskatchewan, over 95 per cent of the canola sown is GM, and Saskatchewan also has more organic farmers than any other Canadian province—that is, 35 per cent of the nation's total. In effect, in this province GM canola is growing next to organic crops without any contamination at all and without any adverse effects on the markets being targeted, both in price and acceptance. That information is from the Canadian agricultural board.

I believe that GM crops are the future of food consumption to a large degree. If we look at wheat production in the last decade, in seven of those years demand outstripped supply. In fact, on a world figure, production of grains such as wheat, which is the staple grain of the world, needs to take the next step up, because yields have plateaued, and the only way forward is genetic technology. It has other benefits also, of which I am sure all members are aware, in regard to climate change, a drying climate, the better usage of water et cetera.

Victoria and New South Wales had a moratorium. As I said in my inaugural speech, the Labor governments in those states had the foresight to lift that moratorium. In fact, GM canola on a broadacre scale is in full production there. An increase of well over 416 per cent has been registered this year, and Monsanto believes that production will probably double that figure next year, as long as seed is available. Growers sign a contract—the member is correct—with Monsanto for Roundup Ready canola; I agree. That is to ensure that they are growing the right product. That contract is stringently applied by Monsanto and the growers for the safety of consumers.

In none of this debate has anyone said anything about the Gene Technology Regulator. I have not heard the Office of the Gene Technology Regulator mentioned this afternoon at all. I am sure members are aware that it is an independent federal body that is empowered by the Gene Technology Act 2000. It is authorised to license GMOs in all fields, whether it be medicine, pharmaceuticals or food. It undertakes a comprehensive risk assessment of these GMOs and reports to the Gene Technology Ministerial Council and also to the health minister in this state and the federal minister. It is recognised internationally as one of the top GM scrutinising bodies in the world. I do not think the Gene Technology Regulator, as an independent body, would allow any

GMOs to be grown in this country, or injected in this country, as insulin is, which saves hundreds of thousands of lives—it is GM derived—without the appropriate benchmarks and priorities in place.

HON PHILIP GARDINER (Agricultural) [3.39 pm]: The genetically modified organism debate has been going on for years. Like a lot of farmers, we took up the case that we know suits our position, be it in a bar, at a barbecue, a party or anywhere else. I suspect that has been going on with the debate on genetically modified organisms for quite some years now.

GM technology is just an ongoing technological development, which humans have always striven for. We have always looked for the next step in science. Mendel was the first chap to talk about genetics and he gave birth to quantitative genetics. Then others came along who gave currency to the fact that genes switch on and switch off in different characteristics. Now we are dealing with what Watson and Crick devised in the late 1950s; that is, the helix model of genes and chromosomes and how we try to segregate these into the different characteristics on offer from plant to plant. It is one of those inevitable movements towards the frontiers that mankind will always strive for.

Already we know of the good applications for GMOs. We all know that its application on cotton has reduced chemical use. I do not think any of us would argue against the application of GM technology for that purpose. It is benefiting our environment and those who are around those chemicals. I do not see any downside. I am not sure that it is just the GMO technology that we are debating here. It is essentially its application and how broad—or, more importantly, how specific—it is. The exemption order should be allowed so that we can test Roundup Ready canola. That canola is not killed by the active ingredient of Roundup called glyphosate, but that chemical does kill the weeds that may grow in that crop.

Hon Giz Watson and others have said that this is really the introduction of GMOs by stealth. Here I am dealing with the specifics of canola; it is not necessarily the technology I accept. I may be naive, but I am prepared to accept at face value that this is not a motion to allow the release of canola; this motion allows us to test whether GMO canola can satisfy certain conditions if it is released, and also to prove to farmers like me whether it is commercially viable. There is so much conjecture about the competitive yield of GMO canola versus non-GMO canola, triazine-tolerant canola or straight canola that grows without resistance to any chemicals. I have seen so many “trials”, but I do not know what to believe. Anyone who claims to know is fooling themselves, because we have long-season varieties, and short-season varieties, and we do not know whether these have been mixed up in the trials to make a point or whether it is genuinely a like-for-like comparison. There is no clarity.

We are searching for independent trialling. It may be that it is impossible to get independent trialling to assess yield differences. Here we have 20 trials on lots of 70 to 100 hectares in general, but also the Department of Agriculture and Food is running some of these trials. At least I would expect that the ag department would provide independence and tightness with those trials that will give us clear, honest numbers. The issue of security of storage is of concern to some, but we must be able to test the storage logistics. The only way we can do that is if we have a sufficient quantity to harvest and move. If we are still playing around with small trial plots, as someone was suggesting earlier, we will never get a test for that logistical issue. The logistical issue has to be tested through the bulk handlers.

The probability of contamination is very, very high. As Hon Giz Watson said, the seeds are very small. We are concerned with the materiality of that contamination and whether it affects what the market requires. There are already some boundaries around that, which, in the main, I am told the market is happy to live with. However, I remain to be completely assured of that.

The next most important issue with GM canola after yield is oil content. That is dependent on a number of seasonal factors. Again, I want to see what the trial reveals when comparing like with like. The Wongan Hills canola trial might have been disbanded due to the lack of rain, because canola generally requires a long season, but there are short-season varieties. It may be that the Roundup Ready varieties are also long-season varieties and the Department of Agriculture and Food did not want them to be tested against the short-season varieties. I am not sure why the Wongan Hills trial was stopped.

GM canola was developed by Monsanto, which makes glyphosate in the United States, after discovering that plants that were resistant to glyphosate were growing around its factory. Monsanto extracted the glyphosate-resistant gene and put it into canola. That is the genesis of this particular Roundup Ready phenomenon. Based on the fact that it will be a trial and we need to have sufficient quantities to be able to trial the logistics as well as assess the yield differences, I am relaxed about the trial. However, this trial is not measuring the impact upon weed resistance before it is released, which is something I would regard as a crucial aspect. As I said in my inaugural address, that is of primary importance; and the second is the clarification of the law. The law can be clarified by individuals, but I am not sure whether many individuals will go to the extent of taking on their neighbour when a GM crop or seed contaminates their neighbour’s canola crop.

Hon Giz Watson; Hon Robyn McSweeney; Hon Matt Benson-Lidholm; Hon James Chown; Hon Philip Gardiner; Hon Brian Ellis

The issue of weed resistance is a crucial area. Glyphosate is the most widely used knock-down chemical; in fact, it is the only knock-down chemical that we use in agriculture. It is cheap, safe and effective, and it has a broad range. It is used on multiple crops in advance of their sowing. It is not just a canola-specific chemical. This chemical is used to kill weeds before sowing a host of different crops. Therefore, if we all grew GM canola and sprayed the weeds in the crop with glyphosate, it would kill the weeds. There might then be a second generation of weeds, which would mean we would have to spray it again. The more times we spray using the same chemical, the more we increase the likelihood of resistance. If we put in a wheat crop after the canola crop the following year, what would we spray it with before we sowed the wheat?

A member interjected: Glyphosate.

Hon PHILIP GARDINER: Exactly! We would use glyphosate before we put in our barley crop and we would use glyphosate before we put in our pea crop. When we use one chemical year after year, one thing only happens for sure; the weeds adapt. They are clever little critters; they adapt. They adapt to protect their future. What happens next? We cannot use the glyphosate to kill weeds. In fact, we have nothing left to kill the weeds because there is nothing left to use after glyphosate. That is the danger with Roundup Ready canola or GMO canola. That is an issue that this particular trial is not yet measuring; in fact, this trial will not measure that aspect. Western Australia is already the capital of weed resistance for the world. I am told Canada has an altogether different weed structure, as does the United States. They grow their crops differently. They have winter crops and spring crops. They have a weed structure that is quite different from ours. We have taken on the chemical technology crucial to the productivity of our agriculture, and weed resistance is emerging as an issue as a result of the sustained use of these chemicals. We should be very wary of anyone who starts talking about the experience in Canada or the United States because those environments are very different from ours.

Trials have been set up to measure certain aspects of GM canola. I am happy about those trials as they are testing very important areas. However, the work has to continue for the next stage of measuring weed resistance. The seriousness of the matter is demonstrated in the history of agriculture that we have been through. Many weeds are in our crops, and all of these weeds were brought from other countries by people who thought there was an opportunity to use them in our environment. These include doublegee, wild radish and cape weed. A whole host of these things were brought in by people because society's rules allowed it. We must be very wary that as we make the rules for our society, we ensure that we protect our society from any possible future downsides. With that, Madam Deputy President, I am happy to recommend that the disallowance motion be opposed.

HON BRIAN ELLIS (Agricultural) [3.44 pm]: I also do not intend to speak for very long, because this is about the third time that we have debated genetically modified crops and I have spoken on each occasion. However, I will point out that the few things that have been mentioned tend to be the same old argument from the —

Hon Giz Watson: Because they are still good!

Hon BRIAN ELLIS: No; they are not, and that is why I need to pick up on a couple of the points mentioned by Hon Giz Watson, including when she said that there is no demand for GM crops. That is not quite correct. There is a demand for canola, whether or not it is GM. Plenty of markets around the world take GM crops. The member would have to admit that GM canola, rather than non-GM canola, makes up the biggest portion of canola consumed. I accept that there is a niche market for non-GM canola, but it is a very small market. The Japanese market particularly has been mentioned, but not many farmers can get into that market because it is so small. It seems to me that this comes back to an argument about choice. We, as competitors in the canola growing and grain exporting world, should have the same choices available to other farmers around the world.

I will go through a couple of things that have been mentioned. I also went along to the field days in Cunderdin. They were very interesting. They were not closed to anyone. Any member of the public could have gone to those field days. In fact, I think one was held today in Geraldton. They have been widely advertised. There is no secrecy about the location of the trial plots.

Debate interrupted, pursuant to standing orders.

[Continued on page 5900.]

Sitting suspended from 3.45 to 4.00 pm