

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

### *Introduction and First Reading*

Bill introduced, on motion by **Hon Peter Collier (Leader of the House)** on behalf of **Hon Ken Baston (Minister for Agriculture and Food)**, and read a first time.

### *Second Reading*

**HON PETER COLLIER (North Metropolitan — Leader of the House)** [5.13 pm]: I move —

That the bill be now read a second time.

It is now over 30 years since the very first genetically modified crops were grown anywhere in the world. In the United States, GM crops were approved for commercial use and then first planted in 1996, the same year in which growers first planted GM canola crops in Canada. Currently, around 90 per cent of canola grown in the US is GM and that is approximately the same percentage for Canada. In addition, in the US more than 90 per cent of all soybean, cotton and corn acreage is used to grow GM crops. In Australia, GM canola has been grown in Victoria and New South Wales since 2008.

Here in Western Australia, the Genetically Modified Crops Free Areas Act 2003 was enacted to allow the minister to designate an area in which GM crops could not be grown. In 2004, the whole of Western Australia was designated as an area where GM crops could not be grown. Two exemptions to this were subsequently granted. In 2009 an exemption order allowed for commercial cultivation of GM cotton in the Ord River irrigation area, and in 2010 an exemption order allowed for commercial cultivation of GM canola within Western Australia. The effect of the Genetically Modified Crops Free Areas Act 2003 is that Western Australian growers cannot access new GM crops that have been approved by the Australian Office of the Gene Technology Regulator until an exemption order is in place.

Since the exemption order for GM canola was put in place, Western Australia's farmers have steadily adopted the technology. Last year, Western Australian farmers planted 74 per cent of Australia's total 348 200-hectare GM canola crop. Indeed, this year about one-third of Western Australia's canola plantings are GM canola. GM crops are one available tool in the plant breeding toolbox to enable researchers to develop climate-resilient crop varieties, improve quality and provide public health benefits. The consequences of not having access to this technology is a reduction in productivity gains, a potential decline in international competitiveness, less profitable farming systems, and less viable regional communities. It is important that growers have the opportunity to decide what to produce on their properties that best fits their production system in order for the Western Australian grains industry to be internationally competitive.

The Genetically Modified Crops Free Areas Act creates a number of market inefficiencies and limitations. Firstly, the market has evolved since the introduction of that act and has proven that the segregation and preservation of markets—which was the basis for the act in the first place—can be handled sufficiently by industry. The Western Australian grains industry has protocols and processes in place to enable growers to deliver GM and non-GM canola to meet market requirements and is confident of its ability to implement these. In that sense, the act is not required and can be considered obsolete. The act also operates as a barrier to growers accessing gene technology after the technology has been assessed and licensed by the Gene Technology Regulator. Australia already has a rigorous regulatory system, through the Office of the Gene Technology Regulator, for GM organisms. Currently, the Genetically Modified Crops Free Areas Act is a disincentive for researchers to invest in Western Australia-specific traits due to the lack of guaranteed access to growers. It imposes competitive disadvantages on Western Australian growers compared with jurisdictions with more straightforward access to approved GM products. It creates legislative burdens and administrative red tape for government in needing to create and monitor exemptions. Finally, it creates grower and industry uncertainty over the ongoing or future ability to access gene technology in Western Australia.

While this act remains in place, there is the ability of a future Minister for Agriculture and Food to revoke the exemptions for GM crops currently approved as safe and being grown in Western Australia. This uncertainty impacts on the confidence of breeding companies to invest in products specifically for Western Australian conditions and to invest in science in Western Australia. Revoking the exemption would also severely impact the bottom line of growers and put Western Australia at a disadvantage to our major competitors. Consultations during 2014 with relevant marketers and industry representatives about the proposed repeal indicated their position that market choice should determine commerciality and marketability. Repeal of the act will not affect the licensing process for GM crops or the national regulatory system established under the commonwealth act. The assessment process to ensure the safety of GM material will remain unchanged. Repeal of the act will mean that once a crop has been approved as safe by the federal regulator, there will be no additional legislative impediment for Western Australian growers.

The Genetically Modified Crops Free Areas Act was introduced at a time when there was concern about industry's ability to effectively manage its supply chain. Over time, industry has demonstrated its ability to effectively manage the segregation of GM crops, growers have shown demand for the technology, and there have been environmental and economic benefits from its adoption. I am aware that some groups have expressed concern about the potential impact on non-GM markets from the possible presence of GM seeds in non-GM shipments, or out-crossing of GM traits into other compatible plants. These concerns have been considered, but I believe they can be effectively managed without the Genetically Modified Crops Free Areas Act, as they have been to date for crops permitted under exemption orders. Existing segregations systems and management tools have resulted in no shipment being declined for GM presence since the introduction of GM canola here in Western Australia in 2010.

The inefficiencies and market impact of the Genetically Modified Crops Free Areas Act need to be resolved, and repeal of this act is the preferred option identified. This will give certainty to growers and investors, offer new opportunities and tools to growers to improve global competition, and reduce regulation and red tape.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and table the explanatory memorandum.

[See paper 3626.]

Debate adjourned, pursuant to standing orders.