

Thank you for the opportunity to provide a written submission to the Standing Committee on Environment and Public Affairs for the petition tabled by Hon Diane Evers MLC on 13 June 2017.

Ref: Petition No. 010

Petition to compensate GM-Free Farmers if economically affected by GM contamination.

This submission has been prepared by Sam West, age 31, grain and sheep farmer in Wagin Western Australia.

I urge the Government NOT to introduce regulation or legislation to compensate non-GM farmers who may be affected by contamination.

I am writing this as a farmer. Not putting a label on myself or a pigeon-hole title such as "GM farmer", "conventional farmer" "organic farmer" or a myriad of other titles which people bestow upon themselves, just a farmer.

I am not currently growing GM canola due to rotational decisions but have in the past and will again in the future.

Since the beginning of agriculture farmers have had differences of opinion which manifest in differences of practice. Sometimes these differences will clash and negatively interact. In the vast majority of instances these issues have been able to be dealt with through common sense and the practicalities that farmers possess and the knowledge that you have to farm next to your neighbours for a lifetime, in many cases. On the odd occasion that disputes aren't able to be resolved we have courts which can make a more official ruling with the possibility of awarding compensation, such as the Marsh vs. Baxter case.

The way we are focusing on GM as the only possible cause of loss through contamination is quite absurd. As an example, I recently had a grain truck crash and spill a load of oats on the road reserve bordering my farm. Thankfully the driver was ok, and in the transport industry these events will happen, but the first question that the police asked was "is this grain GM".

Practically if it was GM canola it would be quite easy to control any possible contamination on my farm, within my current cost structure. On the other hand if it was a load of grain contaminated with noxious weeds such as skeleton weed it would be next to impossible to control and cost tens of thousands of dollars. The risk of contamination would be increased if the farmer was an organic farmer who fundamentally limits the amount of sound weed control practices available to them.

Other possible contamination risk to my business, apart from weeds is parasites and disease in stock, such as Ovine Johnes disease, Lice and intestinal worms. Again these risks are heightened by poor management practices and if passed to another farmer through accident or negligence could cost the 10s if not 100s of thousands of dollars to rectify over many years. All of these risks are increased by the use of "organic" practices.

Western Australian farmers have established a reputation for themselves as a competitive industry on the global market. We are proudly considered an innovative provider of high quality, safe and nutritious food, fodder and fibre. This commendable reputation encompasses all practices, modern, conventional and organic agriculture.

The proposed legislation, if progressed will without doubt, stifle the agricultural industry in this state on a number of levels. It has the potential to regress the enormous advances that have been made in farming practices over the years by taking away Farmer choices for fear of recrimination and litigation. Further development of broad acre farming will be put at risk as overregulation will diminish the funding for further research and development.

This is a one sided legislation against GM farmers and does not take into account the much more prevalent instances of organic farming practices contaminating the likes of modern and conventional crops through their lack of weed control. It solely sets out to vindicate the GM industry that globally has been scrutinised, analysed and peer group tested and found to be safe on all levels.

There has only been one suspected incidence of a GM crop contaminating a non-GM crop in WA since introduction of GM canola in 2010. It was found in that case, *Marsh v Baxter* that the GM farmer (Baxter) was not at fault in any way for a physical incursion or financial loss, in fact the judge went on to state as below.

*"Nor could Mr Baxter be held responsible, in law, for the reactions to the incursion of the Marshes' organic certification body, NCO, which in the circumstances presented to be an unjustifiable reaction to what occurred."*¹

Today conventional and GM crops are grown side by side on individual farms and on neighbouring properties throughout the agricultural region on a large scale. Broad acre farmers and their neighbours work together whether they are GM or non GM growers to ensure that the best possible outcomes are achieved both from an agronomic and financial benefit for either crop type. If the Committee decided through its deliberations to recommend a type of compensation fund or recommend that legislation be formulate to automatically allow a non-GM grower to seek financial redress for contamination, the co-operative farming practice that are in place today would be put in jeopardy and cause division amongst rural communities.

I urge the members of the Environment and Public Affairs Committee to take into account the science surrounding GM crops, current farming practice in regard to their cultivation in this state, the significant agronomic and environmental benefits of growing GM canola in Western Australia and to not entertain the emotional, unscientific, biased rhetoric of the various anti-GM lobby groups who are prepared to attack the livelihood of GM farmers for purely political gains. The same people choose to ignore the fact that GM food derivatives are now feeding billions across the world and they also ignore the fact that billions of people are living a far more comfortable life through the use of GM pharmaceuticals such as insulin.

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<http://decisions.justice.wa.gov.au/supreme/supdcsn.nsf/judgment.xsp?documentId=5B9F82F42842877448257CE600216197&action=openDocument>

The Committee needs to note that under our Common Law system any aggrieved individual or group of people may seek to redress their concerns by seeking compensation, via our courts.

Thank you for your consideration.

Sam West,