



February 2018

Via email: [ogtr@health.gov.au](mailto:ogtr@health.gov.au)

**Re: ASF response to call for submissions on proposed amendments to the Gene Technology Regulations 2001**

I am pleased to provide the following submission on behalf of the Australian Seed Federation which provides a response to call for submissions on proposed amendments to the Gene Technology Regulations 2001

The Australian Seed Federation is also pleased to confirm that it is interested in receiving any updates about this consultation.

All correspondence regarding this submission and the consultation process can be addressed to:

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If you have any questions do not hesitate to contact me.

Yours sincerely

Bill Fuller  
Chief Executive Officer  
Australian Seed Federation



**Australian Seed Federation**  
SOWING SEEDS

ABN 66 003 160 638

# **Australian Seed Federation response to call for submissions on proposed amendments to the Gene Technology Regulations 2001**

## **February 2018**



## **Introduction**

The Australian Seed Federation (ASF) is the peak national body representing the interests of Australia's sowing seed industry. The membership of ASF comprises stakeholders from all sectors of the seed supply chain including; plant breeders, seed growers, seed processors and seed marketers, all of whom were consulted in the preparation of this submission.

The ASF welcomes the opportunity provide input in response to the Office of the Gene Technology Regulator's (OGTR) call for submissions on proposed amendments to the Gene Technology Regulations 2001. These proposed amendments are the result of a Technical Review of the Regulations, to which the ASF also made a submission.

In Australia, the seed industry is a vital link in the development of crops that are critical to the nation's agricultural productivity, sustainability and food security. The ASF is providing this submission in the interest of developing a nationally and internationally-consistent approach towards the regulation of Plant Breeding Innovation (PBIs) and future-proof ASF members' ability to deliver seed and technology to farmers who want it.

To this end, the ASF has always supported the overarching objective of the Technical Review to keep the Gene Technology Regulations up to date with advances in technology and increased scientific understanding. This was why our initial submission to the Review supported 'Option 4' of the 2016 Discussion Paper. It has also been a principle of the international seed industry that plant varieties developed through the latest breeding methods should not be differentially regulated based on the techniques employed during their development if they are similar to, or indistinguishable from, varieties that could have been produced through earlier breeding methods – and we believe Option 4 more closely reflected this view.

We understand that these current amendments aim to implement Option 3, for a number of reasons expressed in communications by the OGTR, but we would hope that consideration of further technical improvements will be undertaken as the broader review of Gene Technology regulatory scheme progresses.

## **Supported Option**

The ASF supports Option 3 in the Consultation RIS which proposes to amend the Gene Technology Regulations with some, but not all draft amendment proposals. The reason we take this approach is because while we are generally supportive of all the proposed elements of the Exposure Draft Regulations, we see that these could be improved so as to better future-proof these technical amendments. We hope that the OGTR will take these technical suggestions on board.



### **Definition of SDN-1**

ASF notes that the proposed exclusion of SDN-1 techniques from regulation in Clause 32 specifically refers to an organism 'modified by repair of single-strand or double-strand breaks of genomic DNA induced by a site-directed nuclease, if a nucleic acid template was not added to guide homology-directed repair'. We would like to make the point that in addition to site-directed nucleases, plant breeders are looking to use recombinases or indeed other DNA modifying enzymes such as DNA methylases or deaminases (used for base editing) to produce the same effect. We would therefore like to recommend that in order to future-proof this Option, the proposed amendment should focus on the intended result of the modification (non-guided repair resulting from a break in genomic DNA) rather than the specific tool).

### **Specific regulation of SDN-2 and ODM**

As explained in the introduction to this submission, the ASF cannot support the proposal in these amendments to specifically regulate all organisms that have had their genomes modified by SDN-2 and ODM techniques as genetically modified organisms in a new Schedule 1B, and would propose that this clause be deleted. Induced mutagenesis, and transfer of DNA between compatible species - whether these processes are facilitated by a repair template, or are achieved otherwise, by methods with established history of safe use - should not form the basis for regulatory differentiation. Rather, whether a new plant variety is similar to, or indistinguishable from, varieties that could have been produced through earlier breeding methods should be the key factor.

Thank you again for the opportunity to provide input. The ASF would be happy to discuss any of our comments in more detail.

Yours faithfully

Bill Fuller  
Chief Executive Officer  
Australian Seed Federation