

16 December 2016

Dr Raj Bhula
Gene Technology Regulator
Regulations Review
Office of the Gene Technology Regulator
GPO Box 9848
Canberra ACT 2601

Dear Dr Bhula

Re: Options for regulating new technologies

Grain Trade Australia (GTA) appreciates the opportunity to provide this submission to OGTR in response to the Discussion Paper on Options for Regulating New Technologies. GTA believes that this is a very important issue for the grains industry and has been actively involved in industry discussions on this issue globally via membership of the International Grain Trade Coalition (IGTC) Working Group on Plant Breeding Innovation and domestically via the GTA technical committee on Plant Breeding Innovation that brings together representatives from across the Australian grain and seed value chain.

About GTA

Grain Trade Australia (GTA) is the focal point for the commercial grains industry within Australia. It facilitates trade and works to provide an efficient, equitable and open trading environment by providing leadership, advocacy and commercial services to the Australian grain value chain.

GTA members are responsible for over 95% of all grain storage and freight movements made each year in Australia. Over 95% of the grain contracts executed in Australia each year refer to GTA grain standards and/or trade rules.

GTA members are drawn from all sectors of the grain value chain from production to domestic end users and exporters. GTA members are involved in grain trading activities, grain storage, grain for human consumption and stock feed milling. A list of all members is attached.

Thus, this submission is made within this context and focuses on the options from a facilitation of trade perspective. As such, GTA's submission comments only on the options regarding regulation of new technologies and does not comment on the 'other considerations' raised in the discussion paper.

GTA policy

GTA supports research utilising emerging plant breeding technologies to enhance the productive capacity of Australian grain producers.

GTA supports the commercial release and trade of grain from GM and other innovative breeding techniques where this has been approved for commercial release by the Office of Gene Technology Regulator (OGTR) and other relevant Federal, State and Territory regulators.

Interest in, and application of, new plant breeding techniques as innovative improvements and refinements to existing breeding methods is increasing due to the technical potential of these technologies. The resulting products in many cases are indistinguishable or similar to existing products, produced by traditional breeding techniques. These NBTs have the potential to enhance efficiency and specificity of breeding with increased knowledge and understanding of final product. Their use is expanding as they are adaptable to large variety of crops and are more economical thereby being accessible to researchers from all sectors (public/private; large/small).

Position re options

GTA supports Option 4 as the preferred option for the industry i.e. to exclude certain new technologies from regulation based on the outcomes they produce.

Therefore, GTA supports the principle that plants developed through NBTs should not be differentially regulated if they are similar to, or indistinguishable from, those that could have been produced through earlier breeding methods and where the risks to the environment or human health posed by products developed using such techniques are comparable to those of earlier (non-regulated by the OGTR) breeding methods.

GTA believes that this approach will provide clarity and certainty to the industry which are key requirements to the facilitation of an efficient trade environment. Furthermore, GTA believes that considerable complexities for the trade could occur where it may not be possible to detect products which have been derived from the application and use of new breeding technologies.

GTA believes that innovation is important in maintaining the competitiveness of the industry and that NBTs have a key role to play in promoting innovation.

Issues for the industry

A major challenge for the global grain trade is the lack of consistency in regulations regarding new breeding techniques globally. GTA also recognises that this will occur in relation to products whether they can be distinguished or not.

GTA supports the harmonisation of regulations, however, does not see that the absence of this should prevent Australia from moving to provide certainty to the Australian industry. We note that the discussion paper highlights that Australia would remain involved in international forums seeking to harmonise regulation of new technologies and GTA strongly supports this.

GTA works with the IGTC to try and achieve global harmonisation in the approach to regulating such activities. The main aim of IGTC efforts is to achieve international alignment, i.e. adoption of a similar approach across jurisdictions leading to legal certainty as this will provide for the lowest chance of trade disruptions. Alignment and regulatory coherence will assist governments to avoid unnecessarily eroding the value of the innovation and/or driving up costs and complexity in the global food system.

The IGTC policy is attached.

Conclusion

GTA believes that providing the industry with certainty in regard to new breeding technologies will greatly assist the grain trade. GTA believes that Option 4 will provide the greatest level of certainty for the industry.

GTA acknowledges the risks of inconsistencies between regulatory frameworks in global markets and that this is a major issue impacting the global grain trade today. GTA encourages the Australian Government to stay engaged and continue to seek harmonisation in regulation of new technologies.

GTA has not commented on some of the specific scientific issues raised in the discussion paper, however, recognises that some of its members may do so in individual submissions.

Thank you for your consideration of this submission.

Regards

Pat O'Shannassy
CEO





IGTC policy

Plant breeding innovation

August 2016ⁱ

BACKGROUND: The IGTC's purpose is to convene significant expertise and representation to provide advice from a global perspective on the commercial requirements and economics of the world's food, feed and processing industries.

Since the 1980s, several new tools have been added to the plant breeder's toolbox. These tools are often grouped together under the more general term plant breeding innovation, or referred to as new plant breeding techniques. The earliest of these tools have been developed and first applied to plant breeding programs in the 1990s. Many of these 'new' approaches have been derived from innovations related to the evolution of biotechnology.

The differences compared to the earlier transgenic approaches lie in the applied methodology and the changes achieved in the genome of the crops. These tools generate similar outcomes to those that can be achieved through traditional approaches, albeit more precisely and efficiently and not necessarily involving the introduction of foreign DNA.

Because these new methods are more efficient and economical when compared to traditional approaches, they are more accessible to public and commercial plant breeders in developed and developing countries and can be used across all agriculturally important crops, including field, vegetable and specialty crops.

Two questions arise, especially in those countries where GMOs are regulated under specific legislation:

- 1) do current regulations encompass the use of these new methods, or not?
- 2) should the plant varieties that have been developed by these new methods be regulated in a similar way as GMOs, or not?

To date there is limited global experience with the regulation of crops derived from the use of these new tools. While initial decisions have already been taken in a limited number of countries relating to one or more of these new methods, discussions have only just started in others.

The challenge for the global grain trade is while new plant varieties developed with the help of certain methods may be exempt from regulation in one country, they may need to be regulated in another country or, as in the majority of countries, there remains a significant level of uncertainty. This legislative



IGTC

International Grain Trade Coalition

uncertainty and especially the resulting asynchrony is of great concern to plant breeders, biotechnology companies and the overall grain trade. Likewise there is uncertainty on labelling requirements.

The resulting requirements on the international trade of grains, oilseeds and other agriculks have far reaching consequences across the world's food, feed and processing supply chain. The fact that different legislations might regulate these methods in a different fashion and labelling requirements may vary from market to market is a threat to providing for trade and adequate fungibility of plant products needed to provide for global food security and economic well being provided for by world's food, feed and processing industries

IGTC Policy:

1. Disruptions to trade as result of the innovation of plant breeding methods must be prevented.
2. Regulation of plant varieties derived from the introduction and use of Plant Breeding Innovations (PBI) must be based on the profile of the product and not the process by which it has been developed.
3. Regulation and labelling of plant products derived from methods must be compatible and coherent across relevant global, regional, national and local jurisdictions.
 - a) Regulation should ensure safety
 - b) Introductions of grains, oilseeds and agriculks seed from plant breeding innovation must meet minimum criteria for stewardship established in advance consultation with food, feed and processing sectors and appropriate for any functionality impacts that may need to be accounted for.
4. International alignment of regulatory policy on new plant breeding tools is an immediate need that includes:
 - a. Consistent policy outcomes across jurisdictions
 - b. Legal certainty as a goal
 - c. Plant varieties developed through the latest breeding methods should not be differentially regulated if they are similar or indistinguishable from varieties that could have been produced through traditional practices.
5. Transparency on the regulatory status of the plant variety needs to be provided throughout the commercial life cycle of plants from development to retirement as they may impact the production and trade of grains, oilseeds and pulses. Essential information includes:
 - a. how and when these plant breeding methods are utilized in the commercial pipeline
 - b. regulatory status of the plant variety
 - c. labelling requirements of the plant variety
 - d. commercial use in the production of seeds for planting and use in food, feed and processing.



IGTC

International Grain Trade Coalition

6. Plant variety developers, based on the use of new plant breeding innovations, must provide for regulatory acceptance of products for food, feed or further processing that may have been produced with or from these plant breeding methods.
7. It is the responsibility of the industry using plant breeding innovations to undertake a comprehensive educational effort to inform the public of the benefits and risks, if any, of modern biotechnology.

ⁱ This policy document was approved by IGTC Management Council on Monday 8 August, 2016.

Membership List as at 30 November 2016

Organisation	Contact	Website /Phone
Ordinary Member (Trading)		
Level A1 (over 7 Million Tonnes)		
Co-operative Bulk Handling Limited		cbh.com.au
Glencore Grain Pty Ltd		glencoregrain.com.au
		2
Level A2 (5 - 7 Million Tonnes)		
		0
Level A3 (3 - 5 Million Tonnes)		
ADM Trading Australia Pty Ltd		adm.com
Cargill Australia Limited		cargill.com.au
Graincorp Operations Ltd		graincorp.com.au
		3
Level A4 (1.5 - 3 Million Tonnes)		
Emerald Grain Pty Limited		emeraldgrain.com
Nidera Australia Pty Ltd		nidera.com.au
		2
Level B1 (1.0 - 1.5 Million Tonnes)		
Bunge Agribusiness Australia Pty Ltd		bunge.com/Agribusiness
Louis Dreyfus Company Australia Pty Ltd		louisdreyfus.com.au
		2
Level B2 (500,000 - 1 Million Tonnes)		
Agrex Australia Pty Ltd		agrexaustralia.com.au
Broadbent CHS Pty Ltd		broadbentgrain.com.au
Cofco Agri Australia Pty Ltd		au.cofcoagrigrain.com
George Weston Foods Limited		gwf.com.au
Plum Grove Pty Ltd		plumgrove.com.au
Ridley Agriproducts Pty Ltd		agriproducts.com.au
Riverina (Australia) Pty Ltd		riverina.com.au
		7
Level B3 (250,000 - 500,000 Tonnes)		
Agracom Pty Ltd		agracom.com.au
AGRIGRAIN		agrigrain.com
Arrow Commodities Pty Ltd		arrowcom.com.au
Australian Grain Export Pty Ltd		
Centre State Exports Pty Ltd		centrestateexports.com.au
Chinatex Australia Pty Ltd		
Lempriere Grain Pty Ltd		lemprieregrain.com.au
Riordan Grain Services		riordangrains.com.au
Robinson Grain Trading Co Pty Ltd		robinsongrain.com.au
Special One Grain Accumulator		specialonegrain.com.au
United World Enterprises Pty Ltd		uwetypical.com
Wilmar Gavilon Pty Ltd		

Ordinary Member (Trading) (contd)

Level C (under 250,000 Tonnes)

A & B Grains Pty Ltd	abgrains.com.au
A T Waterfield & Son Pty Ltd	
A W Vater and Co	vater.com.au
Adams Australia Pty Ltd	adamsaustralia.com.au
Agmark Commodities	agmark.com.au
Agri Om Australia Pty Ltd	agriom.com.au
Agri-Oz Exports Pty Ltd	
Agriex Australia Pty Ltd	
Agrifoods Australia	agrifoodsaustralia.com.au
Agromin Australia Pty Limited	agromin.com.au
AGT Foods Australia	agtfoods.com/australia
All Commodities Pty Ltd	allcommodities.com.au
Allied Mills	alliedmills.com.au
AMPS Agribusiness Group	ampsagribusiness.com.au
Associated Grain	
Auscott Ltd	auscott.com.au
AusiCan Commodities	ausican.com
Australian Choice Exports Pty Ltd	australianchoiceexports.com.au
Australian Grain Growers Co-operative Limited	aggcoop.com.au
Australian Grain Storage	sunrice.com.au
Australian Growers Direct Pty Ltd	ausgrowersdirect.com.au
Australian Mungbean Company Pty Ltd	australianmungbean.com.au
Avigrain Produce	avigrain.com.au
Baker Grain	bakergrain.com.au
Berriwillock Grain Storage Co-Operative Ltd	moulameingrain.com
BFB Pty Ltd	bfb.com.au
Big River Feeds Pty Ltd	
Blairs Produce Company	
Blue Ribbon Seed and Pulse Exporters	
Boort Grain Co-Operative	
Broun and Co Grain Pty Ltd	brounandco.com.au
Bungulla Farming Pty Ltd	
C & S Trading Pty Ltd	scholzbh.com.au
C K Tremlett Pty Ltd	
Cameron Pastoral Company Pty Ltd	
Castlegate James Australasia Pty Ltd	castlegatejames.com.au
Cleveland Agriculture	
Commex International Pty Ltd	
Coorow Seeds	coorowseeds.com.au
COPRICE	coprice.com.au
Cremer Australia Pty Ltd	cremer.de
DA Hall and Co	
Dalby Bio-Refining Limited	dbrl.com.au
Dalgrains (Qld) Pty Ltd	dalgrains.com
Darwalla Milling Co Pty Ltd	
Deacon Seeds Company	
Deckert Group Pty Ltd	deckerts.com.au
Defiance Maize Products Pty Ltd	corson.co.nz
Demeter Cormack Pty Ltd	
Donnellons Bulk Haulage Pty Ltd	
ED & F Man Grains Australia	edfman.com
East Coast Stockfeed Pty Ltd	ecsf.com.au
Elders Grain	elders.com.au
Export Trading Group Australia Pty Ltd	etgworld.com
Feed Central Pty Ltd	feedcentral.com.au

Level C (under 250,000 Tonnes) cont.

Fellows Nominees	fellowsbulk.com.au
FertInvest Pty Ltd	fertinvest.com
Findlays Barellan	
Fletcher International Exports Pty Ltd	fletchint.com.au
FREE Eyre Grain Pty Ltd	free-eyre.com.au
Golden Harvest Grain Exports	goldenharvest.net.au
Grain Direct Australia	graindirect.com.au
Grain Link (NSW) Pty Ltd	
Grain Link WA Pty Ltd	grainlink.com.au
Grainforce Pty Ltd	
Grainpro Pty Limited	grainpro.com.au
GrainTrend Pty Ltd	graintrend.com
Greentree Farming	
GV Grain & Fodder	
Hanlon Enterprises Grain	
Harberger's Farm Supplies (Trading) Pty Ltd	hargerger.com.au
Hassad Australia Operations Company Pty Ltd	
Iloura Resources Pty Ltd	iloura-resources.com
Independent Grain Handlers Pty Ltd	igh.net.au
Irwin Stockfeeds	irwinstockfeeds.com.au
Itochu Australia Ltd	www.itochu.com.au
J K International Pty Ltd	jki.com.au
J W Koek & Company	
James Stock Feed and Fertilizer Pty Ltd	jamesstockfeed.com.au
Jerilderie Grain Storage & Handling	
KB Agri Services Pty Ltd	
K M & W M Kelly & Sons	kellygrains.com.au
Kangaroo Island Pure Grain Pty Ltd	kipuregrain.com
Kennett Rural Services Pty Ltd	kennetrural.com.au
Lachlan Commodities Pty Ltd	
Laharum Bulk Handling Co	
Lake Grain Pty Ltd	lakegrain.com.au
Lane Grain Pty Ltd	
Laragon Almond Processors Pty Ltd	laragon.com.au
Laucke Flour Mills P/L	laucke.com.au
Lawson Grains Pty Ltd	lawsongrains.com
LDC Enterprises Australia Pty Ltd	
LPC Trading Pty Ltd	
Malteurop Australia Pty Ltd	
Matthews Transport and Grain Traders	
Max Grains Pty Ltd	maxgrains.com.au
MC Croker Pty Limited	crokergrain.com.au
McNaughts Grain & Fertilizer Pty Ltd	mcnaughts.com
Melaluka Trading Pty Ltd	melalukatrading.com.au
Mellco Pty Ltd	
Moulamein Grain Co-Operative Ltd	moulameingrain.com
Mountain Industries Pty Ltd	mountainindustries.com.au
Moxey Farms Pty Limited	
MSM Milling Pty Ltd	
Murrumbidgee Grains Pty Ltd	
Namoi Cotton Co-Operative	namoicotton.com.au
Nandaly Grain Co-Operative Ltd	
Network Grains Pty Ltd	
Newcastle Agri Terminal Pty Ltd	
Northern Riverina Grains Pty Ltd	
OOMA Enterprises NSW Pty Limited	oomaenterprises.com.au

Level C (under 250,000 Tonnes) cont.

Origin Grain Pty Ltd	
Pallinup Logistics Pty Ltd	
PB Seeds Pty Ltd	pbseeds.com.au
PeaCo	
Pearson's Grain Pty Ltd	pearsonsgroup.com.au
Peters Commodities Pty Ltd	petcom.com.au
Phoenix Global Australia Pty Ltd	phoenixcommodities.com.au
Premium Grain Handlers P/L	pgh.com.au
Preston Grain	
Pulse Association of the South East (PASE) Inc	
Quadra Commodities Pty Ltd	quadra.com
Quattro Ports	quattroports.com.au
Quirindi Grain & Produce	
Reid Stockfeeds Pty Ltd	reidstockfeeds.com.au
Rivalea (Australia) Pty Ltd - Animal Nutrition	rivalea.com.au
Riverina Oils & BioEnergy Pty Ltd	riverinaoils.com
Roty Grain Store	
Ruddenklau Grain Pty Ltd	
Rural Logic (Aust) Pty Ltd	rurallogic.com.au
SANWA Pty Ltd	sanwa.com.au
Seedhouse Tasmania	seedhouse.com.au
Shannon Bros Bulk Haulage	
Silo Bag Grain (NSW QLD) Pty Ltd	
Societa Cofica Pty Ltd	societacofica.com.au
Southern Ark Storage Pty Ltd	arkstorage.com.au
Southern Cotton Trading Pty Ltd	
Southern Cross Agricultural Exports P/L	southerncrossag.com.au
Southern Grain Storage Pty Ltd	
Southern Stockfeeds (Operations) Pty Ltd	
Spagrimon Australia Pty Limited	spagrimon.com.au
Standard Commodities Australia Pty Ltd	stancom.com.au
Sumitomo Australia Pty Ltd	sumitomocorp.com.au
Summer Hill Grains	
Tasmanian Agricultural Producers Pty Ltd	tasagproducers.com.au
TSS Grain	tasstockfeed.com.au
Thallon Grains Pty Ltd	
Twynam Pastoral Company	twynam.com
Unigrain Pty Ltd	unigrain.com.au
Unique Grain Management Pty Ltd	uniquegrain.com.au
W B Hunter Pty Ltd	
Ward McKenzie Pty Ltd	mckenziefoods.com.au
WHG Oceania Pty Ltd	
Whitty Produce	
Whyalla Beef Pty Ltd	whyallabeef.com.au
Wilken Grain	wilkens.com.au
Wimpak Pty Ltd	wimpak.com.au
XLD Grain Pty Ltd	xldgrain.com.au
Yenda Prods Grain Pty Ltd	

Transport Operator

160

Gehrke Grains and Transport Pty Ltd	
Hamilton Contracting (NSW) Pty Ltd	hamiltoncontracting.com.au
Wakefield Grain Export Services	wakefields.com.au

3

Broker

Large

0

Medium

Fox Commodities	foxcommodities.com.au
Grain Brokers Australia	grainbrokers.com.au
Horizon Grain Brokers Pty Ltd	horizongb.com.au
Igrain.com.au Pty Ltd	igrain.com.au
INTL FCStone Pty Ltd	intlfcstone.com
McDonald Pelz Australia	mcdonaldpelz.com
Perkins Commodity Brokers	
Teague Australia Pty Ltd	teague.com.au

8

Sole Operator

A C Grain	
ACCB Australia	
AgLink - CMS	aglinkcms.com.au
Allied Grain Pty Ltd	alliedgrain.com.au
Cereal Milling Services Pty Ltd	
Cogeser (Australia) Pty Ltd	cogeser.com.au
Farm Tender	farmtender.com.au
Knight Commodities	
Link Brokering	linkbrokering.com.au
Mallon Commodity Brokering	mcbrokering.com
Quest Commodities Pty Ltd	questcommodities.com.au
Shearwater International Pty Ltd	

12

Corporate

Large

ASX Limited	asx.com.au/grainfutures
Australia And New Zealand Banking Group	anz.com.au
Australian Grain Technologies Pty Ltd	agtbreeding.com.au
Commonwealth Bank of Australia	commbank.com.au
Symbio Laboratories	symbiolabs.com.au

5

Medium

Agfarm Pty Ltd	agfarm.com.au
Agrifood Technology Pty Ltd	
Agrisk Management Pty Ltd	
Australian Superintendence Company	
Commodity Inspection Services (Australia) Pty Ltd	commodityinspection.com.au
Foss Pacific Pty Ltd	foss.com.au
Holding Redlich	holdingredlich.com
Holman Fenwick Willan	hfw.com
Intertek	intertek.com
Merricks Capital Pty Limited	merrickscapital.com
NZX Australia (CGX, ACF, PFA)	nzx.com
SBA Law	sbalaw.com
SGS Australia Pty Ltd	au.sgs.com

13

Small

Advance Trading Australasia	advance-trading.com.au
Ag Scientia Pty Ltd	

Corporate - Small (cont)

CloudBreak Grain Marketing Pty Ltd	
Basis Commodities Pty Ltd	basiscommodities.com.au
Delta Agribusiness Pty Ltd	
Direct Commodities Pty Ltd	directcommodities.com.au
EP Integrated Commodities Pty Ltd	
Farmanco Marketing Pty Ltd	farmanco.com.au
FarMarCo Australia Pty Ltd	
Finesse Solutions Pty Limited	
Flexi Grain	flexigrain.com.au
Goldstar Commodities	goldstarcommodities.com.au
Grainx	grainx.com.au
HarvestCheck Pty Ltd	
Hay Plains Grain Storage Pty Ltd	
IKON Commodities Pty Ltd	ikoncommodities.com.au
JBS Australia	jbssa.com.au
MarketAg Pty Ltd	
McMullen Consulting Pty Ltd	
Mirfak P/L	mirfak.com.au
Murray Goulburn Trading Pty Ltd	
OMIC Australia Pty Ltd	omicaustralia.com.au
Perten Instruments Australia Pty Ltd	
Pinnacle Commodities Pty Ltd	pinnaclecommodities.com.au
Planfarm Marketing Pty Ltd	planfarm.com.au
Primal Foods Group	
Rural Directions Pty Ltd	ruraldirections.com
SGA Solutions Pty Ltd	
TE Storage & Logistics Pty Ltd	
Ten Tigers	tentigers.com.au

31

International Affiliate

CIS - Commodity Inspection Services	cis-inspections.com
CCIC Australia Pty Ltd	

2

Industry Association

Grain Growers Limited	graingrowers.com.au
Grain Industry Association of WA	giwa.org.au
Grain Producers Australia Ltd	grainproducers.com.au
NSW Farmers Association	
Victorian Farmers Federation	

5

Merchant Association

Grain Industry Association of SA	
Grain Industry Association Of Victoria	giav.com.au
Grain NSW Inc	grainnsw.com.au
Queensland Agricultural Merchants Inc.	qam.org.au

4

Life Members

Mr Mervyn May	Retired	Awarded 1998
Mr Christopher Kelly	K M & W M Kelly & Sons	Awarded July 2015
Mr Geoff Honey (<i>Posthumously awarded</i>)	Former GTA CEO	Awarded July 2016

3