



Handling an unintentional presence of genetically modified (GM) crops



The probability of unapproved genetically modified organisms gaining entry to Australia is low. But it is possible that unapproved GM crops could be present as trace amounts in conventional imports, leading to the unintended presence of unapproved GMOs in Australia. The unintended presence could be in the same type of seed, eg traces of GM soybean in a non-GM soybean shipment, or a contamination with another seed, eg GM canola in a non-GM soybean shipment.

While a small number of GM crops are approved for commercial release in Australia (a number of types of carnation, cotton, canola and safflower), other countries have approved commercial use of many more GM crops.

Worldwide, approximately 80 different types of GM crops have been approved for commercialisation in 16 countries. Most of these GMOs are modifications to the four main crops: canola, soybean, maize and cotton. Other commercially released crops include safflower, papaya, potato, squash, and tomato.

The unintended presence of GM crops is possible due to the international trading of grains, but the Office of the Gene Technology Regulator (OGTR), along with other Australian government departments and industry have a strategy in place to minimise the chance of it happening in Australia.

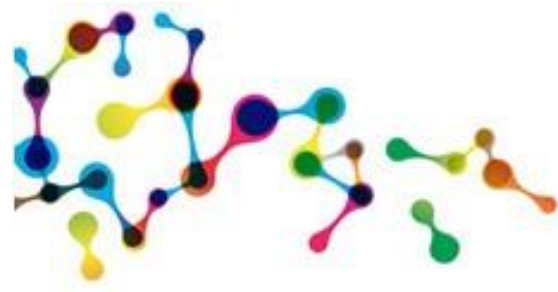
The six steps of the strategy are:

- identifying seed imports that are most at risk of containing unauthorised GMOs
- quality assurance
- laboratory testing
- advance risk assessment/approval
- post market detection
- enforcement

What should I do if I find a GMO in imported seed stock?

- Contact the OGTR as soon as possible. Once the Gene Technology Regulator (the Regulator) is satisfied that a person has come into possession of a GMO inadvertently, the Regulator can issue a temporary 'Inadvertent Dealing' licence (for no longer than 12 months) for the purposes of testing and disposing of the GMO.
- Consideration of inadvertent dealings applications follows a simpler process than other application types.
- If you are intending to import some seeds and you think there is a possibility that GM seeds could be accidentally included, you can ask your Institutional Biosafety Committee (IBC) for a broad authorisation to allow work with the possible unknown GM seeds before you import. That way if you do find some, you will be able to dispose of the GMOs without needing to apply for an Inadvertent dealing licence.





Pro-active regulatory option

There is an option for seed importers and other organisations who have contained facilities such as plant houses to become part of the gene technology regulatory scheme to provide them with a more flexible approach to the management of any unintended presence of unapproved GMOs, should that occur.

This option needs organisations to gain prior approval to grow the GMO in an appropriate plant house.

To be able to use this option, organisations would need to meet some requirements prior to becoming aware of the presence of the unapproved GMO:

- have an appropriate plant house certified as a [PC2 Plant House](#);
- have access to an [Institutional Biosafety Committee \(IBC\)](#),
- have the IBC assess the [Notifiable Low Risk Dealing](#) to ensure that it meets the statutory requirements for the future conduct of notifiable low risk dealings

What traits should I be testing for?

The OGTR keeps a [list of GMOs](#) that are approved for commercial production in Australia. Any trait that is not listed there is not approved for commercial release. Organisations may choose to initially conduct screening tests for general GM content, i.e. tests that identify the common sequences used in development of GM crops. If a GMO is identified then it may be necessary to identify the particular trait to determine if it is approved for production in Australia or not.

What do I do if I find that there is GMO content in my conventional seed?

Contact the OGTR as soon as possible. Knowingly working with a GMO is an offence unless the GMO is approved or otherwise authorised. We can help you work through the options available to you.

Can't I just destroy the GM plant/s?

No, you can't. Once you know that the plant is a GM plant, it is illegal to conduct any dealing with the GMO, which includes destruction of the GMO.

But the GMO is already growing, so isn't that an offence as well?

Yes, but if you did not know it was a GMO when you started growing it, and if you have contacted the OGTR when you first identified that it was a GMO, you will have taken reasonable steps to meet your legal obligations in those circumstances. The OGTR can then issue an inadvertent dealing licence to legalise destruction of the GMO.

Further information on the OGTR's unintended presence strategy is on the [OGTR website](#).

[Related factsheets](#)

[What is gene technology?](#)

[Reporting misuse of genetically modified organisms](#)

[Genetically modified \(GM\) crops in Australia](#)

[Genetically modified \(GM\) Petunias in Australia](#)

Version 1	June 2018
Version 2	September 2018
Version 3	November 2021

