



Australian Government

Department of Health and Aged Care
Office of the Gene Technology Regulator

Licence for inadvertent dealings

Licence No.: ID-09

Licence holder: P Brodie Holdings Pty Ltd t/a PB Agrifood

Inadvertent dealings with genetically modified soybean

Issued: 11 April 2025

Expiry: 10 April 2026

Gene Technology Regulation in Australia

Australia's gene technology regulatory system operates as part of an integrated legislative framework. The *Gene Technology Act 2000* (Commonwealth) and corresponding State and Territory legislation form part of a nationally consistent regulatory system controlling activities involving genetically modified organisms (GMOs).

This licence is issued by the Gene Technology Regulator in accordance with the *Gene Technology Act 2000* and, as applicable, Corresponding State Law.

Section 40A of the Act provides that the Regulator may issue a licence to authorise dealings with a GMO that has come into the possession of a person inadvertently.

Sections 46A and 49 have the effect that the Regulator may expedite consideration of an application to dispose of a GMO that has come into a person's possession inadvertently, when they would otherwise require a licence for dealings not involving intentional release or for dealings involving intentional release.

Before issuing an inadvertent dealings licence, the Regulator is not required to prepare a risk assessment and risk management plan, or undertake the public consultation procedures, otherwise required for dealings involving the intentional release of a GMO into the environment.

This licence authorises the licence holder and persons covered by the licence to conduct specified dealings which are directed to the disposal of the GMO listed in Attachment A of this licence.

Dealings permitted by this licence may also be subject to the operation of State legislation recognising areas as designated for the purpose of preserving the identity of GM crops, non-GM crops, or both GM crops and non-GM crops, for marketing purposes.

Section 1 Interpretations and Definitions

1. In this licence:
 - (a) unless defined otherwise in this licence, words and phrases used in this licence have the same meaning as they do in the Act and the Gene Technology Regulations 2001;
 - (b) words importing a gender include every other gender;
 - (c) words in the singular number include the plural and words in the plural number include the singular;
 - (d) expressions used to denote persons generally (such as “person”, “party”, “someone”, “anyone”, “no one”, “one”, “another” and “whoever”), include a body politic or corporate as well as an individual;
 - (e) references to any statute or other legislation (whether primary or subordinate) are a reference to a statute or other legislation of the Commonwealth of Australia as amended or replaced from time to time and equivalent provisions, if any, in corresponding State law, unless the contrary intention appears;
 - (f) where a word or phrase is given a particular meaning, other grammatical forms of that word or phrase have corresponding meanings;
 - (g) specific conditions prevail over standard conditions to the extent of any inconsistency.

2. In this licence:

‘Act’ means the *Gene Technology Act 2000* (Commonwealth) or the corresponding State legislation under which this licence is issued.

‘GM’ means genetically modified.

‘GMOs’ means the genetically modified organisms that are the subject of the dealings authorised by this licence. GMOs include live plants and viable seed. All Soybeans of the pbADOMINATOR variety must be treated as containing GMOs, unless state-of-the-art testing demonstrates that a particular batch of pbADOMINATOR Soybeans does not contain detectable levels of GMOs.

‘OGTR’ means the Office of the Gene Technology Regulator.

‘Regulator’ means the Gene Technology Regulator.

‘Soybean’ means plants of the species *Glycine max*.

Section 2 Licence conditions and obligations

3. This licence does not authorise dealings with the GMOs that are otherwise prohibited as a result of the operation of State legislation.
4. This licence does not apply to dealings with the GMOs conducted as a Notifiable Low Risk Dealing (NLRD) or pursuant to another authorisation under the Act.
5. This licence covers the period 11 April 2025 to 10 April 2026 unless cancelled or surrendered.
6. The licence holder is P Brodie Holdings Pty Ltd t/a PB Agrifood.
7. The persons covered by the licence are the licence holder and any persons in possession or control of the GMOs.

2.1 Obligations of the Licence Holder

8. The licence holder must inform any person covered by this licence, to whom a particular condition of the licence applies, of the following:
 - (a) the particular condition (including any variations of it); and
 - (b) the cancellation or suspension of the licence; and

- (c) the surrender of the licence.

Note: For example, the licence holder must inform any employee instructed to destroy the GMOs of the permitted methods of disposal.

2.2 Provision of new information to the Regulator

9. The licence holder must inform the Regulator if the licence holder becomes aware of:
- (a) additional information as to any risks to the health and safety of people, or to the environment, associated with the dealings authorised by the licence; or
 - (b) any contraventions of the licence by a person covered by the licence; or
 - (c) any unintended effects of the dealings authorised by the licence.
10. If at any time the Regulator requests the licence holder to collect and provide information about any matter to do with the dealings authorised by this licence, including but not confined to steps taken by the licence holder to dispose of the GMOs, and the request is reasonable, having regard to consistency with the Act and relevance to its purpose, then the licence holder must collect the information and provide it to the Regulator at a time and in the manner requested by the Regulator.

2.3 Obligations of persons covered by the licence

11. If a person is authorised by this licence to deal with the GMOs and a particular condition of this licence applies to the dealing by that person, the person must allow the Regulator, or a person authorised by the Regulator, to enter premises where the dealing is being undertaken, for the purposes of auditing or monitoring the dealing.

2.4 Dealings with GMOs permitted by the licence

12. The GMOs with which dealings are authorised by this licence are those listed at **Attachment A**.
13. The dealings permitted by the licence are:
- (a) disposing of the GMOs;
 - (b) conducting experiments with the GMOs for purposes relating to disposing of the GMOs;
 - (c) growing the GMOs for purposes relating to disposing of the GMOs;
 - (d) transporting the GMOs for purposes relating to disposing of the GMOs; and
 - (e) possessing, storing or supplying the GMOs for purposes relating to disposing of the GMOs.
- Note: disposing of the GMOs means either making them non-viable or exporting them from Australia.*
- Note: an example of transporting the GMOs for purposes relating to disposal is taking GM seeds to a crushing facility.*
14. The dealings with the GMOs authorised in condition 13 may be conducted in all areas of Australia.
15. Intentional planting of the GMOs is prohibited.
16. The licence holder must inform all farmers who grew pbADOMINATOR Soybeans in the 2023/24 or 2024/25 growing seasons that:
- (a) the pbADOMINATOR Soybean variety contains GMOs;
 - (b) in accordance with condition 7 of this licence any persons in possession or control of the GMOs are persons covered by the licence;
 - (c) any pbADOMINATOR Soybean crops growing in the field must be harvested at maturity and PB Agrifood must be notified of the date of harvest;

- (d) all harvested pbADOMINATOR Soybean seed must be transported to PB Agrifood for disposal; and
 - (e) any seed retained from pbADOMINATOR Soybeans must be transported to PB Agrifood for disposal.
17. All GM seed must be disposed of, in accordance with condition 18, prior to expiry of this licence.
18. Methods permitted for disposal of the GMOs are:
- (a) mechanical removal of plants, such as uprooting, tilling, or root cutting and shredding/mulching;
 - (b) treatment of plants with herbicide, other than glyphosate, in a manner which kills Soybean plants;
 - (c) burning/incineration;
 - (d) milling, crushing or grinding of seed;
 - (e) destructive analysis; or
 - (f) export from Australia.
19. The licence holder must ensure that transport of the GMOs for purposes related to disposal follows these sub-conditions:
- (a) the GMOs must be contained in a manner that prevents any GMOs from escaping, with the outer packaging labelled to indicate at least:
 - i. that it contains GMOs;
 - ii. the contact details for the licence holder; and
 - iii. instructions to notify the licence holder in case of a loss or spill of the GMOs; and instructions on how to clean up a spill; and
 - (b) any containers used must be visually inspected and all GMOs removed before use of the container for any other purpose; and
 - (c) access to the GMOs must be restricted to authorised persons; and
 - (d) procedures must be in place to ensure that GMOs can be accounted for and that a loss of GMOs during transport or failure to be delivered can be detected.

2.5 Inspection and reporting requirements

20. Areas of land where the GMOs were grown in the 2024/25 growing season must be inspected by experienced people able to recognise Soybean. Actions must be taken as follows:

Area	Period of inspection	Inspection frequency	Inspect for	Action
Areas on which the GMOs were grown, and other areas of land where GM seed may have been dispersed during planting or harvesting	From the day of: a) harvest, or b) issue of the licence, for any areas that were harvested prior to issue of the licence Until 9 months after harvest	At least once every 6 weeks	Soybean plants	Dispose of before seed set

21. Soybeans must not be planted on any area of land subject to inspections under condition 20, during the period that inspections are required.
22. Details of any inspection activity must be recorded in a Logbook and must include:
 - (a) location of the inspections; and
 - (b) date of the inspections; and
 - (c) details of areas inspected including current land use and details of any crops planted after harvest of the GMOs; and
 - (d) if Soybean plants are found:
 - i. number of Soybean plants found during inspections; and
 - ii. developmental stage of the Soybean plants found during inspections; and
 - iii. date and method of disposal of the Soybean plants found during inspections.

Note: Details of inspection activities must be provided to the Regulator (Condition 23).

23. The licence holder must send notifications to the Regulator as follows:

Note: please send all correspondence related to the licence to OGTR.M&C@health.gov.au.

Notice	Content of notice	Timeframe
a. People covered by the licence	<ol style="list-style-type: none">i. Name and position title for the contact person for the licence holder who will be responsible for managing all activities required by this licence, with a description of their responsibilities; andii. detail of how the persons covered by the licence will be informed of licence conditions.	As soon as practicable after issue of the licence
b. Changes to contact details	Changes to any of the details for the contact person for the licence holder	As soon as practicable after any changes occur
c. Location of properties covered by this licence	Locations and sizes of all sites where pbADOMINATOR Soybeans were grown in the 2024/25 growing season. <i>Note: Examples of suitable location information would be GPS coordinates, or local government area and street address.</i>	Within 35 days after issue of the licence.
d. Notification of harvest of a GM Soybean crop	<ol style="list-style-type: none">i. Date of harvest of each GM Soybean crop; andii. Location of harvest.	Within 14 days after harvest
e. Inspection activities	Information recorded in a Logbook in accordance with Condition 22.	Within 35 days of inspection
f. Completion of disposal	<ol style="list-style-type: none">i. Date when the licence holder completed disposal of all GM Soybean seed covered by this licence; andii. Method/s used for disposal of the GM Soybean seed over the course of the licence.	Within 35 days after disposal of the last GM Soybean seeds

GMO Description**GMOs covered by this licence**

Soybeans containing the GM event with the OECD unique identifier MON-89788-1.

Parent organism

Common Name: Soybean, Soy

Scientific Name: *Glycine max*

Modified trait

Category: Herbicide tolerance

Gene responsible for conferring the modified trait

Introduced gene	Function	Source
<i>cp4 epsps</i>	Glyphosate herbicide tolerance	<i>Agrobacterium tumefaciens</i>