

Submission to the technical review of the *Gene Technology Regulations 2001* Draft amendments

February 2018

Introduction

Agriculture Victoria welcomes the opportunity to comment on proposed amendments to the *Gene Technology Regulations 2001* (Cwth) (the Regulations). Agriculture Victoria is part of the Victorian Department of Economic Development, Jobs, Transport and Resources. Agriculture Victoria seeks to improve livability and drive sustainable economic growth in the food and fibre sectors, which contributes to a productive, competitive and sustainable Victorian economy.

Agriculture Victoria applies gene technologies in research areas including crop plants, pasture plants, dairy and beef cattle and forest products. Broadly, Agriculture Victoria's research aims to improve product quality, disease resistance and agronomic performance.

Agriculture Victoria supports the review of the Regulations to provide clarity about whether organisms developed using a range of new breeding technologies (NBT) are subject to regulation as genetically modified organisms.

Agriculture Victoria's view is that NBTs that do not incorporate foreign nucleic acid do not pose any greater risk than conventional mutation breeding techniques. Agriculture Victoria acknowledges that the current policy settings for the National Gene Technology Regulatory Scheme (the Scheme) constrain the options available for amending the Regulations.

Proposed amendments

Agriculture Victoria supports Option 2 in the OGTR's consultation regulatory impact statement (RIS) on the proposed amendments – amend the *Gene Technology Regulations* by introducing all elements of draft amendments. Agriculture Victoria does not support Option 1 as it does not address the current uncertainty and regulatory burden associated with new breeding technologies. Agriculture Victoria supports full implementation of the OGTR's proposed changes and therefore does not support Option 3 in the RIS.

Agriculture Victoria supports the proposed amendments to the Regulations as an interim measure while policy settings are considered in the Commonwealth Government's review of the Scheme.

The proposed amendments provide important clarity for research providers and industry, and will reduce unnecessary regulatory burden. Agriculture Victoria encourages continued consideration of risk-based regulation of new technologies that produce the same outcomes as more conventional breeding technologies that are not regulated and have a long history of safe use.

Agriculture Victoria reiterates the importance of consistent regulation throughout supply chains and encourages ongoing cooperation with regulators of genetically modified products to ensure continued harmonisation of gene technology regulation.

Impacts of proposed regulatory amendments

Agriculture Victoria is a provider of gene technology research and develops products to benefit Victorian and Australian agriculture industries. Agriculture Victoria is affected by the proposed regulatory amendments. Furthermore, Agriculture Victoria's key stakeholders are also affected by the proposed amendments through the availability and cost of new products and technologies that are subject to regulation under the Scheme.

Option 2 in the consultation RIS provides regulatory clarity for continued investment to deliver major innovations for key Victorian and Australian agriculture industries. For example, DairyBio, the forage research and development program for the Australian dairy industry, uses SDN-1 technology. This \$52.5 million joint investment by Dairy Australia and the Victorian Government will deliver perennial ryegrass with increased digestibility and reduced pollen allergenicity, as well as beneficial fungal endophytes with reduced toxicity to animals. Enhanced digestibility is expected to deliver an annual productivity gain of \$235 million across the Australian dairy supply chain. Further benefits will be delivered by reducing the risk of animal toxicity from fungal endophytes and by reducing hayfever from pollen allergens.

Agriculture Victoria looks forward to ongoing collaboration with the OGTR in maintaining a contemporary approach to regulation of new technologies and will monitor the final outcomes of the technical review.