

20<sup>th</sup> April, 2015

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Department of Agriculture  
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**Re: TBT notification, G/TBT/N/TPKM/168/Rev.1- GM Labelling in Taiwan**

The Australian Oilseeds Federation (AOF) is the peak industry body for the Australian oilseed industry, with membership spanning the value chain, including seed breeders, producers, grain handlers, processors and food and feed manufacturers and exporters. The value of the industry is conservatively valued at \$3.05 billion, with close to half the value creation represented in direct agricultural production (canola, sunflower, cottonseed, safflower and soybeans). The role of the Federation is to promote the development, expansion and improvement of Australian oilseed industry, and to facilitate linkages throughout the value chain for the common good and value creation of the industry. The export of oilseed, oil and meal constitutes the largest sector of the Australian oilseed industry, and consequently, freedom to trade internationally is a major interest to the Federation.

The intention of the Taiwan FDA to impose additional regulatory burden on the importation and/or sale of food products or ingredients derived from genetically modified organisms presents a concern to the AOF.

Two underlying principles have shaped this response from the AOF:

1. The AOF believes the labelling of GM foods or ingredients be based on a *product* basis rather than a *process* basis. That is, the presence of novel DNA in the final food product (above an agreed threshold) should trigger GM labelling provisions, not the means by which the food/ingredient was produced or derived. This is consistent with the approach prescribed by food regulators in the US, Canada and Australia.
2. The AOF believes that true market forces should drive the labelling options for manufacturers, rather than regulations. If consumers perceive a benefit of one technology over another, then this will drive food producers to promote the technology as part of the product offering. Consequently, in most countries, irrespective of GM labelling requirements, many food manufacturers see a benefit in voluntarily promoting the 'Non-GM' status of their products. This behaviour to inform consumers has been driven by the market, not by regulation.

While the AOF respects the independence of the TDFA to establish labelling provisions in respect of GM foodstuffs, we believe that the stringent nature of the proposed provisions present an unworkable and un-enforceable set of regulations that may serve to limit the trade in non-GM foodstuffs rather than facilitating such a trade.

Common to all three food stuffs (pre-packaged foods, unpackaged foods and food additives) is the 3% tolerance for 'adventitious or technically unavoidable' presence of GM. This threshold of 3% is welcomed, and can be regarded as a progressive move. However, the requirement that food that is derived from GMOs, and yet through processing, contains no transgenic DNA in the finished product, requiring labelling to this effect is a retrograde step. There are 3 primary concerns with labelling food as being made with GMOs, when no GM material is present in the finished product:

- a) The product is technically and analytically identical to the equivalent product produced without the use of GM. (sugar from GM beet vs non GM beet; chicken from GM fed poultry vs being fed non GM feed);
- b) This requirement is unenforceable, as there is no means to test a product to determine the absence of a novel protein that has been intentionally removed;
- c) This labelling requirement is being driven from a 'consumer values' perspective, rather than a science or health perspective. This would appear to be at odds with other provisions of the Act Governing Food Safety and Sanitation;

In addition to the above, specific to unpackaged foods are practical challenges with regard to displaying information at the point-of sale, and the resultant need for a segregated supply chain from the source of the production through to the point of sale, irrespective of their GM nature. For example, the GM fruit and non-GM fruit will require separate supply chains from the point of production to the point of sale. This will add additional cost to the end products, which will be borne by the consumer.

I trust you will take consider these comments in preparing the Australian Government's sound response to the proposed moves by Taiwan.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Nick Goddard', is written over a blue horizontal line.

Nick Goddard  
**Executive Director**  
**Australian Oilseeds Federation Inc.**