

Mr Paul Lindwall
Presiding Commissioner
Regulation of Agriculture
Productivity Commission
Locked Bag 2, Collins Street East
Melbourne VIC 8003

18 August 2016

Dear Mr Lindwall

RE: Productivity Commission Draft Report into the Regulation of Australian Agriculture

On behalf of AusBiotech I would like to commend the Productivity Commission on the Draft Report into the Regulation of Australian Agriculture.

The Findings and Draft Recommendations demonstrate that the Productivity Commission has recognised and acknowledged the majority of industry's concerns as outlined in AusBiotech's submission to the Inquiry (Submission 20). AusBiotech strongly supports the following Draft Recommendations and encourages adoption and implementation by the Federal and State Governments:

Access to technologies and agricultural and veterinary chemicals:

Draft Recommendation 6.1

The New South Wales, South Australian, Western Australian, Tasmanian and Australian Capital Territory governments should remove their moratoria (prohibitions) on genetically modified crops. All state and territory governments should also repeal the legislation that imposes or gives them powers to impose moratoria on the cultivation of genetically modified organisms by 2018.

The removal of the moratoria and repeal of the relevant legislation should be accompanied by the provision of accurate information about the risks and benefits to the Australian community from genetic modification technologies. State and territory governments, the Office of the Gene Technology Regulator [OGTR] and Food Standards Australia New Zealand [FSANZ] should actively coordinate the provision of this information.

Draft Recommendation 6.2

The Australian Pesticides and Veterinary Medicines Authority [APVMA] should make greater use of international evidence in its assessments of agricultural and veterinary chemicals (including by placing greater reliance on assessments made by trusted comparable international regulators). Reforms currently underway in this area should be expedited.

Food Regulation: Draft Recommendation 9.1

Food Standards Australia New Zealand should remove the requirement in the Food Standards Code to label genetically modified foods.

AusBiotech contends that current regulations in these two areas has had, and will continue to have, a negative, material impact on the domestic and international competitiveness of farm businesses. Therefore AusBiotech strongly contends that the Draft Recommendations described above, if adopted by government, will deliver significant economic and efficiency benefits to Australian agriculture.

AusBiotech is disappointed that the Productivity Commission has not adequately addressed Industry's concerns regarding regulatory uncertainty of New Breeding Techniques (NBT) as outlined in the Recommendation in the AusBiotech submission (Submission 20). Uncertainty surrounding the regulation of transformative technological platforms such as NBT will have negative impacts on research, industry and investment in the agricultural sector. Therefore AusBiotech strongly encourages the Productivity Commission to include a Recommendation consistent with that provided by AusBiotech below:

AusBiotech recommends to the Australian Government that through the Department of Health undertake an independent review of New Breeding Technologies (NBT's) for the purpose of clarifying and/or developing the policy and regulations which determine the status of individual NBT's for the industry and regulators such as the OGTR and FSANZ. The guidelines for the review would be based on an assessment of the final product derived from the application of NBT's (versus process) and be evidence-based, risk-assessed and transparent in line with world's best practice..

The Way Forward described in Chapter 14 characterises a number of issues with the current framework regulating Australian agriculture. Given this, AusBiotech is disappointed that the Productivity Commission has not translated all these issues into specific Recommendations to guide Federal and State Governments. In particular AusBiotech strongly encourages the Productivity Commission to include Recommendations that would have the effect to minimise overly risk aversion and inflexibility within the regulatory framework as well as eradicate uncertainty, duplication and inconsistency between agencies, such as the OGTR, FSANZ and APVMA. AusBiotech contends that the current regulatory burden imposed on new technologies inhibits access and adoption by research, industry and the investment sector as eloquently stated in the Draft Report on page 489:

“Regulation that seeks to avoid all risk is not only futile, it can stifle innovation, and unnecessarily deny businesses access to technologies that are essential to maintain international competitiveness.”

AusBiotech would like to thank the Productivity Commission for the opportunity to contribute to the Inquiry into the Regulation of Agriculture. AusBiotech believes that adoption of the Draft Recommendations and proposed Recommendations noted in my letter by the Federal and State Governments would remove the regulatory burden on new technologies and therefore improve the sustainability and prosperity of Australian agriculture.

Yours sincerely,

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