

Regulatory Reforms for GMOs in Australia

Yasuo WATANABE

Summary

Australia, the third largest agricultural exporter to Japan, has recently reformed its national regulatory schemes for genetically modified organisms (GMOs). Some genetically modified crops (GM crops) have already been grown on trial sites and might be commercialized soon under the new regulating schemes, which may affect Japan's imports from Australia. In addition, Australia, as a leading country of the Cairns Group, is one of the key players in international agricultural negotiations, where regulating GMOs has become a hot issue. Therefore, it shall be useful for Japanese authorities, traders and consumers to investigate details of recent regulatory reforms for GMOs in Australia.

In this context, firstly, this report explores the recent regulatory reform of GMO dealings. For the past 13 years, the Genetic Manipulation Advisory Committee (GMAC) has overseen the use of gene technology. However, the system supervised by GMAC has no legislative backing ; compliance with GMAC guidelines and GMAC recommendations was voluntary. This meant that there was no legally enforceable way to audit or monitor the use of gene technology or to penalize breaches. But, the range of GMOs is being developed rapidly and some GMOs do not fall neatly within the existing regulations. Also, more GMOs are approaching the commercialization stage. In response to this situation, in December 2000, the Federal Government passed the Gene Technology Act 2000 (GT Act). The legislation came into force on 21 June 2001. The predominant feature of the GT Act is to establish an independent statutory office named the Gene Technology Regulator to administer the legislation and make decisions (e.g. risk assessments) under the legislation.

The regulatory reform of labelling genetically modified food (GM food), as reviewed in the second chapter of the report, was another notable development in Australia. Food Standard A18 approved by the Australia New Zealand Food Standards Council (ANZFS) regulates GM food labelling in Australia and New Zealand. On 28 July 2000, ANZFS agreed in principle to new labelling requirements for GM food. ANZFS formally approved the revised standard on 24 November 2000. It was gazetted on 7 December 2000 and comes into effect on 7 December 2001. The new standard requires all GM foods and ingredients to be labelled where they contain novel DNA and/or novel protein in the final food or have altered characteristics. It means that some GM foods are required to be labelled even though they are substantially equivalent to conventional foods. However, as defined in A18, GM food labelling requirements have some exemptions such as the unintentional presence of a GM food not more than 1%. The revised GM food labelling standard will be almost as rigid as the EU standard.

Finally, this report concludes with some expectations. Australia is lagging behind key trading rivals such as US, Canada and Argentina in the GM crop field. It seems that Australia has established a solid legislative basis, i.e. the GT Act, for the future commercialization of GM crops to catch up with its rivals of the world grain market. On the other hand, the revised GM food labelling standard might put Australia into a difficult position because the country has strongly accused such a rigid GM food standard as disguised protection against trade liberalization. Australia may change its strategy in future international negotiations for GM food standard.