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20th January 2010

Food Standards Australia New Zealand

PO Box 7186

CANBERRA BC

ACT 2610

Application to amend the food standards code - Dow AgroSciences

AAD-1 Maize

Dear Sir, Madam,

Dow AgroSciences Australia Pty. Ltd wishes to seek an amendment the Australian Food Standards Code (Standard 1.5.2) to include food ingredients which may be derived from herbicide tolerant DAS-40278-9 maize line.

Dow AgroSciences considers this to be a major procedure under the FSANZ assessment procedures. This application is expected to confer an Exclusive Capturable Commercial Benefit.

The submission includes a dossier which addresses the all items identified by FSANZ as necessary to establish food safety and the supporting reports (as per section 3.5.1 of the FSANZ Application Handbook, 25th August, 2009). Only the reports produced by Dow AgroSciences or the Dow Chemical Company are provided. All other citations are available but since these are from the published literature have not been copied. Any or all of these citations will be forwarded if requested.

The references provided (listed in Attachment 1 to this letter) are proprietary information which is owned by and has value to Dow Chemical and their subsidiary Companies. These reports

may not be used or referenced by any other company or person without our express agreement.

We also request that the report Shan, G. 2009., Method Validation for the Determination of Aryloxyalkanoate Dioxygenase-1 (AAD-1) in Maize Tissues by an Enzyme-Linked Immunosorbent Assay (ELISA). Study ID 071008. May 20, 2009. be classed as Commercially Confidential Information based on the information it contains and therefore not be made available to the public.

Please find the following attached to this letter:

- 1) 2 paper copies of the application dossier including 2 paper copies of Attachment 1 – Dow AgroSciences or Dow Chemical Company produced reports.
- 2) 2 paper copies of Attachment 2 – Confidential Commercial Information.
- 3) CD with an electronic version of the application dossier including Attachment 1.
- 4) CD with Attachment 2 – Confidential Commercial Information.
- 5) Required Statutory Declaration.
- 6) Completed checklist.

Yours faithfully,



Sarah Russell French
Regulatory Specialist ANZ
Regulatory Sciences and Government Affairs
Dow AgroSciences Australia