

## HEALTH PROTECTION DIRECTORATE

Enquiries to: David Larkings  
Senior Environmental Health  
Officer, Food Safety Policy and  
Regulation Unit,  
Environmental Health Branch  
Telephone: 07 3328 9328  
Facsimile: 07 3328 9354  
Email: david-larkings@health.qld.gov.au  
File Number: QCHO/002378 part 1  
Our Ref.:

07 February 2011

Standards Management Officer  
Food Standards Australia New Zealand  
PO Box 7186  
Canberra BC ACT 2610

Dear Sir / Madam

### **Submission – Application A1042 – Food derived from Herbicide-Tolerant Corn Line DAS-40278-9**

Thank you for the opportunity to provide a submission on the 1st Assessment Report for Application A1042.

#### Queensland Government overview of genetically modified (GM) food

The Queensland Government is supportive of the move towards legislation that deals with genetically modified (GM) organisms. The Government considers it important that advances in science and technology are not impeded if it is shown that these advances do not harm human health or the environment.

With respect to the commercial production of GM crops, the Queensland Government has not imposed a moratorium and has developed a policy framework for coexistence of GM and non-GM crops, with the use of GM crops considered on a case by case basis.

The use of GM food is also considered on a case by case basis, with particular consideration and relevance to human health.

#### Role of Queensland Health

This is a whole of Queensland Government response and is made by Queensland Health since it is the lead agency in Queensland which coordinates policy advice relative to the national policy on food regulation. Our approach follows consultation with other relevant Queensland Government agencies.

#### Issues relative to this Application

Although other relevant Queensland Government stakeholders have not indicated they have any issues relative to this Application, Queensland Health has identified a number of matters and concerns and would appreciate if these could be considered.

...2/

**Office**  
Food Safety Policy & Regulation Unit  
Level 1, 15 Butterfield Street,  
Herston QLD 4006

**Postal**  
PO Box 2368  
Fortitude Valley BC QLD 4006

**Phone**  
(07) 3328 9310

**Fax**  
(07) 3328 9354

Corn line DAS-40278-9 has been genetically modified to be tolerant to the herbicide quizalofop-P-ethyl. However, a maximum residue limit is not listed for cereal grains, maize or corn with respect to the chemical in Schedule 1 of Standard 1.4.2 of the *Australia New Zealand Food Standards Code*. Should the sale and use of food derived from Herbicide-Tolerant Corn Line DAS-40278-9 be approved in Australia, then there must be no detectable residues of it in food derived from the corn line. Therefore, if the issue is not already being addressed, FSANZ may need to advise the applicant of the need to make an Application to amend Standard 1.4.2 to permit the agricultural chemical in maize.

In Section 2.2 of the 1st Assessment Report we note, “*Applications concerning corn line DAS-40278-9 have been made to the appropriate agencies for food, feed and/or environmental approvals in the United States, Canada, Japan, South Korea, Taiwan, Mexico, Argentina and the European Union. It is likely that dossiers will be submitted to the regulatory authorities of trade partners for import clearance including in Brazil, Colombia and South Africa.*”

We would appreciate advice on the progress of these applications and the anticipated timelines for the determinations relative to these applications.

It is noted that FSANZ has relied significantly on Dow AgroSciences Study Reports to progress this Application. Accordingly we remain concerned that the scientific safety assessment could be viewed as not being independent.

There appears to be little detail presented in the benefit-cost analysis. Accordingly we would appreciate the advice provided by FSANZ to the Office of Best Practice Regulation relative to the assessment of this Application in order to understand how the result of the benefit-cost analysis was reached.

The 2003 National Genetically Modified (GM) Food Labelling Pilot Survey clearly demonstrated that GM testing is expensive and each new GM approval adds to this cost. Queensland Health remains concerned with this cost to government.

Yours sincerely

Gary Bielby  
Principal Environmental Health Officer  
Food Safety Policy and Regulation Unit  
Environmental Health Branch