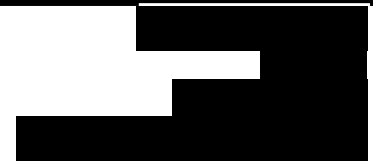


John D. Potter, M.B.B.S., Ph.D.



6th December, 2012

Food Standards Australia New Zealand,
Boeing House
55 Blackall Street
BARTON ACT 2600

Re: Application A1073 - Food derived from herbicide-tolerant soybean line DAS-44406-6

Dear FSANZ:

I request that Food Standards Australia New Zealand (FSANZ) withdraw application A1073 until the requisite safety tests have been conducted. As a scientist, an expert in nutrition and disease, a cancer researcher, and a consumer, I need to know whether GM DAS 4406-6 will be safe to eat. I am unconvinced that you have fully assessed, using the appropriate methods, the safety of this food. I know that there are no feeding studies conducted on the soybean or any components of the whole food. Without this information, there is no way that FSANZ can carry out a risk assessment on A1073.

I note that responsibilities of FSANZ include protecting the health and safety of people in Australia and New Zealand through the maintenance of a safe food supply using the best available science and evidence to guide decision making, being responsive to the issues raised by others, and enabling better consumer choice by undertaking dietary exposure modeling and scientific risk assessments on GM foods.

Based on a reading of the assessments on A1073 that are provided on your website I believe that you have fallen short of your duty of care in relation to this application. The soybean line contains novel genes that have never been

considered by FSANZ.

- FSANZ has not followed its legislated Codex or OECD guidelines for risk assessment over significant changes of nutrient, protein, carbohydrates and anti-nutrients in A1073;
- Applicant information provided on safety is insufficient for assessment & approval of this soybean into the food chain;
- There have been no feeding studies to show if there is risk from novel DNA or pesticides applied to the whole soybean, A1073 (DAS 44406-6 event);
- There are insufficient scientific data to protect and maintain a safe food supply for the health and safety of people in Australia and New Zealand;
- The reliance on the applicant's data has not shown impartiality, openness, and accountability;
- FSANZ has not provided information to consumers that will enable better consumer choice.

Over the last year there has been one particularly concerning study published on safety (1) that highlights the potential of real danger from A1073 components. Despite the verdict of EFSA that the study was inadequate (2), a great deal of doubt remains, not least because:

1. This peer-reviewed, published study has been condemned when other very similarly designed studies from industry have been accepted;
2. In science, it not enough to show inadequacies in existing data, rather new data must to be produced if refutation is to stand; and
3. When it comes to human health, the Precautionary Principle (3) should apply; the Precautionary Principle has been endorsed by WHO (4) and applies in EU law, including to food regulations (5).

I look forward to your response and look both to withdrawal of A1073, subject to appropriate studies, and to your commissioning of relevant high-quality studies.

Yours sincerely,



John D Potter, MBBS, PhD
Professorial Fellow,
Centre for Public Health Research,
Massey University,
Wellington, NZ

Member and Senior Advisor
Fred Hutchinson Cancer Research Center
Seattle, WA, USA

and Professor of Epidemiology
University of Washington,
Seattle, WA, USA

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