

SUBMISSION FROM SA HEALTH

14 September 2017

Application A1138

Food derived from Provitamin A Rice Line GR2E

SA Health welcomes the opportunity to provide comment on this application.

SA Health generally supports the application as the FSANZ safety assessment has concluded that there are no potential public health and safety concerns identified. However, the following issues are raised:

Biofortification policy

This application is the first application to consider approval of a genetically modified food that alters the nutritional profile of the food. As such it is an important precedent that approval be considered in relation to a biofortification policy. The biofortification policy is still under development and there is no current definition of biofortification in the Food Standards Code. Codex Alimentarius is currently in the process of drafting a definition for biofortification.

The applicant has indicated that there is no immediate intention to offer the Provitamin A Rice Line GR2E for sale in Australia or New Zealand. As such FSANZ should consider a “stop clock” on the application until a biofortification policy is developed.

Although GR2E is not intended to be used in the Australian or New Zealand food supplies, providing approval for the GM food will never the less allow it to be sold in Australia and New Zealand. So this GR2E rice and its products once sold to an exporter may be on sold to another food manufacturer or importer and then end up in Australia or New Zealand and legally offered for sale. GM food is permitted up to 1% as inadvertent presence and this should cover accidental contamination of other rice shipments.

Need for additional labelling requirements

Labelling of GM food is intended to address the objective set out in paragraph 18(1)(b) of the FSANZ Act—the provision of adequate information relating to food to enable consumers to make informed choices. For this reason, FSANZ has considered whether additional labelling (i.e. in addition to the mandatory ‘genetically modified’ statement) is required to alert consumers to the nature of the altered characteristic when compared to non-GM rice. Rice from line GR2E will appear yellow because β -carotene is present. However, FSANZ is not proposing additional mandatory labelling.

SA Health considers that additional mandatory labelling should be required to inform the consumer of the change to the Vitamin A content by genetic modification. FSANZ reason that the rice containing the GR2E event is not intended at this time to be sold commercially in Australia or New Zealand. This is not a valid reason because if there is a permission provided in the Food Standards Code, then the rice may be legally sold in Australia and New Zealand.

FSANZ also reasons that suppliers are unlikely to be able to make voluntary nutrition content claims or health claims because the amount of Vitamin A (β -carotene as retinol equivalents⁴) in GR2E would be insufficient to meet claim conditions. To require a statement to the effect that the food has been genetically modified to contain Vitamin A as β -carotene could imply the food contributes a nutritionally significant amount of this vitamin, when the actual amount may be negligible, and therefore be potentially misleading.

SA Health considers that since the food has been changed by genetic modification to alter a characteristic that is relevant to the consumer's choice of the product that the information should be provided to the consumer on the label. The Vitamin A content is not substantially equivalent to non-GM rice and the rice is yellow. Consumers should be informed of the nutritional change.

Most foods approved by FSANZ that are genetically modified have been changed to alter a characteristic for the crop growth of the food such as herbicide resistance. The GR2E application is the first genetically modified food that intentionally alters nutritional content. Not providing this information would be misleading to the consumer. It also sets a precedent for other applications that modify nutritional content not to be labelled in the future for the change. It is considered that the GR2E rice may not be substantially equivalent nutritionally as the non-genetically modified rice, and should be accurately and fully labelled to inform consumers.