

**Comments from the Victorian Departments of Health & Human Services and Economic Development, Jobs, Transport & Resources**

**Due date of submission – 14 September 2017**

The Victorian Departments of Health & Human Services and Economic Development, Jobs, Transport & Resources (the departments) welcome the opportunity to provide comments on Application A1138 – Food derived from Provitamin A Rice Line GR2E (the Application).

The Application seeks permission for the sale and use of food derived from a new genetically modified (GM) rice (*Oryza sativa*) line, GR2E, which has been modified to produce  $\beta$ -carotene and other minor provitamin A carotenoids.

From the FSANZ assessment report it is understood that:

- The purpose of the application is to avoid potential disruption to trade in the event that GR2E is inadvertently present in imported rice.
- Rice containing GR2E is not intended to be grown or sold in Australia or New Zealand.
- This GM rice has been developed to assist in addressing vitamin A deficiency in countries such as Bangladesh, Indonesia and the Philippines.
- The countries which are currently the main suppliers of rice to Australia and New Zealand (Thailand, India, Pakistan and the U.S.) are not targets for GR2E rice.
- The genes introduced into *Oryza sativa* rice (derived from corn), and the expressed proteins, have been assessed and the potential for toxicity or allergenicity is considered unlikely at the levels expressed.
- FSANZ approval is required to ensure that foods derived from GR2E rice (whether or not crossed with other rice varieties), and products containing these foods as ingredients, may legally be imported, sold and used in Australia and New Zealand.
- Most foods derived from GR2E rice that are sold in Australia would need to be labelled as 'genetically modified' in accordance with Standard 1.5.2.
- Uncooked GR2E paddy or brown rice (rice that has the ability to germinate) could not be imported into Australia or New Zealand without environmental approval from the Office of the Gene Technology Regulator.

The departments support the progression of this application at this stage but wish to raise a number of concerns:

- We note FSANZ's position that the Ministerial Policy Guideline – Fortification of food with vitamins and minerals does not apply to this application. However, it is reasonable to expect that consideration should be given to the consequences of permitting nutritionally enriched products to enter the market, regardless of the means of fortification.

To our knowledge, vitamin A deficiency does not occur in Australia or New Zealand to any great extent and therefore we note that if the Policy Guideline had been considered, this application may not have met the specific order policy principles for voluntary fortification.

The concern is that products containing GR2E rice could be imported, sold and used in Australia and New Zealand without consideration of the impact on, or need for, the intake of vitamin A. Further, approval of this application without regard to the nutritional status creates a precedence for future assessment of GM fortified products.

- FSANZ has indicated fortification through genetic modification is increasing in frequency and yet there has been a lack of analysis of the consequences of this new form of fortification and how it should be considered relative to traditional forms of fortification.
- Irrespective of FSANZ's position on the scope of this Policy Guideline, it is imperative that the issue of new forms of fortification and the applicability of the Policy Guideline be resolved.
- The departments consider this to be an important policy issue to be raised at the next Food Regulation Standing Committee meeting. With the pending application for the fortification of canola with DHA (a fatty acid) through genetic modification, consideration needs to be given to reviewing the policy guidelines on Fortification of Foods with Vitamins and Minerals as well as the Addition of Substances other than Vitamins and Minerals to consider new food fortification technologies.