

December 3, 2021

Food Standards Australia New Zealand PO Box 10559
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NEW ZEALAND

Submission from Plant and Food Research on Proposal P1055 - Definitions for gene technology and new breeding techniques

Introduction

Plant & Food Research is pleased to provide a submission on the “Definitions of gene technology and new breeding techniques” to FSANZ. Plant and Food Research is a Crown Research Institute based in New Zealand, but also with a subsidiary in Australia. The main sectors we serve are the plant and seafood-based sectors, as well as associated food sectors. Further information on Plant & Food Research can be found at our website.
<https://www.plantandfood.com/>

With regard to gene technologies, Plant & Food Research uses these technologies in research and as such has considerable expertise in the technologies themselves, as well as their potential application in crop improvement and in developing new foods.

Submission

We would like to commend FSANZ for proposing to move to risk assessment of the end products rather than the process used to produce them for NBTs. We agree that this is justified based on the lower level of risk (real and perceived) associated with these technologies compared with GMOs.

We acknowledge, as it is stated in the document, that this takes FSANZ out of step with the HSNO Act in NZ. We hope this will precipitate a reconsideration of the HSNO Act to move NZ in step with Australia in this regard.

We have only relatively minor suggestions and considerations regarding the proposed definitional changes.

1. We wondered whether New Breeding Technologies (NBT) is the right name for the set of technologies to be covered. The term NBT feels quite broad and not particularly descriptive of the technologies included. We do acknowledge that this term is starting to be adopted for this set of technologies. Possible alternatives are New Genetic or Gene Technologies, which are both more descriptive of the technologies included but less descriptive of their intended use.
2. There is some concern over the wording “same characteristics” in Table 1. Anything that is bred either conventionally or using NBTs will have improved characteristics in some regard and could be argued to not have the same characteristics either physically or at any other level. We suggest you consider changing this wording to “indistinguishable from conventionally developed food” or “essentially equivalent”. This

would allow for the use of indistinguishable mutations created by both NBT and generated naturally. Also it would cover the use of enhanced rootstocks to improve the quality of the scion. For essential equivalence “omic” technologies (genomic/proteomics/metabolomics) could be used to test equivalence.

3. With regard to scope the review of definitions explicitly excludes any review of GM and LM organisms which are out of FSANZ jurisdiction. By inference this excludes consideration of foods that could be turned back into an organism through this process, such as seeds and foods that could be induced to reproduce themselves (eg carrots, potatoes). Greater clarity in this regard would be useful.
4. In relation to adjacent legislation around novel foods, we wondered whether there might be issues of consistency. Will toxicity and safety be dealt with in a consistent way as part of the risk assessment across both frameworks?

We hope you find these comments useful and thank-you again for the chance to provide input.

