
CropLife Australia Policy Statement on Low Level Presence

Introduction

Low level presence (LLP) refers to the unintended presence, at low levels, of minute amounts of genetically modified (GM) plant material that has been approved in at least one country but not necessarily in the importing country.

Global approvals and acceptance for GM crops are varied; even between countries with well-established regulatory systems for gene technology, approval timelines and duration of approvals may differ. These differences can lead to approvals among key trading countries occurring at different times, with potentially unnecessary negative impacts on trade.

It is well recognised in the agriculture and food industry that 100% product purity is not possible because of the nature of biological systems and the practical limitations of supply chains. The potential for LLP occurs when importing countries maintain zero tolerance import policies for GM products not yet approved. This represents a critical trade policy issue.

For example, an importing country may discover in a grain shipment the unintended presence of individual grains derived from GM plants that are not yet approved in the country, putting the whole shipment at risk of being refused and turned back. Such situations are further compounded if an importing country does not have a process in place to manage LLP occurrence.

In the future, incidents of LLP may likely increase as the pipeline for new GM crops accelerates globally. Countries such as China, India and the Philippines are close to commercialising new GM crops, that, although intended for domestic use, could end up in shipments destined for international trade and enter Australia as the unintended LLP of a GM crop that has not been approved either for food, feed or environmental release. The reverse situation may also occur concerning crop exports from Australia to many markets (CropLife member companies seek pre-market approval for their products in all major importing countries, but other companies or public institutions developing GM products may not follow the same path).

General Policy – A Proactive Approach to Managing LLP

CropLife Australia supports global adoption of science-based risk assessment approaches to LLP policy to avoid unnecessary economic costs (caused by, for example, recall of grain shipments due to co-mingling of GM grains that may be unapproved in the destination jurisdiction) and improve consumer confidence in our food supply chain and regulatory framework.

In light of the fact that in agriculture, as with all biological systems, 100 per cent product purity is impossible and as agricultural biotechnology continues to be rapidly adopted around the world and trade in GM grains and seed increases, Australia's current legislation which imposes 'zero tolerance' to LLP will be unsustainable. The Australian Government will need to examine the impact of its current legislation in relation to LLP and develop specific policies to recognise its trading partners' systems for risk assessment and management, particularly in relation to import of GM-derived plant

materials (grain or seed). Enhanced communication, data sharing and recognition of regulatory equivalence between and among global regulators could minimise the differences in approach and timing of approval, and reduce the time required to conduct risk assessments and make management decisions in countries where LLP situations may occur.

Australia has robust gene technology and food safety regulatory systems whose objectives are to identify and manage risks to human and animal health and the environment. CropLife Australia supports enhancing the existing science-based framework by encouraging the Australian Government to recognise that some GM crops grown and approved overseas may not yet be approved for environmental release or food and feed use in Australia, and to develop a practical and pragmatic LLP policy that reduces potential trade impacts of a future LLP incident without undermining our current regulatory protections.

Specific Policy Objectives

Domestic

1. CropLife Australia encourages the Department of Agriculture, DFAT, FSANZ and the OGTR to coordinate and articulate a comprehensive and systematic LLP assessment and management process to reduce the trade impacts of instances where LLP may occur. CropLife supports LLP policies that are proportionate to risk in order to provide continued food, human health and environmental safety for consumers, farmers, processors and grain handlers.
2. CropLife Australia supports the responsible stewardship of new GM products entering the marketplace to minimise the potential for occurrences of LLP in Australia's agricultural trade.
3. CropLife Australia encourages government to continue working with industry to develop a workable LLP policy, recognising that continuing a zero tolerance policy is not practical.
4. CropLife Australia encourages government to ensure regulatory cost structures remain at levels that encourage companies to seek approval for GM crops even if they are not intended for the Australian market.

International

1. CropLife Australia supports the Australian Government's continued active participation in coordinated discussion related to LLP and global trade efforts, including the Global LLP Initiative.
2. CropLife Australia encourages the Australian Government to strongly advocate for predictable and transparent approaches to improve the synchronicity of global regulatory approvals as the most effective way to minimise or eliminate instances of LLP situations. These approaches should include bi- or multilateral trade agreement that incorporate commitments to allow trade to continue in the instance of an LLP situation occurring.
3. CropLife Australia encourages Australian Government regulators, trade agencies and industry collaborators to strongly advocate for the recognition of risk assessments consistent with Codex Alimentarius Commission's *Guideline for the Conduct of Food Safety Assessments of Foods Derived from Recombinant-DNA Plants* and for the global adoption of trade facilitative policies that result in internationally harmonised LLP standards.
4. CropLife Australia, through CropLife International, participates in the Global Alliance for Agricultural Biotechnology Trade (GAABT) to provide input and assistance to global LLP initiatives in order to develop solutions for the issues of asynchronous approvals and LLP.