

Thank you for the opportunity to provide a written submission to the Standing Committee on Environment and Public Affairs for the petition tabled by Hon Diane Evers MLC on 13 June 2017.



Ref: Petition No. 010

Petition to compensate GM-Free Farmers if economically affected by GM contamination.

This submission has been prepared by S D & A De Garis-

I urge the Government NOT to introduce regulation or legislation to compensate non-GM farmers who may be affected by contamination.

As business dealing exclusively with farmers, we see GM modification as an advantage to a modern progressive industry. GM farmers are not progressive and vying for compensation in cases of even minor contamination is like trying to turn back the tide.

Western Australian farmers have established a reputation for themselves as a competitive industry on the global market. We are proudly considered an innovative provider of high quality, safe and nutritious food, fodder and fibre. This commendable reputation encompasses all practices, modern, conventional and organic agriculture.

The proposed legislation, if progressed will without doubt, stifle the agricultural industry in this state on a number of levels. It has the potential to regress the enormous advances that have been made in farming practices over the years by taking away Farmer choices for fear of recrimination and litigation. Further development of broad acre farming will be put at risk as overregulation will diminish the funding for further research and development.

This is a one sided legislation against GM farmers and does not take into account the much more prevalent instances of organic farming practices contaminating the likes of modern and conventional crops through their lack of weed control. It solely sets out to vindicate the GM industry that globally has been scrutinised, analysed and peer group tested and found to be safe on all levels.

There has only been one suspected incidence of a GM crop contaminating a non-GM crop in WA since introduction of GM canola in 2010. It was found in that case, *Marsh v Baxter* that the GM farmer (Baxter) was not at fault in any way for a physical incursion or financial loss, in fact the judge went on to state as below.

*"Nor could Mr Baxter be held responsible, in law, for the reactions to the incursion of the Marshes' organic certification body, NCO, which in the circumstances presented to be an unjustifiable reaction to what occurred."*¹

Today conventional and GM crops are grown side by side on individual farms and on neighbouring properties throughout the agricultural region on a large scale. Broad acre farmers and their neighbours work together whether they are GM or non GM growers to ensure that the best possible outcomes are achieved both from an agronomic and financial

¹

benefit for either crop type. If the Committee decided through its deliberations to recommend a type of compensation fund or recommend that legislation be formulated to automatically allow a non-GM grower to seek financial redress for contamination, the co-operative farming practice that are in place today would be put in jeopardy and cause division amongst rural communities.

I urge the members of the Environment and Public Affairs Committee to take into account the science surrounding GM crops, current farming practice in regard to their cultivation in this state, the significant agronomic and environmental benefits of growing GM canola in Western Australia and to not entertain the emotional, unscientific, biased rhetoric of the various anti-GM lobby groups who are prepared to attack the livelihood of GM farmers for purely political gains. The same people choose to ignore the fact that GM food derivatives are now feeding billions across the world and they also ignore the fact that billions of people are living a far more comfortable life through the use of GM pharmaceuticals such as insulin.

The Committee needs to note that under our Common Law system any aggrieved individual or group of people may seek to redress their concerns by seeking compensation, via our courts.

Thank you for your consideration.