

From:
To: [Environment and Public Affairs Committee](#)
Subject: SUBMISSION Inquiry into mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material
Date: Wednesday, 14 February 2018 4:19:20 PM

To:

[Hon. Matthew Dean Swinbourn MLC](#)

[Hon. Colin James Holt MLC](#)

[Hon. Samantha Helen Rowe MLC](#)

[Hon. Timothy \(Tim\) James Clifford MLC](#)

[Hon. Dr Steven \(Steve\) Caldwell Thomas MLC](#)

GM crops threaten the livelihood of all GM-free farmers and impacts GM-free food options.

We need a **Farmer Protection Fund** (suggested by Foodwatch) to compensate GM-free farmers for their losses, costs and harm from GM contamination because the judicial system and common law fails to protect local GM-Free farmers, and without legislation farmers face huge costs and losses.

I would like to see "**mechanisms for compensation for economic loss** to farmers in Western Australia caused by contamination by genetically modified material, including approaches taken in Western Australia and by other jurisdictions and any other relevant matter."

I also support '**Principles for Farmer Protection Legislation**'

- **A no-fault system**
- **independent management**
- **automatic, compensation for proven economic loss and harm, for GM contamination in WA**
- **funded by a levy on GM seed sales**
- **the amount of the levy adjustable in response to greater or less demand on the Fund's resources - an incentive to minimise GM contamination**

I would also like to express my concern about a '**Direct Billing**' Model

--[if !supportLists]-->• <!--[endif]-->This proposes to make the GM seed owning companies responsible for the impacts of their seed and require them to pay any compensation claims for GM contamination.

--[if !supportLists]-->• <!--[endif]-->It would require claimants to identify a source of GM contamination and neighbouring farmers as the culprits.

This would be difficult and divisive as the source of contamination may not be obvious, especially where multiple GM farmers are growing a GM crop in the area.

- GM seed companies would fight tooth and nail against paying out compensation claims. Their Technology User Agreements for the sale of GM seed already transfer their liability onto the GM growers who are their agents for the purpose of growing and marketing the GM crops.

- Delays on payouts, bullying and litigation are likely to result from such claims, as North American corporate charges of unlicensed GM seed usage against farmers, seed cleaners and others have shown. Affected landholders need quick and cheap compensation so the fault-based direct-billing model would not serve their needs.

- Proving fault and responsibility against GM companies and/or GM farmers (the Direct Billing Model) or insurance companies (the Insurance Compensation Model), would be difficult, costly, meet stout opposition and incur long delays.

Thank you,

Valerie Vallee