

To: The Honourable Matthew Swinbourn MLC
Chairman of the Environment and Public Affairs Committee - Legislative Counsel
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

OPENING STATEMENT

Dated 2 May 2018

[1] The PGA is greatly concerned that the call for this inquiry is fundamentally flawed and devoid of a reasonable basis. An objective observer has to look no further than the heading to the inquiry to identify the very shaky ground on which the call for the inquiry was based.

- (1) Firstly, the words "*mechanisms for compensation for economic loss*" falsely assumes that there is a real risk that farmers will suffer economic loss as a result of contamination by genetically modified material.
- (2) Secondly, the heading assumes that GM plant material is capable of causing contamination.
- (3) Thirdly, the heading assumes (falsely) that all farmers (not restricted to organic farmers) are at risk.
- (4) Fourthly, it is implicit in the heading that there is a general call by farmers in Western Australia for a compensation system.

The uncontradicted evidence at the *Marsh v. Baxter* trial which was accepted by Justice Kenneth Martin was that the GM canola material is harmless to humans, animals, soil and plants. Such finding was based on undisputed scientific evidence from a world expert in that field of science.

[2] It makes no difference that since *Marsh v. Baxter* at least one organic certifying organisation has chosen to include an artificial and misleading definition of "contamination" in its organic standards. An elephant remains an elephant whether you choose to call it an egg or a koala.

Since the *Marsh v. Baxter* dispute arose in 2010 there has not been a single reported case or claim in Western Australia, Victoria or New South Wales (in which States GM canola is grown) where a farmer has claimed that he has suffered loss as a result of the entry of GM material onto his farm.

The list of submissions made by interested persons and parties to this inquiry are remarkable in that they show that members of the general farming community are disinterested in any such compensation scheme e.g., there are no submissions from the farmers (including wine growers) in the Albany, Plantagenet and Franklyn Districts (where wine growers, GM canola farmers and non-GM farmers) carry on their activities in many cases side by side.

Canola is not grown in the Margaret River wine producing region.

The attempts by the proponents of the compensation scheme to draw non-GM farmers into the inquiry in support of a compensation scheme has been an abject failure.

The real risk to organic farmers is that the certifying organisations in their ideological opposition to GM farming will move further to amend their organic standards to permit the arbitrary decertification of organic farmers on the mere arrival of some GM plant material.

The membership of the PGA includes non-GM farmers and GM farmers. Virtually all GM farmers grow GM canola and other crops side by side (including non-GM canola).

The experience of the farmers is that GM canola does not present a risk to their non-GM crops.

It is a scientifically proven fact that a GM canola plant cannot transfer its genetic material to any plants other than members of the Basilica family. This being the case the produce of organic farmers (not being canola) will remain GM free even if GM plant material blows from a neighbouring property onto an organic farm.

The proposal that the accidental arrival of GM plant material on an organic farm should lead to the decertification of the organic farmers produce (and/or farm) and to a compensation claim against the GM farmer is unfair. It seeks to make

GM canola farmers strictly liable for any pure economic loss supposedly suffered by an organic farmer as a result of organic standards which are set by the organic industry and where non-organic farmers have no input in the establishment of the standard. The proposal is one sided, and not based on science, reason or fairness.

Organic farming methods result in weed and disease control problems on an organic farm. These problems can and are transmitted to neighbouring farms. Nevertheless, the PGA respects the right of organic farmers to conduct their operations as they see fit and do not seek a reverse compensation scheme. It is all part of life on a farm.