EDUCATION, TOURISM, INNOVATION AND SMALL BUSINESS COMMITTEE

Members present:

Mr GJ Butcher MP (Acting Chair)
Miss VM Barton MP
Mr MA Boothman MP
Mr SL Dickson MP
Mr BM Saunders MP
Mr RA Williams MP

Staff present:

Ms S Cawcutt (Research Director)
Ms M Coorey (Principal Research Officer)

PUBLIC BRIEFING—INQUIRY INTO THE GENE TECHNOLOGY (QUEENSLAND) BILL 2016

TRANSCRIPT OF PROCEEDINGS

MONDAY, 29 AUGUST 2016

Brisbane

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Committee met at 10.58 am

BLOXSOM, Ms Sarah, Principal Project Officer, Science Policy and Evaluation Services, Department of Science, Information Technology and Innovation

DIFFEY, Ms Lea, Executive Director, Science Development, Department of Science, Information Technology and Innovation

JACOBS, Mr Mark, Acting Assistant Director-General, Department of Science, Information Technology and Innovation

WOOLLETT, Mr Grant, Acting Director, Science Policy and Evaluation Services, Department of Science, Information Technology and Innovation

ACTING CHAIR: Good morning, everyone. I declare open the committee's public briefing about the Gene Technology (Queensland) Bill 2016. I would like to introduce the members of the Education, Tourism, Innovation and Small Business Committee. I am Glenn Butcher, member for Gladstone. I am also the acting chair of the committee today. I am standing in for Mr Scott Stewart, member for Townsville, who is unable to be here today. The other committee members are: Miss Verity Barton, member for Broadwater and deputy chair; Mr Mark Boothman, member for Albert; Mr Steve Dickson, member for Buderim; Mr Bruce Saunders, member for Maryborough; and Mr Rick Williams, member for Pumicestone, who will hopefully be joining us later.

The briefing is being transcribed by Hansard and a transcript will be published on the committee's website. Please turn mobile phones off or switch them to silent mode if you have not done so already. The committee's proceedings are proceedings of the Queensland parliament and are subject to its standing rules and orders.

On 16 August 2016 the Minister for Innovation, Science and the Digital Economy and Minister for Small Business introduced the Gene Technology (Queensland) Bill 2016 into the Queensland parliament. The bill was referred to the Education, Tourism, Innovation and Small Business Committee for detailed consideration. The committee is required to report to the Legislative Assembly by Tuesday, 4 October 2016.

The Department of Science, Information Technology and Innovation will brief us on the bill this morning. I welcome from the Department of Science, Information Technology and Innovation: Mark Jacobs, Acting Assistant Director-General; Grant Woollett, Acting Director, Science Policy and Evaluation Services; Sarah Bloxsom, Principal Project Officer, Science Policy and Evaluation Services; and Lea Diffey, Executive Director, Science Development. We have allowed until noon today for your briefing and members' questions. Would you like to introduce yourselves and then please start with a short opening statement, if possible?

Mr Jacobs: My name is Mark Jacobs. I am the Acting Assistant Director-General for the Department of Science, Information Technology and Innovation in the Science Division. I have with me Ms Lea Diffey, who is the Executive Director for Science Development; Mr Grant Woollett, who is the Acting Director for Science Policy and Evaluation Services; and Ms Sarah Bloxsom, who has been the project officer for the bill.

I would like to thank the committee for the opportunity to provide a briefing on the Gene Technology (Queensland) Bill 2016. I will first provide the committee with an overview of the gene technology legislation and then the reasons for this bill being brought forward. Gene technology is the term used for the development and use of genetically modified organisms, GMOs. Gene technology activities are regulated in order to protect the environment and the health and safety of people.

The current situation is that gene technology is regulated through an integrated national legislative scheme under the intergovernmental Gene Technology Agreement 2001, which aims to provide a regulatory environment that is nationally consistent, that is based on scientific assessment

of risks and that ensures the regulatory burden is proportionate to those risks. Queensland has been strongly supportive of the national scheme since its introduction and this bill does not alter this policy stance.

Both state and Commonwealth legislation are required for full regulatory coverage of gene technology. Corporations are regulated under Commonwealth legislation, while state government agencies, higher education institutions and sole traders are regulated under the state legislation. Queensland's legislation currently consists of the Gene Technology Act 2001 and the Gene Technology Regulation 2002. These two instruments mirror the Commonwealth Gene Technology Act 2000 and the Commonwealth Gene Technology Regulations 2001 respectively.

The primary functions of the Queensland legislation are to prohibit anyone from dealing with a GMO unless certain regulatory conditions are met; to establish a process to assess risk to human health and the environment associated with various dealings with GMOs, including opportunity for public input; and to provide extensive powers to allow monitoring and enforcement of the legislation. Queensland's legislation enables complete regulatory oversight by the Gene Technology Regulator, an independent Commonwealth statutory office holder responsible for administering and enforcing the regulatory system. The regulator oversees two broad classes of dealings with GMOs—dealings involving intentional release into the Australian environment and contained dealings which occur in certified containment facilities. As at 26 August 2016, there were 10 active licences for dealings involving intentional release in Queensland. These were seven field trials for genetically modified crops and three clinical trials for human therapeutics. The licensing system is based on rigorous scientific risk assessment and extensive consultation with expert advisory committees, government agencies and, for intentional releases of GMOs into the environment, the public. The Department of Science, Information Technology and Innovation coordinates the Queensland government's comments on licence applications and provides advice to the regulator for consideration.

The purpose of the Gene Technology (Queensland) Bill 2016 is simply to expedite the reflection of Commonwealth amendments by having them applied in Queensland automatically, without the need to bring forward a bill every time there is a change to the Commonwealth legislation. Queensland's legislation has been manually amended on four occasions since 2007 to reflect changes to the Commonwealth legislation. This manual amendment process is cumbersome and usually results in a period of misalignment between the Queensland and Commonwealth legislation. The Queensland and Commonwealth legislation are currently out of alignment as a result of a small number of minor and technical amendments to the Commonwealth legislation coming into force on 11 March 2016. If we were not bringing forward the current bill, we would be bringing forward another bill to enact these latest Commonwealth amendments.

The need for Queensland to make this efficiency change has been identified in legislative reviews at both Commonwealth and state levels. Consultation undertaken during the review of the Queensland act in 2013 highlighted that regulatory uncertainty and inconsistency as a result of delays to mirror Commonwealth amendments is an issue for Queensland stakeholders. The review concluded that there are potential benefits to be gained from moving to a lock-step arrangement whereby Commonwealth amendments are adopted automatically. However, it also recommended legislated provisions to preserve the state's constitutional rights to opt out of Commonwealth amendments that are not in Queensland's interests. Based on the Queensland review's findings and crown law advice, the Gene Technology (Queensland) Bill 2016 therefore implements a lock-step, opt-out approach which also exists in Tasmania and in the Northern Territory.

As well as applying the Commonwealth's gene technology legislation as laws of Queensland, the bill provides for a requirement that the minister tables a copy of any amendments to the Commonwealth legislation in the Legislative Assembly within 10 sitting days of commencement to keep the Queensland parliament informed of changes to the gene technology legislation; an opt-out regulation to be tabled in the Queensland parliament which would be subject to disallowance by the Legislative Assembly; application of the Commonwealth Acts Interpretation Act 1901, criminal laws and administrative laws; and, lastly, comprehensive transitional provisions that have been included to ensure a smooth changeover from the existing gene technology legislation to the new legislation.

The Department of Science, Information Technology and Innovation has consulted extensively on the bill. As would be expected, the Commonwealth is supportive. As well as the Office of the Gene Technology Regulator and the Gene Technology Secretariat in the Commonwealth Department of Health, additional consultation was undertaken with the Commonwealth Director of Public Prosecutions to make the bill more robust to the sorts of challenges that could occur during a high-stakes prosecution. The only significant concern raised through consultation was from CropLife

Australia, the national peak industry organisation representing the agricultural chemical and plant biotechnology sector. They were very supportive of moving to lock-step with the Commonwealth but felt that the opt-out provision left scope for some residual uncertainty in the sector.

In relation to the opt-out provision, it is expected that this would be used rarely. Changes are made to the Commonwealth legislation only after detailed consultation with states and territories. Any proposed change to the Commonwealth legislation must be approved by the Legislative and Governance Forum on Gene Technology by special majority. The Minister for Innovation, Science and the Digital Economy and Minister for Small Business is the Queensland representative on the forum. Changes are also placed before the Gene Technology Standing Committee prior to consideration by the forum. The director-general for the Department of Science, Information Technology and Innovation is the Queensland representative on that standing committee. Therefore, there is considerable opportunity for a jurisdiction to raise issues and seek to resolve any matters of concern regarding proposed Commonwealth amendments.

In conclusion, the bill aims to improve clarity, consistency and certainty for Queensland's state government agencies, higher education institutions and sole traders which will allow them to operate and invest with confidence and to benefit in a timely way from the latest nationally developed risk assessments and regulatory improvements. It will also result in administrative efficiencies for the Queensland government and parliament while safeguarding Queensland's sovereignty. We are happy to take any questions that the committee might have on the bill.

ACTING CHAIR: Thank you very much for that statement. With this bill can you see any issues with the FLPs going forward? Are there any issues with the fundamental legislative principles that may pop up?

Mr Woollett: As set out in the explanatory notes, there are a range of aspects of the bill that raise FLP issues such as applying legislation of another jurisdiction in Queensland and using a regulation to potentially change an act. My understanding is that, in order to advise the committee on FLPs, we need to engage the Office of the Queensland Parliamentary Counsel. I am not quite sure.

ACTING CHAIR: As part of developing the bill, obviously you identified what potentially could be issues and they are explained in the explanatory notes. Can you see anything going forward in those explanatory notes that could be a problem?

Mr Woollett: No. We do not really see anything that would be a problem going forward.

ACTING CHAIR: Why would we want to opt out of something when there would be a reason in the national interest as to why they made the change? Why would we opt out? Have we done it before? Has there been an opportunity to do it before?

Ms Bloxsom: Historically, when the Commonwealth has made amendments in the past Queensland has always gone with the manual amendment process to adopt those amendments. We have not been in a situation in the past where we have not agreed with any of the amendments that have been made by the Commonwealth. A purely hypothetical example could be where an amendment is proposed that may not have a certain level of scientific rigour behind it. If that were the case then Queensland might—

ACTING CHAIR: Choose not to.

Ms Bloxsom: That might be an opportunity that Queensland could look to opt out in terms of making sure that researchers and research organisations are appropriately protected for their health and safety as well.

Miss BARTON: I just wondered about the model that we are choosing for this path in terms of us having an opt-out provision. Do you know what other jurisdictions have done in terms of legislative changes that they have made in terms of how they deal with ensuring that there is no misalignment and that there is good correlation in a reasonable amount of time?

Mr Woollett: Tasmania and the Northern Territory have the lock-step, opt-out arrangement. They have an act and potentially they can enact a regulation to change their act, if they want to, to opt out. New South Wales has a straight lock-step approach. There is no provision for them to opt out. Then all the other states and territories, except Western Australia, have mirror legislation, so every time there is a change to the Commonwealth legislation they need to bring forward a bill to manually, if I can put it that way, change their legislation. Western Australia sit outside of the group, because they have a moratorium on genetically modified crops which means their legislation cannot be corresponding with the Commonwealth legislation.

Miss BARTON: My background is in law and the humanities. I am still trying to understand exactly what gene technology is, and I do not think I would be the only one on the committee who does not fully understand exactly what gene technology is. In your introductory speech you spoke a lot about genetically-modified organisms and you used WA's moratorium as an example of why they sit outside the scheme. Is gene technology pretty much just that? I am sure it is not 'just that', but in terms of its operation in the current climate is it like genetically-modified food and that kind of science?

Mr Woollett: Yes, it is about the creation and use of genetically-modified organisms.

Miss BARTON: Lovely. It probably seems like a really stupid question—

Mr Woollett: No, not at all.

Miss BARTON:—but if you do not have a background in science and you are trying to get your head around it, sometimes it is better to ask stupid questions to better understand it.

Mr DICKSON: How long has that moratorium been in place in Western Australia and how long will it be in place for?

Mr Jacobs: I am not sure if we have the answer to that.

Mr DICKSON: You can come back to us if you like. That is fine. The second question I have relates to the 10 licences which were given out. You talked about medical and agricultural, but can you explain that to me? That will probably fill in a little bit extra for our deputy chair as well as the rest of us here, because I do not believe I am a genius in this and I do not think anybody sitting on this side of the table is. I want to get a very good understanding. I understand genetically-modified food, but that is definitely not happening in the medical field so what are you doing in those areas with those 10 licences?

Mr Jacobs: In the medical field there are currently three that are for intentional release. They are clinical trials but specifically they relate to therapeutics or vaccines.

Ms Bloxsom: Specifically in the medical field, of the clinical trials that have potential to be occurring in Queensland one is a GM vaccine against cholera, there is a GM virus treatment for liver cancer and there is also a GM influenza vaccine.

Mr DICKSON: What are you doing in the agricultural area? What is happening there?

Ms Bloxsom: In the agricultural area there are seven field trials occurring in Queensland and they are for crops including sugar cane, cotton and banana. There are a few different organisations involved with those trials: Sugar Research Australia and University of Queensland for the sugar cane, the Queensland University of Technology with the banana trials, and with the cotton trials it is Bayer CropScience and Monsanto Australia.

Mr DICKSON: I cannot help it: I just need to explore this further. I like to learn things. What will be the benefits from these ongoing trials? Is it going to get us more crops? Is it going to make them less susceptible to pests? What is the game plan?

Mr Jacobs: There will be a variety of approaches to derive benefits, whether it is for human health benefits or whether it is for productivity benefits in the agricultural industry. There is a range of benefits that you would be deriving.

Ms Diffey: For example, there has been a history of genetically-modified cotton used in Queensland, and that involves pesticide resistance. It reduces the amount of pesticide needed on crops so, therefore, you have an economic saving as well as an environmental benefit.

Mr DICKSON: You also talked about enforcement. Who does that and how many of them are there?

Mr Jacobs: The regulator is a statutory office holder at the Commonwealth level, so it sits alongside the other agricultural and chemical regulators. The Office of the Gene Technology Regulator would have its team, and I am trying to think of the size of it. It will have a cohort of officers who would engage across all states.

Mr DICKSON: If you want to come back to the committee, that is fine.

Mr Jacobs: I can get you that information.

Mr DICKSON: I would be interested to know what we are doing at a state and federal level. That is probably the feds you are talking about. I would like to know what the state has in place, too—the number of people and what they do.

Ms Diffey: In terms of the state, we could describe for you the process when one of these applications arrives.

Mr DICKSON: That would be great, thank you.

Ms Diffey: Sarah is the person who coordinates those.

Ms Bloxsom: In practice, when there is a field trial or a clinical trial proposed that is called a limited and controlled release, so the Gene Technology Regulator will seek feedback from the Queensland government. We in DSITI coordinate Queensland government input to those requests, so we consult with technical and scientific experts in the Department of Agriculture and Fisheries, Queensland Health, Department of Environment and Heritage Protection and a few other departments and we coordinate those comments. For field trials in particular they might be seeking comment about particular conditions around a licence, so whether the size of the field trial is appropriate and whether proper restrictive mechanisms are in place so that the field trial is as contained as a field trial can be.

Mr DICKSON: Have we ever had anything go pear-shaped on us? With these field trials, people are out in the field doing this stuff—they are doing it in the medical field as well—and I am sure we do not get it right all the time. Has it ever gone bad and what did the people who regulate do?

Ms Diffey: No, there have not been any prosecutions under the Commonwealth or Queensland legislation.

Mr DICKSON: That would lead me to believe that, with everything we have ever done in that area, we have got it right.

Ms Bloxsom: The Office of the Gene Technology Regulator does have a compliance and investigation team that manages and assesses contraventions of the Commonwealth act, and they run a program of practice reviews and audits so they are on top of any potential issues that may be arising. Investigations are initiated through a preliminary assessment of facts and likely impacts and indicate the likelihood that a contravention may have occurred or is about to occur and the likely consequences. In terms of the most recent data available in the Office of the Gene Technology Regulator's 2014-15 report, only one audit occurred during that year and there were four practice reviews, but none of those involved Queensland organisations.

Mr DICKSON: It sounds absolutely fantastic. We have gene technology happening in Queensland and we have never had anything go wrong in the medical or agricultural areas. If you can come back to us at some stage relating to the enforcement officers in Queensland, the feds, that would be great. I just want to be inspired with confidence to know this is a good thing, it is going to look after all Queenslanders and they are not going to be impacted in any way. Were cane toads a part of gene technology? What do we call that? That was just a biological issue?

Ms Diffey: That was bio control. That was the introduction of an entire species into the countryside.

Mr DICKSON: It did not go so well and I do not want any more of that.

Mr WILLIAMS: You mentioned that CropLife Australia supports the lock-step arrangements, but you went on to say that they have reservations. What are the reservations?

Mr Jacobs: It was only a reservation in terms of the opt-out aspect of the lock step. They are supportive of going into lock step with the Commonwealth. I do not have the words, but I imagine that in terms of the opt-out they are suggesting that it does not provide certainty because we are maintaining our state's interests in terms of the opt-out provision.

Ms Bloxsom: I can build on that answer. CropLife did understand that the intent of the opt-out provision was to preserve Queensland parliament's ability to block amendments that are not in Queensland's interests, but they still did not support that opt-out provision in terms of it may raise potential issues where things are not clear.

Ms Diffey: If I may explain, and I am not speaking on behalf of CropLife: a lot of the research and development that is done in Australia is often on a collaborative basis, so it may be between different organisations. As this bill is regulating, for example, Queensland universities, if they had a collaboration with a Queensland university and Queensland chose to opt out, the arrangements which they might have felt were appropriate at a national level may not apply in Queensland, and that could affect their ability to continue with whichever hypothetical project they may be working on. Essentially, they do not want the Queensland government to have the option of saying, 'No, we don't believe that should be happening in Queensland.' They would prefer to have a consistent approach across the states so they can have the same laws apply wherever they are doing their collaborative work.

ACTING CHAIR: Would they not consult with the minister and the department prior to opting out of anything and check on all of these issues?

Ms Diffey: The process for opting out would be a parliamentary process for the Queensland government.

Mr Woollett: That is correct, but there is a whole raft of consultation that goes on within the intergovernmental area.

ACTING CHAIR: If it did not impact the University of Queensland's studies or affect Queensland then they would probably not opt out, would they?

Ms Diffey: That would be a matter for the government of the day.

Mr BOOTHMAN: Just out of curiosity, what are the real differences between the current Queensland legislation and the Commonwealth act? For instance, you have the current Gene Technology Act 2001 compared to the Commonwealth Gene Technology Act 2000. I am just interested if there are any differences between the two.

Ms Bloxsom: Basically, the differences that exist currently are the result of some minor and technical amendments that were made in March this year at the Commonwealth level. Specifically, those amendments were around removing a restriction on licence variations to broaden the circumstances in which the Gene Technology Regulator can vary licences rather than require new licence applications to be submitted, basically taking into account a broader range of information and not having to get an organisation to reapply if information already exists that can be used by the regulator.

Mr BOOTHMAN: What types of variations would they be?

Ms Bloxsom: Would I be able to come back to the committee on that?

Mr BOOTHMAN: Yes, we can put that on notice.

Ms Bloxsom: Other amendments were about updating matters that the regulator must consider before a dealing can be declared as a notifiable low-risk dealing. That is a particular category of GMO dealing under the act. One of the other amendments was discontinuing quarterly reporting to the Commonwealth minister on activities under the act, but the annual reporting component will still occur. Another amendment was clarifying activities allowed under inadvertent dealings licences—again, they are a different category of GMO licence—to ensure reasonable activities are explicitly authorised. The last two amendments were changing newspaper advertising requirements for notifying the public of consultations on licence application assessments. A lot of the notifications to the public are done online, so it is just updating in that regard. The last amendment was removing the requirement for the regulator to include genetically-modified products authorised by other agencies on the public record of GMO. That is basically a streamlining approach because the different regulatory agencies were all holding that information, so it was an efficiency measure to stop duplication.

Mr SAUNDERS: Who decides to opt out? Is there a committee set up from your department or the universities to opt out? Would you opt out if it is detrimental to the health of humans? Why would you opt out and who makes that decision?

Ms Bloxsom: We would be proposing that Queensland continue to use the current consultation and approval process for considering amendments to the Commonwealth legislation under our lock-step opt-out approach under this bill. In that regard, proposed amendments are initially provided to the director-general of DSITI as the Queensland representative on the Gene Technology Standing Committee.

Those proposed amendments are initially considered by DSITI officers and then circulated to key Queensland government agencies for comment or feedback, including the Department of the Premier and Cabinet, Queensland Treasury, the Department of Agriculture and Fisheries, Queensland Health and the Department of Environment and Heritage Protection. A need for industry consultation, particularly with universities, would be determined on a case-by-case basis, guided by agency feedback and the types of amendments that may be proposed.

After that consultation process, if there were no issues over the proposed amendments raised by the Commonwealth the director-general would endorse the amendments be provided to the Legislative and Governance Forum for Gene Technology for consideration. As mentioned earlier, the Minister for Innovation, Science and the Digital Economy and Minister for Small Business is Queensland's representative on that forum. The minister would be advised to endorse the proposed amendments and would advise the forum secretariat accordingly.

As mentioned earlier, under that forum special majority needs to be obtained for the Commonwealth amendments to be agreed to. That is a two-thirds committee acceptance. If that special majority were obtained the Commonwealth would proceed to amend its legislation and Queensland would automatically adopt the Commonwealth amendments. The minister would then table those amendments in the Legislative Assembly.

Conversely, if there were issues over any of the proposed amendments raised DSITI would firstly informally discuss those with the Commonwealth gene technology secretariat area and seek to resolve the issues, bringing in specific advice from experts in Queensland government departments that we have previously consulted or the universities. Again, it is dependent on the type of amendment that has been proposed. If issues cannot be resolved satisfactorily at that stage, the department would advise the director-general to reserve Queensland's position regarding the amendments pending cabinet consideration. If it were decided not to endorse Commonwealth amendments through that cabinet process, the minister would advise the forum secretariat of Queensland's position.

If the Commonwealth amendments did receive that special majority acceptance by the other jurisdictions on the committee, that would be when Queensland would look to utilise its opt-out provision. A regulation to opt out of the Commonwealth amendments and an Executive Council minute for approval would be prepared in parallel to the process that the Commonwealth would be going on to make their amendments to the act. Following Governor in Council approval, the opt-out regulation would again be tabled in the Legislative Assembly on the same day or as close as possible to when the Commonwealth amendments would come into force.

Mr SAUNDERS: In terms of genetically-modified foods there is no community consultation?

Ms Bloxsom: In terms of the community side, I would say that a lot of the amendments proposed about the Commonwealth come as a result of reviews that are done on a regular basis. The public is afforded the opportunity to provide comment during those reviews. That is probably the best answer I can give you.

Mr Woollett: The Gene Technology Regulator, in their consultation process, includes the public. They have a strong emphasis on transparency and being open to public scrutiny. The public are always invited to comment on any—

Ms Bloxsom: Licence applications.

Mr Woollett: Yes, licence applications and other matters.

Mr SAUNDERS: The reason I ask is that it is a contentious issue in some parts of the community. Genetically-modified food and gene technology are issues for some religious sections of the community. I am pretty happy that there is public consultation.

Mr BOOTHMAN: Have humans not been modifying food for thousands of years to benefit our own needs? You are talking about gene technology here, but have we not been cross-pollinating different species of plant life to produce better crops? Is that the case?

Ms Diffey: Yes, there has been selective breeding. There has been the creation of hybrids and a whole range of things like that that does not involve genetic modification. A lot of crops have evolved that way. Some of our domestic animals have evolved that way. In the beef sector in Queensland, for example, selective breeding is fairly important. The answer is yes.

ACTING CHAIR: The explanatory notes say that three submissions were received when the bill was released for public consultation. Is there any chance the committee could receive copies of the submissions you received?

Mr Jacobs: I think they were publicly available.

Ms Bloxsom: We have not made them publicly available.

Mr Jacobs: My apologies.

Ms Diffey: We will seek our director-general's endorsement to send them to you.

ACTING CHAIR: That would be great. Can you take that on notice to see whether we can get those?

Mr Jacobs: Yes, we will.

Mr DICKSON: This is an interesting subject. I am so pleased you turned up here today. You talk about informing the public when you are moving forward with some sort of modification, be it in the food or medical area. How do you do that? Is it done through TV advertising or through the newspapers? How do you get it out there? How does that happen?

Ms Bloxsom: The Office of the Gene Technology Regulator has quite an extensive contact database. They are obviously sending out lots of emails when things are happening. There are still particular requirements around newspaper advertising, even though I mentioned there have been some changes in that regard. There are still notifications that way. In terms of TV advertising, I have not ever seen anything. That does not mean it may not be appropriate in future if there was a need.

Mr DICKSON: The reason I ask is that it is very important. You said that the public are made aware. If the public are not being made aware of this and it is just a specific group of people that you have dealt with at some time in the past, I think that possibly needs to be upgraded. Can you come back to us and let us know how they actually get the information out to the general public? If it is a select few, I do not think that is appropriate. How long have GMOs been in place in Queensland and Australia? When did it start?

Mr Jacobs: We might come back to you on the actual specifics. Before the legislation there was a voluntary scheme in place. The legislation has been in place since 2001 nationally.

Mr DICKSON: That was a leading question. Has there ever been a study into whether there has been an increase in cancer or any other impacts related to genetically-modified food and also genetically-modified medication? Has anybody done a study like that since genetically-modified foods and medications have been brought into play?

Mr Woollett: I am not aware of any.

Mr DICKSON: So nobody is checking on that?

Mr Woollett: I would not say that nobody is checking. My understanding is that there is not a lot of genetically-modified food around at the moment.

Mr DICKSON: I think there are seven cases where we are using it—cotton and various other products and three in the medical area. That is in the last 12 months, is it not?

Mr Jacobs: They are trials.

Mr Woollett: They are just trials. They are not on the market at this stage.

Mr DICKSON: We would have had things come forward in the past; otherwise, why are we doing this? Has anything gone to market?

Mr Woollett: Yes.

Ms Bloxsom: Cotton, canola and carnation have been approved for commercial release.

Mr DICKSON: Can you come back to us with an answer as to whether they are looking to do any sort of study relating to the impacts of that? That would be fantastic. I think you get the point. We need to know if somebody is checking it out to see whether there are any negatives coming from this. That would be fantastic.

Mr WILLIAMS: I take on board what you have said about modified crops. In the medical area we have a vaccine for cholera, liver cancer and influenza. They are the three for human therapeutic use. When you talk about genetically-modified organisms, it probably brings to mind the worst case scenario—the *Jurassic Park* type thing. That is extreme. You are telling us that there are controls in place and these sorts of investigations are not occurring; is that right?

Ms Diffey: At the moment, the purpose of the studies that Sarah listed—without knowing the specifics around them off the top of my head—is to look into the impacts of them. That is why you do the field trial—that is, to see if they work but then also to see what happens when you place them either in the environment or in the clinical setting or whatever it might be. That is part of what the studies are about. That is done before they actually reach the stage where they may be approved for commercial release. That would be information that informs that final decision. That is the process for genetic modification around testing.

Mr WILLIAMS: The three that you have given us seem relatively sedate. This is the era of technology. We see some wonderful things happening around the world. I am surprised that we are not venturing down this path in our universities.

Mr BOOTHMAN: We were talking about notifying the general public. Is there a system whereby the general public can submit their email addresses so they can be notified? Is there anything like that?

Ms Bloxsom: Definitely. They can provide that to the Office of the Gene Technology Regulator.

Mr SAUNDERS: A lot of people have a theory—and I am not saying that we wear tinfoil hats—that the problems with our health are coming from the food chain. When you are looking at GMOs and the trials, do you check that there are no side effects? When you do the trials, how do you test the food or cotton that is grown? Do you test it on humans or animals? How do you test it?

Ms Bloxsom: For field trials, in the vast majority of circumstances it will actually say that the particular crop that is being tested will not be used for food or animal feed in a particular trial setting.

Mr SAUNDERS: As an elected representative—and I cannot speak for the rest of the members on the committee—I get a lot of people coming through saying they are worried about the food chain and what is happening with the food chain and the food humans are eating. I was curious to see what happens and how it is evaluated. If it is not fed to animals or humans, how do we know that it is good for us?

Mr Woollett: The Gene Technology Regulator is not responsible for approving food to go into the food chain. It is regulating the dealings with the GMOs. There is another Australian government agency, whose name escapes me at the moment—

Ms Bloxsom: Food Standards Australia New Zealand.

Mr Woollett: And the Therapeutic Goods Administration. They have their own processes for establishing whether potential foodstuffs are suitable for human consumption.

Mr DICKSON: I use this simple bit of logic for my question. In Vietnam they used Agent Orange. They wanted to kill vegetation so that they could see people. They did not realise at the time that they were actually giving people cancer. That is the logic behind some of the questions being thrown at you today. We are genuine. I know that they might seem like tough questions, but that is the job we have as a committee. We need to drill down and get some reasonable information. I thank you for your time.

Ms Diffey: From your line of questioning we know that we need to come back to you on this. Basically, you are looking for confidence in the way the Office of the Gene Technology Regulator consults and undertakes its processes. We have learned a lot since Agent Orange so hopefully things are a little better since then. We will come back to you with that information.

Mr Jacobs: The purpose and intent of the legislation is to protect health and safety and protect the environment. They are the foremost principles of the legislation.

ACTING CHAIR: The committee will communicate with you as to the questions on notice. If we can get those answers by the close of business on Wednesday, 31 August that would be fantastic. I thank the departmental officials for coming today and for giving us their very informative take on this technology.

Committee adjourned at 11.44 am