

Grain Trade Australia Limited PO Box R1829 Royal Exchange NSW 1225 Phone: +61 2 9235 2155 Fax: +61 2 9235 0194

16 December 2016

Dr Raj Bhula Gene Technology Regulator **Regulations Review** Office of the Gene Technology Regulator **GPO Box 9848** Canberra ACT 2601

Dear Dr Bhula

Re: Options for regulating new technologies

Grain Trade Australia (GTA) appreciates the opportunity to provide this submission to OGTR in response to the Discussion Paper on Options for Regulating New Technologies. GTA believes that this is a very important issue for the grains industry and has been actively involved in industry discussions on this issue globally via membership of the International Grain Trade Coalition (IGTC) Working Group on Plant Breeding Innovation and domestically via the GTA technical committee on Plant Breeding Innovation that brings together representatives from across the Australian grain and seed value chain.

About GTA

Grain Trade Australia (GTA) is the focal point for the commercial grains industry within Australia. It facilitates trade and works to provide an efficient, equitable and open trading environment by providing leadership, advocacy and commercial services to the Australian grain value chain.

GTA members are responsible for over 95% of all grain storage and freight movements made each year in Australia. Over 95% of the grain contracts executed in Australia each year refer to GTA grain standards and/or trade rules.

GTA members are drawn from all sectors of the grain value chain from production to domestic end users and exporters. GTA members are involved in grain trading activities, grain storage, grain for human consumption and stock feed milling. A list of all members is attached.

Thus, this submission is made within this context and focuses on the options from a facilitation of trade perspective. As such, GTA's submission comments only on the options regarding regulation of new technologies and does not comment on the 'other considerations' raised in the discussion paper.

GTA policy

GTA supports research utilising emerging plant breeding technologies to enhance the productive capacity of Australian grain producers.

GTA supports the commercial release and trade of grain from GM and other innovative breeding techniques where this has been approved for commercial release by the Office of Gene Technology Regulator (OGTR) and other relevant Federal, State and Territory regulators.

Interest in, and application of, new plant breeding techniques as innovative improvements and refinements to existing breeding methods is increasing due to the technical potential of these technologies. The resulting products in many cases are indistinguishable or similar to existing products, produced by traditional breeding techniques. These NBTs have the potential to enhance efficiency and specificity of breeding with increased knowledge and understanding of final product. Their use is expanding as they are adaptable to large variety of crops and are more economical thereby being accessible to researchers from all sectors (public/private; large/small).

Position re options

GTA supports Option 4 as the preferred option for the industry i.e. to exclude certain new technologies from regulation based on the outcomes they produce.

Therefore, GTA supports the principle that plants developed through NBTs should not be differentially regulated if they are similar to, or indistinguishable from, those that could have been produced through earlier breeding methods and where the risks to the environment or human health posed by products developed using such techniques are comparable to those of earlier (non-regulated by the OGTR) breeding methods.

GTA believes that this approach will provide clarity and certainty to the industry which are key requirements to the facilitation of an efficient trade environment. Furthermore, GTA believes that considerable complexities for the trade could occur where it may not be possible to detect products which have been derived from the application and use of new breeding technologies.

GTA believes that innovation is important in maintaining the competitiveness of the industry and that NBTs have a key role to play in promoting innovation.

Issues for the industry

A major challenge for the global grain trade is the lack of consistency in regulations regarding new breeding techniques globally. GTA also recognises that this will occur in relation to products whether they can be distinguished or not.

GTA supports the harmonisation of regulations, however, does not see that the absence of this should prevent Australia from moving to provide certainty to the Australian industry. We note that the discussion paper highlights that Australia would remain involved in international forums seeking to harmonise regulation of new technologies and GTA strongly supports this.

GTA works with the IGTC to try and achieve global harmonisation in the approach to regulating such activities. The main aim of IGTC efforts is to achieve international alignment, i.e. adoption of a similar approach across jurisdictions leading to legal certainty as this will provide for the lowest chance of trade disruptions. Alignment and regulatory coherence will assist governments to avoid unnecessarily eroding the value of the innovation and/or driving up costs and complexity in the global food system.

The IGTC policy is attached.

Conclusion

GTA believes that providing the industry with certainty in regard to new breeding technologies will greatly assist the grain trade. GTA believes that Option 4 will provide the greatest level of certainty for the industry.

GTA acknowledges the risks of inconsistencies between regulatory frameworks in global markets and that this is a major issue impacting the global grain trade today. GTA encourages the Australian Government to stay engaged and continue to seek harmonisation in regulation of new technologies.

GTA has not commented on some of the specific scientific issues raised in the discussion paper, however, recognises that some of its members may do so in individual submissions.

Thank you for your consideration of this submission.

Regards

Pat O'Shannassy

CEO



IGTC policy

Plant breeding innovation

August 2016i

BACKGROUND: The IGTC's purpose is to convene significant expertise and representation to provide advice from a global perspective on the commercial requirements and economics of the world's food, feed and processing industries.

Since the 1980s, several new tools have been added to the plant breeder's toolbox. These tools are often grouped together under the more general term plant breeding innovation, or referred to as new plant breeding techniques. The earliest of these tools have been developed and first applied to plant breeding programs in the 1990s. Many of these 'new' approaches have been derived from innovations related to the evolution of biotechnology.

The differences compared to the earlier transgenic approaches lie in the applied methodology and the changes achieved in the genome of the crops. These tools generate similar outcomes to those that can be achieved through traditional approaches, albeit more precisely and efficiently and not necessarily involving the introduction of foreign DNA.

Because these new methods are more efficient and economical when compared to traditional approaches, they are more accessible to public and commercial plant breeders in developed and developing countries and can be used across all agriculturally important crops, including field, vegetable and specialty crops.

Two questions arise, especially in those countries where GMOs are regulated under specific legislation:

- 1) do current regulations encompass the use of these new methods, or not?
- 2) should the plant varieties that have been developed by these new methods be regulated in a similar way as GMOs, or not?

To date there is limited global experience with the regulation of crops derived from the use of these new tools. While initial decisions have already been taken in a limited number of countries relating to one or more of these new methods, discussions have only just started in others.

The challenge for the global grain trade is while new plant varieties developed with the help of certain methods may be exempt from regulation in one country, they may need to be regulated in another country or, as in the majority of countries, there remains a significant level of uncertainty. This legislative



uncertainty and especially the resulting asynchrony is of great concern to plant breeders, biotechnology companies and the overall grain trade. Likewise there is uncertainty on labelling requirements.

The resulting requirements on the international trade of grains, oilseeds and other agribulks have far reaching consequences across the world's food, feed and processing supply chain. The fact that different legislations might regulate these methods in a different fashion and labelling requirements may vary from market to market is a threat to providing for trade and adequate fungibility of plant products needed to provide for global food security and economic well being provided for by world's food, feed and processing industries

IGTC Policy:

- 1. Disruptions to trade as result of the innovation of plant breeding methods must be prevented.
- 2. Regulation of plant varieties derived from the introduction and use of Plant Breeding Innovations (PBI) must be based on the profile of the product and not the process by which it has been developed.
- 3. Regulation and labelling of plant products derived from methods must be compatible and coherent across relevant global, regional, national and local jurisdictions.
 - a) Regulation should ensure safety
 - b) Introductions of grains, oilseeds and agribulks seed from plant breeding innovation must meet minimum criteria for stewardship established in advance consultation with food, feed and processing sectors and appropriate for any functionality impacts that may need to be accounted for.
- 4. International alignment of regulatory policy on new plant breeding tools is an immediate need that includes:
 - a. Consistent policy outcomes across jurisdictions
 - b. Legal certainty as a goal
 - c. Plant varieties developed through the latest breeding methods should not be differentially regulated if they are similar or indistinguishable from varieties that could have been produced through traditional practices.
- 5. Transparency on the regulatory status of the plant variety needs to be provided throughout the commercial life cycle of plants from development to retirement as they may impact the production and trade of grains, oilseeds and pulses. Essential information includes:
 - a. how and when these plant breeding methods are utilized in the commercial pipeline
 - b. regulatory status of the plant variety
 - c. labelling requirements of the plant variety
 - d. commercial use in the production of seeds for planting and use in food, feed and processing.



- 6. Plant variety developers, based on the use of new plant breeding innovations, must provide for regulatory acceptance of products for food, feed or further processing that may have been produced with or from these plant breeding methods.
- 7. It is the responsibility of the industry using plant breeding innovations to undertake a comprehensive educational effort to inform the public of the benefits and risks, if any, of modern biotechnology.

¹ This policy document was approved by IGTC Management Council on Monday 8 August, 2016.



Membership List as at 30 November 2016

Organisation	Contact	Website /Phone
Ordinary Member (Trading)		
Level A1 (over 7 Million Tonnes)		
Co-operative Bulk Handling Limited Glencore Grain Pty Ltd	Mr Jason Craig Mr Philip Hughes	cbh.com.au glencoregrain.com.au 2
Level A2 (5 - 7 Million Tonnes)		0
Level A3 (3 - 5 Million Tonnes)		
ADM Trading Australia Pty Ltd	Mr Tim Henry	adm.com
Cargill Australia Limited	Ms Penne Kehl	cargill.com.au
Graincorp Operations Ltd	Mr Klaus Pamminger	graincorp.com.au
Level A4 (1.5 - 3 Million Tonnes)		
Emerald Grain Pty Limited	Mr David Johnson	emeraldgrain.com
Nidera Australia Pty Ltd	Mr David Lengren	nidera.com.au 2
Level B1 (1.0 - 1.5 Million Tonnes)		
Bunge Agribusiness Australia Pty Ltd	Mr Chris Aucote	bunge.com/Agribusiness
Louis Dreyfus Company Australia Pty Ltd	Mr Robert Green	louisdreyfus.com.au
Level B2 (500,000 - 1 Million Tonnes)		
Agrex Australia Pty Ltd	Mr Richard Glasson	agrexaustralia.com.au
Broadbent CHS Pty Ltd	Mr Justin Fay	broadbentgrain.com.au
Cofco Agri Australia Pty Ltd	Mr Josh Taylor	au.cofcoagrigrain.com
George Weston Foods Limited	Mr Mark O'Brien	gwf.com.au
Plum Grove Pty Ltd	Mr Tony Smith	plumgrove.com.au
Ridley Agriproducts Pty Ltd	Mr Michael Reeves	agriproducts.com.au
Riverina (Australia) Pty Ltd	Mr Jon Mulally	riverina.com.au 7
Level B3 (250,000 - 500,000 Tonnes)		
Agracom Pty Ltd	Mr Joe Hallman	agracom.com.au
AGRIGRAIN	Mr Jeremy Brown	agrigrain.com
Arrow Commodities Pty Ltd	Mr Dominic Vanzella	arrowcom.com.au
Australian Grain Export Pty Ltd	Mr John Thiele	08 8832 2800
Centre State Exports Pty Ltd	Mr Jeff Voigt	centrestateexports.com.au
Chinatex Australia Pty Ltd	Mr Jiling Lai	02 9957 2688
Lempriere Grain Pty Ltd	Mr Jonathan Holdsworth	lemprieregrain.com.au
Riordan Grain Services	Mr Gara Bakingan	riordangrains.com.au
Robinson Grain Trading Co Pty Ltd Special One Grain Accumulator	Mr Gary Robinson Ms Jaimee Carrigan	robinsongrain.com.au specialonegrain.com.au
United World Enterprises Pty Ltd	Mr Jimmy Liu	uwetypical.com
Wilman Carilan Pty Ltd	Mr Matt Albian	uwetypical.com

07 3713 8700

Mr Matt Albion

Wilmar Gavilon Pty Ltd

Ordinary Member (Trading) (contd)

Level C (under 250,000 Tonnes)

A & B Grains Pty Ltd Mr Chris Wolski abgrains.com.au
A T Waterfield & Son Pty Ltd Mr Brad Waterfield 03 5382 3725

A W Vater and Co. Wr Kim Vater

A W Vater and Co Mr Kim Vater vater.com.au Adams Australia Ptv Ltd Mr Ian Mack adamsaustralia.com.au **Agmark Commodities** Mr Richard Alcorn agmark.com.au Mr Kishore Bulchandani Agri Om Australia Pty Ltd agriom.com.au Agri-Oz Exports Ptv Ltd Mr Francois Darcas 03 9830 7021 Agriex Australia Pty Ltd Mr Joseph Khnessier 02 9232 0690 Agrifoods Australia Mr Rob Anderson agrifoodsaustralia.com.au

Agromin Australia Pty Limited Mr Rajni Patel agromin.com.au

AGT Foods Australia Mr Peter Wilson agtfoods.com/australia
All Commodities Pty Ltd Mr Andrew Quillan allcommodities.com.au

Allied Mills Mr Simon Gelling alliedmills.com.au
AMPS Agribusiness Group Mr Simon McDougall ampsagribusiness.com.au

Associated Grain Mr Todd Jorgensen 07 4662 1999
Auscott Ltd Mr Peter Webb auscott.com.au
AusiCan Commodities Mr Palwinder Singh ausican.com

Australian Choice Exports Pty Ltd Mr James Hunt australianchoiceexports.com.au

Australian Grain Growers Co-operative Limited

Mr Bruce McDonald

aggcoop.com.au

aggcoop.com.au

Australian Grain Storage Mr Matt Bailey sunrice.com.au

Australian Growers Direct Pty Ltd Mr Jamie Smith ausgrowersdirect.com.au Australian Mungbean Company Pty Ltd Mr Damien White australianmungbean.com.au

Avigrain Produce Mr Dennis Ward avigrain.com.au
Baker Grain Mr Richard Baker bakergrain.com.au

Berriwillock Grain Storage Co-Operative Ltd Mr Tony Bellinger moulameingrain.com
BFB Pty Ltd Mr Terry Brabin bfb.com.au

Big River Feeds Pty LtdMr Bjorn Ludvigsen08 8532 4434Blairs Produce CompanyMr Sean Blair02 6025 4600

Blue Ribbon Seed and Pulse Exporters Mr Stephen Donnelly 07 3363 8400
Boort Grain Co-Operative Mr Tony Bellinger 03 5455 2600
Broun and Co Grain Pty Ltd Mr Wal Broun brounandco.com.au

Bungulla Farming Pty LtdMr Brad Jones08 9637 1164C & S Trading Pty LtdMr Craig Scholzscholzbh.com.auC K Tremlett Pty LtdMr Andrew Tremlett08 8524 9050

Cameron Pastoral Company Pty Ltd

Mr Ross Stephens

07 4671 4144

Castlegate James Australasia Pty Ltd Mr Dominic Hogan castlegatejames.com.au Cleveland Agriculture Mr Chris Hurwood 02 6756 5004

Commex International Pty Ltd Ms Mariam Boulos 02 9531 7341
Coorow Seeds Mr Brian Pover coorowseeds.com.au

COPRICE Ms Kirsty Cutter coprice.com.au

Cremer Australia Pty Ltd Mr Brendan Macauley cremer.de
DA Hall and Co Mr Bruce Holden 07 4695 5777

DA Hall and Co Mr Bruce Holden 07 4695 5777
Dalby Bio-Refining Limited dbrl.com.au

Dalgrains (Qld) Pty Ltd Mr Tobin Cherry dalgrains.com
Darwalla Milling Co Pty Ltd Mr Gary Heidenreich 07 3822 0527

Deacon Seeds CompanyMr Terry Deacon07 4662 3217Deckert Group Pty LtdMr Chris Deckertdeckerts.com.auDefiance Maize Products Pty LtdMr Rodney Walkercorson.co.nz

Demeter Cormack Pty Ltd Mr David Oates 08 6389 0098
Donnellons Bulk Haulage Pty Ltd Mr Bill Donnellon 0428 136 483
ED & F Man Grains Australia Mr Jon Bucknall edfman.com

East Coast Stockfeed Pty Ltd Mr Stuart Dolden ecsf.com.au
Elders Grain Mr Matthew Tolmachoff elders.com.au
Export Trading Group Australia Pty Ltd Mr Shayne Clark etgworld.com

Feed Central Pty Ltd Mr Tim Ford feedcentral.com.au

Level C (under 250,000 Tonnes) cont. Fellows Nominees Mr Paul Fellows fellowsbulk.com.au FertInvest Ptv Ltd Mr Michael Jones fertinvest.com Findlays Barellan Mr Neil Findlay 02 6963 9246 Fletcher International Exports Pty Ltd Mr Kurt Wilkinson fletchint.com.au FREE Eyre Grain Pty Ltd Mr Mark Rodda free-eyre.com.au Mr Chandru Hiremath Golden Harvest Grain Exports goldenharvest.net.au Grain Direct Australia Mr Lyndon Benecke graindirect.com.au Grain Link (NSW) Pty Ltd Mr Paul Pearsall 02 6962 9500 Grain Link WA Pty Ltd Mr Andrew Govder grainlink.com.au Grainforce Pty Ltd Mr Derek Larnach 02 6331 4880 **Grainpro Pty Limited** Ms Angela Bonfante grainpro.com.au GrainTrend Pty Ltd Mr Sanjiv Dubey graintrend.com Mr David Brown **Greentree Farming** 02 6751 1228 GV Grain & Fodder Ms Joanne Harry 03 5828 3063 Hanlon Enterprises Grain Mr Peter Gerhardy 02 6924 1781 Harberger's Farm Supplies (Trading) Pty Ltd Mr Reece Harberger hargerger.com.au Hassad Australia Operations Company Pty Ltd Mr James Carson 02 8019 7150 Iloura Resources Pty Ltd Mr Hans Hol iloura-resources.com Mr Brad Bryant Independent Grain Handlers Pty Ltd igh.net.au Irwin Stockfeeds Mr Bryan Irwin irwinstockfeeds.com.au Itochu Australia Ltd Mr Justin Swan www.itochu.com.au J K International Ptv Ltd Mr Sandeep Mohan iki.com.au Mr Brian Algate J W Koek & Company 07 3341 4548 James Stock Feed and Fertilizer Pty Ltd Mr Adrian Moule jamesstockfeed.com.au Jerilderie Grain Storage & Handling Mr David Barlow 03 5886 0344 KB Agri Services Ptv Ltd Mr Karl Bliss 07 4634 4320 K M & W M Kelly & Sons Mr Matt Kelly kellygrains.com.au Kangaroo Island Pure Grain Pty Ltd Ms Emma Tonkin kipuregrain.com Kennett Rural Services Pty Ltd Mr Andrew Kennett kennettrural.com.au Lachlan Commodities Pty Ltd Mr Tony Cogswell 02 6851 2077 Laharum Bulk Handling Co Mr Donald Carter 03 5381 2666 Lake Grain Pty Ltd Mr Derek Davis lakegrain.com.au Lane Grain Ptv Ltd Mr Garry Lane 02 6887 3309

Mr Mark Webber Laragon Almond Processors Pty Ltd

Laucke Flour Mills P/L Mr Roger Laubsch Lawson Grains Pty Ltd Mr Angus Blair LDC Enterprises Australia Pty Ltd

LPC Trading Pty Ltd Malteurop Australia Pty Ltd **Matthews Transport and Grain Traders**

Max Grains Pty Ltd

McNaughts Grain & Fertilizer Pty Ltd

Melaluka Trading Pty Ltd

MC Croker Pty Limited

Network Grains Pty Ltd

Mellco Pty Ltd

Moulamein Grain Co-Operative Ltd Mountain Industries Pty Ltd Moxey Farms Pty Limited MSM Milling Pty Ltd Murrumbidgee Grains Ptv Ltd Namoi Cotton Co-Operative Nandaly Grain Co-Operative Ltd

Newcastle Agri Terminal Pty Ltd Northern Riverina Grains Pty Ltd OOMA Enterprises NSW Pty Limited Mr Richard Porter Mr Simon Langfield Mr Jack King Mr Neville Matthews Mr Jack Fahy Mr Greg Carroll

Mr Daniel McNaught Mr Simon Pritchard Mr Steve Mellington Mr Tony Bellinger Mr Bill Law

Mr Peter Philipzen Mr Peter MacSmith Mr Peter Hassall Mr Shane McGregor Mr Tony Bellinger Mr Craig Dennis Mr Jock Carter Mr Tony Bellinger

melalukatrading.com.au moulameingrain.com mountainindustries.com.au

02 6364 5999 02 6937 9100 namoicotton.com.au 03 5078 1217 07 4637 8500

laragon.com.au

laucke.com.au

07 3253 5999

02 6383 7222

03 5277 1950

08 9831 1021

maxgrains.com.au

crokergrain.com.au

mcnaughts.com

0419 867 971

0407 103 158

02 4962 4006

lawsongrains.com

03 5032 2553 oomaenterprises.com.au

Mr Malcolm Berry

Level C (under 250,000 Tonnes) cont.

Origin Grain Pty Ltd
Pallinup Logistics Pty Ltd

PB Seeds Pty Ltd

PeaCo

Pearson's Grain Pty Ltd Peters Commodities Pty Ltd Phoenix Global Australia Pty Ltd Premium Grain Handlers P/L

Preston Grain

Pulse Association of the South East (PASE) Inc

Quadra Commodities Pty Ltd

Quattro Ports

Quirindi Grain & Produce Reid Stockfeeds Pty Ltd

Rivalea (Australia) Pty Ltd - Animal Nutrition

Riverina Oils & BioEnergy Pty Ltd

Roty Grain Store

Ruddenklau Grain Pty Ltd Rural Logic (Aust) Pty Ltd

SANWA Pty Ltd Seedhouse Tasmania Shannon Bros Bulk Haulage Silo Bag Grain (NSW QLD) Pty Ltd

Societa Cofica Pty Ltd Southern Ark Storage Pty Ltd Southern Cotton Trading Pty Ltd Southern Cross Agricultural Exports P/L

Southern Grain Storage Pty Ltd

Southern Stockfeeds (Operations) Pty Ltd

Spagricon Australia Pty Limited

Standard Commodities Australia Pty Ltd

Sumitomo Australia Pty Ltd Summer Hill Grains

Tasmanian Agricultural Producers Pty Ltd

TSS Grain

Thallon Grains Pty Ltd Twynam Pastoral Company

Unigrain Pty Ltd

Unique Grain Management Pty Ltd

W B Hunter Pty Ltd Ward McKenzie Pty Ltd WHG Oceania Pty Ltd Whitty Produce Whyalla Beef Pty Ltd Wilken Grain Wimpak Pty Ltd

Yenda Prods Grain Pty Ltd

XLD Grain Pty Ltd

Mr Peter Brick 03 5720 8500 Kevin Imberti 0429 508 302 Mr Peter Blair pbseeds.com.au Mr Shane Wall 03 5497 1766 Mr Darren Pearson pearsonsgroup.com.au Mr Michael Oxley petcom.com.au Mr Jogesh Virk phoenixcommodities.com.au Mr John Orr pgh.com.au

Mr Andrew Kell 02 6977 1733

Ms Leanne Burr 08 9071 3655

Mr Richard Black quadra.com

Mr Dene Ladmore quattroports.com.au

Mr John Webster 02 6746 1911
Mr Ian Reid reidstockfeeds.com.au
Mr Andrew Philpotts rivalea.com.au
Mr Lachlan Herbert riverinaoils.com
Mr Brian Newman 02 6988 8221

Mr Tim Ruddenklau

Mr Michael Wood

Mr Charles Emerson

Mr Matthew Crane

Mr Clayton Shannon

Ms Lesley Kilby

Mr Dia Ram Sharma

O8 8842 1314

rurallogic.com.au

rurallogic.com.au

sanwa.com.au

seedhouse.com.au

o3 5390 2264

Ms Lesley Kilby

O2 6847 1788

societacofica.com.au

Mr Simon Pritchardarkstorage.com.auMr Chris Veness02 69 552 779Ms Alicia Dunbarsoutherncrossag.com.au

Mr Campbell Brumby03 5267 2351Mr David Jemmet03 5437 8295Mr Jiger Kotechaspagricon.com.auMr Michael Betarstancom.com.auMr Tsuyoshi Osumisumitomocorp.com.au

Mr Barney Hughes 0428 694 363
Mr David Skipper tasagproducers.com.au
Mr Trevor Macleod tasstockfeed.com.au
Mr Andrew Earle 02 6756 5004

Ms Lesley Heidtman twynam.com
Mr Ervin Leong unigrain.com.au
Mr Mark Thiele uniquegrain.com.au
Mr Stewart Coombes 03 5821 5744
Mr Geoff Hammon mckenziesfoods.com.au

Gesheng Shen 02 8040 3030

Ms Marsha McMonigle 03 5721 6588

Mr Gino De Stefani whyallabeef.com.au

Mr Richard Wilken wilkens.com.au

Ms Jo Cameron wimpak.com.au

Mr Lachie Stevens xldgrain.com.au

Transport Operator 160

Gehrke Grains and Transport Pty Ltd Hamilton Contracting (NSW) Pty Ltd Wakefield Grain Export Services Mr Julian Gehrke Ms Jodie Hamilton Mr John Gray

Mr Luke Mancini

07 5465 6695 hamiltoncontracting.com.au wakefields.com.au

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0437 512 322

Broker

Advance Trading Australasia

Ag Scientia Pty Ltd

0 Large Medium Fox Commodities Mr Paul Cochrane foxcommodities.com.au Grain Brokers Australia Mr Jeff Winspear grainbrokers.com.au Horizon Grain Brokers Pty Ltd Mr Ash Munro horizongb.com.au Igrain.com.au Pty Ltd Mr Tom Roberts igrain.com.au INTL FCStone Pty Ltd Mr Brett Cooper intlfcstone.com McDonald Pelz Australia Mr Peter Geary mcdonaldpelz.com Perkins Commodity Brokers Mr Craig Perkins 03 9645 6846 Teague Australia Pty Ltd Mr Tim Teague teague.com.au **Sole Operator** A C Grain Mr Adam Clarke 0400 065 763 **ACCB** Australia Mr Andy Cunliffe 0455 105 300 AgLink - CMS Mr Justen Schofield aglinkcms.com.au Allied Grain Pty Ltd Mr Angus Wettenhall alliedgrain.com.au Cereal Milling Services Pty Ltd Mr Michael Moss 02 4323 9339 Cogeser (Australia) Pty Ltd Mr Robert Luetolf cogeser.com.au Farm Tender Mr Matt Henke farmtender.com.au **Knight Commodities** Mr Chris Groat 07 4671 5221 linkbrokering.com.au Link Brokering Mr Dion Costigan Mallon Commodity Brokering Mr Ian Mallon mcbrokering.com Quest Commodities Pty Ltd Ms Jayne Barker questcommodities.com.au Shearwater International Pty Ltd Mr Don Cattanach 07 3324 9088 12 Corporate Large Mr Kristen Hopkins **ASX Limited** asx.com.au/grainfutures Australia And New Zealand Banking Group Mr Ian Hanrahan anz.com.au Australian Grain Technologies Pty Ltd Mr Haydn Kuchel agtbreeding.com.au Commonwealth Bank of Australia Mr Tom Barraket commbank.com.au Symbio Laboratories Ms Elizabeth Owens symbiolabs.com.au Medium Agfarm Pty Ltd Mr Ron McCalman agfarm.com.au Agrifood Technology Pty Ltd Ms Doreen Fernandez 03 9742 0589 Agrisk Management Pty Ltd Mr Brett Stevenson 02 9499 4199 Australian Superintendence Company Mr Andrew Parry 07 3391 8640 Commodity Inspection Services (Australia) Pty Ltd Mr Mathew Conoulty commodityinspection.com.au Foss Pacific Pty Ltd Mr Simon Kirkman foss.com.au Holding Redlich Mr Geoff Farnsworth holdingredlich.com Holman Fenwick Willan Mr Stephen Thompson hfw.com Intertek Mr Lee Shilvock intertek.com Merricks Capital Pty Limited Mr Adam Davis merrickscapital.com NZX Australia (CGX, ACF, PFA) Mr Nathan Cattle nzx.com SBA Law Mr Jeremy Rosenthal sbalaw.com SGS Australia Pty Ltd Mr Scot Paterson au.sgs.com 13 Small

Mr Lloyd George

Mr Andrew Woodhouse

advance-trading.com.au

03 9598 1980

Corporate - Small (cont)

CloudBreak Grain Marketing Pty Ltd Basis Commodities Pty Ltd Delta Agribusiness Pty Ltd Direct Commodities Pty Ltd EP Integrated Commodities Pty Ltd Farmanco Marketing Pty Ltd FarMarCo Australia Pty Ltd

Flexi Grain

Goldstar Commodities

Finesse Solutions Pty Limited

Grainx

HarvestCheck Pty Ltd

Hay Plains Grain Storage Pty Ltd IKON Commodities Pty Ltd

JBS Australia MarketAg Pty Ltd

McMullen Consulting Pty Ltd

Mirfak P/L

Murray Goulburn Trading Pty Ltd

OMIC Australia Pty Ltd

Perten Instruments Australia Pty Ltd Pinnacle Commodities Pty Ltd Planfarm Marketing Pty Ltd Primal Foods Group Rural Directions Pty Ltd

TE Storage & Logistics Pty Ltd

SGA Solutions Ptv Ltd

Ten Tigers

08 8388 8084 Mr Ed Scamps Mr Chris Whitwell basiscommodities.com.av Mr Michael Parry 02 6772 0000 directcommodities.com.au Mr Hamish Robertson Ms Tracey Lehmann 08 8627 2304 Mr Donald McTaggart farmanco.com.au Mr Robert Imray 07 4637 6400 Mr Malcolm Finlayson 02 9872 9270 Mr Jarrod Tonkin flexigrain.com.au Mr Geoff Webb goldstarcommodities.com.au Mr Chris Hood grainx.com.au Mr Stephen Schumacher 0418 199535 Mr Ron Harris 0404 444 600 Mr Simon Clancy ikoncommodities.com.au Mr Richard Nicholls jbssa.com.au Mr Mark Martin 02 6747 1590 Mr Gerard McMullen 03 8300 0108 Mr Mark Murphy mirfak.com.au Mr Gerard Murphy 03 5862 2799 Mr Yasuhide Okumura omicaustralia.com.au Mr Raul Ovelar 02 9870 3400 Mr Rod Buckle pinnaclecommodities.com.au Mr Jerome Critch planfarm.com.au Mr Peter Longhurst 02 8011 4182 Mr Chris Heinjus ruraldirections.com

tentigers.com.au

International Affiliate

CIS - Commodity Inspection Services

CCIC Australia Pty Ltd

Mr Paul Schweitzer Mr Isherwood Feng

Mr David Hudson

Mr Tom Hage

Mr Chris Tonkin

cis-inspections.com 02 9580 3212

03 5428 4990

08 8762 2188

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Industry Association

Grain Growers Limited
Grain Industry Association of WA
Grain Producers Australia Ltd
NSW Farmers Association

NSW Farmers Association M Victorian Farmers Federation M

D. McKeon/M. Southan Ms Larissa Taylor Mr Andrew Weidemann Mr Justin Crosby Mr Stephen Sheridan graingrowers.com.au giwa.org.au grainproducers.com.au 02 8251 1827 03 9207 5555

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Merchant Association

Grain Industry Association of SA Grain Industry Association Of Victoria

Grain NSW Inc

Queensland Agricultural Merchants Inc.

Mr Tim Mee 08 8395 3572
Mr Colin Peace giav.com.au
Ms Joanne Ware grainnsw.com.au
Mr John Francis qam.org.au

4

Life Members

Mr Mervyn May Mr Christopher Kelly

Mr Geoff Honey (Posthumously awarded)

Retired K M & W M Kelly & Sons Former GTA CEO Awarded July 2015 Awarded July 2016

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