

Friday, 18 September 2020

Mr John Southwell
Agricultural Counsellor – India
Department Agriculture, Water and Environment
Via Email: John.Southwell@dfat.gov.au

RE: GTA comments on India's proposed Order to require non-GMO certification on imports

Dear John,

Background:

The Food Safety and Standards Authority of India (FSSAI) issued an order on 21 August 2020 which will require importers, from 1 January 2021, to mandatorily declare on 24 major food crops that the products are not genetically-modified and that they also have a non-GM origin.

This comes at a time when India is still working on its regulations for GM foods.

Crops in the list of interest to Australia are beans, canola and wheat, and to a lesser extent, maize, safflower and soybean. Of these all are non GM in Australia, with the exception of canola.

India is an important market for Australia commodities such as pulses and, at times, wheat and canola. Given its growing population and middle-class, India is an important future market for Australian grains and an important market diversification option, in particular in light of the current imposition of duties by China on Australian barley and enhanced monitoring of wheat shipments.

This is a further example of India imposing measures that restrict trade of grains and oilseeds (previous examples include imposition of duties on pulses with little notice) and adds unpredictability and risk for exporters. This order does not address a safety-related issue nor have a scientific justification. Australia has a market choice framework and established processes that enable consumer preferences for non-GM products to be met through contracts between importers and exporters, in accordance with national laws.

Concerns re the order:

- GTA believes that this requirement is unnecessary and that India already has mechanisms in place to manage GM crops/products and to ensure imported foods meet the requirements of existing laws
- As the majority of the listed crops including those of interest to Australia, have no GM varieties in commercial cultivation anywhere in the world, the declaration adds unnecessary costs and red tape to the grain supply chain with no added benefit
- GTA supports regulations that are transparent and predictable and based on science
- GTA supports importing countries having a low level presence policy, as zero tolerance is not practical for the grain trade to comply with and the costs of supplying a market with a zero-tolerance approach are high and, at times, trade prohibitive

Summary:

GTA would kindly request DAWE to:

1. Seek clarity on the scope of the proposal:
 - Confirm only applies to grain not products from grain e.g. oil and meal
 - How was the list of crops determined?

- Does India plan to add other commodities in the future?

2. Encourage India to withdraw the Order; or

3. Failing this further consult the grain sector regarding the implementation challenges and potential mitigations, such as:

- Delaying the implementation date
- Exemptions for crops that have no GM traits in cultivation
- Acceptance of certification by private-sector/third parties
- Transparent and trade-facilitative enforcement & compliance policies with allowances for LLP

We would be pleased to arrange a meeting to discuss this issue further at your convenience.

Please do not hesitate to contact GTA at any stage.

Kind Regards,



Pat O'Shannassy
CEO – Grain Trade Australia