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12 February 2018

Environment and Public Affairs Committee Parliament House 4 Harvest Terrace West Perth WA 6005

By email: lcco@parliament.wa.gov.au

Re: Inquiry into mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material

Grain Trade Australia (GTA) appreciates the opportunity to provide this submission to the Environment and Public Affairs Committee Inquiry into mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material.

The Australian grains industry's profitability, competitiveness and sustainability has been based on continual innovation and adoption of new technologies. GM crops are one such technology that have significant potential to create productivity and market opportunity and growth. GTA is actively involved in industry discussions on this issue globally via its membership of the International Grain Trade Coalition (IGTC) 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 gene technology policy

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

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

The GTA policy and aligned processes are designed to assist to deliver confidence to industry, governments and the community that market access will be maintained and/or enhanced and that there is market choice for the domestic and global grain trade supply chains.

GTA works with the industry to develop and maintain the "Delivering Market Choice with GM Crops" Framework that brings together the industry's practices and protocols that industry requires to be satisfied are in place to enable the seamless development, commercial release and trade of GM grain.

Managing commercialisation of GM crops

GTA members are involved in growing, handling and marketing GM crops approved for commercial release. The industry has supported a position of market choice and has in place process and tools across the grain industry supply chain to ensure that choice is enabled for producers, grain handlers and marketers and consumers.

The grains industry has a demonstrated track record in delivering market choice with GM canola. The systems to deliver this are based on proven systems and processes that the industry utilises to meet a range of quality and customer requirements. Thresholds are a common feature of standards in grains and these thresholds are essential in preventing unnecessary disruptions to trade. The existence of practical thresholds for GM and other production systems is vital in allowing different production systems to coexist.

The debate regarding liability associated with GM crops is not new and there have been a number of Federal and State Government reviews that have assessed liability issues associated with GM crops and they have all found that any liability issue that may arise from GM crops can be adequately addressed by common law and consumer protection legislation and therefore, there is no need for additional liability measures to be put in place. These findings have been based on the evidence that the introduction of GM crops which have been approved for commercial release by the Regulator would not pose any unique risks to which existing legal mechanisms could not respond.

GTA does not support the imposition of strict liability for damage caused by GM crops, compensation funds, mandatory insurance or other compensation mechanisms.

However, GTA does recognise the importance of stewardship and actively supports the industry through a range of codes of practice/guidelines and a professional development program to build skills and capability. In relation to GM crops, GTA has developed two key documents namely, Delivering Market Choice with GM Crops and Industry Response Plan (GM Crops).

The industry, and growers, have a range of mechanisms for resolving disputes that may arise. For growers, problems are commonly resolved through farmer-to-farmer negotiation, informing neighbours of practices and agreement on adhering to sound agricultural practices. The industry has a proven self-regulatory process through established grain standards and contracts and supported by a Dispute Resolution process. In the last instance, there is recourse to common law, which is robust and offers the necessary protection for growers. There is no reason to suggest that the commercial introduction of approved GM crops will pose problems that are beyond the scope of informal resolution or Common Law.

GTA would be happy to provide the Committee with any information relating to its trade rules, contracts, dispute resolution service and training programs.

The Australian grains industry is a world leader in having an industry managed framework for facilitating trade and is the only export nation with a Grain Industry Code of Practice. Adherence to the Code is a mandatory requirement for membership to GTA.

GTA strongly urges the Committee not to impose any compensation mechanisms for GM crops.

Thank you for your consideration of this submission.

Yours faithfully,

Poshan

Pat O'Shannassy CEO

GRAIN TRADE AUSTRALIA

| Membership List as at 30 January 2018 | | |
|---|---------------------|---------------------------|
| Organisation | Contact | Website /Phone |
| rdinary Member (Trading) | | |
| Level A1 (over 7 Million Tonnes) | | |
| Co-operative Bulk Handling Limited | Mr Jason Craig | cbh.com.a |
| Glencore Agriculture Pty Ltd | Mr Philip Hughes | glencoreagriculture.com.a |
| | | |
| Level A2 (5 - 7 Million Tonnes) | | |
| Graincorp Operations Ltd | Mr Klaus Pamminger | graincorp.com.a |
| | | |
| Level A3 (3 - 5 Million Tonnes) | | |
| ADM Trading Australia Pty Ltd | Mr Darryl Borlase | adm.cor |
| Cargill Australia Limited | Ms Penne Kehl | cargill.com.a |
| - | | - |
| Level A4 (1.5 - 3 Million Tonnes) | | |
| Bunge Agribusiness Australia Pty Ltd | Mr Chris Aucote | bunge.com/Agribusines |
| Cofco International | Mr Bruce Li | cofcoagri.com.a |
| Emerald Grain Pty Limited | Mr David Johnson | emeraldgrain.cor |
| Nidera Australia Pty Ltd | Mr David Lengren | nidera.com |
| Plum Grove Pty Ltd | Mr Tony Smith | plumgrove.com.a |
| | | |
| Level B1 (1.0 - 1.5 Million Tonnes) | | |
| Arrow Commodities Pty Ltd | Mr Dominic Vanzella | arrowcom.com.a |
| Louis Dreyfus Company Australia Pty Ltd | Mr Robert Green | louisdreyfus.com.a |
| | | |
| Level B2 (500,000 - 1 Million Tonnes) | | |
| Agrex Australia Pty Ltd | Mr Hiro Oda | agrexaustralia.com.a |
| Australian Grain Export Pty Ltd | Mr John Thiele | 08 8832 280 |
| CUS Broadbant Dty I td | Mr Justin Fox | huadhantanin agus a |

Australian Grain Export Pty Ltd CHS Broadbent Pty Ltd Centre State Exports Pty Ltd George Weston Foods Limited Ridley Agriproducts Pty Ltd Riordan Grain Services Riverina (Australia) Pty Ltd

Level B3 (250,000 - 500,000 Tonnes)

Agfarm Pty Ltd Agracom Pty Ltd AGRIGRAIN Agrisk Management Pty Ltd Allied Pinnacle Pty Ltd Elders Grain Lempriere Grain Pty Ltd Quadra Commodities Pty Ltd Robinson Grain Trading Co Pty Ltd Special One Grain Accumulator United World Enterprises Pty Ltd Wilmar Gavilon Pty Ltd Mr John Thiele Mr Justin Fay Mr Jeff Voigt Mr Mark O'Brien Mr Michael Reeves Mr Bradley Hogan Mr Jon Mulally

Mr Ron McCalman Mr Joe Hallman Mr Jeremy Brown Mr Brett Stevenson Mr Josh Lawrence Mr Lachlan Allen Mr Jonathan Holdsworth Mr Robin Cassar Mr Gary Robinson Ms Jaimee Carrigan Mr Jimmy Liu Mr Matt Albion agrexaustralia.com.au 08 8832 2800 broadbentgrain.com.au centrestateexports.com.au gwf.com.au agriproducts.com.au riordangrains.com.au riverina.com.au

> agfarm.com.au agracom.com.au agrigrain.com 02 9499 4199 alliedmills.com.au elders.com.au lemprieregrain.com.au quadra.com robinsongrain.com.au specialonegrain.com.au uwetypical.com 07 3713 8700

Ordinary Member (Trading) (contd)

Level C (under 250,000 Tonnes) A & B Grains Pty Ltd A T Waterfield & Son Pty Ltd A W Vater and Co Access Grain Pty Ltd Adams Australia Pty Ltd **Agmark Commodities** Agri Om Australia Pty Ltd Agri-Oz Exports Pty Ltd Agriex Australia Pty Ltd **Agrifoods Australia** Agromin Australia Pty Limited AGT Foods Australia **AMPS Agribusiness Group** Associated Grain Auscott Ltd AusiCan Commodities Australian Choice Exports Pty Ltd Australian Grain Growers Co-operative Limited Australian Grain Storage Australian Growers Direct Pty Ltd Australian Mungbean Company Pty Ltd Australian Storage Alliance Pty Ltd AvantAgri Australia Pty Ltd **Baker Grain** Berriwillock Grain Storage Co-Operative Ltd **BFB Pty Ltd Blairs Produce Company Boolah Grains Pty Ltd Boort Grain Co-Operative** Broun and Co Grain Pty Ltd C & S Trading Pty Ltd C K Tremlett Pty Ltd **Carpendale Commodities** Cameron Pastoral Company Pty Ltd Castlegate James Australasia Pty Ltd **Cleveland Agriculture Coorow Seeds** COPRICE Cremer Australia Pty Ltd DA Hall and Co **Dalby Bio-Refining Limited** Dalgrains (Qld) Pty Ltd Darwalla Milling Co Pty Ltd **Deacon Seeds Company Deckert Group Pty Ltd Defiance Maize Products Pty Ltd** Demeter Cormack Pty Ltd **Direct Commodities Pty Ltd Donnellons Bulk Haulage Pty Ltd** ED & F Man Grains Australia East Coast Stockfeed Pty Ltd Export Trading Group Australia Pty Ltd Feed Central Pty Ltd **Fellows Nominees** FertInvest Pty Ltd

Mr Chris Wolski Mr Brad Waterfield Mr Kim Vater Mr Wade Humphreys Mr Ian Mack Mr Richard Alcorn Mr Kishore Bulchandani Mr Francois Darcas Mr Joseph Khnessier Mr Rob Anderson Mr Rajni Patel Mr Peter Wilson Mr Simon McDougall Mr Todd Jorgensen Mr Peter Webb Mr Palwinder Singh Mr James Hunt Mr Bruce McDonald Mr Matt Bailey Mr Tom Lucas Mr Damien White Mr Jon Bucknall Mr Peter Woods Mr Richard Baker Mr Tony Bellinger Mr Terry Brabin Mr Sean Blair Mr Stuart Tighe Mr Jon Bucknall Mr Wal Broun Mr Craig Scholz Mr Andrew Tremlett Mr Andrew Kluck Mr Ken Cameron Mr Ross Giovanetti Mr Chris Hurwood Mr Brian Pover Ms Kirsty Cutter Mr Scott Haughton Mr Bruce Holden Mr Tobin Cherry Mr Gary Heidenreich Mr Terry Deacon Mr Chris Deckert Mr Rodney Walker Mr David Oates Mr Hamish Robertson Mr Bill Donnellon Mr Oliver White Mr Stuart Dolden Mr Shayne Clark Mr Tim Ford Mr Paul Fellows

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Mr Preyesh Barar

Level C (under 250,000 Tonnes) cont.

Findlays Barellan Five Star Stock Feeds Fletcher International Exports Pty Ltd FREE Eyre Grain Pty Ltd **Golden Harvest Grain Exports** Grain Direct Australia Grain Link (NSW) Pty Ltd Grain Link WA Pty Ltd Grainforce Pty Ltd **Grainpro Pty Limited** GrainTrend Pty Ltd **Greentree Farming** GV Grain & Fodder Hanlon Enterprises Grain Harberger's Farm Supplies (Trading) Pty Ltd Hassad Australia Operations Company Pty Ltd Iloura Resources Pty Ltd Independent Grain Handlers Pty Ltd **Irwin Stockfeeds** Itochu Australia Ltd J K International Pty Ltd J W Koek & Company James Stock Feed and Fertilizer Pty Ltd Jerilderie Grain Storage & Handling KB Agri Services Pty Ltd K M & W M Kelly & Sons Kangaroo Island Pure Grain Pty Ltd Kennett Rural Services Pty Ltd Lachlan Commodities Pty Ltd Laharum Bulk Handling Co Lake Grain Pty Ltd Lane Grain Pty Ltd Laragon Almond Processors Pty Ltd Laucke Flour Mills P/L Lawson Grains Pty Ltd LDC Enterprises Australia Pty Ltd LINX Cargo Care LPC Trading Pty Ltd Malteurop Australia Pty Ltd Matthews Transport and Grain Traders Max Grains Pty Ltd MC Croker Pty Limited McNaughts Grain & Fertilizer Pty Ltd Melaluka Trading Pty Ltd Mellco Pty Ltd Moulamein Grain Co-Operative Ltd Moxey Farms Pty Limited MSM Milling Pty Ltd Murrumbidgee Grains Pty Ltd Namoi Cotton Ltd Nandaly Grain Co-Operative Ltd Network Grains Pty Ltd Newcastle Agri Terminal Pty Ltd Northern Riverina Grains Pty Ltd **OOMA Enterprises NSW Pty Limited Origin Grain Pty Ltd** PB Seeds Pty Ltd

Mr Neil Findlay Mr Tim Huggins Mr Kurt Wilkinson Mr Mark Rodda Mr Chandru Hiremath Mr Chris Kochanski Mr Paul Pearsall Mr Andrew Govder Mr Derek Larnach Ms Angela Bonfante Mr Sanjiv Dubey Mr David Brown Ms Joanne Harry Mr Peter Gerhardy Mr Reece Harberger Ms Terrie Morgan Mr Hans Hol Mr Brad Bryant Mr Bryan Irwin Mr Justin Swan Mr Sandeep Mohan Mr Brian Algate Mr Adrian Moule Mr David Barlow Mr Karl Bliss Mr Matt Kelly Ms Emma Tonkin Mr Andrew Kennett Mr Tony Cogswell Mr Donald Carter Mr Derek Davis Mr Garry Lane Mr Mark Webber Mr Roger Laubsch Mr Angus Blair Mr Richard Porter Mr David Simpson 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 Ms Jill Smith Mr Peter MacSmith Mr Peter Hassall Mr Shane McGregor Mr Tony Bellinger Mr Craig Dennis Mr Jock Carter Mr Jon Bucknall Mr Malcolm Berry Mr Peter Brick Mr Peter Blair

Level C (under 250,000 Tonnes) cont. 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 Quattro Ports **Quirindi Grain & Produce Reid Stockfeeds Pty Ltd** Rhodium Resources Australia 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 Cotton Trading Pty Ltd Southern Grain Storage Pty Ltd Southern Stockfeeds (Operations) Pty Ltd Spagricon Australia Pty Limited Standard Commodities Australia Pty Ltd Summer Hill Grains SunPork Farms Feed Mills Tasmanian Agricultural Producers Pty Ltd Thallon Grains Pty Ltd **TSS Grain Twynam Pastoral Company** Ulusoy Asia Pacific **Unigrain Pty Ltd** Unique Grain Management Pty Ltd Universal Commodity Management W B Hunter Pty Ltd Ward McKenzie Pty Ltd Watershed Commodities WHG Oceania Pty Ltd Whyalla Beef Pty Ltd Wilken Grain Wimpak Pty Ltd WW Agri Pty Ltd **XLD Grain Pty Ltd** Yenda Prods Grain Pty Ltd

Transport Operator

Gehrke Grains and Transport Pty Ltd Hamilton Contracting (NSW) Pty Ltd Wakefield Grain Export Services

Mr Shane Wall Mr Darren Pearson Mr Michael Oxley Mr Jogesh Virk Mr John Orr Mr Andrew Kell Ms Leanne Burr Mr Dene Ladmore Mr John Webster Mr Ian Reid Mr Mark Fitzgerald **Mr Andrew Philpotts** Mr Lachlan Herbert Mr Brian Newman Mr Tim Ruddenklau Mr Michael Wood Mr Charles Emerson Mr Matthew Crane Mr Clayton Shannon Ms Lesley Kilby Mr Dia Ram Sharma Mr Chris Veness Mr Campbell Brumby Mr David Jemmet Mr Jiger Kotecha Ms Elizabeth Bozinoska Mr Barney Hughes Mr Mark Young Mr David Skipper Mr Andrew Earle Mr Trevor Macleod Ms Lesley Heidtman Mr Mark Madjarevic Mr Ervin Leong Mr Mark Thiele Mr Tim Dean Mr Stewart Coombes Mr Geoff Hammon Mr Jack Vivers Gesheng Shen Mr Richard Wilken

Mr James French Mr Steve Sloss Mr Lachie Stevens Mr Luke Mancini

Mr Julian Gehrke Ms Jodie Hamilton Mr Bikash Ram

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

Broker

Large

Medium

Grain Brokers Australia Horizon Grain Brokers Pty Ltd INTL FCStone Pty Ltd McDonald Pelz Australia Perkins Commodity Brokers Southern Aurora Markets Teague Australia Pty Ltd

Sole Operator

A C Grain ACCB Australia Allied Grain Pty Ltd Cereal Milling Services Pty Ltd Cogeser (Australia) Pty Ltd Farm Tender Link Brokering Lotema Pty Ltd Mallon Commodity Brokering Quest Commodities Pty Ltd Wimmera Mallee Grain Services Woodside Commodities Pty Ltd

Corporate

Large ASX Limited Australia And New Zealand Banking Group Australian Grain Technologies Pty Ltd Commonwealth Bank of Australia

Medium

Agrifood Technology Pty Ltd AMSPEC Australian Superintendence Company Commodity Inspection Services (Australia) Pty Ltd Foss Pacific Pty Ltd Holding Redlich Holman Fenwick Willan Intertek Merricks Capital Pty Limited SBA Law SGS Australia Pty Ltd

Small

Advance Trading Australasia Ag Scientia Pty Ltd Basis Commodities Pty Ltd Clear Grain Exchange CloudBreak Grain Marketing Pty Ltd Delta Agribusiness Pty Ltd

- Mr Jeff Winspear Mr Ash Munro Mr Brett Cooper Mr Peter Geary Mr Craig Perkins Mr Pat Cogswell Mr Tim Teague
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Corporate (cont.)

Small **EP Integrated Commodities Pty Ltd** Farmanco Marketing Pty Ltd FarMarCo Australia Pty Ltd **Finesse Solutions Pty Limited** Flexi Grain **Goldstar Commodities** Grainx HarvestCheck Pty Ltd Hay Plains Grain Storage Pty Ltd **IKON Commodities Pty Ltd** Lachstock Consulting MarketAg Pty Ltd McMullen Consulting Pty Ltd Mercari Pty Ltd Mirfak P/L Murray Goulburn Trading Pty Ltd NZX Australia (ACF, PFA) **OMIC Australia Pty Ltd** Perten Instruments Australia Pty Ltd Pinnacle Commodities Pty Ltd Planfarm Marketing Pty Ltd Plansafe Logistics Pty Ltd **Primal Foods Group Rise Agribusiness Pty Ltd Rural Directions Pty Ltd** SGA Solutions Pty Ltd TE Storage & Logistics Pty Ltd **Ten Tigers**

International Affiliate

CCIC Australia Pty Ltd CIS - Commodity Inspection Services

Industry Association

Australia Export Grain Innovation Centre Grain Growers Limited Grain Industry Association of WA Grain Producers Australia Ltd NSW Farmers Association Victorian Farmers Federation

Merchant Association

Grain Industry Association of SA Grain Industry Association Of Victoria Grain NSW Inc Queensland Agricultural Merchants Inc.

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Mr Isherwood Feng Mr Paul Schweitzer

Mr Richard Simonaitis D. McKeon/M. Southan Ms Larissa Taylor Mr Andrew Weidemann Mr Robert Hardie Mr Stephen Sheridan

Ms Rebecca Freeman Mr Colin Peace Ms Joanne Ware Mr John Francis

Retired K M & W M Kelly & Sons Former GTA CEO

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