



# SUSTAINABILITY COUNCIL of NEW ZEALAND

DECEMBER 2002

## STATE OF PLAY

The launch of the Sustainability Council in July produced some fierce criticism. Much more voluminous than the criticism was the outpouring of support from those who share our views, but felt unable to make their voice heard. They welcomed the Council as a voice of middle New Zealand, balancing the extremes of the debate.

Strangers approached me personally and said that they had been reduced to tears of relief knowing there is now a Council of various backgrounds and constituencies researching and communicating to gain support, at all levels, for a truly precautionary stance.

So what is the current state of play?

Please forgive me as I concentrate on the farming community's perspective. This is because I am farmer, and have represented farmers in many fields all my working life. Secondly, the use of GMOs on the land is the most important decision we face.

I believe that our presence has contributed to a more informed discussion amongst the farming community. Whereas at the time of our launch, I was viewed as a traitor, particularly by farmer leaders, many farmers are now aware that the risks are currently too great to allow GMOs in New Zealand land use. They had been led to believe by their leaders that there are few risks, many financial advantages, and that the Royal Commission recommendations were the only way forward.

For myself, our policy has been supported and strengthened by the flow of evidence from around the world that GMOs are increasingly rejected by consumers and viewed with heightened suspicion by a significant proportion of farmers in countries that have commercial GM production.

Since the launch, the Council has been communicating through a range of networks. As Chair, I have joined other Councillors and our research team in an intensive round of meetings with a wide selection of MPs and have also spoken to public gatherings and a number of specialist groups.

We look forward to your pro-active support to ensure that either the moratorium is extended or else credible measures are put in place to safeguard New Zealand.

**Sir Peter Elworthy, Chair of the Sustainability Council**

## Moratorium not the only answer

The day after the Prime Minister was returned to office, she made clear her desire to see the moratorium on GM release expire in October 2003.

While the Sustainability Council believes there are strong grounds for extending the moratorium considerably beyond that date, the call for an October deadline simply brings into sharper focus the question of what is to be put its place.

A moratorium was never a likely long-term policy. Its primary function is to provide much needed time. Time to work through the complex questions that GM poses.

Time to put in place measures that will reliably sort the good opportunities in biological science from the unwanted threats. In particular, time to consider whether any GMOs should be produced in New Zealand for food.

We need to ensure that any proposed GM release can be assessed in terms of the full scope of its effects, not just scientific safety.

A first requirement for that is change to the Act governing ERMA, the Hazardous Substances and New Organisms (HSNO) Act. The Council has made an extensive submission calling for expanded and tougher provisions.

Key areas of concern are that HSNO is not fully precautionary and does not clearly allow for concerns such as harm to the wider economy from GM release to be taken into account.

The Council has also proposed that the HSNO Act be changed to make GM operators strictly liable for any harm resulting. It advocates the polluter pays principle that is also the base for pending European law on GM liability.

And to ensure the polluter can actually pay, the Council advocates that GM operators must prove they have the ability to pay if something goes wrong.

Getting these and other required changes properly addressed before October will certainly be a tall order for government. ➤

► But acquiring the needed scientific basis for assessing plant release applications is out of the question in that time.

Vital work has begun on some of the difficult issues like horizontal gene transfer. (HGT is the unintended flow of genes from say a GM plant to another species of plant.)

The Environmental Sciences & Research Institute has commenced a three year programme on this issue. They say that in the meantime however, "It will be very difficult for regulators to develop a risk framework that takes account of HGT without data applicable to New Zealand conditions".

The time remaining until October next year is a critical period in which to push for policy changes and drive home the wider concerns that surround GM release.

Concern that the idea of GM crops "coexisting" alongside non-GM will inevitably lead to contamination of the non-GM varieties.

Concern that the issue of GM food is not being

properly assessed as a risk to New Zealand's export income when premium markets continue to reject GM food.

Concern that GM release should not be contemplated until the important questions have been truly answered and the necessary reforms put in place.

With your continued support, the Sustainability Council will be working at those frontiers, doing the analysis and getting it into the hands of the people who can make a difference.

Right now, this involves meeting representatives from all affected sectors, government representatives, scientists, and other key stakeholders.

We are here for the long haul and trust you understand that when we are not trying to be visible in the media, we are busy trying to bring about change directly.

To sustain our dedicated team of three secretariat members, we would greatly appreciate your financial support. ■

## Thresholds not the answer to potential contamination

**The discovery of GM contaminated maize in Gisborne and Pukekohe in August this year underscored the need for a vigorous testing regime, not the need to introduce allowable limits of contamination.**

New Zealand has a zero tolerance policy for GM contamination. While this policy has been in place since 1996, enforcement of this standard has been introduced only recently, leaving the purity of some of the most vulnerable imports to chance. As a result, imports of maize seed, among the most widely released GMOs in the world, were not subject to mandatory testing until August this year. Too late to prevent contamination in the North Island, that led to the destruction of several tonnes of maize.

In the latest incident, the importing company, Pacific Seeds, had conducted tests on the maize prior to import. These tests, which used sample sizes half the size of those under the newly introduced regime, failed to identify any contamination.

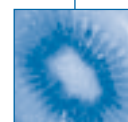
### **The call for thresholds**

In the wake of the maize contamination, calls

were made by the GM and seed industry for law changes that would allow for accepted levels of contamination, or so-called thresholds.

However, even thresholds of 0.5% could allow thousands of unapproved GMOs to be released into New Zealand agricultural production and the environment without being subject to the risk assessment that is required before a GMO is approved. There is an inevitable risk of trace contamination because there is a limit to the sensitivity of the testing, but thresholds would create clear exposures for the integrity of non-GM production and export markets.

The Council believes that solutions are better focussed on measures to ensure that contamination does not occur, rather than making contamination legal. Seed importers and growers have the choice not to source seed from the few countries that pose higher risks of GM contamination. The current liability faced ►



►by the importer fosters scrutiny of the production and handling prior to import to ensure that seed consignments are not contaminated.

“Liability must follow the polluter pays principal, and remain with those who import or use GM seed. Otherwise the agents that have the

ability to reduce the risk don't have the incentive to get it right,” said the Council's executive director, Simon Terry.

The integrity of New Zealand agriculture depends upon a strict biosecurity regime. The answer lies not in relaxing standards, but in expanding them to other varieties. ■

## Government proposes “conditional release”

**C**onditional release is the name for a new category of GMO release Government is proposing to introduce prior to lifting the moratorium. This new category would likely play centre stage in the Government's 'coexistence strategy' – the notion that GM agriculture and non-GM production can be conducted side by side.

Government is clear that contamination is inevitable once GMOs are released for use in the field. Conditional release is therefore simply a strategy to *reduce* contamination, as it cannot be eliminated.

Indeed, internationally contamination of non-GM farming by GM cultivation is now considered all too likely a result.

In August, the US Government proposed regulations that would provide for safety tests to be conducted before a GM plant went to field trial. The provisions cite “the likelihood that cross-pollination due to pollen-drift from field tests to commercial fields and co-mingling of seeds” would increase as more field trials started.

In other words, the risk of even small plots contaminating commercial crops is now judged to be sufficient to make pre-testing advisable. The

new GMO may otherwise enter the food chain illegally.

Failure of segregation measures in the US has already led to one incident that has cost hundreds of millions of dollars in product recalls in both domestic and export markets.

Meanwhile in Canada, where wheat producers have been able to observe the effect of GM canola on the country's canola industry, the largest wheat trade association is advocating against the introduction of GM wheat. The Canadian Wheat Board, with a membership of 85,000 farmers, has reached this position after concluding that there are no effective segregation systems and after considering consumer attitudes to GM in Canada's wheat export markets.

Similarly, a European Commission report projects that crops such as oilseed rape and corn cannot be segregated economically in Europe.

If introducing GM agriculture for some farmers now means that all farmers are exposed to eventual contamination, then the choice is not just a matter for individual farmers.

All farmers are stakeholders in that decision. As are all New Zealanders. ■



## GM in perspective

**I**t is often suggested by proponents of GM release that any delay in allowing the use of live GMOs outside the laboratory would cripple New Zealand science. However, an extension of the moratorium on GMO release would affect only a very small part of New Zealand's biological research effort, as the Sustainability Council found when it looked into the share of funding dedicated to GM release. ►

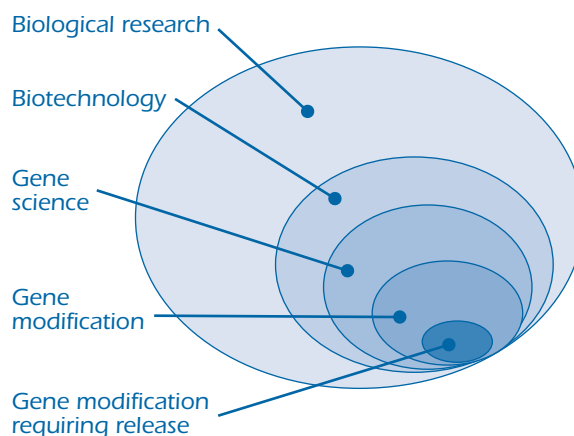
Area of research	\$ million
Biological	217
May involve gene science	170
Requires GM release	6.4
FRST 2000/01	

Government is the key funder of the biotechnology sector, according to Industry New Zealand. The majority of funds are allocated through the Foundation for Research Science and Technology.

Of the total biological science budget, 79% of projects may use one or more gene science techniques in some way during the research. A meagre 3% of projects require GMO release.

### **Crown Research Institutes dominate the push to release GMOs**

The Crown Research Institutes (CRIs) are the primary recipients of Government science funding. CRIs also dominate the push to take GMOs out into the field. Over half (53%) of the field trials approved since 1995 have been conducted by CRIs (41% by Crop and Food



alone). All but one of the 8 of the field trials currently in operation (or approved and likely to proceed) are CRI projects. ■

## Resourcing required to achieve sustainable development

The Government's commitment to sustainable development is encouraging, but greater capacity within government is required if New Zealand is to indeed become a world leader in sustainable development.

In a report released in August on New Zealand's progress towards sustainable development, the Parliamentary Commissioner for the Environment called for a review of capacity within government.

The Sustainability Council agrees with the Commissioner that resourcing is required if such fundamental shifts are to be realised.

Integration of functions that are currently scattered across the government sector could lift capacity and could address the need for a lead agency with sufficient inhouse expertise to act as a centre of excellence on sustainability issues.

The Government committed to a Sustainable Development Strategy in August 2001. In May, Cabinet agreed that the principle of sustainable development should underpin all government's economic, social and environmental policies.

The PCE report, *Creating our Future. Sustainable Development in New Zealand*, is available online at <http://www.pce.govt.nz> ■

"As GM food is rejected in the marketplace, there will be no hiding in the more sophisticated markets. Our customers are telling us there is nothing but punishment for New Zealand in pursuing GM agriculture at this time. In commerce and trade terms, the customer is always right."

**Sir Peter Elworthy**

### **Sustainability Council of New Zealand**

PO Box 24304, Wellington

Tel: 04-9133655 ■ Fax: 04-9133760 ■ Email: [council@sustainabilitynz.org](mailto:council@sustainabilitynz.org)  
[www.sustainabilitynz.org](http://www.sustainabilitynz.org)