



STAYING GM-FREE

A Resource Kit for Local Action

Healthy sustainable
food and crops for
future generations

FEBRUARY 2006



PHOTO: CANOLA COUNCIL OF CANADA



STAYING GM-FREE

Introduction

A Resource Kit for Local Action

The GeneEthics Network promotes critical community education, discussion and debate on the economic, market, environmental, social and ethical impacts of genetic manipulation (GM) technologies. The Network seeks to have the *precautionary principle* rigorously applied to all uses of Genetic Manipulation.

N.B. The terms GE (genetic engineering), GM (genetic manipulation) and GM (genetic modification) are used interchangeably in this debate over radical new gene technologies and their products. The term 'modification' is used by the GM industry to convey the impression that GM is a mere extension of traditional breeding and food production practices.

This kit is inspired by the success stories of many local communities in creating *GM-free* council policies, and by requests from many others for detailed information. It is designed as a practical resource to get you started on working for GM-free goals in your local community, through local government.

If you are a responsible and concerned councillor, parent, health worker or farmer, this kit should give you food for both thought and action.

Local government, community groups and individual citizens can significantly contribute to making Australia GM-free. Many local governments across Australia have taken their responsibilities seriously and made their own GM-free stand in response to lack of strong GM-free laws on genetic manipulation (GM) at both Federal and State levels.

Their actions aim to:

- protect the health of their citizens
- protect the livelihoods of farmers
- protect the access rights of all growers to world markets.

The kit is divided into sections so you can cut and paste to suit your particular needs. The information in the kit is already tested, as it is based on real experiences gathered from the councils and communities that have already run *successful* GM-free campaigns.

Please let the GeneEthics Network know of your own successes and failures in staying GM-free locally so we can continue to promote best practice.

BE PREPARED NOT SCARED!

If someone plans to release Genetically Manipulated Organisms (GMOs) in your area, the Office of Gene Technology Regulator (OGTR) may write to local government for comment.

Before you get caught unprepared, use these resources to get your community thinking about GM issues, to ask your citizens how they feel about GMOs and develop a GM-free policy for your local government area.

If the council decides to make a submission to the OGTR, GeneEthics Network can offer assistance with advice, information and contacts.

Don't hesitate to contact us on 1300 133 868, or at info@geneethics.org



Section 1:

Recipes for success

There are many ways to achieve a GM-free municipality, and many starting points. Each one works best for a particular local community. Choose the strategy you think would fit your local community and follow the steps to achieve a successful GM-free outcome.

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Section 2:

Model Council resolutions

Why reinvent the wheel? Many local governments have already refined the wording of their GM-free policy documents and these are presented here for you to cut and paste as needed. If you want more detail, the minutes of meetings from local government websites across Australia that have already gone through the GM-free process and achieved successful results are available from the GeneEthics Network.

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Section 3:

Legal background

Environmental Defenders Offices in each State have explored the legal possibilities of different laws as they relate to rights and obligations of local government to remain GM-free. A summary of the most relevant information, with links to further ideas, advice and information, is presented here.

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Section 4:

Background information

If you need background information on GM-free issues, this section aims to help you sort them out. Please pass the information on to your local networks and wider community. If you want to explore a particular issue in more depth, this section also helps you find other information sources.

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Recipes for success

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1.1

Running a Public Awareness Campaign

Strategies for local communities and councillors

In preparation for policy changes, a public awareness campaign will get the issues out to local constituents so that everyone can fully participate in the policy-making process.

> ACTION

THE GENE CARE RECIPE FOR SUCCESS:

1. Form a working group and set the goal of raising awareness towards policy change.
2. Set a date and book a venue for a public meeting with a six week lead-in time, co-opt a sympathetic councillor as convenor.
3. Distribute leaflets and information in shops, schools, school newsletters and local papers. *Health food shops were found to be the best outlets for pamphlet distribution.*
4. Write and distribute a petition.
5. Contact local environment groups for support in distribution of leaflets, use group mailing lists to contact target audiences directly.
6. Spread information through community announcements and talks on local radio.
7. Set up noticeboards for detailed information in key public locations.
8. Use volunteers to letterbox the meeting notice and background information.
9. Run stalls on Saturday mornings in main shopping streets.
10. Hold a public meeting, present the petition, conduct a vote on your GM-free proposals.
11. Submit minutes of the meeting and petition to local government.
12. Form a working group to liaise between council and community.

A CHECKLIST OF INGREDIENTS:

- Media:** Contact your local papers, radio, newsletters, TV stations, set up a local website...
- Farming community:** Distribute info at seed and feed stores, farmers associations and agents, farmers markets, tractor meets...
- Community organisations:** Target places where people might be particularly affected by GM policies eg: child-care centres, sporting clubs and church groups, aged-care facilities, elderly citizens groups, neighbourhood houses...
- Businesses:** target catering businesses, supermarkets, cafes, organic green grocers, real estate agents...
- Elected councillors and employees:** Talk personally to each local councillor and make sure they have information (such as this kit!) in advance. Contact council officers in the relevant departments.



> CASE STUDY

In 2000, a group of concerned Steiner school parents in the Yarra Ranges Shire on the outskirts of Melbourne (pop. 140,000) were particularly concerned with the health implications of GE (Genetic Engineering) technology in food and farming.

Their Gene Care group ran a great campaign in preparation for policy changes. As a result, the Shire of Yarra Ranges placed a ban on local GE crops, declared a GE-free ZONE, agreed to work for improved GE food labels and began encouraging their food contractors to use GE-free produce.

Note that since this time the term GE-free has been replaced by GM-free.

**EXTRA TIPS FROM THE CITY OF YARRA,
VICTORIA**

Campaigners in the inner city municipality of Yarra used inclusive community development methods to bring dissenters onboard. Early in the campaign each councillor was visited in turn and asked to share their views with a campaigner whose task was to listen without judgement or hostility.

The main message they heard back from councillors was that they were busy people, time poor and stressed by the amount of information they were faced with absorbing.

In response, the campaigners delivered summaries of background information on the issues.

As a result of this gentle non-adversarial approach, councillors felt included and prepared to listen in return. In time for the public meeting they were briefed, well prepared and open to new possibilities.

The council later agreed to, and implemented, a GM-free food buying policy when food service contracts came up for renewal.



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1.2

Declaring your municipality a GM-free zone

Under Section 21 of the *Gene Technology Act 2000* State and Territory governments set up GM-free zones to protect overseas grain markets. Most States (with the exception of Queensland and Northern Territory) have passed laws to ban commercial GM crops.

Declaring your local government GM-FREE sends a strong message of support to State Governments that there is community and official support for their GM-free policies.

Declaring your shire or municipality a GM-free Zone is easy and legal. The declaration underlies a positive production and marketing strategy that makes economic and environmental sense, protects the livelihood of farming communities and sends out a public message of care for community health and the environment

> ISSUES

WHAT'S WORTH PROTECTING?

Australia's clean, green, GM-free reputation needs protecting.

Urban councils have taken a stance against GM crops, in solidarity with rural shires. The livelihood of farmers and the economic viability of local and overseas markets is threatened by GM crops. Contamination of GM-free grain and oilseeds may severely affect the commercial viability of both domestic and overseas markets. There is no evidence that conversion to GM crops gives benefits to anyone but the GM companies.

> See www.non-gm-farmers.com

The health of the people for whom local government has responsibility needs protecting, both now and in the future.

Councils have required their food services, crèches, hospitals, meals on wheels, catering, etc. to be GM-free, based on the precautionary principle (i.e. better safe than sorry).



> ACTION

A RECIPE FOR SUCCESS

1. Read the support background material in this resource kit
2. Form a working group that agrees to work towards declaring a GM-free Zone as a common goal.
3. Decide to run a public awareness campaign with a public meeting.
4. Propose a policy statement in line with stated objectives and goals.
5. Once council has adopted the proposal, continue working to ensure the adopted policies are publicly understood and properly implemented.

SETTING UP GM-FREE ZONE SIGNS

- Let everyone know that your boundaries are protected and GM-free.
- Promote local GM-free business or services.

> CASE STUDY

In Marrickville NSW, the local council chose to 'reward' local GM-free businesses with features and promotions in their regular publications.

MARKETING CLEAN AND GREEN

Negative reaction to GM food products worldwide, especially in the European Union, Japan and Asia means Australia has won market access that North America has lost.

> See www.rirdc.gov.au/

These markets are too valuable for Australia to risk GM contamination. Many Australian farmers and food manufacturers have been able to capitalise on the GM-free status of Australian produce.

Rural shires can support and encourage local agricultural industries to be proud of their clean green status. Once it is understood that access to markets *increases* with genuine GM-free status, this can form the core of a district marketing strategy.



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1.3

Rewriting your local food service policy

Twenty-five varieties of genetically manipulated soy, corn, canola, cottonseed, potato and sugar beet products are already approved for inclusion in Australia's food supply, appearing as imported ingredients in highly processed foods.

These GM products are approved for use by Food Standards Australia NZ (FSANZ), alongside food products containing Australian-grown GM cottonseed oil and thickeners (linters: *cellulose #460-466*). Until all GM food is labelled, people may unknowingly eat or be fed GM food on a regular basis, placing themselves at risk of long-term health problems.

When it comes to health care, better to be safe than sorry!

> ISSUES

WHAT'S WORTH PROTECTING?

Our health and safety is top priority

Local governments have a *duty of care* to all their constituents. A freeze on any GM foods in crèches, schools, hospitals and other food services is justified until there is no reasonable doubt that GM foods are safe.

Food allergies, unanticipated toxins, new viruses and/or antibiotic resistant bacteria, cancer, and nutrition deficiencies are possible risks of eating GM foods. At present no GM foods are adequately tested, monitored in a systematic way or subject to adequate health standards.

Many local councils have amended their food service contracts in order to eliminate GM foods, applying the *precautionary principle* i.e. it is better to be safe than sorry.

Who might be affected?

Local governments oversee many public food operations locally—in canteens, catering units, kindergartens, crèches, meals on wheels, health centres, community halls, libraries, hospitals, neighbourhood houses, senior citizens, family day carers, swimming pools, markets, kiosks...

What foods are we talking about?

Any of the following foods may contain GM products: baby foods, baking products, cooking oils, biscuits, breads, breakfast foods, butter and spreads, cheeses and milk products, frozen and convenience foods, drinks, dairy substitutes, muesli bars, etc...

Look on the labels for soy, corn, canola, cottonseed products and cellulose #460-466.

- > See www.greenpeace.org.au/truefood/
- > See www.dairyaustralia.com.au/



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1.3

Rewriting your local food service policy

> ACTION

IT CAN BE DONE!

Under the provisions of contract law any organisations, including local governments, are able to amend contracts to require all food services under their control to be GM-free. This is easy to achieve and there are no hidden costs.

HALF THE WORK IS DONE FOR YOU

Under Food Authority Guidelines food processors are required to know whether or not their processed foods contain products of gene technology. A letter to regular suppliers can quickly establish which foods are products of GM technology and which are GM-free.

HEALTH, SAFETY AND DUTY OF CARE

At present the risk of eating GM food over long time periods is completely unknown. There has been no systematic or long-term testing of the health impacts of GM foods on humans, and most tests on animals have been inadequate. Kids, the pregnant and the elderly are particularly at risk.

People in high-risk categories are known to respond badly to toxins and more likely to develop allergic reactions than the rest of the population. The use of antibiotic marker genes, like those that control resistance to dangerous pathogens, is one the primary concerns of an Australian Medical Association AMA (1999) report.

LIABILITY

Alongside duty of care, councils who neglect their long-term responsibilities may be held responsible for negligence. The Insurance Council of Australia warns that the risks are so large they may be uninsurable and that coverage provided by existing policies may be inadequate.

BENEFITS

Good quality, healthy and nutritious foods are already available and have stood the test of time.

A GM-free food service policy is safe, cost-free, easy to implement, has no blame or liability attached and is an investment in future health and peace of mind.



> CASE STUDY

THE ELTHAM CHILDCARE CO-OP

Eltham Childcare Co-op decided to become GM-free and found the process easy and rewarding.

To quote parent Sana Kojicin:

“The cost of becoming GE-free is negligible. When it comes to our children’s health and our environment (particularly in the long-term) as parents, the question we really need to ask is, what is the cost of not being GE-free?”

1. Get a working party together; establish draft policy guidelines and run an awareness campaign. This may be part of a bigger campaign.
2. Once the policy is in place, plan a workshop for interested caterers to introduce the policy and its implications; to allow for a sharing of experiences and to allocate tasks and responsibilities.
3. Amend all service contracts
4. Write to food suppliers requesting detailed information on their products. Remind them that they will lose your business if they don’t cooperate.
5. Run a workshop: provide support and admin assistance to catering managers to help them source GM-free foods eg: using the True Food Guide
 - > See www.greenpeace.org.au/truefood
6. Compile a list of manufacturers and brands to use regularly when ordering supplies.
7. Nominate a working party, spokesperson or health officer to keep up to date on developments; to communicate between council and staff; to share experiences with other municipalities and the GeneEthics Network.
8. Join the True Food Network, a growing community of everyday Australians, chefs, food experts and community groups uniting to protect our food from genetic manipulation and its products.
 - > See www.greenpeace.org.au
9. Plan for policy review in two years time. Remember to include a review in each contract.



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1.4

Lobbying for better labeling of GM foods

The issues surrounding GM are politically sensitive, so public pressure can make a significant difference. *GM foods need to be clearly labelled.*

> ISSUES

WHAT'S WORTH PROTECTING?

Our right to make our own decisions

Shoppers need to make the safe, informed and easy choice to buy GM-free. Until there are clear labels on GM foods it is difficult for shoppers to exercise their right to choose.

Local councils have already identified the following key issues that need your support:

A study conducted in May 2000 by AC Neilson, and other studies by Biotechnology Australia, FSANZ, and the CSIRO, found that over 90% of people support compulsory labelling of all GM food.

> See GM food standard 1.5.2
www.foodstandards.gov.au/foodstandardscode/

Most foods produced using GM are still unlabelled. 98% of GM food crops are grown in USA, Canada, Argentina, Brazil, Paraguay, India and China, and most are fed to animals. FSANZ has developed a *Country of Origin* labelling proposal that will help you to select a GM-free diet.

The only GM foods grown in Australia at present are cottonseed oil and linters (*cellulose #460-466*). Country of origin labels will help you identify and buy home-grown GM-free Australian produce.

> ACTION

FEDERAL GOVERNMENT LEVEL

- Urge all Health Ministers at State, Territory and Federal levels to bring Australia's food standard 1.5.2 into line with stricter European rules on the labelling of GM foods, so that all foods produced using gene technology are fully labelled.

LOBBYING LOCAL GOVERNMENT ASSOCIATIONS

- Write, phone or email the people who make the decisions on behalf of your municipality. Asking for GM labelling will send a strong message and influence thinking on these issues.
- Encourage collective lobbying within your municipal associations. A statement from a collective organisation is always stronger than one voice on its own.

Moral support for other councils.

- You are not alone! Across Australia many local councils are working for a GM-free future. This resource kit is based on the successful experiences of over 50 councils.

Sharing resources and experience.

- Keeping in contact and sharing your recipes for success is a great way to value add to your efforts, with no cost to you. Local governance associations are already set up to do that well.

If you have any useful tips to pass on, let us know at info@geneethics.org.



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Model Council resolutions

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Below are some examples of adopted GM-free council resolutions. We would suggest that for policy goals to be effective it is important to include a follow-up monitoring and evaluation requirement.

2.1

Public Awareness Campaigns

MARRICKVILLE COUNCIL, NSW

“RECOMMENDATION THAT:

1. A budget allocation be considered in the 2002/2003 Resources Plan to:

- a) Prepare a genetically modified food (GMF) Statement and community awareness campaign to reflect that Council's preference is to prohibit, where possible, the use of GMF at any Council-run service or event...”

2.2

GM-free Zones

YARRA RANGES, VICTORIA

“AMENDMENT:

1. That council adopt a precautionary approach to the introduction of GMO's until the long term benefits and risks are resolved by:
 - opposing the introduction of GMO crops into the Shire; and
 - advocating for the mandatory labeling of all GMO products.

This precautionary approach will remain until the following safeguards are in place:

- An office of the Gene Regulator General and strong national laws are in place
- Mandatory Labeling on all products produced using gene technology
- GM free zones have been established where GM free crops can be grown safely
- Independent research results showing GMOs are harmless to health and environment
- A strong and enforceable liability and insurance regime is in place for GMO products.

2. That council write to contractors providing food to council services and functions encouraging them to provide GM free produce.
3. That Council adopt a strong advocacy role with other levels of government and stakeholders to establish this shire as a GM Free Zone.”



**LABELING, GM-FREE LISTING:
GLENORCHY CITY COUNCIL, TASMANIA**

“ RE MOTIONS ON STRATEGIC PLAN 2001
ON GENETICALLY MODIFIED ORGANISMS
(GMOs)

The City has previously recognized the potential of genetically manipulated crops to destroy the competitive marketing advantage of the ‘clean, green and natural’ image of Tasmania as a food producer and exporter. With the new labeling laws being so lax (requiring NO LABELLING of refined foods, foods from GM-fed animals, food from restaurants and takeaways, processing aids, GM foods with less than 0.1% GM and food from unintentional GM contamination are provided/sold/produced, etc) ...the City should consider adding the following to 8.7.6 (Environmentally Sustainable Community):

Maintain and publicise an up-to-date list of GM foods and foodstuffs which are exempt from food labeling and which are used or available for sale in the municipality.”

**PRECAUTIONARY PRINCIPLE:
THE CITY OF FREMANTLE, WA**

“The City of Fremantle has a statutory responsibility to ensure safe food to the community in its food services provided by the City. Council recognises that genetic manipulation brings with it as yet unresolved risks of unexpected and unintended consequences to human health and to our natural environment. Council also recognises the level of community concern about the rapid development of gene technology and release of GM foods into the environment and into our food supply.

Policy The City of Fremantle resolves to support the Precautionary Principle, as defined in the intergovernmental Agreement on the Environment, signed by the Heads of all Australian Governments in May 1992 in its consideration of the implications of gene technology which states:

“Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the Precautionary Principle, public and private decisions should be guided by:

- (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment; and
- (ii) an assessment of the risk-weighted consequences of various options.

Given the unresolved risks of gene technology, and according to the Precautionary Principle as defined above, the City of Fremantle supports an immediate 5 year freeze on the release of any genetically manipulated organisms in to the Australian environment for trial or commercial purposes.”



**GM-FREE FOOD POLICY,
LABELING LOBBYING:
HOLROYD COUNCIL, NSW**

“ That in the light of the increasing concern throughout the community of the use of genetically manipulated crops in the production of foodstuffs for consumption, Holroyd Council resolves to:

1. Write to the suppliers of all foodstuffs currently supplied to our Council Child Care Centres requesting assurances that no products containing genetically manipulated crops are utilised in their production.
2. Prohibit the use of any foodstuffs that include genetically manipulated crops, or any foodstuff for which the manufacturer is unable or unwilling to give the necessary assurances, in any Child Care Centre under Council control.
3. Write to the relevant Federal Minister and Opposition Spokesperson, requesting that processed foods containing genetically modified product or fresh foods from genetically manipulated seed stock or animals, be clearly marked on all labeling in order to allow consumers to make an informed choice prior to purchase.”

**GM-FREE PROMOTIONS,
STAFF INFORMATION WORKSHOPS:
MARRICKVILLE COUNCIL, NSW**

- “1. A budget allocation be considered in the 2002/2003 Resources Plan to:
- Promote those cafes/restaurants in Marrickville that sell foods free from GMO in Council publications – to allow the community to make informed choices; and
 - Provide information and workshops on GMF to staff involved in purchasing and preparation of food.”

**LOBBYING FOR BETTER LABELING
OF GM FOODS:
CITY OF FREMANTLE, WA**

“The City of Fremantle resolves:
To write to the Federal Minister and Opposition Spokesperson to urge the immediate introduction of compulsory, clear and honest labeling of all foods containing any ingredient, additive, processing aid, edible oils or other constituent produced using gene technology, including foodstuffs (eg: eggs, milk, meat, honey) derived from animals that have been fed genetically manipulated feed.”



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Model Council resolutions

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2.3

Amending food service contracts

LOBBYING LOCAL GOVERNMENT

ASSOCIATIONS:

HOLROYD COUNCIL, NSW

“Genetically Engineered/Modified Food
Products:

- That in the light of the increasing concern throughout the community of the use of genetically manipulated crops in the production of foodstuffs for consumption, Holroyd Council resolves to:
 - Write to the Local Government and Shires Associations of New South Wales encouraging them to urge all Local Government Bodies to pass the same motion to help ensure that there is a clear message being sent to producers and manufacturers of these foods and foodstuffs, as the community is concerned by the possible long time effects of these products.”



GENE TECHNOLOGY ACT 2000

This federal legislation came into force on 21 June 2001. The principal intention of the Act is to develop a nationally consistent scheme for the regulation of certain dealings with GMOs (Genetically Modified Organisms) by the Commonwealth and the States. The Act envisages complementary State Legislation (s.16)

16. State laws may operate concurrently

(1) *This Act is not intended to exclude the operation of any State law, to the extent that the State law is capable of operating concurrently with this Act, other than a State law prescribed by the regulations for the purposes of this section.*

The State laws referred to in s.16 would include State laws that designate zones as being GM-free. This would also include statutory policy instruments (such as Development Plans under the Development Act).

The Gene Technology Act also recognises that such designations can be relevant to marketing primary produce in domestic and international markets.

Interestingly, marketing is recognised as a legitimate reason to declare an area to be GM-free (s.21), whereas public health or local community opposition is not.

As well as the ability for State laws to operate concurrently with the Commonwealth laws, there is also the provision for GM-free zones declared under State law to be recognised in legally binding policy principles issued under the Commonwealth Act (s.21).

Most states and the ACT have used these powers to declare whole states as GM-free zones.

21. Ministerial Council may issue policy principles

- (1) *The Ministerial Council may issue policy principles in relation to the following:*
 - (a) *ethical issues relating to dealings with GMOs;*
 - (aa) *recognising areas, if any, designated under State law for the purpose of preserving the identity of one or both of the following:*
 - (i) *GM crops;*
 - (ii) *non-GM crops; for marketing purposes;*

The Ministerial Council referred to in this section is a joint Commonwealth/State council established under the “Gene Technology Agreement”. This Council is responsible for the development of policy principles that guide the Gene Technology Regulator in issuing licences. State policies and laws that establish an area as a GM-free zone mean that a license issued by the regulator for release of a GMO is invalid.

THE LEGAL POSITION AS OUTLINED BY THE ENVIRONMENTAL DEFENDERS OFFICE (SA) INC.

“... it is worth stating at the outset that, as with the “nuclear-free zones” of past decades, there is potential symbolic value in local Council declarations, even if these turn out to be unenforceable or technically outside the Council’s powers. The publicity and signage which would accompany a declaration of a GM-free zone would have great educational or awareness-raising value beyond the strict legal enforceability of the declaration.”

**ENVIRONMENTAL DEFENDERS OFFICE
(SA) INC.****Council food contracts to be GM-free**

“A Council has wide powers to enter into contracts, including contracts for the supply of food for council functions such as in-house catering, swimming pool kiosks, Meals-on-Wheels etc. Generally speaking, individuals are free to choose who they wish to enter contracts with and the terms of those contracts within general consumer protection or anti-discrimination laws. Councils have a number of additional restrictions on their ‘freedom of contract’, however these are not insurmountable.

Most Councils already have policies on ‘contracts and tendering’ pursuant to s.49 of the Local Government Act 1999 (SA). These policies could be amended to provide that Council will only purchase food that is certified GM-free. Depending on the other terms of the contract, if the food supplier breached the ‘GM-free’ term, then the council may be entitled to terminate the contract.

Similar arrangements could be made with out-sourced food contracts, however it would be important to specify in the contract that the contract is for the supply of GM-free food, rather than specifying that certain manufacturers’ products are not to be used.

The Commonwealth Trade Practices Act 1974 contains a number of provisions designed to limit restrictions on competition and to prevent secondary boycotts. These are unlikely to be relevant to Councils unless a Council sought to expand its GM-free policy by refusing to do business with suppliers who also deal in GMO food. Provided a Council’s policy and its contracts specify that all food supplied is to be GM-free, then there should be no legal difficulties. Of course the practical difficulties of identifying GM food in the absence of a comprehensive labelling regime still remain.”

The Greenpeace True Food Guide lists companies and products that have GM, GM-free and transitional policies and practices.

> See www.greenpeace.org.au/truefood/ for a complete list

FSANZ (Food Standards Australia New Zealand) guidelines on GM labelling require food processors to have documentation of whether or not their food products were produced using gene technology so that suppliers should be able to easily deliver GM-free foods at no additional cost. Remember, only GM soy, corn, canola and cotton products are sold commercially.

ENVIRONMENT DEFENDERS OFFICE LTD. NSW**With regard to requiring all council food services to be GM-free.**

“This could be achieved by a council passing a resolution to the effect that all contracts for food supplies must require that the supplier provide only GE-free food. We consider that such a resolution would be within a council’s power to make, and that such a resolution, and the resulting contracts, are unlikely to be in breach of the Commonwealth Trade Practices Act 1974.”



What is GM?

Genetic Manipulation (GM) cuts genes (bits of DNA) from one organism and pastes them into another to create a new organism with a trait copied from the original. The new organism is called a genetically manipulated organism (GMO), or a genetically engineered organism (GEO).

GM is a form of biotechnology. In one case, a gene was experimentally transferred from an arctic flounder into a tomato to attempt to make the fruit more frost resistant. In nature there is no way a gene from a fish could ever cross species boundaries into a plant.

The benefits of GM-free

THE HEALTH AND SAFETY OF OUR COMMUNITIES

Potential food allergies, unanticipated toxicity, the possibility of creating new viruses and/or antibiotic resistant bacteria, cancer risks and nutrient deficiencies, are possible outcomes of eating genetically manipulated foods that have not yet been adequately tested, are not being monitored in a systematic or ongoing way, and are subject to inadequate health standards.

THE LIVELIHOOD OF FARMERS AND THE ECONOMIC VIABILITY OF OUR OVERSEAS MARKETS.

Contamination of GM-free grain and oilseeds will severely affect the commercial viability of both domestic and overseas markets. It is yet to be shown that conversion to GM crops gives advantages to anyone but the GM companies. Australia's clean, green, GM-free reputation is well worth protecting.

> See www.non-gm-farmers.com

OUR RIGHT TO MAKE OUR OWN DECISIONS

Shoppers need to make the safe, informed and easy choice to buy GM-free. Until there are clear labels on foods produced using gene technology shoppers are unable to exercise their right to choose.

THE SUSTAINABILITY OF OUR ENVIRONMENT

The long-term consequences of uncontrolled gene transfer and the loss of bio-diversity if GM crops out-compete other crops are not fully known. UK farm-scale trials strongly suggest that canola outcrossing to weeds will have adverse consequences. Given Australia's past history on environmental weeds, these are risks we can ill-afford.

> See www.biointegrity.org

OUR DEMOCRATIC RIGHT

Multi-national companies selling GM seed are patenting the rights to plant material, blocking public access to full discussion on social and cultural implications.

> See www.biotechnology.gov.au

> See www.banterminator.org



An overview of national and state positions

GROWING GM CROPS

In 2003 all States and Territories (except Queensland and the NT) banned the growing of GM crops using powers under Section 21 of the Gene Technology Act 2000. These bans recognise the real and significant threat of contamination that GM crops (especially canola) pose to grain and oilseed markets.

Status of Australian Commonwealth, State and Territory GM bans (June, 2006)

- ACT ban on commercial cultivation of GM canola until 2008. Field trials are exempt.
- SA ban on commercial cultivation of GM food crops until 2008. Field trials are exempt. **However** ten GM canola sites in the Mt Gambier area were used during 2005 to rear GM canola for seed export to Canada.
- > A GM-free SA petition is available from SAGFIN amdean@adam.com.au
- NSW ban on commercial cultivation of GM food crops (including GM canola) until March 2008 but excluding the large-scale GM cotton areas in Northern NSW centred on Narrabri. Field trials are exempt.
- Tas ban on commercial cultivation of GM food crops (including GM canola) until June 2008. Field trials of non-food crops are exempt.
- Vic ban on commercial cultivation of GM canola until Feb 2008. Field trials are exempt. **However** nine GM canola and Indian mustard sites in the Horsham and Hamilton area during 2005 were exempt from the law and permitted to harvest seed for export to Canada.
- WA ban on commercial cultivation of GM food crops (including GM canola) to be reviewed by December 2009. Small-scale field trials are exempt.
- Queensland has no ban, with large-scale GM cotton crops.
- > The GM-free Queensland petition is available from hopequeensland@yahoo.com.au or call Frank Ondrus 07 4639 2135
- NT has a de facto ban on growing GM cotton, even if the OGTR issues licences. The present NT policy should be enacted.

GM-FREE AUSTRALIA





Despite the bans, in October 2005 Federal and State Governments introduced thresholds of contamination: in harvested grain 0.9% and in seed 0.5%.

The government bans were backed by the AWB (marketer Australian Wheat Board), ABB (marketer Australian Barley Board), AGHA (Australian Grain Harvesters Association), UDV (United Dairy Farmers of Victoria), numerous food processors, and many big overseas buyers of clean, green, GM-free Australian food products.

EXPORTING AND MARKETING

Canola producers in Australia gained greater access to export markets after the European Union (the EU) banned GM imports in 1988. A Rural Industries Research and Development Corporation (RIRDC) economic study of GM crops found that:

“GM-adopting countries have lost market share to GM-free suppliers. The US share of the EU’s maize imports has fallen to virtually zero (from around 2/3 in the mid-1990s), as has Canada’s share of EU canola imports (from 54% in the mid-1990s).”

Ethical issues

At present companies can patent genetically manipulated organisms and the technology that produces them. These companies control a significant proportion of the world agricultural seed and chemical markets, and are in a position to exert considerable influence over the global food supply. Many ethical issues arise, including:

- Life can become a commercial property through patenting
- There are few rules on creating new transgenic organisms, including those which include human and animal DNA
- Nature may cease to have any meaning or value
- The diverse philosophical, moral, cultural and religious beliefs of our society may not be respected.

To quote GM-free Tasmania:

“It is important to recognise that a science-based decision may not be appropriate where the majority of the general public has ethical reservations about the creation of transgenic organisms and gene technology per se.”



STAYING GM-FREE

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A Resource Kit for Local Action

The GM Crop Industry has stalled

Genetically manipulated (GM) crops are not the boom industry portrayed by Bayer and Monsanto. The development of four GM crops – soy, corn, canola and cotton – with only two traits – herbicide tolerance and inbuilt insect toxins – is a poor performance, after 25 years and the investment of tens of billions of dollars. The empty promises of drought and salt tolerant crops, and more nutritious, healthy or longer shelf life foods, have failed.

Data from the industry-backed International Service for the Acquisition of Agro-biotechnology Applications (ISAAA) annual review (see: www.isaaa.org) shows most of the GM crop industry stalled years ago. For instance, it shows commercial GM crops are not a global industry. 98% are grown in just 6 countries. This year the USA grows 59%; Argentina 20%; Canada 6%; Brazil 6%; China 5%; and Paraguay 2%. That's 93% of GM crops in the Americas. And GM crops are just 1.6% of global agriculture – smaller than the area of organically grown foods.

The area of GM soybean is still increasing in South America but it causes great environmental and social disruption. In sharp contrast, the area of GM canola stalled in 1999, while corn and cotton acreages have grown very little since then. This is despite ISAAA assessments being inflated by analysing only commercial seed sales and ignoring large amounts of grain and oilseeds being produced from farmer saved seed.

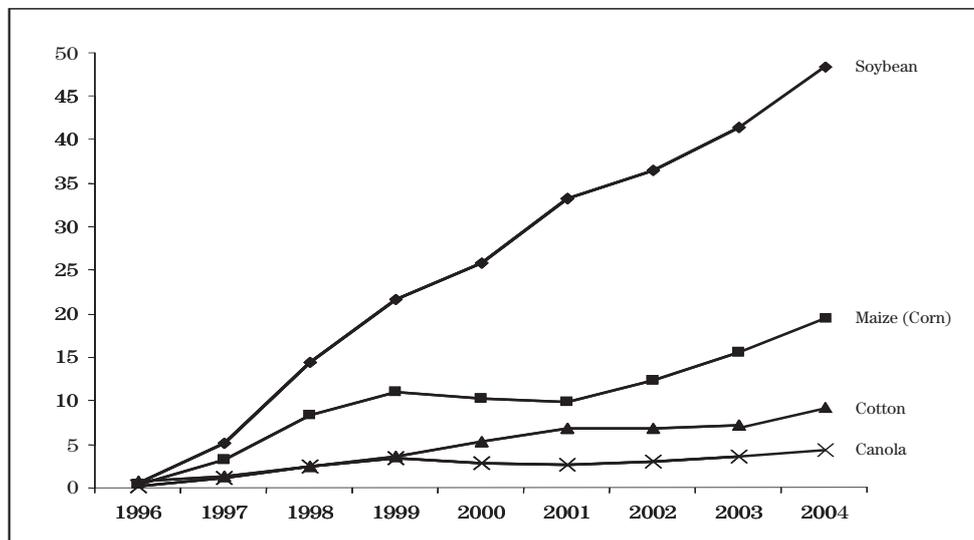
North American growers are so disappointed in GM crop performance that all major farm groups opposed Monsanto's plans to commercialise GM wheat. In 2004 the company cancelled its GM wheat R&D program.

GM technology is unreliable and few commercial uses exist. GM crops expose farmers to the risk of legal action for growing, trading or giving away patented GM seed without paying a licence fee, even where this results from contamination. Yet GM companies accept no liability or responsibility for the impacts of their living products. Industry promises of more stable, nutritious and longer shelf life foods, drought and salt tolerant crops, appear unlikely to be realised. Farm-scale UK research shows GM crops have unacceptable impacts on natural environments. Global public rejection of GM foods means many food processors choose to be GM-free, creating new production and marketing opportunities.

GM technology is not a good investment and investor confidence is waning. The Wall Street Journal of May 20 2004 reported that US biotech firms had raised \$100 billion over the previous 25 years and had posted \$40 billion in losses to then. These losses continue year after year.

Report by The US Center for Science in the Public Interest
<http://cspinet.org/new/pdf/withering_on_the_vine.pdf>

Global Area of Transgenic Crops, 1996 to 2004: by Crop (Million Hectares)



Source: Clive James, ISAAA, 2003/2004.



**STAYING
GM-FREE**

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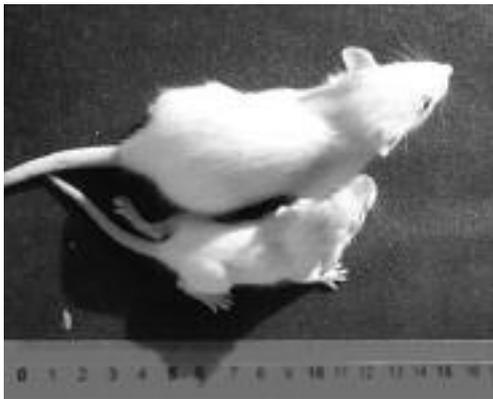
**Foods made using Gene Technology
may not be safe**

Genetically manipulated (GM) foods are in the human and animal food supplies, mostly untested and unlabelled. Evidence that foods made using gene technology may be unsafe is growing, despite the small amount of peer-reviewed research. Results show unpredicted and unintended impacts on animal and human health. Yet only Europe requires scientific research to back GM food approvals! We need an independent inquiry into GM food safety and tougher rules by Food Standards Australia NZ (FSANZ).

The first deaths that implicated GM foods were from the food supplement L-tryptophan in 1989. An epidemic of a serious nerve disorder - eosinophilia-myalgia syndrome (EMS) – occurred, mostly in the USA. Over 95% of cases were traced to L-tryptophan from the Japanese company Showa Denko which made the amino acid using GM microbes. The US Food and Drug Administration found “In all, more than 1500 cases of EMS, including at least 37 deaths, have been reported to the national Centers for Disease Control and Prevention (CDC), although the true incidence of the disorder is thought to be much higher.” Showa Denko destroyed its microbial cultures so the evidence remains disputed.

In the early 1990s researchers also made a GM soybean by adding a brazil nut gene. The variety triggered allergic reactions in people with brazil nut allergies and was withdrawn. Then in 1999, Dr Arpad Pusztai found major health impacts on experimental rats when they were fed GM potato altered with a snowdrop gene to produce lectins, a poison produced to kill damaging insects and worms.

Pusztai’s findings are echoed by the recent cancellation of a decade-long CSIRO project on GM peas with built-in insecticide. CSIRO put a gene from beans into peas, to produce a protein to kill pea weevil. The protein made in the pea is subtly changed and ANU test results, published in the Journal of Agricultural and Food Chemistry (vol 53, p 9023), show mice developed antibodies to the anti-weevil protein, whether raw or cooked. Some mice were also exposed to the GM pea protein through injection into the blood and inhalation. The first group had a hypersensitive skin response and the others had airway inflammation with mild lung damage. See: The Journal of Agricultural and Food Chemistry 2005, 53, Pp. 9023-9030.



**SAME AGED RATS: CONTROL AND
EXPERIMENTAL OFFSPRING IN THE
RUSSIAN EXPERIMENT**

Dr Irina Ermakova, from the Institute of Higher Nervous Activity and Neurophysiology of the Russian Academy of Sciences reported on October 10, 2005 that 55.6% of the offspring from female rats fed GM soy flour died within three weeks. The female rats were fed 5-7 grams of Roundup Ready (RR) soybeans, from two weeks before conception until nursing ended. In contrast, only 9% of the offspring of rats fed non-GM soy died. Offspring from the GM-fed rats were also stunted - 36% weighed less than 20 grams

after 2 weeks, compared to only 6.7% of the non-GM soy control group. Raw mortality data is at: <http://www.regnum.ru/english/526651.html>. FSANZ only says it will review the findings after they are peer reviewed and published, even though RR soy is approved here.

Safety concerns also hang over some varieties of GM corn, approved in Australia as food, despite the many protests of public health groups. Corn variety GT 73, for instance, was found to enlarge the livers of research animals. Another is Monsanto’s MON 863. France’s expert Commission du Genie Biomoleculaire (CGB) recommended it be banned because a leaked Monsanto animal feeding study had found that rats fed MON 863 for 12 weeks developed internal abnormalities, had smaller kidneys and showed worrying changes in blood composition. FSANZ approved MON863 four years ago. Last year it asked Monsanto for the secret study and raw data but as the company insisted on secrecy FSANZ returned the data without review and reconfirmed its approval of MON863. FSANZ allows MON863 to be used unlabelled in modified starch ingredients, refined oil, high fructose and glucose syrups, cereals, baking products, corn chips, dessert mixes and canned foods. Labelled, MON863 corn can be used in starch, semolina and flour.

Lodge your concerns with: <slo@foodstandards.gov.au>



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What is Terminator?

Crop seed sterilisation techniques – officially termed Genetic Use Restriction Technologies (GURTs) by the United Nations – would neutralise the capacity of seed to germinate as it matures in plants. However, as pollen in the flowers of a Terminator plant may remain viable, Terminator genes could be carried into other crops or natural vegetation where they could wreak environmental havoc and threaten food security.

Terminator would be a GE tool with enormous enforcement power. While a plant patent expires after 20 years, once released, Terminator may be forever. The technology owner would retain exclusive control of the chemicals and genetic techniques necessary to restore fertility in the seeds created for sale. Melvin Oliver of the USDA who first conceived of Terminator said, “The new technique is to protect US technology and seed patents.” Seed company Delta & Pine Land is now glasshouse testing what they aptly name their “Technology Protection System”.

Monsanto, the largest commercial GE crop company, is already suing many North American farmers for alleged GE crop patent infringement. The farmers are charged with saving and replanting seeds that contain the company’s patented GE genes, without paying a technology fee. In some cases, the genes may have arrived through cross contamination but that is judged irrelevant, so farmers have had to pay. In commercial crops, Terminator would enable Monsanto to enforce its patents without the costly lawsuits, bad publicity and opposition created by taking hundreds of farmers to court.

If Terminator were commercialised, farmers would be prevented from using the ancient practices of harvesting, selecting, saving and replanting seed, used since agriculture began at least 13,000 years ago. We are all custodians, for future generations, of a wonderfully diverse array of food and fibre crops, developed in the public domain by generations of farmers and seedsavers. But patents, plant breeder’s rights and terminator technologies are being used to privatise the global biological commons without our consent.

Farmers rely on using these processes to adapt their local varieties to unique environmental, soil and management conditions. As climates change globally, local crop development will become even more crucial, especially for the 1.4 billion indigenous people and peasant farmers who (like most Australian farmers and gardeners) depend entirely on farm-saved seed.

Global food security, seed saving and our environment are at risk. Join us in saying ‘no to Terminator’ permanently.



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**Terminator technology: seed-saving
and food security under threat**

Genetic engineering (GE) companies and the US Department of Agriculture (USDA) are developing Terminator (seed sterilisation) technologies. As the GE industry is also the largest owner of seed companies, Terminator offers them permanent monopoly ownership, control and profits from seed fertility and reproduction. In the worst case scenario, no fruits, vegetables or broadacre crops could be grown without buying new seed and paying technology fees year after year.

In 2000, following global public outrage, all the parties to the United Nations Convention on Biological Diversity (CBD) recommended that governments prohibit the field-testing and commercialisation of Terminator, creating a de facto global moratorium.

CASE-BY-CASE

Since early 2005, the Australian, Canadian and New Zealand governments have worked with the US government and GE industry to overturn the CBD's global Terminator moratorium, case-by-case.

Amid public uproar, in 1999 Monsanto's CEO promised, "We are making a public commitment not to commercialise sterile seed technologies, such as the one dubbed 'Terminator'." But its 2006 policy, "does not rule out the potential development and use of one of these technologies in the future. The company will continue to study the risks and benefits of this technology on a case-by-case basis." See: www.banterminator.org.

Our government also advocates case-by-case! Department of Environment and Heritage (DEH) claims the Australian government does 'not have a ban on, or overtly support' Terminator. But it also says that any proposals to release Terminator crops in Australia would be assessed 'on a case by case basis by the Office of Gene Technology Regulator'.

At a CBD meeting in Spain in January, the Australian government delegation argued for precaution to be removed from the moratorium agreement and for Terminator to be assessed and approved, case-by-case. As the US is not a party to the convention and has no official speaking rights or vote at the CBD, US delegates were seen to advise the Australians on the wording of the proposal. Australia again threatened the Terminator moratorium when the CBD met in Brazil, 20-31 March 2006.

The CBD reconfirmed the Terminator moratorium, for the time being, with the support of a global citizens campaign. Over 500 civil society groups worldwide – farmers, indigenous, religious, and environment groups, etc. See: www.banterminator.org/endorsements supported the moratorium but are now calling for a permanent Terminator ban.

Terminator is a technology without redeeming merit and it is absolutely against the public interest. New Brazilian laws prohibit the use, sale, registration, patenting and licensing of Terminator technology and India has banned the registration of Terminator seeds.

Australia should also totally and permanently ban Terminator, to protect food security, farm incomes, crop diversity and the environment, for this and all future generations.



**STAYING
GM-FREE**

Questionnaire

A Resource Kit for Local Action

Please fill in this questionnaire, fold and Freepost with the information requested to GeneEthics Network

1. Was this Resource Kit useful? **Yes.** **No.** Any suggestions for improvements?

2. Have genetically manipulated (GM) crops, animals or microbes been released in your area, either commercially or in field trials? **Yes.** **No.**
3. If YES, does council consider the sites have been adequately managed and de-contaminated to the satisfaction of local people, and in compliance with OGTR requirements?

4. If NO, what steps has your council taken to declare the area a GM-free zone?

5. Has your Council developed policy, passed resolutions or carried out other activities on any aspect of GM technologies? **Yes.** **No.**
6. If YES, please provide documents.
7. Has council developed any effective processes or strategies for remaining GM-free that you could share with other local governments? **Yes.** **No.**
8. Has your council met any opposition or practical problems in implementing policies on GM-free or GM? **Yes.** **No.**
9. Does your council support state government bans on commercial GM crops? **Yes.** **No.**
10. Would your council consider joining an alliance of concerned GM-free local governments if such a coalition were formed? **Yes.** **No.**
11. Are there other issues you think GeneEthics Network should know about?

The name of your council: _____

The council's address: _____

Person completing this questionnaire: _____

Position in Council: _____

Phone: _____

Email: _____

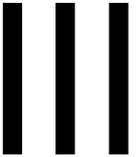
Thank you for providing this information and returning the form promptly. GeneEthics may be able to assist your council to secure further advice and assistance to implement GM-free policies.

FIRST FOLD

Delivery Address:

GeneEthics Network
60 Leicester St
CARLTON VIC 3053

No stamp required
if posted in Australia



GeneEthics Network
Reply Paid 79784
CARLTON VIC 3053

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