



Secretariat  
National Standard Sub Committee  
c/o Department of Agriculture  
Forestry and Fisheries  
GPO Box 858  
CANBERRA ACT 2601

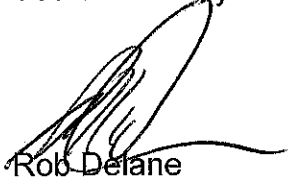
**TO WHOM IT MAY CONCERN**

**APPLICATION TO AMEND THE NATIONAL STANDARD FOR ORGANIC  
AND BIODYNAMIC PRODUCE**

The Department of Agriculture and Food Western Australia (DAFWA) believes that the current Australian standard for organic and biodynamic produce includes requirements that are unworkable and/or restrict business opportunities for Australian producers. We therefore request the standard is reviewed and revised to amend these requirements.

Please find enclosed an application to amend the National Standard for Organic and Biodynamic Produce. If further information is required to support this application, please contact Katherine Smart on 08 9368 3871 or via email at [katherine.smart@agric.wa.gov.au](mailto:katherine.smart@agric.wa.gov.au).

Yours sincerely



Rob Delane  
DIRECTOR GENERAL

5/2/2014

Attachment: Application to amend the national standard

## **APPLICATION TO ALTER THE NATIONAL STANDARD FOR ORGANIC AND BIO-DYNAMIC PRODUCE**

Please address your application to:

Attention: Secretariat  
National Standard Sub Committee  
c/o DAFF  
GPO Box 858  
CANBERRA ACT 2601  
or fax: +61 2 6272 4389, email: [info@oiscc.org](mailto:info@oiscc.org)

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### **Applicant Details**

#### **DATE:**

NAME: Department of Agriculture and Food WA

ADDRESS: 3 Baron-Hay Court, South Perth, Western Australia 6151

Locked Bag 4, Bentley Delivery Centre, Western Australia 6983

TELEPHONE: 08 9368 3871

FACSIMILE: 08 9368 3082

E: MAIL: [katherine.smart@agric.wa.gov.au](mailto:katherine.smart@agric.wa.gov.au)

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**REQUEST TO** (please tick 

ALTER EXISTING POINT(S)

INCLUDE NEW POINT(S)

INCLUDE / REMOVE SUBSTANCES LISTED IN ANNEXES

1) Indicate section and point to be amended.

Sections 3.1.9 should be amended and section 3.3.5 deleted for the reasons outlined below.

2) Indicate section/area to receive new point.

3) Please provide the wording request for inclusion/amendment.

The existing section 3.1.9b should be replaced with the following:

b. The following must be excluded from sale as in-conversion, organic or bio-dynamic:

- Products known to be contaminated by a genetically modified organism that is not licensed by the Gene Technology Regulator under the Gene Technology Act 2000 (Commonwealth) or by a by-product of such a genetically modified organism; and
- Products containing more than 0.9% of a genetically modified organism that is licensed by the Gene Technology Regulator under the Gene Technology Act 2000 (Commonwealth) or of a by-product of such a genetically modified organism.

Section 3.3.5 should be deleted

#### 4) Provide the reason for amendment.

There is concern about the lack of science evidence-based treatment of pesticides and genetically modified (GM) organisms in the current Australian standard. Many pesticides are excluded from organic and biodynamic production systems as it is known that these are toxic. In contrast, the standard excludes all GM organisms and GM products regardless of whether the GM organism or GM product is harmful. This treatment of GM organisms ignores the work of the Australian Gene Technology Regulator in assessing the risk of harm from GM organisms. Section 3.1.9 states "where product has been contaminated with non-permitted substances as a result of factors beyond the control of the certified operator, then:

- a) chemical residue tests of the product must register below 10 per cent of the Maximum Residue Limit before the product can be sold as in-conversion, organic or biodynamic; and
- b) products known to be contaminated by genetically modified organisms, or their products must be excluded from sale."

This means that if a pesticide or a GM material is mixed with an organic product as a result of factors beyond the control of the certified operator, the grower of the product may still sell the product containing up to 10 per cent of the Maximum Residue Limit of the toxic pesticide, but may not sell the product containing any GM material, even if the Australian Gene Technology Regulator has concluded that material is safe to humans and the environment.

The proposed amendment will prohibit sale of produce contaminated with unlicensed GM material or by-product but allow an acceptable tolerance where the GM material involved is licensed under the Gene Technology Act.

The current zero tolerance to GM material in Australian organic products is more stringent than Australian trading partners and so may work as a disincentive to organic and biodynamic producers. The European Union has adopted a threshold of 0.9 per cent presence of GM material in organic products and the United States has no threshold for GM material as long as appropriate steps are taken by the organic producer to comply with organic production methods.

Section 3.3.5 prohibits coexistence of different production systems. It states: "The certification of organic crops, livestock or agricultural products will be withdrawn where genetically modified crops, livestock or agricultural products are grown or produced on the same farm".

Australian growers should be able to choose production systems to produce products to meet customer requirements. If a producer wishes to produce a GM crop for one customer they should have the choice to produce organic product on the same property or using the same production equipment as long as reasonable steps are taken to ensure the quality of the final products. There are sufficient provisions in the standard, including provisions relating to buffer zones, to ensure appropriate protection of an organic/biodynamic production unit without a blanket prohibition of co-existence on one farming property.

Please contact us if further information is required to support this application.

- 5) Requests to include a substance(s) in the Appendices or their Annexes, will need to be supported by material demonstrating that the substance(s) meets the criteria as outlined in Appendix IV.  
A matrix, as provided by the NSSC, must be attached in support of such a request to "include new substances" in the Annexes.
- 6) Requests to remove a substance listed in the Annex, will need to be supported by material that demonstrates that the substance does not meet the criteria as outlined in Appendix IV.

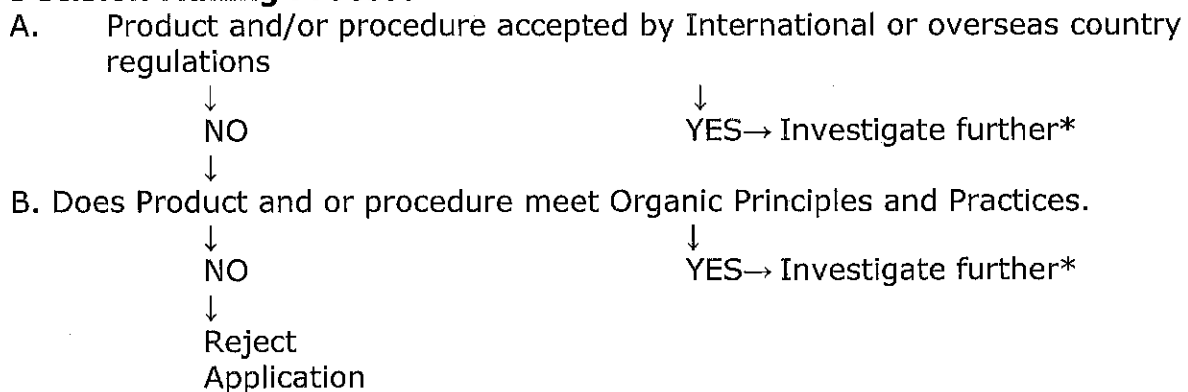
### IMPORTANT INFORMATION

- I In order for the NSSC to make informed decisions on any application presented to them, they will consult with industry by seeking industry experience in regard to the application content. **IT IS THEREFORE ESSENTIAL THAT ANY COMMERCIAL-IN-CONFIDENCE INFORMATION SUBMITTED AS PART OF AN APPLICATION, BE CLEARLY MARKED AS SUCH.** Where this is indicated, **such information will remain with the NSSC**, and not be released for industry consultation. In all other respects an Application to change the National Standard will be considered as part of the public domain.

### II Procedure and Decision Making Process

- 1) Application received; documented and checked all relevant information has been submitted. Secretariat notifies applicant of receipt of application.
- 2) Papers sent to NSSC and meeting arranged to review application.

#### Decision Making Process



Note: \* Investigate further:

- i) Where the application is for a product/substance the criteria listed/outlined in Appendix IV is used as basis for decision making.
- ii) Where an application is for a management practice, both the general principles and fundamental principles for organic / biodynamic are used as a basis for decision making.

- 3) The NSSC decide to accept or reject an application based on the above decision making process.

Note - the committee may request further information or clarification from the applicant during the decision making process. Where this occurs, the applicant has 4 weeks in which to respond to the additional request(s). Failure to respond within this timeframe will result in the application being deemed withdrawn and no longer considered.

- 4) OISCC (owner of the National Standard) is notified of the NSSC decision, and asked to accept the recommendation made by the NSSC.
- 5) OISCC makes final decision with regard to changes to the National Standard.
- 6) Applicant is notified of final decision