

12 February 2002

Secretary
Finance & Expenditure Select Committee
Parliament Buildings
Wellington

Dear Sir/Madam

**Re: Hazardous Substances and New Organisms (Genetically Modified Organisms)
Amendment Bill**

Thank you for the opportunity to make a submission on this Bill.

The Forest Owners' Association is a voluntary organisation representing the interests of commercial forest growers. The Association has 215 members whose forest holdings represent approximately 85% of New Zealand's commercial forest estate. The members include all the major forest corporates, the majority of medium sized forest companies, many forest syndicates, and a number of farm foresters.

The Association has long recognised the potential value to the forest sector from biotechnology including the potential uses of Genetically Modified Organisms (GMO). A number of forest companies have invested significant time and money in researching the physiology and genetics of radiata pine.

Several member companies made extensive submissions to the Royal Commission on Genetic Modification supporting continued access to GM as a research and development opportunity. They emphasized that this technology requires appropriate control and therefore regulation.

The Association is aware of the wider public and consumer interest in the GM issue. It supports the call for publicly accessible information/explanation to promote informed debate and hopefully greater public acceptance of GE technology over time.

The Association's specific comments on the Bill are as follows:

a) **Additional matters to be considered for certain field tests –**

Sub clause 6 (2)(b) makes reference to alternative methods of achieving the research objectives “that is as effective as, or more effective than, the field test.”

This concern relates to the presumption that research objectives and methodologies be subject to scrutiny by ERMA and/or the public. The Association contends that ERMA's role as described in this section is appropriately covered in sub clause 6 (2)(a) relating to the safety and ecological effects of the field test.

The effectiveness or otherwise of a research methodology will almost always be open to debate, the essence of research being the investigation of the unknown. It is possible to interpret something as subjective as the “effectiveness” of a research programme in many different ways depending upon individual motivation.

It is the Association’s view that research methods are a matter for the scientists undertaking the research, subject of course to the safety of the test method and the control of adverse ecological effects.

Recommendation:

Delete sub clause 6 (2)(b).

(b) **Containment and other controls required for certain field tests.**

The intent is to ensure that heritable material produced by field tests is not released from containment.

Experience with ERMA’s field test approval process suggests that public understanding of definitions of ‘heritable material’ and therefore the risk of dispersal to the environment is limited. Particular difficulties can arise in distinguishing between material that is incapable of unassisted biological reproduction, as distinct from genetic material which could lead to a viable organism through artificial means. The Association therefore suggests amendment of this clause to reduce the scope for confusion.

Recommendation:

Replace the words “heritable material” with the term biological material capable of unassisted replication.

Amend sub clause 7 (1)(e) to “all material associated with test (and with the capacity for unassisted replication) is capable of being –”

The Association does not wish to be heard in support of this submission.

Yours sincerely

Rob McLagan
Chief Executive