

21 March 2004



Background Briefing

**Re: Monsanto Application A524 - Glyphosate tolerant wheat and FSANZ failure to release scientific information.**

The New Zealand Institute of Gene Ecology responded to an invitation for public submissions from Food Standards Australia New Zealand (FSANZ) for submissions on Application A524 - Glyphosate tolerant wheat. In that invitation, FSANZ specifically requested comment on "Scientific aspects of this application, in particular, information relevant to the safety assessment of food from wheat line MON 71800".

On 11 March 2004 we requested access to pertinent scientific information regarding the genetically engineered organisms via the NZFSA website. We received a reply on 12 March directing us to a non-technical document. That document did not contain data of sufficient scientific detail. The New Zealand Food Safety Authority (NZFSA) then directed us to the Australian Standards Liaison Officer who replied 15 March as follows to our request:

"The scientific data that has been submitted in support of the application has been placed on a Public Register file and is available for viewing by members of the public. This is a standard procedure for all applications to amend the Food Standards Code. The Public Register files for any application are viewed in the offices of Food Standards Australia New Zealand (FSANZ), in either Wellington or Canberra."

It has come to our attention, however, that the documents were not, in fact, available for review by the New Zealand public. Co-leader of the Green Party, the Hon. Jeanette Fitzsimons, stated in Parliament 17 March that the scientific documentation did not reside in New Zealand and were not expected on our shores prior to Monday, March 22. This would leave approximately 7 working days for the citizens of New Zealand to secure an appointment for viewing the documents, travel to Wellington, read the documents and then compose a well-researched submission because FSANZ has set 31 March as the deadline for submissions. Clearly, this is a breach of the spirit of the process as well as FSANZ's standard procedure.

The Hon. Annette King, Minister for Food Safety, indicated in Parliament on 17 March that the process has two stages of public consultation (and one final public information stage). However, each stage has specific goals to achieve and that can influence subsequent stages. This stage in the public consultation process is meant to identify issues for, among other things, a subsequent scientific risk assessment. The public has this one opportunity to identify areas of concern and priority for that risk assessment. We would expect, for example, that the scientific data will include details of animal feeding studies, analyses of chemical compositions of the genetically engineered wheat, detailed molecular characterizations of insertions (e.g. number and location, full length and fragments), and additional characterizations such as microarray and proteomic profiles. This data, or its description, may raise additional

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questions from the scientific community which would be critical for the subsequent scientific risk assessment. Our concern is that if the public were to miss their opportunity to consult properly at this stage, downstream stages will be compromised.

FSANZ's standard procedure is to seek the wisdom of the public, but it does so by offering only a hard-copy document, making it available only in Wellington, charging the public \$25 to view the document (after granting them an appointment) and charging an additional cost recovery of 20 cents/page for copying the document. According to the Minister, the document is "about a foot high", in our view making photocopying prohibitively expensive for many New Zealanders, most of whom in any case are unlikely to be able to find the time or money for a trip to Wellington at short notice, and repeat the exercise for each application to come before FSANZ.

The NZIGE believes that this standard procedure produces unnecessary and unhelpful barriers to public consultation, and thus could further undermine public trust in the regulatory process. Electronically formatted material is now the established norm for distribution of documents for consultation. There are many examples of this on the government's own websites. The size of the document is immaterial. The documents prepared by Monsanto must be available in electronic format; it should simply be a matter of creating a link on the FSANZ or NZFSA homepage. We find it wholly unacceptable that FSANZ and NZFSA have not provided electronic access to the many New Zealanders who do not reside in Wellington, much less those who happen to be overseas during this window for consultation.

We have written to the Minister, Andrew McKenzie, Executive Director NZFSA, and Ms Linda Graf, FSANZ, asking whether the consultation process was to be extended in light of this delay and whether the documents could be made available in electronic format. We have received no reply as of this time.

The NZIGE would like to see this matter clarified urgently.

Sincerely



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Director

<http://www.greens.org.nz/searchdocs/PR7266.html>

<http://www.scoop.co.nz/mason/stories/PA0403/S00403.htm>