



ERMA NEW ZEALAND

INFORMATION SHEET

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Genetically Modified Food and the HSNO Act

Introduction

Genetically modified food is a topic of significant public interest. This information sheet explains the role of ERMA New Zealand under the Hazardous Substances and New Organisms Act (the HSNO Act) with respect to the production, import and sale of genetically modified food.

What is genetically modified food?

Genetically modified food is food that is a live genetically modified organism or contains ingredients derived from genetically modified organisms (GMOs). (For an introduction to genetic modification and GMOs, see ERMA New Zealand's Information Sheet *Genetic modification: an overview*.)

The HSNO Act and genetically modified food

The role of ERMA New Zealand under the Act is the protection of the environment and the health and safety of people. The Authority does not have a role related to the maintenance of food safety or the labelling of foods – that is the responsibility of the New Zealand Food Safety Authority.

ERMA New Zealand controls the development, importation, field testing or release of genetically modified **organisms**. Its control over genetically modified food is limited to cases where the food is a living organism, able to be propagated. For example, the HSNO Act covers genetically modified potatoes, but not cooked potato chips.

It would cover fresh genetically modified tomatoes or sweet corn with viable seeds, but not processed tomatoes or corn. It would even cover genetically modified vegetables such as lettuce which could be propagated in tissue culture.

Do we already have genetically modified food growing in New Zealand?

No. Currently there is no genetically modified food growing in New Zealand. Before anyone can grow genetically modified food they must apply both to ERMA New Zealand for an approval under the HSNO Act and to the New Zealand Food Safety Authority for approval under our food law.

Prior to the commencement of the HSNO Act for new organisms in July 1998, there may have been occasions when genetically modified plants and animals were imported into New Zealand into containment under a voluntary process for oversight of gene technology.

The development, field testing or release of genetically modified organisms was covered by the Advisory Committee on Novel Genetic Techniques (ACNGT) and the Interim Assessment Group (IAG), which reported to the Minister for the Environment and operated from 1978 to 1998 for the ACNGT and from 1988 to 1998 for the IAG. However these systems were voluntary arrangements with no legal requirement for an importer to apply under statute. The introduction of the HSNO Act has strengthened considerably the regulation of genetically modified organisms making it a mandatory requirement to get approval from ERMA New Zealand.

The ACNGT and IAG gave consent for a range of genetically modified food crops to be either developed or field tested in containment but not released e.g. potatoes and sweetcorn. Recently, contained field tests of GM potatoes and GM onions for research purposes have been approved by ERMA New Zealand under the Hazardous Substances and New Organisms Act 1996.

To date no approval has been given for conditional or full **release** of a genetically modified food crop into the New Zealand environment. 'Full release' would mean that the crop could be grown, without controls, anywhere in New Zealand and put on the market.

Any genetically modified food that may be available in New Zealand is imported in accordance with New Zealand food laws (see below).

Role of the Food Standards Australia New Zealand and the New Zealand Food Safety Authority

Food Standards Australia New Zealand (FSANZ) (formerly ANZFA) is responsible for developing food standards within the Food Standards Code. The Food Standards Code is adopted into New Zealand food law and covers labelling and compositional standards. Standard 1.5.2 lists foods produced using gene technology that are permitted for sale and the specific labelling required.

The New Zealand Food Safety Authority (NZFSA) implements the food legislation in New Zealand. The NZFSA is responsible for the safety and labelling of any genetically modified food sold in New Zealand.

Further information

For further information on the legislation controlling the development, importation, testing or release of GMOs and other "new organisms", contact ERMA New Zealand, or visit the website at www.ermanz.govt.nz
For information on the food legislation relating to the sale of GM Food visit the website at www.nzfsa.govt.nz or contact NZFSA on 04 463 2500

ERMA New Zealand publishes information sheets on a range of topics to provide background information on current issue or proposals being dealt with by the Authority.

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