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 Agriculture, Fisheries and Conservation Department
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Re: Consultation Document: Genetically Modified Organisms (Control of Release) Bill - Draft Genetically Modified Organisms (Documentation for Import and Export) Regulation

Dear Sir/Madam,

CropLife International appreciates the opportunity to provide comments and ask questions regarding Hong Kong's "Consultation Document: Genetically Modified Organisms (Control of Release) Bill - Draft Genetically Modified Organisms (Documentation for Import and Export) Regulation.

CropLife International is a global federation representing the plant science industry and works to address international developments in the areas of crop protection, agricultural biotechnology, and sustainable agriculture. Under its mandate, CropLife International has recently formed an Emerging Regulatory Systems Task Force with senior level representatives from BASF, Bayer CropScience, Dow AgroSciences, DuPont, Monsanto and Syngenta. The purpose of this Task Force is to provide advice and support that enables countries wishing to adopt agricultural biotechnology to develop and deploy efficient and effective science-based regulatory systems. Our goal is to encourage the implementation of appropriate safeguards and product stewardship practices that will facilitate the development of new markets for agricultural biotechnology products.

The Task Force appreciates and commends the efforts of Hong Kong to promulgate regulations that ensure farmer benefits from the domestically produced and imported biotechnology-derived crops. Thus, we offer the following comments only as suggestions to best facilitate the intended implementation:

- As written in Article 11 regarding documentation requirements, we commend the consistency of this language with the decisions by the Parties on this issue for all three categories (GMO-FFP, contained use and intentional introduction into the environment). To assist in further implementation, we have attached, as Appendix 1 to this letter, model templates for invoices/shipping documents that are consistent with this Article.
- We support that language and the intent of Article 12 on Adventitious Presence. We agree that some mixing is inevitable and appreciate the transparency by which the practical limitations of

agricultural product handling and transportation are portrayed. However, we respectfully suggest that the word 'contaminate' be replaced with 'incidental presence' or with 'unintentional and incidental commingling.'

- We strongly support the 5% threshold for GMO-FFP as outlined in Article 13 under the Adventitious Presence discussion. We respectfully suggest that the threshold for intentional release be increased from 0% threshold. Zero (0%) thresholds are impossible to achieve, despite the rigorous application of good laboratory and agricultural practices and company product stewardship. There are no scientific relevance or safety considerations to warrant the imposition of a zero-tolerance policy. Rather we suggest adopting seed purity level standards to apply to the threshold for intentional release.
- As provided in Article 14 on Form of Documentation, we strongly support this section. The use of commercial invoices and shipping documents is sufficient to allow for easy recognition of the product. As referred to previously, to best assist with the implementation of this Bill, in Appendix 1 to this letter we offer model templates for your consideration.

In closing, we would be happy to engage in further discussion with you on these matters, including how CropLife International's Emerging Regulatory Systems Task Force may contribute to your efforts.



Denise Dewar
Executive Director, Plant Biotechnology



Donald J. MacKenzie
Chair, Emerging Regulatory Systems Task Force