



Government
of South Australia

The Hon Clare Scriven MLC

Our ref: eA197411
Obj ID: A5484709

Hon Nicola Centofanti MLC
Member of the Legislative Council
Parliament House
ADELAIDE SA 5000

Dear Ms Centofanti

Determination under the *Freedom of Information Act 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the Act) received by the Office of the Minister for Primary Industries and Regional Development and the Office of Minister for Forest Industries on 6 June 2022 requesting access to the following:

“A copy of all documents (including but not limited to hard copy or electronic briefings, minutes, reports, emails, letters, meeting agendas, diary entries, and any other correspondence) to the Minister for Primary Industries and Regional Development (including directly with staff within the office of the Minister for Primary Industries) regarding genetically modified crops.”

Timeframe: 21/03/2022 to 1/06/2022

Accordingly, the following determination has been finalised.

I have located six documents that are captured within the scope of your request.

Determination 1

I have determined that access to the following documents is **granted in full**:

Doc No.	Description of document	No. of Pages
5	Email from City of Onkaparinga to PIRSA:Minister Scriven dated 8/4/2022 enclosing letter to the Minister for Primary Industries and Regional Development re GM crops	2

Minister for Primary Industries and Regional Development
Minister for Forest Industries

GPO Box 1671 Adelaide SA 5001
Telephone 08 8226 2931 | Email minister.scriven@sa.gov.au



Determination 2

I have determined that access to the following documents is **granted in part**:

Doc No.	Description of document	No. of Pages
2	Email to PIRSA:Minister Scriven dated 19/4/2022 re the lifting of the GM moratorium	1
3	Minute from Chief Executive, PIRSA to Minister for Primary Industries and Regional Development, Minister for Forest Industries dated 28/4/2022 re Correspondence re GM crops and glyphosate	4

The information removed from the above documents is refused pursuant to Clause 6(1) of Schedule 1 of the Freedom of Information Act which states:

“6 - Documents affecting personal affairs

(1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).”

The information removed from Document 2 consists of the name of the author of the correspondence and residential location.

The information removed from Document 3 consists of the following:

- Name of the author of the correspondence
- Home address
- Private email address

It is considered that a member of the public can correspond with a Minister without fear that their identity is released.

Accordingly, it is considered that disclosure of this information would be an unreasonable intrusion into the privacy rights of the individuals concerned.

Determination 3

I have determined that access to the following documents is **refused**:

Doc No.	Description of document	No. of Pages
1	Letter to Minister for Primary Industries and Regional Development, Minister for Forest Industries dated 29/3/2022	1
2a	Attachments to Document 2 – Personal notes	5

Access to the above documents is refused pursuant to Clause 6(1) of Schedule 1 of the Freedom of Information Act.

Document 1 consists of a congratulatory letter containing a personal note.

Document 2a consists of two attachments to Document 2 and contains information of private concern to an individual.

The term 'personal affairs' has been held to involve 'matters of private concern to an individual' and the 'composite collection of activities personal to the individual concerned'.

It is considered that an individual can correspond with a Minister without fear that their personal information and opinions are released into the public domain.

Accordingly, it is considered that disclosure of this information would be an unreasonable intrusion into the privacy rights of the individuals concerned.

Determination 4

I have determined that access to the following document is **refused**:

Doc No.	Description of document	No. of Pages
4	Parliamentary Briefing Note dated 26/4/2022	2

Access to the above document is refused pursuant to Clause 17(c) of Schedule 1 of the Freedom of Information Act which states:

"17 – Documents subject to contempt etc

*A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown –
(c) infringe the privilege of Parliament."*

The document consists of a briefing note which was specifically prepared for the purpose of use in proceedings in Parliament. Disclosure of this information would infringe the privilege of Parliament.

If you are unhappy with this determination you are entitled to exercise your rights of external review with the Ombudsman SA. Alternatively, you can apply to the South Australian Civil and Administrative Tribunal (SACAT). If you wish to seek a review, you must do so within 30 calendar days of receiving this internal review determination.

For more information about seeking a review or appeal, please contact the Ombudsman SA on telephone (08) 8226 8699 or SACAT on 1800 723 767.

Should you require further information or clarification with respect to this matter, please contact Ms Lisa Farley on 8226 2931 or email: Minister.Scriven@sa.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "C. M. Scriver" with a short horizontal line extending from the end of the name.

Hon Clare Scriver MLC

**MINISTER FOR PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT
MINISTER FOR FOREST INDUSTRIES**

8 / 7 / 2022

Farley, Lisa (PIRSA)

From: Karen Carter <Karen.Carter@onkaparinga.sa.gov.au>
Sent: Friday, 8 April 2022 4:36 PM
To: PIRSA:Minister Scriven
Cc: mawson@parliament.sa.gov.au
Subject: Correspondence congratulating Minister Scriven
Attachments: Correspondence congratulating Minister Scriven.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister,

Please find attached correspondence from Cr Simon McMahon, Acting Mayor at the City of Onkaparinga.

Kind regards,
Karen

Karen Carter
Executive Officer to Scott Ashby
Chief Executive Officer
P (08) 83840670
M 0414 362 583
karen.carter@onkaparinga.sa.gov.au
www.onkaparingacity.com



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From the office of the Mayor
City of Onkaparinga

Our Reference: 5730170

8 April 2022

The Honourable Clare Scriven MLC
Minister for Primary Industries and Regional Development
Minister.Scriven@sa.gov.au

Dear Minister Scriven

Congratulations your appointment to the ministerial portfolios of Forest Industries and Primary Industries and Regional Development in the new South Australian government. On behalf of the City of Onkaparinga I look forward to working with you to deliver for our communities.

I also write to raise a very important issue for our City, of relevance to your Primary Industries and Regional Development portfolio.

As you may be aware, council strongly advocated to the previous government to protect the McLaren Vale region's unique trade advantage as a 'clean, green' wine region by designating Onkaparinga as an area where genetically modified crops cannot be grown.

I would be pleased to discuss with you the opportunity for the new state government to reinstate the moratorium for GM crops in the McLaren Vale region.

This would be of great support to the wine and grape producers in our region, particularly those which have invested in organic/biodynamic certification, allowing them to continue to ensure they can maintain exports to markets requiring genetically modified free produce.

Please have your office contact Ms Michelle Wilby on 8384 0118 or michelle.wilby@onkaparinga.sa.gov.au to arrange a time for us to meet.

Congratulations once again and I look forward to working with you to deliver for residents of the City of Onkaparinga.

Yours sincerely

Cr Simon McMahon
Acting Mayor

CC: Leon Bignell, Member for Mawson, mawson@parliament.sa.gov.au



City of Onkaparinga
PO Box 1
Noarlunga Centre
South Australia 5168
www.onkaparingacity.com

Noarlunga office
Ramsay Place
Noarlunga Centre
Telephone (08) 8384 0666
Facsimile (08) 8382 8744

Aberfoyle Park office
The Hub
Aberfoyle Park
Telephone (08) 8384 0666
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Willunga office
St Peters Terrace
Willunga
Telephone (08) 8384 0666
Facsimile (08) 8382 8744

Woodcroft office
175 Bains Road
Morphett Vale
Telephone (08) 8384 0666
Facsimile (08) 8382 8744

Farley, Lisa (PIRSA)

From: Clause 6(1)
Sent: Tuesday, 19 April 2022 10:23 PM
To: PIRSA:Minister Scriven
Subject: Cancer connection
Attachments: Luminal B.docx; Partner view.docx

Dear Minister,

Cancer has recently featured in my life - I have been caring for my partner who was diagnosed with Luminal B breast cancer in October and is continuing to undergo treatment. This will continue for about 5 years.

During her treatment I have recorded her and my experience and some discoveries made along the way. I have attached them - if you're interested.

Please note the connections with your portfolio and perhaps undertake measures to address a wrong done during the term of the previous government - long may they wander in the wilderness.

To lift the GM moratorium in the way it was done was a blatant abuse of power.

It would be wonderful to see the moratorium reinstated but I imagine this is impossible.

However in light of South Australia's leading and unique policy on drink containers, to have meaningful labeling laws in SA would be a joy to see and earn the gratitude of the many who value the providence of their food.

Yours Sincerely

Clause 6(1)

Clause 6(1)



Minute to
Minister for Primary Industries and Regional Development
Minister for Forest Industries



Ref: eA197113

For	Noting and Signature
Critical Date	Nil
Subject	Correspondence <small>Clause 6(1)</small> [REDACTED] re: GM crops and glyphosate.

Synopsis

You have received correspondence from Clause 6(1) [REDACTED] with concerns regarding both the health and safety of glyphosate containing herbicides and last year's regulatory reforms allowing all mainland South Australian farmers (except Kangaroo Island) to cultivate Genetically Modified (GM) food crops. A draft response has been prepared referring him to the Commonwealth regulatory authorities responsible for assessment and regulation of chemicals and Genetically Modified Organisms (GMOs).

Recommendations

That you:

- Note the brief
NOTED
- Approve and sign the attached letter
APPROVED/NOT APPROVED

with attached edits

C.M. Scriven
.....
Hon Clare Scriven MLC
**Minister for Primary Industries
and Regional Development**
Minister for Forest Industries
29/5 / 2022

Ministerial Comments
3/6 letter now signed

Background

- ^{Clause 6(1)} [redacted] emailed you on 19 April 2022 regarding both the health and safety of glyphosate containing herbicides and last year's regulatory reforms allowing all mainland South Australian farmers (except Kangaroo Island) to cultivate Genetically Modified (GM) food crops.
- ^{Clause 6(1)} [redacted] has written previously to a former Minister (refer eA190031) about his views on GM crops where he argued against lifting the moratorium in South Australia based on markets and farm contamination but did not mention any health issues behind his concerns in that correspondence.
- He has researched material from the internet that links cancer (including breast cancer) with the use of herbicides containing glyphosate. The email references papers published by "Giles Eric Serelini" most likely referring to Gilles-Éric Séralini, a French academic activist on genetically modified organisms and foods.
- The *Genetically Modified Crops Management (Designated Area) Amendment Bill 2020* (Bill) was assented to on 15 May 2020 lifting the moratorium on GM food crops on mainland South Australia from 15 November 2020.
- Kangaroo Island was prescribed as the only designated area in which no genetically modified food crops may be cultivated due to possible risks to an established export business exporting to the Japanese market for non-GM canola.
- The Commonwealth's *Gene Technology Act 2000* establishes a national cooperative regulatory scheme for gene technology, dealing with human health and environmental impacts of GM organisms. The scheme is administered by the Office of the Gene Technology Regulator (OGTR) in the Commonwealth Department of Health.
- The Commonwealth Government is also responsible for the assessment of safety, efficacy and registration of veterinary medicines and pesticides through the Australian Pesticides and Veterinary Medicines Authority (APVMA).

Discussion

- Several published papers by Séralini were retracted by the publishing journal after the science community questioned the papers as being not based on sound science or were a statistical misinterpretation of data, with some regulatory authorities also questioning the independence of the Séralini research.
- The APVMA has published a statement regarding its assessment of the health sciences for glyphosate and its environmental impacts on its website (refer <https://apvma.gov.au/node/13891>). In summary, the APVMA has not found evidence that warrants reassessment of the Australian registration of glyphosate for uses in accordance with the registered labels for the chemical.
- A draft response has been prepared to ^{Clause 6(1)} [redacted] advising that the States can only regulate GM crops for marketing and trade purposes and that decisions around the science relating to health and the environment of GM and chemicals are covered by Commonwealth legislation.
- The letter provides contact details for both the Commonwealth regulators - the OGTR and the APVMA so he can raise his health and environment concerns on the use of glyphosate containing herbicides and GM crops with the appropriate regulators.

Attachments

A. Draft letter of response to

Clause 6(1)
[Redacted]



for

CHIEF EXECUTIVE

Department of Primary Industries and Regions

28/4/2022

CONTACT	Peter Appleford
POSITION	Executive Director
DIVISION	Industry and Regional Development
MOBILE and LANDLINE	0412 797 720 / 8429 2290
PREPARED BY	Dave Lewis

eA190031



Government
of South Australia

The Hon Clare Scriven MLC

Clause 6(1)

Email:

Clause 6(1)

Dear

Clause 6(1)

Thank you for your email of 19 April 2022. I am very sorry to hear about how cancer has impacted on your partner and your life together.

Your email also outlined your views regarding the cultivation of Genetically Modified (GM) crops in South Australia and your concerns regarding the use of herbicides containing the active ingredient glyphosate.

The *Commonwealth's Gene Technology Act 2000* establishes a national co-operative regulatory scheme for gene technology, dealing with human health and environmental impacts of GM organisms. The scheme is administered by the Office of the Gene Technology Regulator (OGTR) in the Commonwealth Department of Health. State governments may only regulate GM crops where there are risks to markets and trade. The details for contacting the OGTR are available on the website at www.OGTR.gov.au.

The Commonwealth Government is also responsible for the assessment of safety, efficacy and registration of veterinary medicines and pesticides through the Australian Pesticides and Veterinary Medicines Authority (APVMA). The APVMA has published a statement regarding glyphosate on its website apvma.gov.au/node/13891. You can contact the APVMA via email at enquiries@apvma.gov.au if you require further information.

Once again, thank you for writing to me on your concerns on GM cropping and glyphosate containing herbicides and I wish you and your partner well.

Yours sincerely

A handwritten signature in black ink that reads 'Clare Scriven'.

Hon Clare Scriven MLC

**MINISTER FOR PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT
MINISTER FOR FOREST INDUSTRIES**

3 / 6 / 2022

Minister for Primary Industries and Regional Development
Minister for Forest Industries

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