

Australian Capital Territory

Gene Technology (GM Crop Moratorium) Moratorium Order 2014 (No 1)*

Disallowable instrument DI2014 - 274

made under the

Gene Technology (GM Crop Moratorium) Act 2004, s 7 (Moratorium Orders)

1. Name of instrument

This instrument is the *Gene Technology (GM Crop Moratorium) Moratorium Order 2014 (No 1)*.

2. Commencement

This instrument commences on the day after notification.

3. Determination

Pursuant to section 7 of the *Gene Technology (GM Crop Moratorium) Act 2004*, I prohibit in the ACT the cultivation in the open environment of the class of genetically modified (GM) food plant specified in Schedule 1.

Katy Gallagher MLA
Minister for Health
9 October 2014

*Name amended under Legislation Act, s 60

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Schedule 1



1. Class of food plant to which this Moratorium Order applies

This Moratorium Order applies to GM food plants of the species *Brassica napus*, common name canola, tolerant to two different herbicides (glyphosate and glufosinate ammonium) and a hybrid breeding system (known as *InVigor® x Roundup Ready®* canola). *InVigor® x Roundup Ready®* canola was produced by conventional breeding between GM *InVigor®* canola lines and GM *Roundup Ready®* canola, which were separately assessed and approved by the Gene Technology Regulator (the Regulator) in 2003 for commercial release under licences DIR 021/2002 and DIR 020/2002, respectively.

The *InVigor® x Roundup Ready®* canola contains genes from common bacteria conferring tolerance to the herbicides glufosinate ammonium and glyphosate. In addition, some of the *InVigor® x Roundup Ready®* canola lines contain genes from common bacteria conferring a hybrid breeding system and/or an antibiotic resistance gene. The antibiotic resistance gene was used to identify genetically modified plants during their initial development in the laboratory.

Identity of the genes responsible for the modified traits:

- Glyphosate herbicide tolerance conferred by the *cp4 epsps* gene obtained from the bacterium *Agrobacterium sp.* strain CP4 and the *goxv247* gene obtained from the bacterium *Ochrobactrum anthropi* strain LBAA
- Glufosinate-ammonium herbicide tolerance conferred by the *bar* gene obtained from the bacterium *Streptomyces hygroscopicus* and/or the *pat* gene obtained from the bacterium *Streptomyces viridichromogenes*
- A hybrid breeding system consisting of the barnase (male sterility) and barstar (fertility restorer) genes derived from the bacterium *Bacillus amyloliquefaciens*
- Antibiotic resistance conferred by the *nptII* gene derived from the bacterium *Escherichia coli*

The modification is further defined in the application under Section 40 of the Commonwealth *Gene Technology Act 2000* (the Commonwealth Act) designated DIR 108/2011 made to the Gene Technology Regulator constituted pursuant to the Commonwealth Act.

Note This order applies only to canola plants (known as Bayer's *InVigor®* x *Roundup Ready®* canola) which have been genetically modified and have been licensed under the Commonwealth *Gene Technology Act 2000* for intentional release into the environment. The order applies to any canola plant which derives its glyphosate tolerance from the specified genetic modification whether that modification was to that plant or to any other plant from which that plant is derived (see definition of GM food plant in the *Gene Technology (GM Crop Moratorium) Act 2004*).