



# GE Free New Zealand

In Food and Environment Inc.

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Kiaora Mr. Atapattu and Ms. Duignan,

Thank you for your quick response to my telephone call regarding the AgResearch Annual Report 2014 -2015 for ERMA200223. We consider that there has been a breach of controls that both the EPA and AgResearch have made in respect to this application. Your e-mail REF:0660029: April 18.2016, 2.21 pm attachment ENQ-29000-T6N6T8, states that the annual reports will be followed up on. We put in this request in eight months ago, which makes them grossly over due and you still have not received them.

We consider this a grievous oversight of the EPA. As in the ERMA200223 decision made on 13.4.2010 controls were placed on the AgResearch field trials and control 11 specifically states –

*Control 11. Annual reporting: The approval holder must provide an annual report to ERMA New Zealand by 31 August of each year while this approval is in use. Each annual report will be made available to the public and must include a description of:*

- a) any outdoor development activities;*
- b) any unforeseen adverse effects resulting from the genetic modifications; and*
- c) any relationship development and management initiatives undertaken with any iwi liaison group.*

We note in the reply from Dr. Freeth dated (6 November), however not received by us until it was forwarded on 18 April, that there had been no 67A requests so the annual reporting control has not been removed. This is also why Dr. Freeth could not answer our questions, as he did not hold information on comprehensive blood or milk testing reports, nor information on the offal holes dug. It was because AgResearch had breached control 11 and failed to provide the information. We would like to know

1. Why the EPA allowed AgResearch to not submit the required annual report?
2. And why has Dr. Freeth allowed this to happen?

We know that the reports are always delayed normally until September but never has AgResearch failed to submit them. This is very lax and the breach of control conditions by AgResearch shows up the EPA does not have the will to carry out its obligations to the public, the ability to carry out its duty under the Act, or to enforce its controls. The EPA should have ensured it received the annual report on August 31<sup>st</sup>.

The failure of AgResearch to submit their ERMA200223 Annual reports on field trials of goats, and cows and what ever other animals they have modified is a breach of controls. It is a blatant failure of their trial conditions, which are in place to ensure oversight, transparency and accountability.

Why has AgResearch failed to comply with their controls requirements and submit their ERMA200223 annual report on the developments health and births/deaths and audits reports?

We ask that

- An immediate halt to the trials and a full enquiry into this breach under section 109(1)(e) and a penalty under 114(1) is imposed to deter any future breaches.
- We call on the EPA CEO Dr. Freeth is made accountable for this failure to ensure that compliance to the conditions his Agency carries out.

- We call for the resignation of the EPA CEO in light of his cavalier handling of this issue. His ability and depth of understanding to the legislation he is bound by is sorely lacking and in his reply clearly does not care or does not understand the requirements his position entails he would have made an effort to read the Annual reports where by answering our questions. This undermines the responsible position he holds and undermines the responsibilities for ensuring adherence to the HSNO Act law.

Yours Sincerely,

Claire Bleakley  
President GE Free NZ in Food and Environment