

## **Periodic Updates to Officials on Gisborne Sweetcorn**

### **Thursday 26 June 2003**

1. The Food Safety Assurance Manager of a Gisborne company contacted MAF Biosecurity Authority after receiving notification from their Japanese importers that their processed packaged corn kernels tested positive for the presence of genetic modification by a Japanese laboratory (status of laboratory and reliability of information not known).
2. After this notification MAF contacted the company and obtained some preliminary details and also informed New Zealand Food Safety Authority (NZFSA).

### **Friday 27 June 2003**

1. MAF Biosecurity Authority informed ERMA.
2. MAF Biosecurity met with NZSFA to clarify respective roles and ascertained potential inputs from NZFSA. MAF Biosecurity is responsible for investigating the possibility that a GM contaminated corn crop has been grown in New Zealand. NZFSA are interested in the implications regarding GM contamination of food, and can provide assistance with audit trails and tracing.
3. Mechanisms for securing remaining suspect viable seed under the HSNO and Biosecurity Acts were investigated and arrangements were made for a compliance order under HSNO to be issued to control seed over the weekend. This entailed significant input and the appointment of a HSNO enforcement officer in Wellington.

### **Monday 30 June 2003**

1. MAF Biosecurity was contacted by the Food Safety Assurance Manager of the company, who was extremely co-operative. Processing details were provided, location and source of the remaining seed lot was confirmed, seed packing lists, a GM freedom declaration and American testing results which showed no GM detected at a 0.01% operational limit of detection (10,000 kernel sample, MAF standard is 3,200) were faxed to MAF.
2. A copy of the report from the Japanese testing agency was also faxed and a translation is underway. The current certificate provides no discernible information. Completion of the translation is expected this afternoon.
3. MAF arranged for the seizure of remaining seed under Section 28A of the Biosecurity Act using a MAF Quarantine Service Inspector based in Gisborne.

## **Tuesday 1 July 2003**

1. Arrangements for the packaging, transport, pick-up and testing of suspect GM corn samples have been made. Two samples of seed (2 x 3200 seeds) and three bags of processed corn have been couriered to Auckland for dispatch to Genescan (AgriQuality) in Melbourne, Australia, tomorrow afternoon. Note that the sample numbers exceed those considered sufficient to detect GM material based on MAF guidelines ([http://www.maf.govt.nz/biosecurity/imports/plants/papers/gm-seeds/zea-mays-protocol.htm#P176\\_22480](http://www.maf.govt.nz/biosecurity/imports/plants/papers/gm-seeds/zea-mays-protocol.htm#P176_22480)).
2. MAF Biosecurity has received quotes and descriptions of testing methods from AgriQuality.
3. A translated copy of the report from the Japanese testing agency has been obtained. The document states that GMO corn genes were detected by PCR in [REDACTED] and that the corn was confirmed as grown in New Zealand.
4. MAF Biosecurity has contacted the Food Safety Assurance Manager of the Gisborne Company and has discussed the laboratory report with them. Information contained in the report together with feedback obtained from Japan by the Gisborne Company suggest that Japanese testing was on a mixed product, possibly containing a range of ingredients.

## **Wednesday 2 July 2003**

1. The Ministry of Foreign Affairs and Trade (MFAT) were contacted on Tuesday evening for assistance with investigating the accreditation status of the Japanese laboratory that conducted the initial GMO testing. The information they obtained was that the laboratory is industry owned and operated and is accredited by the Japanese Ministry of Health, Labour and Welfare.
2. Suspect GM corn samples have now been dispatched to Genescan (AgriQuality) in Melbourne, Australia. Samples include Zea mays seed and processed product that the New Zealand company has linked with the suspect product in Japan.
3. Contact has been made with the Australian Quarantine Inspection Service to facilitate the rapid quarantine clearance of samples for testing at GeneScan in Melbourne.
4. A meeting has been set with ERMA, NZFSA, MFE and DPMC to update, discuss and begin to formulate a contingency plan in the event that samples test GMO positive.
5. Preparations are underway to conduct an audit of records of the Gisborne Company, tentatively organised for early next week with NZFSA assistance. The purpose of the audit will be to validate the accuracy of the Gisborne Companies tracing of suspect corn in Japan to the product and seed lines which they identified and reported to MAF.

### **Thursday 3 July 2003**

1. Samples of suspect GM corn seed and processed product have arrived at AgriQuality GMO Services in Melbourne, Australia and testing is underway.
2. MAF Biosecurity met with representatives from ERMA, NZFSA, MFE and DPMC to update, and to agree contingency requirements in the event that samples test GMO positive. Minutes of the meeting have been drafted for distribution tomorrow.
3. A quality assurance audit of the Gisborne company has been confirmed for Monday 7 July, and the company is very happy to host the audit team. The NZFSA and a member of Plants Biosecurity will conduct the audit and preparation of a question check list has started.
4. [REDACTED], the seed source of the suspect corn, has contacted MAF and will co-operate with MAF to resolve this issue.
5. MAF Biosecurity are obtaining information on the location, quantity and types of field plantings associated with this investigation as well as domestic and export production volumes from the Gisborne company.
6. Information was received from the Gisborne company this evening confirming a negative GM result from the independent Japanese testing agency. Note that this result was from bags of corn kernels in the original export consignment and not from the mixed ingredient bags tested by the original testing laboratory.
7. AgriQuality have been put on standby in the event that suspect corn fields need to be contained during the weekend.
8. A ministerial briefing has been drafted for circulation tomorrow.

### **Friday 4 July 2003**

1. At 10.30pm on 3 July, AgriQuality GM Services, Melbourne phoned through results of qualitative testing on two sweet corn seed samples and three packets of processed kernels. The seed samples and two bags of the processed corn kernel samples provided negative test results, and the remaining processed sample has yielded a positive. Further testing to determine an identification of the gene involved and an estimate of the proportion of specific modified DNA is underway.
2. MAF Biosecurity Authority met with ERMA, NZFSA, MFE and DPMC to update and discuss these results and to formulate a communications plan given the positive result.
3. A Ministerial briefing was prepared and circulated to the Prime Minister, the Minister for Biosecurity, the Minister for the Environment, the Acting Minister for Agriculture, the Minister for Food Safety and the Associate Minister for

Biosecurity. ERMA, MfE, NZFSA and MFAT received the draft document for comment before distribution to ministers.

4. An audit of records of the Gisborne Company has been confirmed for Sunday 6 July. The NZFSA and a member of Plants Biosecurity will conduct the audit. A checklist of questions has been prepared today.
5. MAF Biosecurity Authority has obtained information on the location, quantity and types of field plantings associated with this investigation.
6. AgriQuality will be deploying staff to undertake fieldwork in the Gisborne area from 9.00am tomorrow.
7. The media strategy has been decided and a press release occurred at 6pm Friday 4 July. Industry representatives and environmental groups received advance notification of the media release.

### **Saturday 5 July 2003**

1. At 1.00am on Saturday 5 July, AgriQuality GM Services, Melbourne phoned through results of quantitative testing on the sample of processed corn product that tested positive for GM on 3 July. The quantification of the GM contained in the product was estimated at less than 0.05%. The gene specific test for the construct was unsuccessful but the laboratory repeated the test.
2. A MAF Quarantine enforcement officer and several AgriQuality staff were deployed at 9.00am to conduct field inspections in the Gisborne area. The field team provided interim reports throughout the day including details of properties, planting history and photographs.
3. AgriQuality have provided maps of the location of the four properties involved.
4. Results of the repeated gene-specific tests were received from AgriQuality GM Services at approximately 10.30 pm. The processed corn product tested positive for Bt11 and negative for Bt176, BtXtra, RR GA21, LibertyLink T25, Yieldgard Mon 810, RR NK603, StarLink, B16, MaxGuard, SeedLink MS3 and Round-up Ready Soy. Bt11 is an insect-resistant variety of sweet corn and the only commercially available GM sweet corn variety. Tests for Yieldgard (Mon801, 802 and 805), Round-up Ready (Mon832, 831 and 809), and SeedLink MS6 need to be repeated due to failure of controls. These varieties of corn are not very common. Failed tests will be repeated on Monday.

### **Sunday 6 July 2003**

1. Field staff continued inspections of two of the fields. These were classed as high priority. One was the field to which the GM positive product was traced and neighbouring fields had sweet corn or maize crops during the same growing season, and the other had sweet corn maize in adjacent paddocks.
2. The audit planned for today was postponed due to a flight cancellation and road closures due to poor weather conditions.

3. MAF, NZFSA and ERMA released a joint update to the media at 3.30pm today, and held a press conference.
4. Compliance orders are being prepared to control movements. These will be applied to the field to which the GM positive product was traced and neighbouring fields which had sweet corn or maize crops during the same growing season.

### **Wednesday 9 July 2003**

1. AgriQuality field staff have been involved in tracing land use in a 300-metre radius around the four fields identified by [REDACTED] as having grown the [REDACTED] variety of sweet corn under investigation. The 300-metre inspection specification was based on US and Australian scientific data for dispersal distances of sweet corn pollen and therefore will allow MAF to assess the probability of cross-pollination with other crops.
2. Results of the repeated gene-specific tests were received from AgriQuality GM Services this afternoon (9 July 2003). Tests were repeated due to failure of controls. These tests were conducted on the processed corn product that tested positive for Bt11 on 3 July 2003, and were negative for Yieldgard (Mon801, 802 and 805), Round-up Ready (Mon832, 831 and 809), and SeedLink MS6.
3. A remaining 2.5 kg of [REDACTED] seed from [REDACTED], linked with the affected field, has been sent to AgriQuality GMO Services in Melbourne for testing. 500g of this sample will be retained to verify whether there are one or two varieties of sweet corn present. The audit of the company has suggested that this sample may contain both [REDACTED] and [REDACTED] varieties.
4. Samples of sweet corn seed, variety [REDACTED], planted in the field neighbouring the field to which the GM-positive product was traced have been obtained and sent to AgriQuality GMO Services for testing. Samples of processed product for the three fields identified by [REDACTED] as having grown the [REDACTED] variety of sweet corn but which were not linked to the GM-positive result have also been sent for testing. A prioritisation list for sampling is being finalised due to the large number of samples to be tested and the limits for AgriQuality throughput.

### **Thursday 10 July 2003**

1. AgriQuality field staff have been continuing the tracing of land use in a 300-metre radius around the four fields identified by [REDACTED] as having grown the [REDACTED] variety of sweet corn under investigation. This work is expected to be completed this afternoon.
2. A summary report of the [REDACTED] audit is being prepared.
3. Arrangements are being made to return the remaining 500g of seed to NZ from Melbourne to check if one or two varieties of sweet corn are present. As

previously reported the audit of the company has suggested that this sample may contain both [REDACTED] and [REDACTED] varieties.

4. No further test results have been received from Melbourne today
5. As the investigation moves along we believe that it has reached a stage where it would be more meaningful to change from daily updates to updates on specific issues or as new or significant information arises. If you have any concerns about this let me know.

### **Monday 21 July 2003**

#### Further Test Results

1. As reported at the Friday (19 July 2003) update meeting, 2 samples from a second field ([REDACTED]) tested positive for both 35S and nos3'. Additional testing of both has returned positives for BT11.
2. A third field ([REDACTED]) has tested positive for BT11 – yet, as reported on Friday, this sample tested 35S -ve and nos +ve, a combination only found in GA21 and not in BT11 - the lab will further investigate this but believes they are operating at the limit of detection. This finding provides further support for the imported [REDACTED] seed being the source of this GM variety despite the seed itself testing negative.
3. Imported [REDACTED] seed has tested 35S +ve and nos -ve, a combination of sequences found in a number of GM varieties (e.g. BT176, MON810). The sample was negative for BT11 – testing has been re-prioritised to identify the variety involved.
4. Remaining samples continue to be tested and any significant results will be reported in updates.