

Analysis of Misinformation in the  
Gene Technology Bill and  
Suggestions for Submissions and  
Discussions

# Hatchard Report

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## A Long but Necessary Read – New Research Findings on Dangers of Gene Technology Reported

### Alarming Developments in Australia Following Their Gene Deregulation

To win the debate about the Gene Technology Bill, we have to expose the unscientific and misleading claims being parroted by politicians to gain public acceptance of an egregious takeover of our food choices and medical rights.

To do so, we have to not only make clear [submissions to the Health Select Committee](#). But more importantly, persuade our friends, colleagues and contacts of the potential impact and the need for action.

Our task is made clear by a comment from David Farrar, prolific National supporter and Kiwiblogger-in-chief, that needs deconstructing and examination for misinformation. He quotes Judith Collins speaking at the first reading of the Bill as follows:

*“Our current regulations for genetically modified organisms are some of the most backward looking in the world. New Zealand has lagged behind other countries, such as Australia, Canada, and England, which have safely embraced these technologies for the benefit of their people and their economies.*

*“Despite gene technologies having been in use in New Zealand since the 1970s, the restrictive rules and time-consuming processes we have imposed on researchers have made testing and embracing innovation outside the lab all but impossible. But no more. This Government has listened to our research, primary industry, and medical communities and the frustrations that they have felt over many years. Today, New Zealand moves into the present with a safe enabling regulatory regime. The legislation will enable the sorts of innovation that will benefit New Zealand while effectively managing risks to the health and safety of people and the environment.”*

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Farrar then adds his 25c *“After 25 years of dithering, we finally have a Government that is not letting hysteria trump science. Amazing that this legislation has been introduced in the first year of office – rather than just another working group.”*

**Misinformation:** *‘other countries have safely embraced these technologies for the benefit of their people and their economies’*

The Gene Technology Bill is the New Zealand version of an international push by commercial interests to free up genetic experimentation from any last fetters of regulation. The massive profits made during the pandemic under emergency deregulation and government mandated participation have set a new benchmark for industry greed. Our Bill is far ahead of the rest of the world in terms of permissiveness. In a world of corporate giants from the food and pharmaceutical sectors seeking to push the envelope, New Zealand’s proposed out-on-a-limb laissez faire stance is a welcome development and something they have actually had a hand in creating.

We have seldom seen a more brazen claim than the use of the word *‘safely’* after 30 million excess deaths have been attributed to the pandemic during the last five years. Whether they come from a gene altered pathogen or a genetic vaccine is largely irrelevant here. As to citing England as a country accepting Gene Technology, a few days ago [we pointed to the growing tide of public protest](#) in the UK about the first use of anti-methane medicine Bovaer for cows and the sale of their milk and butter in supermarkets.

In the EU, [proposed gene technology legislation](#) has stalled due to disquiet among member states and in any case includes the precautionary principle which says that new technology must be proved safe before use, something that our Gene Technology Bill rejects. Nor does it liberalise research on microbes or animals as our Bill does.

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**Misinformation:** *'safe enabling regulatory regime'* that mostly classifies gene editing as safe, but supposedly can identify and mitigate any level of risk

A key plank of the government's contention is the idea that gene editing has become more exact and therefore the need for testing, regulation, labelling, etc is reduced and in many if not most cases eliminated. This is not based on any valid scientific principle. Accuracy does not equate with safety. Just because you can achieve something more accurately does not guarantee its safety. A sniper trains every day to hit the target, but this does not make assassination a safer prospect.

As a result of serious adverse effects, the prospects for gene therapy dimmed in the 90s and early 2000s, but in 2008 new supposedly more exact gene editing techniques using CRISPR/cas gene scissors were developed. Research efforts stepped up and PR went back into overdrive—gene technology and medicine, according to this new narrative, now being promoted by our government, was going to be safe and effective. Today we know this to be false, as [a paper](#) published in November 2022 by the Karolinska Institute shows. CRISPR/cas techniques lead to unpredictable on-target genetic rearrangement which can interfere with vital cellular gene repair mechanisms.

During the pandemic, the supposed action of mRNA COVID-19 vaccines was outlined in great detail for the public and indeed, novel genetic instructions were ported into billions of an injected individual's cells successfully by mRNA vaccines, but the outcome itself was not as predicted. The vaccines did not stop first infections, transmission or repeated infections. In theory the injected vaccine agents would be cleared up within days after having elicited the required protective immune memory. This didn't happen.

For example a peer reviewed study conducted by the US CDC and published in the Journal of the Pediatric Infectious Diseases Society on Dec 5th entitled "[Protection From COVID-19 Vaccination and Prior SARS-CoV-2 Infection Among Children Aged 6 Months–4 Years, United States, September 2022–April 2023](#)" reports that COVID-19-vaccinated children had an increased incidence of COVID-19 infection compared to the unvaccinated.

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More worrying: investigative journalist Alex Berenson formerly of the NY Times reports scientists at prestigious Yale University have announced the [imminent publication of a study](#) that has found concentrations of COVID-19 spike protein in the blood of individuals two years after mRNA vaccination, suggesting the genetic sequences in the vaccine may have integrated into the DNA of recipients to the detriment of their health.

These and many many other studies published during the last year in learned journals which we have [reported](#) reveal there are unexpected and unpredictable classes of serious risk to health with gene technology that can only be detected years after the event with careful research. Genetic material can reproduce and perpetuate itself in a way that chemicals cannot.

The misery of gene technology safety has been greatly simplified and altered for public consumption by corporations, scientists and politicians with vested interests. In reality the interior of the cell contains great complexity with trillions of elements involved. In this situation accuracy is not possible, always there are off target effects.

Moreover there are the ever present risks of lab accidents. A 2022 study of the [Prevalence of Accident Occurrence Among Scientific Laboratory Workers](#) found: *“Among 220 participants recruited in the study, 99 participants (45.0%) have had accidents during their lab works. 59.6% have been exposed once, 32.3% between two and four times, only 1.0% between four and six times, and 7.1% more than six times.”*

## What sort of gene technology projects might be approved?

The Gene Technology Bill owes much of its content to Australian legislation so we decided to look over the ditch and see just how it all works or rather doesn't work. The Australian Office of the Gene Technology Regulator has just issued an *Invitation to comment on Clinical trials of controlled infection with seasonal influenza viruses (DIR 210)*. The project has been submitted for approval by the Doherty Institute, a subsidiary of the University of Melbourne. Its principal purpose is described as follows:

***"The initial aim is to evaluate the safety and infectivity of recombinant seasonal human influenza viruses in healthy volunteers. These GM viruses will then be used to assess the effectiveness of therapeutic drugs or vaccine candidates to prevent and control influenza infection."***

In other words the lab is to make gene altered versions of the flu and then test out various genetic drugs and/or vaccines on human volunteers over a five year period. It does sound eerily similar to what went on at Wuhan Virology Lab for the five years prior to the COVID-19 pandemic, but then the Gene Regulator is there to put us right. They have already rated the project as posing *'negligible to moderate risks to human health or safety'*. In other words, whatever the public submits to the regulator, the project, which creates new viruses, is likely to be a shoo in for a rubber stamp. You might like to reflect that there is a big difference between the words 'negligible' and 'moderate'. This points to the highly arbitrary and misleading risk classification process being used in Australia which is akin to pinning the tail on a donkey. You can dive into the details [here](#).

The project at the Doherty Institute has at least reached the desk of the gene regulator. If you have enough money, it needn't actually ever come near the regulator or his desk. An article in the UK Guardian on Dec 10 2024 is entitled "[Moderna's mRNA vaccines to be exempt from advisory committee scrutiny under \\$2bn Morrison-era deal](#)". It reports Australians will be offered respiratory mRNA vaccines from next year under a confidential \$2bn onshore manufacturing deal struck with Moderna.

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The agreement exempts Moderna's mRNA vaccines from assessment by the Pharmaceutical Benefits Advisory Committee (PBAC), a government memorandum has revealed. The contract signed with the American pharmaceutical company commits successive Australian governments to buying locally produced Moderna vaccines for at least a decade. They will be manufactured at a specially built plant at Melbourne's Monash University. The memorandum which is raising alarmed red flags even among researchers says the Moderna vaccines *"will not go through the PBAC process and therefore will not be listed as designated vaccines on the National Immunisation Program"*.

Our Minister of Science, Innovation and Technology Judith Collins no doubt realises what is going on in Australia and approves. She has cited Australian legislation as the lead we are following. The Gene Technology Bill sets the stage for our newly appointed government regulator to dust off his rubber stamp in a similar fashion and expose us all to unquantifiable risk.

## Protection from civil and criminal liability

Despite the bogus claims of safety, the Gene Technology Bill seems to anticipate that there might be a few problems so they have included **Clause 187—Protection from civil and criminal liability** to remove any responsibility as follows:

This protects most persons from civil and criminal liability for any act that the person does or omits to do in the performance of their functions or duties under this Bill. It applies to the following persons:

1. the Regulator
2. an employee or agent of the Regulator
3. an enforcement officer
4. a member of the Technical Advisory Committee or the Māori Advisory Committee
5. a member of any subcommittee of those committees.

The person is protected from civil and criminal liability, however it may arise, for any act that the person does or omits to do under a requirement of this Act or simply if they are believed to be acting in good faith in the course of their duties under the Act.

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**Short version:** the government is washing its hands of any liability.

Just reflect for a moment that the Consumer Guarantees Act (CGA) in New Zealand is part of the everyday fabric of our lives. We rely upon it. The CGA guarantees that products must be:

- Safe
- Of acceptable quality
- Fit for their intended purpose
- Match the description given
- Match the sample or demonstration model
- In acceptable condition when received

If a product doesn't meet these guarantees, consumers can claim a refund, repair, or replacement. The Gene Technology Bill completely bypasses these provisions. Of course those damaged by gene technology will not be able to be refunded or repaired, perhaps the government envisions they will be replaced as happened with vaccine mandates.



## So will we know what we are eating or being subjected to?

The Gene Technology Bill includes clauses which repeal and replace all provisions of previous legislation relating to gene technology. A global search of the Bill reveals that the word *'labelling'* appears zero times. Any previous legal requirement that the presence of genetically modified content be identified on food labels is thereby rescinded. We won't know what we are eating. This bypasses the need for traceability in the food chain which has formed a protective envelope over public health for a hundred years. No more.

I am sure many of you, like all of us at the Hatchard Report, are becoming more alarmed at the content of the Gene Technology Bill, but our hope lies with the vast majority of Kiwis who care about their food choices. This Bill has been rushed into Parliament without any clear understanding of its clauses. A sober look at the Bill reveals its glaring flaws and misconceptions. Our hope is that clear simple facts will create public pressure and sink the bill. We have until midnight on February 17th to make [submissions to the Health Select Committee](#). More importantly, discussing the implications with friends and lobbying MPs directly can create a stir.

This will require steady hands, clear heads and a willingness to discuss the issues with our peers. The key points needing emphasis in submissions and discussions are as follows:

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- Gene technology content in foods will no longer be identified in labels. We will not know what we are eating.
- Without labelling and traceability through the food chain any adverse effects cannot be identified or assessed overturning the lessons of food safety learned during the last 100 years. People with allergies are especially at risk.
- Gene technology is imprecise and subject to off target effects affecting health.
- Gene tech manufacturing processes are plagued by rogue genetic contamination.
- Genetically modified organisms can spread without limit and cannot be recalled or remediated as we found out during the pandemic.
- Claims of safety and effectiveness are totally misleading, gene technology is known to produce both short and long term adverse off-target effects.
- Genetic material is highly mobile, pathways for [genetic recombination with human DNA are known to exist](#).
- The Bill provides provision for the government to reimpose vaccine mandates whenever it decides to do so.
- The Bill abandons the precautionary principle and allows for the implementation, release and consumption of experimental gene technology products before they are proven safe.
- The Bill does not specify how the regulator will assess any risk. The pandemic shows how far off such assessments can be.
- Claims of economic and health benefits from gene technology have been wildly exaggerated. Most projects fail. Projects will be mostly funded by the government and be a drain on the public purse. NZ's economy will be better served by fostering our traditional strengths in farming. Overseas farmers have found patented gene technologies to be costly and no more productive than prior methods. Widespread implementation of gene technology in New Zealand is likely to face consumer backlashes and close our overseas markets.

In his comment, David Farrar believes that the existing HSNO legislation and the precautionary principle it enshrines have allowed *'hysteria to trump science'*. Nothing could be further from the truth, five COVID-19 pandemic years should have taught us the dangers of funding gene research while abandoning precaution.

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Good luck with your submissions. This is winnable if we all stand together and speak out. People don't just care about their food, they rely on it for health and well being.

More detailed information and extra scientific references are available in our articles [here](#) , [here](#), [here](#), [here](#) and [here](#)

Dr. Guy Hatchard

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