Submission on the Harmonised Agvet Chemical Control of Use Task Group (HACCUT) Options Paper: Updated proposal form harmonisation of agricultural chemical off-label use

Section A: General information

Purpose of this form For individuals and organisations to provide submissions on the HACCUT Options Paper: Updated proposal for harmonisation of agricultural chemical off-label use.

Use this form to provide a submission or to write a long-form response. You can also attach a separate response.

Before applying See HACCUT Options Paper: Updated proposal for harmonisation of agricultural chemical off-label use

Closing date 2pm, Thursday 27 September 2018

To complete this form Save the document to your computer.

Your submission must include

☐ a completed and signed submission form
☐ where relevant, supporting information from organisations, written on their official letterhead.

Post or email (preferred) your submission

Agvet Chemicals Branch
Sustainable Agriculture, Fisheries & Forestry Division
Department of Agriculture and Water Resources
GPO Box 858
Canberra ACT 2601
Email agvetpolicy@agriculture.gov.au

Section B: Applicant

1 Organisation name (if applicable) Growcom

2 Contact person

Submission on the updated proposal for harmonisation of agricultural chemical off-label use. Prepared by HACCUT.
3 Contact address
Postal address PO Box 202
Suburb/town/city Brisbane
State/territory QLD
Postcode 4006

Section C: Confidentiality

4 Is all of your submission confidential?
No ☑
Yes ☐ Clearly mark the submission ‘In confidence’

5 Is part of your submission confidential?
No ☑
Yes ☐ Clearly mark the relevant section(s) ‘In confidence’

Section D: Publication of submissions on the department website

Unless you request otherwise, the department will publish your name, organisation and the title of your submission on its website. Your contact information will not be made available.

6 Do you agree to your submission being made publicly available?
No ☐ Go to question 8
Yes ☑ Go to question 7

7 Do you agree to your name and state/territory being listed?
No ☐
Yes ☑

8 Do you agree to the department contacting you about your submission if required?
No ☐
Yes ☑

Section E: Submission type

9 What type of submission are you making? (select one box only)
☑ Response to key topics in the proposal ➔ Go to section F
☐ Long-form response to the whole proposal ➔ Go to section G
☐ Separate response in an attached document ➔ Go to section H

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Section F: Response to key topics in the consultation paper

Support your answers with references as needed.

10 Should a national approach to harmonising off-label use incorporate Option 1 (Label and Permit only) OR Option 2 (Conditional use)? Please provide your reasoning.

If a model combining aspects of Options 1 and 2 would better address risk and respond to farmer needs, please describe this model and how it delivers improved outcomes.

Option 1 – Growcom, as the peak industry body for Queensland horticulture has long held (as evidenced by our many submissions on this matter) the principle that a robust AgVet chemical regulatory system is critical for our sector. For that reason, we support Option 1.

Whilst it might be tempting at an individual producer level to opt for option 2, the risk to the sector as a whole is too significant as it relies heavily on the individual producer. The recent strawberry contamination incident and previous food safety issues, highlight how quickly a relatively small scale risk to public health can bring a commodity to its knees and impact on our export reputation. The potential impact of chemical mismanagement by a grower or group of growers is too great.

Additionally we contend that an unintended consequence will be increased regulation at a State level as individual states with different appetites for risk and regulation will potentially develop more restrictive and less consistent regulation as has been the case with the Great Barrier Reef catchments.

In line with the CropLife submission, we also contend that the minor use section of the APVMA be adequately resourced. Our preferred outcome would be to see a publically funded minor use system similar to that used in other major developed agricultural regions.

11 Where option 1 is preferred please comment on the quantity factors (area, volume, frequency of application) that could be used to define small scale and lower risk off-label use.

In line with CropLife, Growcom recommends that defined, low-risk products are supported by a general, risk-assessed permit, which allow broader use than that stipulated on the product label. Under this scenario, an APVMA risk assessment would still be required, as a user cannot be reasonably expected to be aware of and understand the full range of risks associated that must be considered prior to engaging in off-label product use.

12 Please estimate, for your industry sector, the financial benefit or cost that would result from harmonisation with your preferred model.

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There are too many variables to make a reasoned estimate. Fundamentally the cost of a major non-compliance issue or even a social license issue based on fear-mongering (such as glyphosate) is impossible to measure. A robust and defensible regulatory system is an important insurance mechanism for our sector.

13 Please describe scenarios where off-label use (i.e. outside of label instructions or permit) could be necessary in your industry. Please specify details on product, commodity and rates of application.

Only in extreme biosecurity emergency.

14 Other comments (this could include additional information or relevant issues to be raised).

Under option 1, we support the concept of

- Discretionary crop safety assessment.

- Expanding the scope of permits whereby: permits issued for persons generally in one state can be legally used in another state; the extend lower rate & frequency use applies also to permits as well as label uses; empowering the APVMA to issue permits at their own discretion separate to minor use; allowing registrants to be permit holders; and clarifying the definition of minor use to include lack of suitable options rather than just economic reasons.

- Increased funding for the APVMA is essential for any harmonisation system to be effective.

→ Go to section H
Section G: Long-form response to the consultation paper

15 Please support your response with references, and attach additional sheets if necessary.
Section H: Applicant declaration

To be completed by the person listed in section B of this application.

I understand that:

- the Australian Government reserves the right to refuse to publish submissions, or parts of submissions, that contain offensive language, potentially defamatory material or copyright infringing material

- a request may be made under the Freedom of Information Act 1982 for a submission marked confidential to be made available. Such requests will be determined in accordance with provisions under that Act

- if I provide personal information about an individual other than myself, I must make that person aware of the privacy notice in section I of this form and draw their attention to the department’s privacy policy.

Section I: Privacy notice

‘Personal information’ means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

The collection of personal information by the Department of Agriculture and Water Resources in relation to this submission is for the purposes of gathering information for the Harmonised Agvet Chemical Control of Use Task Group (HACCUT): Updated proposal for harmonisation of agricultural chemical off-label use, and related purposes. If you do not provide this information, the department will be unable to contact you to discuss your submission.

Under the Freedom of Information Act 1982, submissions marked confidential may be made available. Such requests will be determined in accordance with provisions under that Act.

Personal information may be published on the department’s website, disclosed to other Australian agencies, persons or organisations where necessary for these purposes, provided the disclosure is consistent with relevant laws, in particular the Privacy Act 1988. Your personal information will be used and stored in accordance with the Privacy Principles.

See the department’s Privacy Policy to learn more about accessing or correcting personal information or making a complaint. Alternatively, telephone the department on +61 2 6272 3933.