



**Representing the Plant Science Industry**

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28 May 2010

The Committee Secretary,  
Senate Standing Committee on Community Affairs  
Department of the Senate  
PO Box 6100  
Parliament House  
**Canberra ACT 2600**

By email: [community.affairs.sen@aph.gov.au](mailto:community.affairs.sen@aph.gov.au)

Dear Sir/Madam

**Re: Senate Community Affairs Committee Inquiry into the *Food Standards Australia New Zealand Amendment Bill 2010***

CropLife Australia (CropLife) is the peak industry association representing registrants of agricultural chemical products in Australia. The Animal Health Alliance (Australia) (the Alliance) is the voice of the animal health industry in Australia representing the registrants, manufacturers, formulators and innovators of animal health products. Currently, both CropLife and the Alliance members are responsible for over 80% of the agricultural and veterinary (agvet) chemical products sold in Australia.

CropLife and the Alliance welcome the opportunity to provide our views to the Senate Community Affairs Legislation Committee's Inquiry into the *Food Standards Australia New Zealand Amendment Bill 2010*. This Bill streamlines the procedure for setting and varying maximum residue limits (MRLs) for agvet chemicals in the Australia New Zealand Food Standards Code. CropLife, the Alliance and our respective members have long sought these reforms to the MRL setting process.

### **Background**

Agvet chemicals are used by farmers when needed to protect crops and animals from a wide variety of pests, weeds and diseases. In Australia, agvet chemical products are strictly regulated by state and federal government agencies to protect human health, safety, trade and the environment.

The Australian Pesticides and Veterinary Medicines Authority (APVMA) conducts a rigorous, scientific risk assessment on each new agvet chemical product before it can be approved for use in Australia. The assessment process determines whether the agvet chemical product is effective and safe with respect to people, animals and the environment, and does not pose a trade risk. As part of this process, the APVMA also approves agvet chemical product labels, which contain instructions on how to use the product correctly and safely.

During the APVMA's risk assessment process, it determines MRLs and recommends them to Food Standards Australia New Zealand (FSANZ) for inclusion in the Food Standards Code. MRLs identify the highest concentration of a chemical residue legally permitted in food or animal feed following use of an agvet chemical product. If no MRL for a particular agvet chemical exists, no detectable residues are permitted. Consequently, MRLs are used to monitor the correct use of agvet chemical products. MRLs are **not** used in Australia as a measure of risk to public health from agvet chemical residues as they are set well below the level that would harm human health. If an MRL is exceeded, it usually indicates that an agvet chemical has been used incorrectly - it does not normally indicate a risk to public health or consumer safety.

### Issues

CropLife and the Alliance have long sought a streamlining of the MRL setting process conducted between the APVMA and FSANZ. Under current arrangements, the APVMA determines an appropriate MRL and then recommends it to FSANZ. FSANZ then conducts a second assessment, consults with relevant food industry and public stakeholders and obtains approval from the Australian New Zealand Food Regulation Ministerial Council before including the MRL in the Food Standards Code. This dual system, involving two government agencies, is duplicative and causes unnecessary delays in formalising MRLs. On occasion, CropLife and Alliance members have experienced delays of up to 18 months between the APVMA determining an MRL, and that MRL being promulgated in the Food Standards Code.

This delay causes significant problems for users of agvet chemical products. A farmer may legally purchase a chemical product that has been assessed as safe for use by the APVMA and use that product in accordance with the label directions but ultimately find that he or she is not able to sell their produce because the APVMA-determined MRL is yet to be adopted within the Food Standards Code.

The Amendment Bill currently before the Senate will significantly reduce the regulatory burden on registrants by reducing the time between an agvet chemical product being registered for use by the APVMA and a corresponding MRL being adopted and incorporated within the Food Standards Code. This will:

- Reduce the risk that farmers will be unable to sell produce because an MRL has not yet been incorporated into the Food Standards Code;
- Generate much greater certainty for agvet chemical product registrants enabling them to better plan marketing strategies and product releases that align with growing cycles and take into account MRLs adopted within the Food Standards Code;
- Facilitate the faster market release of newer, safer, better targeted and 'softer' products to replace older technologies for use by farmers; and
- Reduce the regulatory duplication where both the APVMA and FSANZ assess the safety of agvet chemical products.

CropLife and the Alliance note that there is nothing in the proposed amendments that would preclude FSANZ from altering an MRL in circumstances where it was necessary to do so to protect consumers.

### Conclusion

The amendments contained within the *Food Standards Australia New Zealand Amendment Bill 2010* will not increase any risk to human health, user safety, the environment or trade from agvet chemical product use. The amendments will not alter the current requirements for the APVMA to consider and assess these risks prior to registering any agvet chemical product for use in Australia. The changes proposed within the Bill merely reduce the regulatory burden on business by streamlining current administrative arrangements. This will increase the efficiency of government regulation while maintaining existing public health, environmental and animal welfare standards.

CropLife and the Alliance strongly support the proposed measures in the Bill, and would welcome the opportunity to elaborate further on any of the issues raised for the benefit of the Senate Committee.

Please feel free to contact us should you have any questions with regards to our submission.

Yours sincerely,

Paula Matthewson  
**Chief Executive Officer**  
**CropLife Australia Limited**

Dr Peter Holdsworth  
**Chief Executive Officer**  
**Animal Health Alliance (Australia) Ltd**