GOVERNMENT OF
WESTERN AUSTRALIA

Department of
**Primary Industries and
Regional Development**

Our reference: A3524444

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Senate Rural and Regional Affairs and Transport References Committee
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Dear Members of the Committee

INQUIRY INTO THE INDEPENDENCE OF REGULATORY DECISIONS MADE BY THE AUSTRALIAN PESTICIDES AND VETERINARY MEDICINES AUTHORITY

Thank you for the opportunity to make a submission to the inquiry regarding the independence of regulatory decisions made by the Australian Pesticides and Veterinary Medicines Authority (APVMA), with particular reference to:

a. the responsiveness and effectiveness of the APVMA's process for reviewing and reassessing the safety of agricultural chemicals in Australia, including glyphosate, and how this compares with equivalent international regulators;
b. the funding arrangements of the APVMA, comparisons with equivalent agricultural chemical regulators internationally and any impact these arrangements have on independent evidence-based decision making;
c. the roles and responsibilities of relevant departments and agencies of Commonwealth, state and territory governments in relation to the regulation of pesticides and veterinary chemicals;
d. the need to ensure Australia's farmers have timely access to safe, environmentally sustainable and productivity enhancing products;
e. the impact of the APVMA's relocation on its capability to undertake chemical reviews in a timely manner; and
f. any other related matters.

The Department of Primary Industries and Regional Development (DPIRD) ensures that Western Australia's sustainable agriculture, commercial fisheries, and aquaculture provide jobs and exports and support a growing food industry as key contributors to economic growth, diversification, job creation, strong communities and better places. DPIRD offer the following point relating to experiences with the APVMA for your consideration.

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The responsiveness and effectiveness of the APVMA's process for reviewing and reassessing the safety of agricultural chemicals in Australia, including glyphosate, and how this compares with equivalent international regulators;

The APVMA has conducted a weight-of-evidence evaluation of glyphosate and the result is consistent with the risk assessments of other regulators such as the European Food Safety Authority, European Chemicals Agency, the United States Environmental Protection Agency, Health Canada assessment authority Pest Management Regulatory Agency, and the New Zealand Environmental Protection Authority.

DPIRD supports the APVMA process for reviewing and reassessing the safety of agricultural chemicals in Australia.

The roles and responsibilities of relevant departments and agencies of Commonwealth, state and territory governments in relation to the regulation of pesticides and veterinary chemicals;

DPIRD is a partner in the National Registration Scheme for Agricultural and Veterinary Chemicals but does not have a role in the regulatory decision making of the APVMA.

State and territory governments manage the control of use of agvet chemicals after the point of retail sale. This includes matters such as user training, record keeping, chemical residue trace back and investigation, commercial user licencing, controlling the use of restricted chemical products (eg 1080 and strychnine) and managing spray drift incidents.

Roles and responsibilities of state and territory governments could be strengthened by funding through a levy on sales to broaden the control of use activities (see point below on Comprehensive user pays model).

The need to ensure Australia's farmers have timely access to safe, environmentally sustainable and productivity enhancing products;

Australia's farmers need timely access to the latest safe chemical technology in order to remain competitive and meet requirements for public safety and trade. DPIRD feel that the APVMA processes meet this requirement.

The APVMA participates in a Global Joint Registration Program which aims to improve the efficiency and effectiveness of the registration process by sharing data amongst participants. This assists in ensuring Australian producers have early access to new chemistry that has been assessed as safe.

Other related matters.

Comprehensive user pays model

Current funding through the user pays model only covers APVMA's cost component. A more comprehensive user pays model that also covers control of use would help ensure consistent controls/compliance across jurisdictions who manage the control of use component of agvet chemical regulation.
The existing levy and fee structure could be modified to include all components, both registration and control of use, of the National Registration Scheme and deliver better regulatory outcomes.

Chemical companies using accredited third party assessors

It is noted that the proposed Commonwealth measures in the Agricultural and Veterinary Chemicals Legislation Amendment (Streamlining Regulation) Bill 2018, (Streamlining Regulations Bill), includes allowing applicants (chemical companies) to use accredited third party providers to undertake assessment services.

The APVMA has used independent assessors under contract, usually for a particular assessment/task, for many years. Independent assessors extend the technical ability of the APVMA. The assessors are independent of the registrant.

The proposal in the Streamlining Regulations Bill to allow applicants to use accredited third party providers to undertake assessment services, paid for by the registrant, could lead to a real or perceived conflict of interest and will require vigilant implementation and auditing. Public confidence in the independent decision making of the APVMA may be undermined by this change.

Yours sincerely

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