

**The independence of regulatory decisions made by the
Australian Pesticides and Veterinary Medicines Authority (APVMA)**

I wish to make a submission to the above enquiry.
I represent myself and my business,
The Gentle Modern School of Dog Training.

Summary:

- Information on the label of chemical products does not appear to be reviewed in a timely manner even when the product proves to be causing the deaths of non-target species. This then raises questions about whether or not the APVMA's best interests are directed toward the public.
 - There is inadequate feedback to people making complaints about the use of a product.
 - APVMA fails to oversee the State and its Regulatory process. There is insufficient ability for the APVMA to monitor the States who are making the rules around chemical use (in conjunction with the label). Recommendations made by the APVMA in reviewing products is not being followed by State authorities through to the public and it does not appear that APVMA are concerned they do not have enough powers in this respect.
 - APVMA displays no concern about or remedies the fact State authorities often have misinformation on their websites and no-one seems willing to alter this.
 - The risk to human health of some chemicals such as 1080 appears to be underestimated or has never been sufficiently reviewed. 2008 Review Findings stated that the product was so tightly regulated there was no concern. However, this is incorrect. Used in the absence of compliance there is every risk to human health as a consequence. The precautionary principle should apply.
 - The funding arrangements of the APVMA are an example of "conflict of interest" as Applications for Chemical Registration and use support the APVMA financially.
 - The humaneness of products is not considered by the APVMA, yet there has been high level public outcry including from RSPCA, Animals Australia and the Animal Justice Party. Again, there seems to be an inference of lack of independence in the absence of appropriate policy on humaneness.
 - There is a risk to biodiversity by the use of many chemicals. 1080 was banned in USA by the EPA because it was a risk to the environment. APVMA do not consider this factor and again, the question about independence arises.
- (More information can be supplied if required including past correspondence).

Terms of reference:

- 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;***

I am going to base my submission on my own experiences which "are relevant and highlight my own perspective" as suggested in the guidelines.

I have had considerable contact with the APVMA and DEPI (now DELWP) in the past in relation to the use of 1080 (sodium monofluoroacetate) which was placed on the land immediately adjacent to both my 48 acre property on the urban fringe of Leopold and to a popular tourist rail trail. The staff in those departments have been unfailingly polite. The Directions for the Use of 1080 in Victoria stipulate that you must restrain and muzzle dogs when 1080 is used. In spite of the fact that I run a dog training school (which means I cannot train dogs when they are muzzled) and contacted Landcare and the pest controller prior to them laying the bait, 1080 was subsequently put down contrary to my written request and as a result I had to close my business down for 2 months. (Even after that time there would have been a risk to my own and clients dogs through both primary and secondary poisoning. Also to my grandchildren who were very young at the time).

I initiated mediation and was told by DEPI that the pest controller had acted within the rules, but I never received a copy of the mandated risk assessment that was requested by my solicitor who helped me after the event. The rules are totally inadequate and I had to have a notice made up at my own expense to alert people using the rail trail next to the baited property of the dangers, as there was no requirement for the pest controller to advise the public!

I have also complained about 1080 being used adjacent to the caravan park and along 13th beach in Barwon Heads by Barwon Coast. This is contrary to the APVMA review of 1080 in 2008 which states that “1080 should not be used in urban areas”. This puts small children on the beach at risk as well as the multitude of dogs who are exercised there.

No meaningful review of 1080 has been done since 2008 and even then the humaneness of 1080 was not taken into consideration. Literally thousands of pet and working dogs and other animals have died of 1080 poisoning in Australia each year through both illegal and illegal use.

<http://www.abc.net.au/news/2013-10-29/grazier-fined-2420k-for-laying-poison/5052278>

<https://www.centralwesterndaily.com.au/story/791535/dog-owners-beware-of-deadly-1080-poison/>

There is virtually zero international use of sodium fluoroacetate. Australia uses 200kgs of pure 1080 a year. 1080 is designated as a Class 1a poison by the World Health Organisation. There is NO antidote. Due to its extreme toxicity it has been banned in all but 5 countries including the USA where it was manufactured. ***“Aerial application of 1080 poison is banned in the US due to the extreme hazard to human health and to the environment”***. US Environmental Protection Agency.

In New Zealand there is an enormous backlash and concern regarding its use. Documentaries about 1080 that have won awards overseas have not been allowed to be screened in NZ, possibly in an effort to keep citizens uninformed:

<https://www.youtube.com/watch?v=vQRuOj96CRs>

It is time for the use of 1080 to be reviewed in Australia and its use banned due to the precautionary principle and the potential risk to human health. The lack of independence of APVMA is under question including its decision making process.

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;

The funding arrangements of the APVMA appear to be flawed. My understanding is that the APVMA receives payment for registration of a chemical product and ongoing payment for the use of that product depending on the amount used. There is obviously a financial disincentive for the APVMA to discourage or stop the use of a chemical be it 1080 or the recent controversy and evidence surrounding glyphosate presented on 4 corners in October 2018.

I would draw an analogy with the recently acknowledged conflict of interest between the Department of Agriculture both promoting and monitoring the live export industry. That had led to international condemnation of the whole industry and 85% of Australians passionately wanting the live export trade banned.

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;

The APVMA appears to have no powers over the use of its products other than to change the label. The Directions for the use of 1080 vary state by state and are resulting in a plethora of non- target animal deaths. (Evidence and statements can be provided). When I raised issues with DEPI at the time, I was told that my complaints were a matter of opinion and as far as I was made aware, no changes were made to make the situation safer in the future. (This may have been done, but I was never advised). I worked in a hospital for many years and if we had a complaint it was dealt with immediately and the complainant informed.

There are numerous myths about 1080 which are present on government documentation and that of Landcare. The latter say categorically “1080 is species specific” which is clearly not true although some species may be more susceptible. Agencies constantly reiterate that “1080 is naturally occurring and derived from plants” which is misleading and patently untrue. They also state that “1080 is safe”. This does not equate with the Material Safety Data sheet:

<http://www.uccaribe.edu/research/wp-content/uploads/2014/03/sodium.fluoroacetate.1080.pdf>

That 1080 is biodegradable is another myth. It fact as you are aware, it can be extremely slow to decompose which means it poses serious environmental risks.

I do not have any evidence to comment on the rest of the items in the review other than to comment that Barnaby Joyce’s decision to move the APVMA to his electorate seemed an

expensive and unnecessary upheaval for APVMA staff and resulted in the loss of a great deal of scientific expertise.

Yours sincerely,

Ruth Weston