



Submission on the draft report of the review of agvet chemicals regulatory framework

Section A: General information

Purpose of this form For individuals and organisations to respond to the draft report of the review of agvet chemicals regulatory framework.

Use this form to respond to key topics in the draft report or to write a long-form response. You can also attach a separate response.

Do not use this form if you want to [make a submission online](#).

Before you submit See the [draft report](#) available in Have Your Say.

Closing date 26 February 2021

To complete this form Save the document to your computer.

Post or email your application (emailed applications preferred) Agvet Chemicals Branch
Department of Agriculture, Water and the Environment
GPO Box 858
Canberra ACT 2601
Email reviewsubmissions@agriculture.gov.au

Section B: Applicant

1 Organisation name Fisheries Research and Development Corporation

2 Contact address

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3 Contact person

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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: Response to the Draft Report

9 Support your response with reference to independent sources such as scientific journals, CSIRO or university publications. Attach additional sheets if necessary.

As advised during the consultation process, the current regulatory framework is suited to sectors that require high volumes of agvet chemical products, and not well suited to sectors such as aquaculture that use lower volumes, and consequently require an efficient application and approval process to obtain minor use permits (MUPs) for safe and effective use. Consequently, diminishing access to MUPs would likely have a significant impact for aquaculture. Any change to the regulatory system must maintain the future status of current MUPs, or provide an equal or better system, that allows aquaculture sectors to maintain and apply for approved use.

FRDC supports the provisions for maintaining access to the minor use permit system that is partially addressed in Recommendation 90 that proposes an application process for pesticides and veterinary medicines that meet prescribed criteria including specialised areas classed as minor uses to improve access in response to priority needs, would be beneficial for the aquaculture industry given the paucity of chemicals registered to improve health and welfare of cultured aquatic species and the lack of alternative treatments available including chemicals required for emergency aquatic disease and biosecurity response.

Having said this, FRDC contend that access to more chemicals is not the objective of the regulatory system, rather the best outcome for industry and the regulator is access to the most appropriate chemicals that provide the most effective treatment with least adverse impacts to human, animal and environmental health.

The FRDC supports the proposed principles of a revised regulatory system described in Recommendation 3, and the proposed national approach (Recommendation 4) to deliver harmonised and consistent control-of-use regulation. This acknowledges that APVMA will continue to regulate supply of pesticides and veterinary

chemicals as a statutory authority with the addition of a board (Recommendation 15). FRDC support harmonisation of control of use regulation between jurisdictions, including greater sharing of data underpinning assessments of veterinary medicines used by the Australian aquaculture industry. It is envisaged that the proposed national regulator will also administer veterinary prescribing rights in regard to off-label uses that are currently inconsistent between states. The aquaculture industry will need to be assured that removal of these current prescribing rights from jurisdictions will provide benefit, and not adversely affect, the ability of sectors to respond to, and manage, aquatic diseases. This is particularly important given the commercial imperative to be timely in any response.

A number of FRDC concerns reflect the need to place greater emphasis upon the impacts of terrestrial pesticide and veterinary medicine use upon aquatic systems that support fisheries and aquaculture sectors. FRDC support recommendations that reflect this objective, and that also has linkages to human and environmental health.

The FRDC submits that some recommendations should be considered further and refined. With respect to Recommendation 2, it is suggested that safeguarding the environment from adverse impacts of inappropriate use and consequences of pesticides and veterinary medicines should be an additional underpinning objective of the regulatory system. The following revision is suggested although provision for safeguarding users and consumers should also be considered as additional underpinning objectives.

Recommendation 2: The Panel recommends that the future pesticides and veterinary medicines regulatory system is underpinned by the following 5 equally weighted objectives:

- *safeguard animal health and welfare*
- ***safeguard environmental health***
- *support primary industries*
- *protect Australia's trade*
- *contribute to biosecurity preparedness.*

The FRDC supports the approach that a reformed regulatory system should be based on the use of evidence based science and risk based in its decision making (Recommendation 3). This risk based approach should consider the scientific evidence revealing potential impacts of chemical use on aquatic ecosystems and downstream aquaculture producers and fisheries. The authors are requested to consider that the capacity of the proposed regulatory system to address these risks for aquatic ecosystems, fisheries and aquaculture sectors appears inadequate. It should be recognised that for products where human or terrestrial animal use is established, the volumes used far exceed aquatic use and during approval processes the aquatic environment guidelines are unequally applied. This disparity means that fisheries and aquaculture species and habitats may be negatively affected by terrestrial chemical use that is otherwise legal and consistent with the label (i.e. adhere to control of use).

Consequently, FRDC supports the acknowledgement in section 3.3 – Environmental monitoring – “Given the widespread use of pesticides in the environment the Panel was surprised to discover a lack of monitoring for residues across Australia’s waterways and that essentially no soil testing is undertaken” and supports Recommendations 25-29 that will address the current lack of a national monitoring program for pesticides in waterways and soils in regions with high chemical use, and set and enforce water quality protection guidelines for both drinking water and ecosystem protection.

FRDC support the recommendations relating to improving the adverse experience reporting system and providing timely and effective response to these incidents. FRDC also support the recommendations relating to the transparency and responsiveness of the chemical review process triggered by an international decision. However, the suggestion to not repeat reviews within a 3 year period does not align with the intent of the proposed regulatory system to be based on sound science and be evidenced and risk-based in its decision making. If a body of scientific evidence becomes available through regular review, registration should be re-evaluated in order to ensure public safety and avoid environmental harm.

FRDC would appreciate receiving a response to this submission that provides an explanation of how these concerns raised have been addressed within the final report.

The Fisheries Research and Development Corporation acknowledges the extensive consultation and contribution of the authors to prepare the draft report.

The FRDC is also keen to work with the committee to extend the final review report to our fishing and aquaculture stakeholders. It would be appreciated if a shorter version can be produced that would allow the layperson to understand the changes and improvement being proposed.

Section G: Applicant declaration

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

I declare that the information I have provided is true and correct. I understand that it is a criminal offence under the *Criminal Code Act 1995* to knowingly give false or misleading information to a Commonwealth officer exercising powers under Commonwealth law. This offence carries a maximum penalty of 12 months' imprisonment.

I have read and understood the privacy notice and Privacy Policy.

Signature 

Date 26/02/2021

Full name Wayne Hutchinson

Section H: Privacy notice

'Personal information' means information or an opinion about an identified, or reasonably identifiable, individual.

'Sensitive information' is a subset of personal information and includes any information or opinion about an individual's racial or ethnic origin, political opinion or association, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices, trade or professional associations and memberships, union membership, criminal record, health or genetic information and biometric information or templates.

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