



Alliance for a Clean Environment

Promoting Community Right to Know and Environmental Health and Justice in WA

Submission on the: Draft Report of the Independent Review of the Agvet Chemicals Regulatory System.

The Alliance for a Clean Environment has engaged with this AGVET review and previous opportunities for engagement in relation to the role, function's and effectiveness of the APVMA as the regulator of Agvet products in Australia.

It is clear to us that civil society representative organisations, independent scientists, public and environmental health experts continue to be ignored.

Sadly, this review is no different.

We make the following comments on the Draft Report.

1. It is our opinion that the review panel has been disingenuous in its claims of providing a first principles review. The definition of a scientific first principles review includes 'integrity of knowledge, collegiality, honesty, objectivity and openness'. Yet these basic principles have not been demonstrated in this review. The review document reads like an industry manifesto where Croplife and other industry representatives are disproportionately quoted throughout as if they are facts and evidence when in reality, they are vested industry opinions. The lack of balance and critical scientific evidence-based data to support many of the claims made in the report, suggests the panel is biased and has not undertaken a first principles review. The review has not undertaken an assessment of the effectiveness, or otherwise, of the regulator's delivery on all of the objectives of its' governing legislation, not just those that concern gaining more efficiencies for the introduction of more Agvet chemicals onto the market.

Agricultural and Veterinary Chemicals Code Act 1994.

(2) This Code is to be implemented in a manner that:

- (a) recognises that the health and safety of human beings, animals and the environment is the first priority of the system for regulating chemical products and their constituents, in part to ensure that the use of chemical products at the present time will not impair the prospects of future generations; and*
- (b) reflects established best-practice principles for the assessment and management of risk, based on science; and*

(d) recognises that the use of chemical products that pose unmanageable risks to the health and safety of human beings, animals and the environment is not appropriate in Australia; and
(e) promotes community confidence in the regulation of chemical products and their constituents, is open and accountable, and gives opportunity for public involvement and participation; and
(f) secures compliance with this Code through appropriate, proportionate, consistent and effective compliance and enforcement measures.

The panel has simply not conducted a first principles review of these health and safety objectives as defined in the AGVET code.

2. The independence of the Chair is questionable.

ACE has significant concerns about the independence of the Panel, particularly the Chair. He appears to have a conflict of interest as he is also the current chair of the industry lobby group the Agricultural Biotechnology Council of Australia (ABCA), which represents the interests of organisations such as CropLife Australia, Cotton Australia and the National Farmer's Federation. The Chair's role in this lobby organisation is not disclosed on the Government website bio for him which provides a profile of Inquiry Panel members. The failure to disclose this conflict of interest undermines the independence and integrity of this Inquiry and its recommendations.

ACE also has concerns that the independent panel members chosen appear to lack qualifications in environmental management and chemical pollution.

3. The panel has failed to acknowledge or address the looming crisis of urban pesticide applications. The recommendation to place 'control of use' under the authority of the Commonwealth is unrealistic, unworkable and will result in further harm to human health and the environment. ACE does not support this recommendation.
4. Due to time restraints ACE refers the panel to our previous submissions which identifies the failure of the APVMA regulatory framework and for which we contend remains unaddressed in this review and report.

Jane Bremmer
Alliance for a Clean Environment
47 Seventh Avenue
Bassendean WA 6054.