Dr Alison Bleaney OBE

MBChB FACRRM

Committee Secretary
Senate Rural and Regional Affairs and Transport Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Comments on the revised Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012 and related details.

I must protest at the inadequate time given to consider the revised Agricultural and Veterinary Chemical Legislation Amendment Bill 2012. I was invited to a stakeholder meeting during the initial stages of the consultative process and would like to put on record that I feel it imperative that due to the seriousness of the proposed reforms, that consultation and discussion of these proposals at face to face meetings are essential.

The Australian Government states that it is committed to reform the regulation of agricultural and veterinary chemicals to improve the efficiency and effectiveness of the current system and provide better protection for human health and the environment.

The current reform proposals does indeed recognise the complexity of agricultural and veterinary chemical regulation but does not address the complexity of the 'real life' exposure effects of agricultural and veterinary chemical mixtures (both direct and indirect).

If the Australian Government was committed to the better protection of human health and the environment, then these above issues have to be addressed. A risk management strategy for singly assessing active ingredients can no way address these issues.

The Australian Government – APVMA and the Office of Chemical Safety – need to define highly hazardous pesticides (HHP) in line with international definitions; the community of Australia has already clearly articulated that persistent, bioaccumulative and toxic (carcinogens, chemicals that produce reproductive and developmental harm) agricultural chemicals have no place in the Australian market and should not be registered for use. Substitution by less harmful chemicals is severely hindered by the current approach to HHP. Why, for instance, were the previously identified most hazardous pesticides (e.g. Chlorpyrifos) not removed from registration with substitution of less harmful products? This single measure would greatly decrease costs to the Australian government (and taxpayer) and

allow for increased confidence by the community that indeed the Australian government has human health and environmental protection at the foremost of its regulatory reform.

The current reform also does not address low dose effects (at levels below current laboratory detection), endocrine disrupting chemicals (many with non monotonic response curves), immune modifying effects and the genotoxic effects many of these chemicals produce (epigenetic effects can also be considered genotoxic in their effect)[1].
I quote; "*With epigenetics, we are therefore left in a similar bind as we are with endocrine disruptors. Some are going to be more harmful than others, and some we will not need to worry about. Right now, however, for the most part all we can do is identify compounds which make these epigenetic changes. Taking a lead from endocrine disruption, the precautionary thing to do would be to limit exposure to substances which have the potential to cause harm via an epigenetic mechanism, until those substances have been proven safe by test methods appropriate to demonstrating that safety.*"

"Sound science" (to use industry and Government terminology) would have allowed for the inclusion of these matters, as it is the Governments remit to interpret all the science and produce honest and effective regulatory reform.

Perhaps the Government needs to clearly define, in plain English, what it precisely means by "better protection of human health and the environment" and ensure legislation continues to conform to this and not disregard community expectations.

How indeed has it received the view of the community in regard to this matter? Does the view of "communities" get as much weight as the view of the chemical industry? If not why not, as it is the communities (environment and human) that suffer the adverse consequences of the failure of the Australian Government (through APVMA and the Office of Chemical Safety) to ensure regulatory reform "protects" human health and the environment. It is commonly known that the foetus and the child are among the most vulnerable sup-populations and require therefore the most protection.[2] Engagement of all disparate "communities" is therefore fundamental to this process. Indeed the World Health Organisation has warned that; "… *chronic, noncommunicable diseases are rapidly becoming epidemic worldwide. Escalating rates of neurocognitive, metabolic, autoimmune and cardiovascular diseases cannot be ascribed only to genetics, lifestyle, and nutrition; early life and ongoing exposures, and bioaccumulated toxicants may also cause chronic disease.*"[3] In fact WHO has stated that children worldwide should be protected from persistent organic pollutants as they are not safe for children at any exposure and the risk of any exposure cannot be safely managed.

No longer should international trade standards be more rigorous than these for the domestic market; our environment and people deserve to have the highest standards implemented. If a pesticide is not acceptable in another country on 'imported' foodstuffs, how can it be used in Australia with a "managed risk" strategy, with no effective outcome monitoring?

---

[1] http://healthandenvironmentonline.com/?utm_source=GraphicMail&utm_medium=email&utm_term=NewsletterLink&utm_campaign=
http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0030093

[2] http://www.panna.org/current-campaigns/kids-health; http://www.panna.org/publication/generation-in-jeopardy

[3] http://www.ncbi.nlm.nih.gov/pubmed/22315626

The Adverse Experience Reporting Program (AERP) run by APVMA is an adhoc community reporting system that is grossly inadequate as no financial or expert resources are given to those that report with this process. The APVMA expect investigative detail in the reports and along with the long delay before there is any reply to the initial reporting, follow up is generally ineffective and unhelpful in this process.

If an agricultural and veterinary chemical has no data to ensure its safety to human and environmental health, including to native Australian wildlife and fish, then it should not be registered. All current internationally acknowledged science should be included in APVMA's "safety" assessments; nothing less is acceptable.

If an agricultural and veterinary chemical has registration or re-registration cancelled for safety reasons, how can the Australian Government allow for a 1-year sell-out period for stock in trade? This is blatantly at odds with "better protection of human health and the environment.

The APVMA cannot both serve the chemical industry as a registrant for AgVet chemicals (provides means for industry to make money) and at the same time be paid by the same industry to register and re-register AgVet chemicals. APVMA needs to have a separate transparent non-industry influenced funding source i.e. self-regulation in this area is not acceptable.

Please consider these matters carefully as they are of the utmost importance to the health of our future generations.

Dr Alison Bleaney OBE
MB ChB FACRRM
Tasmanian Public & Environmental Health Network (TPEHN)
http://www.sourcewatch.org/index.php?title=Pollution_Information_Tasmania