

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Additional Estimates 2015 - 2016

**Agency - Safe Work Australia**

**Department of Employment Question No. EMSQ16-000205**

**Senator Leyonhjelm provided in writing.**

#### **Question**

##### **SWA - USA approach to AgVet chemicals**

The Productivity Commission report of 2008 on chemicals and plastics regulation recommended that GHS should not be adopted in advance of Australia's major trading partners. The United States of America, one of our major trading partners with a comparable regulatory system for AgVet chemicals, has adopted GHS. However, the USA has specifically exempted AgVet chemicals in recognition of their existing regulatory system. Does SWA believe the USA approach is wrong?

#### **Answer**

The approach to AgVet chemical labeling in other countries is a matter for the relevant governments of the country in question.

In the United States (US) the Safety Data Sheet is considered part of the pesticide label.

The US Environmental Protection Agency (EPA) [website](http://www3.epa.gov/pesticides/oppfead1/international/ghs/benefits.htm) (<http://www3.epa.gov/pesticides/oppfead1/international/ghs/benefits.htm>) acknowledges significant benefits in adopting the GHS for pesticide labelling. In its guidance PRN2012-1 (<http://www.epa.gov/pesticide-registration/prn-2012-1-material-safety-data-sheets-pesticide-labeling>) in relation to pesticides the EPA states that the Occupational Safety and Health Administration "has long required information on hazards that do not generally appear on pesticide labels (e.g. for chronic health effects) and this information is not inconsistent with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) label".

The EPA also acknowledges that "conflicts between FIFRA labels and SDS for the same chemicals, and FIFRA labels and labels for other chemicals in the workplace could mislead workers about hazards, perhaps creating the impression that pesticides are less hazardous when they are not."

This is consistent with the position of the Safe Work Australia Members.

Published information on the EPA website indicates that the exemption from the GHS will only apply so long as it takes the EPA to harmonise its label requirements with the GHS statements.