24th January 2014

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

Dear Sir/Madam,

RE: Inquiry into the Implications of the use of Fenthion on Australia's horticultural industry

Summerfruit Australia Limited (SAL) is the industry voice for the betterment of summerfruit (fresh apricots, nectarines, peaches and plums). It represents the interests of the summerfruit industry on a national and international basis. It is the body recognised by government as the peak industry body for growers of summerfruit and has responsibility for the management of the industry marketing and R&D levy expenditure.

SAL works closely with other interested groups, government and supply chain partners to maximize profitability for the industry.

Production has risen by approximately 25% over the last decade to over 100,000 tonnes per annum produced by about 800 growers. The 250 largest summer summerfruit growers are responsible for around 80% of Australian produce.

The summerfruit industry in Australia can be classified into low, medium and high chill production areas.

Low chill summerfruits are on the market before October and attract a price premium due to their limited availability at that time. Low chill varieties are produced in the area North of Coffs Harbour in NSW to the Atherton Tablelands in QLD, and in the Perth Hills area to the north of Gingin in WA.

Medium chill varieties are concentrated in and around Stanthorpe in Queensland, the Central Coast of NSW through to the Sydney basin and south to the Araluen Valley, extending to the warmer inland regions of Swan Hill and the Riverland of SA.

High chill fruit is produced in cooler climates including Southern NSW, the Goulburn Valley in VIC, SA, Southern WA, and Tasmania.

It is important that the Senate Committee appreciates and understands the nature of the industry. In case of summerfruits the industry is spread across a wide cross section of environmental and climatic regions (refer to map below) making issues like pest and disease control very complex.

Often there is no single solution to pest management making the requirements for chemicals variable depending on the region and the specific conditions.

Australian summerfruit production map

Summerfruit Australia Limited has been aware of the reviews of both Dimethoate and Fenthion since the reviews were contemplated by the APVMA. Over the past five years SAL has been an active participant in ALL of the aspects of the review process.

SAL has

a) allocated substantial research and development resources (using industry levies) to gathering technical information on the use of Dimethoate and Fenthion as well as allocating resources in trying to establish alternative methods of control of fruit fly within the various stonefruit categories,
b) allocated substantial research and development resources and other industry funds in expanding the opportunities for export in markets like China,
c) been an active industry member of the 'Dimethoate and Fenthion Response Coordination Committee' (at times being one of a few industry participants),
d) prepared relevant submissions to APVMA on the reviews of Dimethoate and Fenthion,
e) represented its members at many industry and government forums in relation to the review of both Dimethoate and Fenthion,
f) prepared and distributed reports and other technical material for use by Australian stonefruit growers in relation to managing fruit fly, and committed in excess of $3,400,000 in R&D and consultation over the past five years.

Appendix A details the R&D investment by the Australian Horticultural Industries which includes the investment by Summerfruit Australia Limited.

Overall the commitment of these resources has not ensured a good result for the Australian Summerfruit Industry as the industry has lost two important 'tools' from the growers 'tool kit' which have not been replaced.

While this "Inquiry into the Implications of the use of Fenthion on Australia's horticultural industry" has some merit Summerfruit Australia Limited believes that the review is not focussed at dealing with the major issues facing the industry in relation to

a) Fruit Fly management and control,
b) Chemical reviews,
c) Investment in new chemical, and
d) Investment in alternative controls.

Fruit Fly Management and Control

Queensland Fruit Fly (QFF) and Mediterranean Fruit Fly (Med Fly) are some of the most destructive pests facing the horticultural industry as well as the general consumer yet there is no coordinated plan to manage and ultimately eradicate this pest. The one pest that affects the stonefruit industry in getting market access to countries like China, Japan, Korea and the USA is both Fruit Fly species.

A number of years ago a National Fruit Fly Strategy was developed by government and industry but in recent years government has walked away from funding the strategy. Reality; industry does not have spare R&D funds to fund the Strategy.

What is lacking is an active National Fruit Fly Action Plan that is owned and operated in a partnership between the Federal Government and industry.

Over the past few years we have seen the State Government's in Victoria and New South Wales either total withdrawn and/or downsized their commitment to managing Fruit Fly outbreaks.

QFF and Med Fly will only be managed with a medium to long term plan which is supported and funded by the Federal and State Governments and industry in a true and committed partnership.

Chemical Reviews

The chemical reviews undertaken by APVMA need to be fully scrutinised and a more efficient process adopted, which has great consideration of the value and importance of the chemical to primary production. Health, environment and trade dominate the parameters of all reviews but the effect on production has no weight.

The effect on production through the loss of Dimethoate and Fenthion has been immense to Australian Horticulture but it appears nobody really cares. This is not only having an effect on the ability for growers to produce a crop it has an un-intended consequence of creating human health issues for the producers, their families and staff.

The other issue is the time that it takes APVMA to conduct chemical reviews. In reality the reviews of Dimethoate and Fenthion have been at least ten years in the process. One of the issues is the lack of sufficient resources available to APVMA to undertake reviews in an efficient manner and timeframe.

SAL believes that there needs to be full review of the APVMA chemical review program including the funding made available to APVMA for chemical reviews.

Investment in New Chemicals

Alongside the APVMA chemical review program there should be a program of investment in developing new and relevant chemicals for the management and control of pests and diseases.

Such programs cannot be left to the chemical companies to undertake because as international companies, they have limited interest in the Australian Horticultural industry (because of its small size in comparison to other countries) and pests like QFF and Med Fly (QFF is native to Australia and Med Fly is an introduced pest).

The aspect of developing controls for a major Australian pest does not appear to be on the Australian Governments priority list. The question is why not?

The involvement in an organisation like CSIRO working on chemical controls for QFF and Med Fly should be seen as a major investment for Government and the community.

Investment in alternative controls

Much has been documented as potential alternative controls. In fact the 'Dimethoate and Fenthion Response Coordination Committee' organised the development of a report looking at alternative control measures. Unfortunately none of the controls have been effective in filling the gap left by the removal of Dimethoate and Fenthion.

Summerfruit Australia Limited has funded research and development of Fruit Fly control alternatives but they have been very difficult to ensure that they can be effectively utilised in a commercial situation.

The concept of Sterile Insect Technology (SIT) has been a tool that can be used as part of a management program. It has been shown to be successful in managing outbreaks of Fruit Fly in South Australia and is used as a technique by overseas countries with a high degree of success.

Yet in Australia, governments are in the process of withdrawing funds to maintain sterile fly production in New South Wales and Western Australia. The South Australian Government with the support of HAL and some commercial partners has recently announced the development of s SIT facility in South Australia. Unfortunately this facility will take many years to reach full operation and by that time Queensland Fruit Fly will more than likely be endemic across the whole of Australia.

The lack of a national approach to SIT is of major concern.

In relation to the specific inquiry Summerfruit Australia Limited would make the following comments to the specific terms of reference:-

TERMS OF REFERENCE:

The implications of the restriction on the use of Fenthion on Australia's horticultural industry.

Effectively

- 800 stonefruit growers who produce some 100,000 tonnes of fruit have had their crops put under increased pressure from attack from high devastating pest –QFF and Med Fly.
- an industry worth $260million(farm gate) has been left without an effective alternative control for Fruit Fly.

The follow on is that conservatively in excess of 6,000 jobs are in jeopardy and domestic and international markets have been placed under threat at a time when State and Federal Government's are encouraging industries to embrace the export opportunities particularly within South West Asia.

This situation has been created because of the one dimensional process that exists in relation to the review of chemicals.

As indicated above the current review process fails to take into account the effect on production as a result of the removal of certain chemicals and the lack of alternative controls.

a) **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 whole process of production and the support mechanisms to that production is completely disjointed.

The Australian Horticultural Industry is continually criticised by Government for being disjointed and lacking a singular approach to issues. Yet all parties fail to see how disjointed the processes are that are required to support a strong, viable and profitable primary production sector. The regulation of pesticides and veterinary chemicals would be one of the most disjointed and overregulated sector within primary production.

In relation to the aspect of chemicals for use in primary production there are a whole raft of instrumentalities that for much of the time are not in unison with each other:-

- Federal government
- Seven state or territory governments
- Hundreds of Local Councils
- NRM/Catchment Authorities
- Environmental Protection Agencies
- APMVA
- State Department's of Agriculture with farm chemical branches
- Health Agencies – Federal and State
- Plus a host of other interested parties.

If one was to plot the path of the chemical regulation through this complex set of governments and agencies one would understand the frustrations growers have with the process.

One of the other issues is that there is no long term plan to the issue and a consistent level of funding to manage a program. Programs like the regulation of chemicals are always at the whim of the government(s) at the time. This is one program that needs a long term bipartisan program particularly if primary production is going to achieve the outcomes desired by governments, industry and the community.

Summerfruit Australia Limited prepared and submitted an extensive document to the Fenthion review but has never received a formal response from APVMA or any other agency. In fact the overwhelming feeling is that APVMA and other related agencies take absolutely no notice of submissions prepared and submitted by industry.

A copy of the 2012 submission is attached as appendix B.

b) The short- and long-term impact of the decision on stakeholders;

As indicated above Summerfruit Australia Limited has injected substantial monetary and human resource to the review of Fenthion (and Dimethoate) yet the industry still had no effective solution in place to deal with the 2013/14 harvest (and beyond). You multiply across all of the other horticultural industries affected by fruit fly and you have a substantial input into the process.

The impact of the loss of Dimethoate and the restriction in use of Fenthion in 2013/14 has been highlighted by the increase in damage to stonefruit across all growing regions. The loss is estimated at $125 Million. (Vickers 1994), possibly in current terms $150 Million.

The long term impact is that if no other controls of Fruit Fly are found then the stonefruit industry in Australia could rapidly decline resulting in business closing, jobs being lost and the viability of the industry threatened. The Australian consumer may well have to rely on imported stonefruit from a range of overseas countries to satisfy the domestic market.

As previously indicated the un-intended consequence of human health is never considered in these types of reviews. For a grower who has put substantial resources into producing a crop to find that crop destroyed by a pest to the point where it is not worth harvesting is highly devastating. It has a flow-on to the cash flow of the business, the ability to service debts and employ staff.

Yet the year before, because that grower had access to a particular control method, the grower was able to conduct a viable business.

The frustrating aspect for the growers is that there has been no evidence shown that the use of these chemicals over the past decades have caused any effects to the environment and/or human health.

c) The effectiveness and sustainability of chemicals other than Fenthion to manage fruit fly;

To this point in time Summerfruit Australia Limited has found no other chemical to have anywhere the same success as both Dimethoate and Fenthion in controlling Fruit Fly in any of the growing regions of Australia.

d) Transition arrangements following the restriction on the use of Fenthion, including Area Wide Management;

The transition to Area Wide Management has been a failure to this point in time.

There are very few success stories relating to Area Wide Management within Australia.

Tasmania is a Fruit Fly Pest Free Area but it only continues with strict controls on the treatment and movement of host produce into that State. Such programs are managed and funded by the State Government.

One other example is the Pest Free Area within the Riverland of South Australia but just recently we have seen how vulnerable managing that area can be. The Pest Free Area has existed because of a regular investment by government and industry that is annual worth $ 6 million or more.

Area Wide Management is reliant on all parties being committed and involved in the process including Federal, State and Local Government, NRM agencies, industry and the community. Again there are very few if any examples of successful programs of Area Wide Management.

One of the base processes in achieving Area Wide Management is having and maintaining a low population of the pest being managed. More often than not it is essential to have a chemical that can be used to bring down the level of a population. Once that population is reduced then other components can be implemented to manage the rest of the population. Codling Moth in apples is a model that can highlight what can be done using alternative control methods but when populations do increase growers are forced to use a chemical to reduce the pest pressures.

Area Wide Management programs take a long time to implement successfully but part of any good program is to have a 'knockdown' chemical in the 'tool kit'. In the case of Fruit Fly the two most important 'knockdown' chemicals – Dimethoate and Fenthion – have/are being removed. This will make any Area Wide Management program very difficult to implement and maintain.

Even if industry was to achieve Area Wide Management what will be the advantage. Recently the cherry industry has gained a level of access to China but not for the Riverland region in South Australia because the Chinese have

failed to accept the Pest Free status of the region. If they will not accept Pest Free status we would believe they will not accept Area Wide Management.

e) Any related matters.

The issues raised in this early part of the submission need to become the basis of a more comprehensive review of chemicals for use within the Australian Horticultural Industry.

Within **Appendix C** are copies of past correspondence to both the Minister and the then Leader of the Opposition, Tony Abbott detailing the concerns of the Summerfruit Industry back in 2010.

A copy of a SAL R&D Project is supplied in addition to this submission.

The Australian Summerfruit Industry is rapidly declining due to the lack of chemicals like Dimethoate and Fenthion. Immediate support to assist the industry in either regaining access to these chemicals OR the availability of new chemicals and/or effective alternative treatments is essential to assist in maintaining and then growing the Australian Summerfruit Industry.

Summerfruit Australia Limited would seek an opportunity to give a presentation to the Senate Committee at an appropriate time.

Thanking you in anticipation.

Yours faithfully,

John Moore
Chief Executive Officer
Summerfruit Australia Limited.

APPENDIX A: HAL FRUIT FLY R&D INVESTMENT SUMMARY – November 2013

Horticulture Australia Ltd

Horticulture Australia Limited (HAL) is a not-for-profit, industry-owned company. It works in partnership with Australia's horticulture industries to invest in research, development and marketing programs that provide benefit to industry and the wider community. HAL invests around $100 million annually in programs designed to align with the strategic investment priorities of Australia's horticulture industries and the Australian Government's Rural Research and Development priorities. HAL receives recommendations on investment from Industry Advisory Committees (IACs), which provide industry specific experience and expertise. IACs are committees of HAL that provide advice to the HAL Board. The Peak Industry Body (PIB) of each industry recommends IAC membership to HAL. The PIB is responsible for ensuring the persons they recommend meet the skills required on an IAC. As part of the Australian Government's commitment to rural research and development, horticulture industries can access matching Commonwealth funding through HAL for research and development activities.

Background

Fruit fly is a constant enemy, it costs Australian horticultural producers more than $150 million a year in eradication procedures, destroyed fruit, field control and quarantine treatments to access interstate and overseas markets. Fruit fly is Australia's worst fruit pest and eradication is usually by lure trapping, insecticide baiting or by the release of numerous sterile male fruit flies. There are about eighty species of fruit fly in Australia. Two of the most economically damaging are the native Queensland fruit fly in eastern Australia, and the introduced Mediterranean fruit fly, they surpass the other species in numbers of known hosts and destructive potential.

HAL Fruit Fly R&D Funding

To date HAL (and its predecessor HRDC) have funded 149 fruit fly related projects valued at $30.061 million (matched dollar value). The project funding has targeted both In-field control methods and End point treatments. In-field control research represented 56.19 percent of the total investment with the remaining 43.81 percent representing End point treatments.

In-Field Control Fruit Fly R&D Projects

To date HAL has funded 73 In-Field Control R&D projects with a matched dollar value of $16.893 million. A summary as follows:

Table 1 – In-field control projects

Funding Area	No of Projects	Value of Projects
IPM	4	1,317,950
Attract & Kill	4	1,743,548
Area Freedom	10	2,807,580
Trapping	6	1,644,006
Chemicals	4	864,059
Host Status	5	82,523
SIT	9	2,663,675
Genetics	1	14,156
Systems	12	3,872,812
Other	18	1,883,564
Total	**73**	**$16,893,873**

Appendix A - HAL Fruit Fly R&D Investment Summary - November 2013

End Point Treatment Fruit Fly R&D Projects

To date Horticulture Australia Ltd (HAL) has funded 76 End Point treatment R&D projects with a matched dollar value of $13.167 million.

A summary as follows:

Table 2 – End point treatment projects

Funding Area	No of Projects	Value of Projects
Heat/Hot Water	12	1,490,238
Cold Disinfestation	25	6,336,097
Fumigants	20	2,605,881
Modified Atmosphere	3	179,846
Irradiation	8	909,324
Combination Treatments	1	180,000
Chemicals	1	56,341
Other	6	1,410,112
	76	**$13,167,839**

Source: Horticulture Australia Limited

HAL
Horticulture Australia

Summerfruit
AUSTRALIA

APPENDIX B: ORIGINAL RESPONSE TO FENTHION REVIEW.

25th September 2012

Manager Chemical Review.
Australian Pesticides and Veterinary Medicines Authority
PO Box 6182,
KINGSTON. ACT. 2604.

Dear Sir/Madam,

RE: Review of Fenthion.

Summerfruit Australia Limited expresses extreme disappointment of their members at the decision by APVMA to withdraw Fenthion from use on Australian Stonefruit. This decision, combined with the earlier decision to withdraw Dimethoate has made the control of Fruit Fly in stonefruit production almost impossible to achieve. The end result will be a further decline in the viability of the Australian Summerfruit Industry.

Summerfruit Australia Limited is also extremely disappointed at the short time frames given to industry to respond to the reports produced and tabled by APVMA. It again highlights the level of disregard Government agencies give to Australian Horticulture.

Government agencies have consistently indicated that actions like chemical registration, market access decisions and other production regulations are only undertaken based on sound scientific evidence. Unfortunately this was not the case in the removal of Dimethoate and is again the case with the removal of Fenthion.

Fruit Flies are the greatest challenge to growers of Summerfruit, the uncontrolled damage to our crop is close to 100% in many areas. The area endemic to Fruit Fly has increased greatly in recent years despite the use of lures, baits and sterile male release in outbreak areas.

Fenthion has become the key chemical in the production of Summerfruit, and is the only control that allows production in some fly endemic areas of Australia. Producers do not have any tangible alternative in areas of high pest prevalence; Government and industry have failed to invest in alternatives until recently, and grower trials have proved the unreliability of the alternatives

The Australian Summerfruit industry has over 50 year's experience of safe and effective use of Fenthion, with not one documented incidence of acute or chronic problems to chemical user, or to consumers of the fruit. Residue tests of our product, private or Government, show levels of Fenthion rarely above the level of detection and never in the high levels used in the Fenthion review

Consistently through the documentation on Fenthion there are statements that are not supported by conclusive science. Many of the decisions appear to be based on supposition and/or personal judgements. The following are just a few examples:-

a) "*the assessment found that the use of fenthion …… left residues that **could** exceed the relevant public health standards'*;

b) "*the risk assessment looks at the potential for a consumer to be exposed to pesticide residues if **they were to eat large amounts of food**…";*

c) "*the fenthion assessment showed that the residues on **some crops could reduce** the margins of safety"*;

d) "***assuming** large amounts of a particular food are consumed in one day (24 hours)*…";

e) "*Acute dietary exposures was **estimated** ……*";

These are but a few examples of assumptions made that would appear to be based on personal judgement and not sound science.

Within the documentation available to industry APVMA highlights that

a) *"Regular surveillance of chemical residues on food by state, territory and federal agencies shows dietary exposure to pesticide residues is well below Australian or international public health standards and there is no public health and safety risk".*
If this is the case with Fenthion then why is chemical being removed?

b) "*In Australia there have been some reports of accidental exposure to veterinary products containing fenthion leading to medical treatment or hospitalisation".*
We can only assume that APVMA have found no exposure issues in horticulture or more specifically stonefruit production?

Having reviewed the document titled "***FENTHION: Residues and dietary risk assessment report"*** we would make the following comments:-

a) It appears that all of the decisions relating to Stonefruit, use of Fenthion is based on the 3 day withholding periods.
Why has APVMA not looked at considering the option of increasing the withholding periods given that some of the residue data highlights that a longer withholding period will reduce any residue levels within acceptable dietary requirements?

b) The review document is very confusing given the continued use of "deciduous fruit" and "stone fruit".
What are the differences?

c) The document says that "*for the following use patterns available residue data indicate that short term exposure to Fenthion residues may exceed the reference health standard"*.
Why has APVMA not requested that industry review the modification of their use patterns to allow the continued use of Fenthion?

d) An MRL for Stone fruits of 5 mg/kg already exists.
Was this MRL previously set by APVMA? If so on what scientific evidence was this based?
What has now changed that makes this MRL inappropriate?
Where there any breaches of this MRL since it was established?
If not why is APVMA now removing this MRL
Has there been any health issues resulting from the use of Fenthion with this MRL?
If not why is APVMA now removing this MRL?
What new science is being used to support the removal of the MRL?

e) ***If the JMPR next periodic review of Fenthion highlights that the use of Fenthion is safe will APVMA rescind this currently proposed decision to remove Fenthion?***

f) ***Why are the Australian ADI and ARfD levels lower than those adopted by JMPR?***
Why is there not consistency with international data?

g) The data used by APVMA lacks any form of consistency making any sound scientific decision impossible to make.
If a single application of Fenthion with at a 3-day withholding period results in an unacceptable level then surely the logic is to withdraw this specific treatment? Instead it appears that APVMA have used this as the basis for total removal.

h) APVMA concludes that the chronic dietary exposure of Fenthion is acceptable.
If the chronic dietary exposure is acceptable what then changes to make the acute dietary exposure unacceptable?

i) The APVMA only lists a large amount of fruit ingested in a short period of time to determine its short term dietary risks.
Why has APVMA not detailed what is a 'large amount of fruit'?

j) Under current Fenthion usage, long term dietary risks are considered to be at safe levels, however short term dietary intake is estimated to be too high according to APVMA research.
When will the APVMA release data showing how it has collated estimates of a large amount of fruit?

Having reviewed the document titled "***The reconsideration of approvals of the active constituent fenthion, registrations of products containing fenthion and their associated labels; Preliminary Review Findings Volume 1"*** we would make the following comments:-

a) The report states that *"based on the data provided the APVMA is satisfied that the active constituent fenthion meets requirements for continued approval. The APVMA recommends that the active constituent approvals for fenthion be affirmed"*.
If APVMA is satisfied with data supplied allowing continued approval why have they then rejected its approval in the horticultural sector?

b) Fenthion can be used on dogs to control fleas and can be used around commercial buildings and industrial buildings, to control non-native birds.
Why can Fenthion be used directly on animals but considered a hazard to young children if the eat large amounts of stonefruit?
If Fenthion can be used around commercial and industrial buildings why can't it be used in commercial sites like orchards?

c) Within the toxicology hazard profile the report states that there is *"no evidence of accumulation"*.
If APVMA accepts that from a toxicological point of view there is no evidence of accumulation then how do they reach a conclusion that there will be accumulation by eating 'large amounts of stonefruit'?

d) Within the toxicology hazard profile the report states that there is *"no evidence of oncogenic potential"*.

e) The report further states that "*the product is then applied to the skin at the back of the dog's neck (after parting the hair)".*
Why is it safe to use Fenthion on dogs, including household pets, yet considered a hazard to humans?
Is it not possible for a young child to pat the family pet and be contaminated by the Fenthion applied to the dog's body? Is this scenario not far more dangerous than a young child ingesting a 'large amount of stonefruit'?

f) The report states that *"these calculations assume that a bird would drink its entire requirement of water from a treated body of water. As this is unlikely, the probable risk is even lower"**.***
SAL would question the science that was used to make this assumption?
How can APVMA make this conclusion in relation to birds yet make an assumption that a young child will eat the high levels of fruit and vegetables that might be treated with Fenthion?
Given the level of obesity in Australian children the suggested intake of fruit and vegetables used by APVMA to develop their conclusions is far from realistic.

g) The report states that *"these calculations assume that a mammal would drink its entire requirement of water from a treated body of water. As this is unlikely, the probable risk is even lower".*
SAL would question the science that was used to make this assumption?
How can APVMA make this conclusion in relation to mammals yet make an assumption that a young child will eat the high levels of fruit and vegetables that might be treated with Fenthion?

h) The report states that *"the USEPA concluded that there was no evidence of fenthion-induced carcinogenicity, developmental toxicity or increased sensitivity of offspring; and no neuropathological effects associated with fenthion"*.
If from a health perspective fenthion does not induce carcinogenicity how does APVMA then make the conclusion that eating fruit and vegetables that may have been treated with Fenthion is a hazard to human health?

Having reviewed the document titled "***The reconsideration of approvals of the active constituent fenthion, registrations of products containing fenthion and their associated labels; Preliminary Review Findings Volume 2"*** we would make the following comments:-

a) The report states in section 9.2.5 – Carcinogenicity that *"chronic dietary studies in mice and rats showed no evidence of oncogenicity and therefore, fenthion is not considered to pose a carcinogenic risk to humans"**.***
If from a health perspective Fenthion does not induce carcinogenicity how does APVMA then make the conclusion that eating fruit and vegetables that may have been treated with Fenthion is a hazard to human health?

b) The reports states in section 9.2.6 – Genotoxicity that *"results from a range of in vitro and in vivo genotoxicity assays indicated that fenthion is not genotoxic".*
If from a health perspective Fenthion does not genotoxic how does

APVMA then make the conclusion that eating fruit and vegetables that may have been treated with Fenthion is a hazard to human health?

Summerfruit Australia Limited requests that APVMA present evidence to the above issues before any action is taken to suspend the use of Fenthion.

Summerfruit Australia Limited believes that APVMA has offered no opportunity for the stonefruit industry to modify the use pattern of Fenthion. We believe that with a longer withholding period it is possible to reduce any residue levels to those necessary to come under the appropriate health reference standards.

Summerfruit Australia notes that there is data from two trials that show that at 21 days, after the final of three treatments, residues are well within the Acute reference dose for peaches and nectarines

- 07-HAL-005(a) GLP-319, on nectarines treated with 3 sprays, had residues of 0.05mg/Kg at 21 days after final application and was 0.19 mg/kg at 14 days. This would give a NESTI 20% of the acute reference dose at 21 days and 75% at 14 days.
- 07-HAL-005(a) GLP-166, on peaches with 3 sprays, had residues of 0.16 mg/kg at 21 days after final application and a NESTI 70% of the acute reference dose.

Summerfruit Australia Limited submits that a use of Fenthion with a 21 day withholding period may allow greater numbers of our growers to survive until alternative controls for Fruit Fly are developed. We request the continued registration of Fenthion for Peach, Nectarine, Plum and Apricot for use on Queensland Fruit Fly and Mediterranean Fruit Fly with a 21 day withholding

Summerfruit Australia Limited is requesting that APVMA place a hold on the decision to remove the use of Fenthion in stonefruit production to allow the industry time to pursue a variation in use pattern.

An immediate decision to allow industry to undertake such work is requested so the appropriate R&D can be undertaken over the 2012/13 production period.

Summerfruit Australia Limited would seek an opportunity to meet with APVMA to discuss this proposal further.

Thanking you in anticipation.

Yours faithfully,

John Moore
Chief Executive Officer
Summerfruit Australia Limited.

APPENDIX C: PAST CORRESPONDENCE

30th September 2010.

Senator the Hon. Joe Ludwig MP
Minister for Agriculture Fisheries and Forestry
MG Suite 64
Parliament House
Canberra, ACT 2600

Dear Minister,

I write to request a meeting at your earliest convenience to discuss one important issue pertaining to the national economic future of the Summerfruit Industry (stone fruit) within Australia and consequences on a global basis.

Summerfruit Australia Limited as the peak industry body is alarmed at the unimpeded progress to withdraw two (2) vital chemicals necessary for the economic and quality sustainability of future stone fruit production and the impact on consumer consumption within Australia this will cause.
Further, as you're very aware high value production Horticulture needs a sense of security from the elements. Fenthion & Dimethoate have been registered for over 30 years to aid producers with the essential pre harvest control for the national endemic Queensland Fruit Fly and spreading Med Fly occurrence; also an essential tool for post harvest trade, domestically and internationally.

As you will appreciate there is considerable concern among growers about the future of their Industry. The current harvest has commenced and growers will be soon planning next year's crop with great anxiety.

A meeting at your earliest convenience to discuss the Summerfruit Board's concerns and the government's position would greatly assist.

Yours truly,

Ian McAlister

Chairman Summerfruit Australia Limited

cc The Hon Dr. Mike Kelly AM, MP

Appendix C: Past Correspondence

13th August 2010

Hon Tony Abbott MP

Leader of the Opposition
Member for Warringah.

Dear Tony,

Re: APVMA Review of Fenthion & Dimethoate Based Chemical Sprays

The abovementioned matter is identified as the single most critical issue facing our beleaguered industry , notwithstanding other important issues such as climate change impacts – more frequent hailstorms & frosts , cyclones , even tornados as well as importation of US and possibly Chinese stonefruit due to FTA deals and, to top it all off, 1970's prices for our produce due to mega-grocer market power .Simply put, this matter, without careful consideration of alternatives and time to do so, may render our industry on the Far North Coast of NSW and South East Queensland unviable within 12 months and have a cancerous effect in the medium to high chill areas of other Australian regions. The low chill stonefruit category is small in comparison to the much larger high chill stonefruit industry in the southern States. So many fruit and vegetable categories rely on the use of these chemical sprays – nearly all tropical fruits , tomatoes , zucchinis , capsicums just to name a few . A complete list is attached to this letter in the accompanying well written articles taken from the June 2010 edition of *Good Fruit & Vegetables* Magazine.

Essentially, the issue is that we are required to spray our crop, pre-harvest, with fenthion and dimethoate based chemical sprays (organophosphate insecticides) to control a number of crop destroying insect pests but most notably the endemic Queensland fruit fly. We most commonly use a Bayer Product known as Lebaycid which is very expensive but it works. If QLD or NSW wish to market any of their fruit to the southern States, which they need to do, to maintain national competitiveness, they are required by NSW or VIC DPI to undertake a strict control regime and protocol which is audited for compliance and effectiveness annually .It is a very major commercial requirement of our businesses and is taken very seriously both by ourselves and the relevant industry authorities.

The APVMA are giving off very serious signals that these chemicals will be banned from use in food producing situations following their current review. Their decision is imminent and likely to be delivered this calendar year. The APVMA's own scientist working on this review, Ms Robyn Schipp, attended the Low Chill conference and, whilst we admired her courage in doing so, we didn't like the message. I can make no comment as to the scientific approach or correctness of their review except to say that, notwithstanding all APVMA's research work over some considerable period of time and after 40 years of chemical application throughout Australia, there are apparently no dead bodies, human or otherwise, in their files that can be directly and only attributed to the use of these chemical sprays.

We do understand and accept APVMA's important role in Australian agriculture and horticulture and cannot will not quarrel with its' scientific assessment, however, surely the broader role of Government is to assure the future viability of otherwise healthy and desirable industries such as stonefruit and other tropical, and subtropical fruit categories as well as many other fruit and vegetable industries which could be decimated by well intentioned but uncommercial scientific decisions by government bureaucrats. We believe that there is a ground swell of consumer support and a reaffirmation of the importance of Australian grown produce to the Australian economy in the face of an increasing volume of overseas, especially Chinese, produce. Let's support Australian businesses first!

There is NO other product currently on the market that will replace these organophosphate insecticides with anywhere near the same level of effectiveness and talk of exclusion netting, baits & lures and even post harvest treatments are prohibitively expensive, largely untested, ineffective or fanciful alternatives. Much work is being done across many industries to develop viable alternatives but this will take time. A lot of time.

Summerfruit Australia is the peak body representing low chill stonefruit growers across the temperate zones from the West to the East Coast of Australia, the medium to high chill growers, largely in the southern regions of Australia, including Tasmania. We would like to request that even if the review results in the eventual banning of Fenthion & Dimethoate based chemical sprays, then ample time is given to developing alternatives and / or that proper consideration is given to amending withholding periods and / or some other similar phased-in concessions are allowed in order to keep our industry afloat. It will only take one consumer to discover a fruit fly maggot in their recently purchased peach or nectarine to alarm the market and render the stonefruit industry, worth $2 billion, bankrupt overnight. Multiply that over many, many fruit and vegetable industries throughout Australia and we have a national disaster looming. I'm not being melodramatic either. The withdrawal of Australian stonefruit from our then biggest export market in Taiwan 4 or 5 years ago was predicated on such a discovery and many millions of export industry dollars were lost. Recovery is slow, very slow. Talk of compensation for affected growers is gathering pace and both State and Federal representatives will hear a lot more about this important matter over the next few weeks and months .Industry will need a 5-10 year embargo on APVMA's decision .

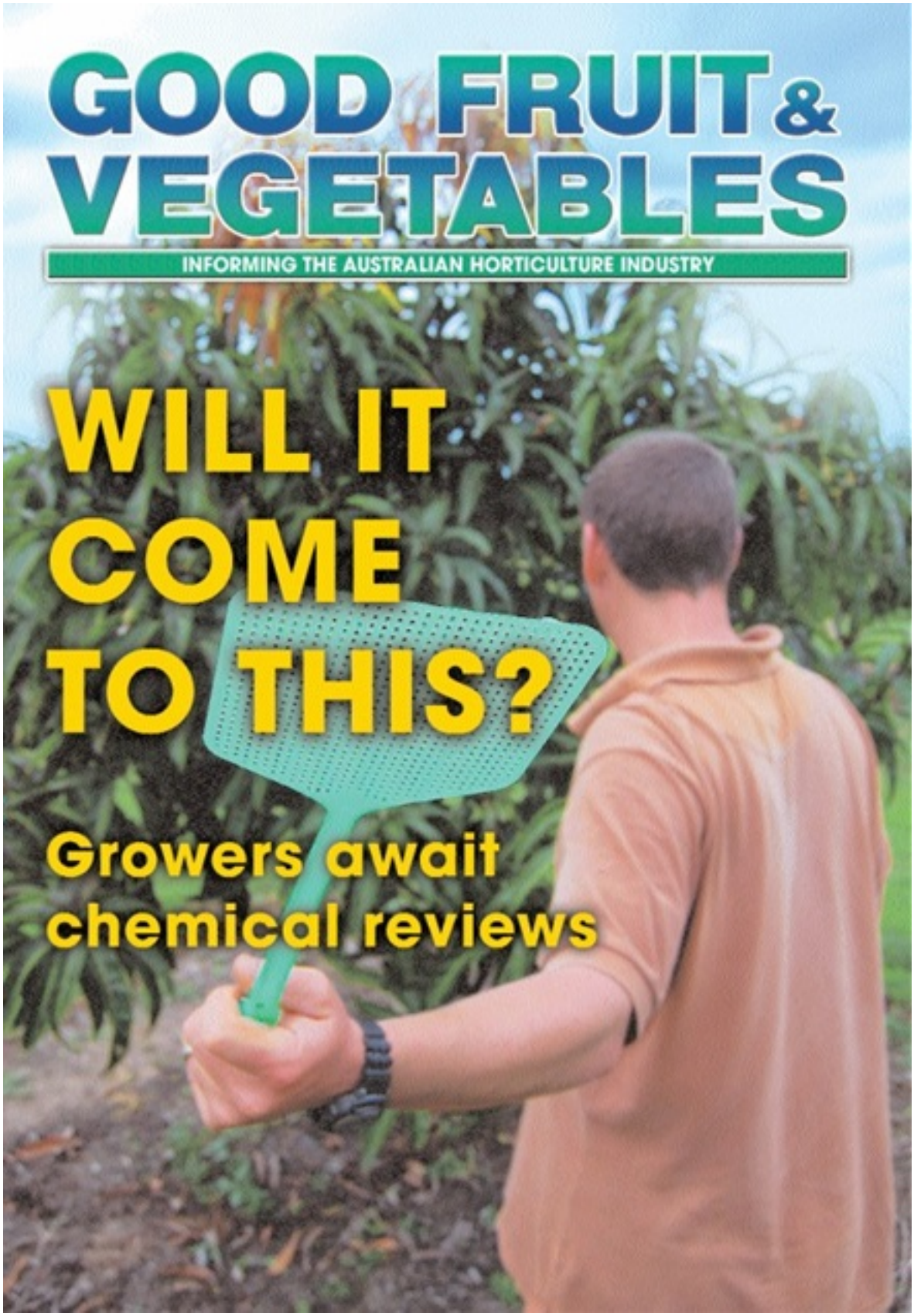
I haven't tried to enunciate all the technical detail in this letter. A quick read of the attached article will get any observer quickly up to date. Please spend 5 minutes reading, its' interesting and well balanced commentary.

We believe we deserve the support of the Australian Parliament. Would you please advice how best we can prosecute this matter through the correct government channels so that is gets serious oxygen at all levels. Thank you very much for your consideration.

Yours Sincerely,

Ian McAlister
Chairman Summerfruit Australia Limited
Attached – Article from June 2010 Edition of *Good Fruit & Vegetables* Magazine

Appendix C: Past Correspondence



FOR years they have been part of spraying routines on a myriad of fruit and vegetable crops throughout Australia.

Dimethoate and fenthion have each etched a near-permanent place within the pest treatment regimes of commercial farmers with their ability to control a broad range of fruit-ruining nasties, including the dreaded Queensland fruit fly.

Now, the writing could be on the wall for these chemical stalwarts, and time is running out to come up with a suitable alternative.

The two organophosphate insecticides are currently under review by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

Recently, the organisation has given some of the strongest indicators yet the final report could be handed down by the end of 2010- and it's not shaping up well for either chemical.

What's adding to the concern for growers is the lack of feasible replacements or even alternative control techniques to battle the swath of insects which now hinder produce production.

There are currently two separate reviews of the products.

In 1994 fenthion was included in the first list of chemicals for the Existing Chemical Review Program.

Its review has taken place in two parts. Part 1 considers the active constituent fenthion and products that are used in non-food producing situations, while Part 2 considers the products used on food-producing plants and animals.

In December 2005, the APVMA released the Fenthion Preliminary Review Findings Report: Part 1, in which it found safety information on product labels was inadequate, and that there was a potential health risk from some application methods and from concentrated home garden products.

The APVMA also found that the use of fenthion bird control products posed a potential risk to non-target birds.

To reduce the risk to users and the environment, the APVMA proposed cancelling a home garden product and varying the labels of other products used in non-food producing situations.

Ashley Walmsley Editor
June 2010