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## Customs Tariff Amendment (Paraquat Dichloride) Bill 2004

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Customs Tariff Amendment (Paraquat Dichloride) Bill 2004

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25 February 2004

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# Customs Tariff Amendment (Paraquat Dichloride) Bill 2004

**Date Introduced:** 19 February 2004

**House:** House of Representatives

**Portfolio:** Justice and Customs

**Commencement:** 24 March 2003 (*commencement is retrospective*)

## Purpose

The purpose of the Bill is to remove the current five per cent import duty on the chemical herbicide paraquat dichloride, imported in a form that contains a safety feature of an emetic (to cause vomiting if the herbicide is accidentally ingested).

## Background

Paraquat dichloride (paraquat) is a contact herbicide that is used to control broad-leaved weeds and grasses. It is highly toxic to humans if accidentally ingested orally. Technical data on paraquat and its use can be viewed on the web site provided by the International Programme on Chemical Safety, IPCS INCHEM.<sup>1</sup>

Because of its toxicity, the use of paraquat requires safety precautions. Some of these precautions include the incorporation within the herbicide of anti-dusting, colouring or stenching agents. In the 2003-04 Budget Statements for the Attorney-General's Department, it was noted that imported paraquat with the safety features mentioned above is given duty-free treatment while paraquat with an emetic attracts a five per cent import duty. The Government announced that it would remove the anomaly of the five percent duty on imported paraquat with an emetic as a safety feature, **retrospectively** from 1 April 2003.<sup>2</sup>

The loss of revenue from removal of the 5% import tariff is estimated at \$0.5 million per annum.

There is little press coverage on the domestic tariff issue. Press commentary, as such, is directed at the international debate over the use of paraquat. Views are divided on the use

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of paraquat and, given that this Bill is technically a minor tariff measure, the background comments in this Bills Digest simply note some aspects of the debate.

The European Union (EU) has recently renewed its approval for the use of paraquat in the face of objections from a range of EU environmental groups.<sup>3</sup> Environmentalists have long campaigned for the complete removal of paraquat from the EU. It is authorised as a weedkiller in 10 EU member states but banned in Sweden, Finland, Denmark and Austria. Germany restricts its use.<sup>4</sup> It is reported that paraquat was used as a defoliant in Latin American marijuana fields in the 1970s.<sup>5</sup> Those who advocate the banning of paraquat have pointed out that paraquat has been misused in some developing countries as a suicide agent leading to the introduction of restrictions on sales and additional safety features.<sup>6</sup>

It has also been asserted that the use of genetically modified crops is resulting in a reversion to the use of 'older, more toxic' herbicides such as paraquat.<sup>7</sup>

The use of paraquat is regulated in Australia, including the registration of brand and trade names under the Agricultural and Veterinary Chemicals Code.

## Main Provisions

### Schedule 1—Amendment of the *Customs Tariff Act 1995*

**Items 1 and 2** amend Schedule 3 (Classification of goods and general and special rates of duty) of the *Customs Tariff Act 1995* to insert in Chapter 29 (Organic chemicals) a specific reference to paraquat dichloride, including the form with an emetic added for safety reasons, as 'Free' of duty. The eight digit tariff number is 2933.39.00.

## Endnotes

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- 1 International Programme on Chemical Safety – IPCS INCHEM, at: [http://www.inchem.org/documents/pds/pds/pest4\\_e.htm](http://www.inchem.org/documents/pds/pds/pest4_e.htm) at paragraph 2.1.1.
  - 2 2003-04 Commonwealth Budget—Budget Paper No. 2, at: <http://www.budget.gov.au/2003-04/bp2/html/revenue-01.htm>. It is noted that there appears to be an inconsistency between the retrospective date specified in the Budget Paper (i.e. 1 April 2003) and the commencement date for this amending legislation (24 March 2003).
  - 3 Joe Kirwin, 'European Union Draws Fire for Banning Two Herbicides, Approving Use of Paraquat', *International Environment Reporter*, Vol 26, No. 22) at: <http://parlinfoweb.parl.net/parlinfo/Repository1/Library/Jmart/ACBB61.pdf>.

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- 4 Jeremy Smith, 'EU under attack over plan to legalise paraquat', *Reuters News Service*, 17 February 2003, at:  
<http://www.planetark.com/dailynewsstory.cfm?newsid=19838&newsdate=17-Feb-2003> .
- 5 *ibid.*
- 6 PAN Germany, 'Paraquat and Suicide', Fact Sheet 2003.
- 7 Andy Rowell, 'GM Crops', *The Ecologist*, Volume 33(6), July-August 2003, Part 4—p. 38 at:  
<http://parlinfoweb.parl.net/parlinfo/Repository1/Library/Jrnart/YRY960.pdf> .

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