



Representing the Plant Science Industry

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Mr Mark Whitechurch
Chemical Security
Attorney-General's Department
3-5 National Circuit
BARTON ACT 2600

Email: chemical.security@ag.gov.au

Dear Mr Whitechurch

On behalf of CropLife Australia I provide the following feedback to the Attorney-General's Department in relation to the draft National Code of Practice for Chemicals of Security Concern. CropLife Australia (CropLife) has been closely engaged in the development on the draft National Code and supports the collaborative, open and consultative process that has been used to develop this Code.

As the peak industry organisation for the agricultural chemical and crop biotechnology sectors in Australia, CropLife is committed to responsible management of agricultural chemicals throughout their life cycle. It is for this reason that CropLife supports reasonable, practical and effective measures to maintain chemical security over agricultural chemical products.

CropLife is fortunate to have been able to provide input into the draft National Code of Practice through the National Industry Reference Group. Our members are committed to developing responses to best manage the security risks of chemicals consistent with the principles agreed with government. To this end, CropLife seeks to ensure that proposed responses are:

- nationally coordinated and nationally consistent;
- built on existing industry and government arrangements; and
- developed in partnership between government and industry.

General Comments

CropLife welcomes the draft National Code, and anticipates that its application will have a positive impact on improving the management of security risks associated with chemicals in Australia. Many of the principles promoted in the Code would be relevant to the proper management of chemicals more broadly.

CropLife supports the non-regulatory approach and considers that the content is easy to understand, navigate and apply.

Specific Comments

While the current Code of Practice is intended to focus on explosive precursors, CropLife would expect that with limited amendment, many elements could be adapted to apply to the agricultural chemical supply chain. This would be consistent with the principle that measures should be nationally coordinated and consistent, and are built on industry and government arrangements. This will be particularly important as many agricultural chemical suppliers deal not only with pesticide products but also with fertiliser products that may also represent significant security concern. It is with this potential way forward in mind that CropLife offers its comments on the current draft National Code of Practice.



However, there are some unique aspects of agricultural chemical regulation that may need to be accommodated should the draft National Code of Practice be revised for agricultural chemical products.

Agricultural chemical products are subject to a rigorous, science-based pre-market risk assessment and registration process that defines a set of legitimate uses for that chemical product. Generally, and distinct from some other classes of chemicals, agricultural chemicals must only be used in accordance with the product label instructions, or in accordance with an APVMA issued label. While CropLife recognises that some states and territories allow some use variations from label statements, these are not permitted in all states and territories and are not supported by CropLife.

With the uses of agricultural chemical products strictly regulated, suppliers and retailers often have detailed discussions with purchasers and users about intended uses. This can often signal whether a user plans a legitimate use for a chemical product. Under current stewardship arrangements, suppliers are encouraged to not supply products in circumstances where they are satisfied that the use is not legitimate.

CropLife would support language and guidance that is consistent with existing stewardship schemes for the responsible transport, storage and use of chemical products. For agricultural chemical product guidance, this would not extend to supporting statements suggesting that suppliers should allow potential purchasers to access products where legitimate purchasers would be denied access.

While the guidelines are expressed to apply to the 11 chemical precursors to home-made explosives, it may be preferable to identify this fact through a subtitle to the document. The current title for the document may be interpreted that the draft Code of Practice is relevant to the entire list of 96 chemical precursors. A subtitle indicating that the guide is specifically intended for use to manage risks from the 11 explosive precursors would enhance clarity with respect to the scope of the document.

Conclusion

Subject to minor amendments, CropLife does expect that this draft Code of Practice will assist the industry better manage the security risks of targeted products. CropLife looks forward to continuing to work with the Attorney General's Department as guidance for agricultural chemicals is developed.

Should you have any questions or concerns in relation to the issues raised in this submission, please feel free to contact CropLife's Crop Protection and Stewardship Manager, Mr Ben Stapley on 02 6230 6399.

Yours sincerely

(SIGNED)

Matthew Cossey
Chief Executive Officer