



Representing the Plant Science Industry

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

Email: chemicalsecurityris@ag.gov.au

Dear Mr Whitechurch

On behalf of CropLife Australia, I provide the following comment to the Attorney-General's Department in relation to the Chemical Security: Toxic Chemicals of Security Concern Consultation Regulation Impact Statement.

CropLife Australia (CropLife) is the peak industry organisation representing the agricultural chemical and biotechnology (plant science) sector in Australia. CropLife represents the innovators, developers, manufacturers and formulators of chemical crop protection products and agricultural biotechnologies. The plant science industry provides products to protect crops against pests, weeds and diseases, as well as developing crop biotechnologies that are key to the nation's agricultural productivity, sustainability and food security. The plant science industry is worth more than \$17.6 billion a year to the Australian economy and directly employs thousands of people across the country. CropLife Australia is a member of CropLife Asia and part of the CropLife International Federation of 91 CropLife national associations globally.

CropLife and its members are committed to the world's best practice stewardship of their products throughout their lifecycle and to ensuring that human health, environment, security and trade issues associated with agricultural chemical use in Australia are responsibly and sustainably managed. Our member companies are global leaders in their full lifecycle approach to industry stewardship and contribute more than \$13 million a year on stewardship activities to ensure the safe and effective use of their products. CropLife ensures the responsible management of these products through its mandatory industry code of conduct and has set a benchmark for industry stewardship through programs such as **drumMUSTER**, ChemClear® and Agsafe Accreditation and Training. Our stewardship activities demonstrate our industry's commitment to ethical and responsible practices from discovery and development of crop protection products through to their use, and the final disposal of container waste and unwanted chemicals. It is for this reason that CropLife supports reasonable, practical and effective measures to maintain chemical security over agricultural chemical products.

CropLife provided input into the National Code of Practice through the National Industry Reference Group as our members are collectively 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 any proposed measures to enhance chemical security in relation to the 84 chemicals of security concern are:

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



CropLife welcomed the National Code of Practice and considers that its application is having a positive impact on improving the management of security risks associated with the 11 homemade explosive precursors in Australia. CropLife made comment in its submission to the previous Regulation Impact Statement (RIS) on the draft National Code of Practice, that with limited amendment to the National Code of Practice, many elements could be adapted to effectively apply to the agricultural chemical supply chain with minimal cost impact and as such, CropLife supports extending the voluntary National Code of Practice to toxic chemicals of security concern (Option 2).

The security risk profile in relation to the 84 chemicals of security concern would not be enhanced by maintaining the status quo or through a targeted awareness campaign, while introducing further red tape through a mandatory code of practice and associated regulatory changes would significantly increase costs to industry participants without a substantial improvement in chemical security. This measure would also be inconsistent with the agreed principle that measures should be nationally coordinated and consistent, and built on industry and government arrangements.

There are some unique aspects of agricultural chemical regulation that may need to be accommodated should the National Code of Practice be extended to toxic chemicals of security concern. Agricultural chemical products are subject to a rigorous, technical and 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 registered product label instructions or permit as approved by the APVMA. The only exception to this is with formal approval by relevant state departments for a specific non-registered use of a registered product. It is also important to note that state legislation in each jurisdiction requires farmers to maintain detailed records of agricultural chemical use, which further limits any significant quantities of registered agricultural chemicals to go untraced for non-legitimate purposes.

CropLife's wholly owned stewardship company, Agsafe, also manages a national accreditation and training program. The program specifically targets the safe and secure transport and storage of registered agricultural chemical products by manufacturers, the retail distribution network and all parts of the logistic supply chain in between. With the uses of agricultural chemical products strictly regulated and the implementation of vigilant and dynamic industry codes of practice, 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.

CropLife also notes that there is a number of inaccuracies in the current RIS, for example, a reference is made to methiocarb snail/slug repellent baits at 20 per cent active, instead of 2 per cent. The RIS also fails to adequately acknowledge that many of the key agricultural chemicals of security concern are no longer accessible to legitimate purchasers or otherwise.

Conclusion

CropLife expects that extending the National Code of Practice to toxic chemicals of security concern 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 Policy Manager, Agchem Regulation and Stewardship, Mr Alastair James on 02 6230 6399.

Yours sincerely

(SIGNED)

Matthew Cossey
Chief Executive Officer