



Speech by

Hon. KEN HAYWARD

MEMBER FOR KALLANGUR

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AGRICULTURAL AND VETERINARY CHEMICALS [QUEENSLAND] AMENDMENT BILL

Mr HAYWARD (Kallangur—ALP) (3.32 p.m.): This afternoon I rise in the parliament to speak on the Agricultural and Veterinary Chemicals (Queensland) Amendment Bill 2001. As I think we have heard previously, it is part of a legislative response to a decision in the High Court of Australia. As the minister said in his speech, the decision of that court cast doubt on the validity of the exercise of powers in relation to the national registration scheme by the National Registration Authority for Agricultural and Veterinary Chemicals. The amendment bill makes changes to the national registration scheme to place it on a more secure constitutional footing and closes certain gaps in the conferral of duties, functions and powers on the Commonwealth authorities and officers related to the Commonwealth Administrative Appeals Tribunal and inspectors and analysts appointed under the Commonwealth law.

The National Registration Authority operates the Australian system which evaluates, registers and regulates agricultural and veterinary chemicals. Before an agricultural or veterinary product can enter the Australian market, it must go through the National Registration Authority's rigorous assessment process to ensure that it meets high standards of safety and effectiveness. Any changes to a product which is already on the market must also be referred to the National Registration Authority. Under the national registration scheme, companies must supply the National Registration Authority with extensive data about the product. These are independently evaluated to ensure that the product is safe for people, animals and the environment, and that it will not pose an unacceptable risk to trade, importantly, with other countries. If the product meets the National Registration Authority standards, it may be registered for use in Australia.

The National Registration Authority also reviews products which have been on the market for many years to ensure that they meet contemporary standards. Members might recall that this morning in the parliament in a ministerial statement the Minister for Natural Resources made reference to the poison 1080. He commented that last week the National Registration Authority for Agricultural and Veterinary Chemicals announced that it was conducting a review into the future of the poison 1080. He went on to say that the department will support this review, but that it would argue strongly for the state's continued use of 1080 for the control of pest animals such as wild dogs and feral pigs. He then went on to talk about how effective 1080 has been for rural Queenslanders and how it has proven to be very effective and, importantly, target specific in the control of animal populations. He then said that banning of the use of 1080 without an equally effective predator control poison would have only negative effects on Queensland.

The point is that the NRA has the power to review existing products to ensure that they meet contemporary standards. Obviously, 1080 is one of the products that it is in the process of having a look at at this time. The NRA also manages a national compliance program to ensure that products supplied in Australia continue to meet the conditions of registration, in other words, once they are registered, those products should continue to comply with their original registration purpose.

Basically, in respect of someone applying for registration with the National Registration Authority, the applicant is the name of the company applying for label registration approval. For instance, in relation to a product such as glyphosate, which is a herbicide, or weed killer, a name would be given to the holder of the technical grade active constituents, which is the TGAC and there would be a register of active material—for instance, as I said before, glyphosate and the percentage of glyphosate in the particular product. The applicant would also apply for label approval with the NRA in conjunction with a formulator, who would be the person who is going to supply the NRA with the formulation. Each of these chemical products has a formulation and those formulations, to a great extent, are very tightly

held. That company would also provide a letter of support with regard to the active material which comprised the base of a product, for instance, such as glyphosate.

From my experience with the operations of the National Registration Authority, the main problem that people tend to have with the NRA is the waiting time for registration approvals. If a company has a particular insecticide or herbicide that it is required to register, there is certainly a feeling on the part of a company wanting to sell that product that there is a significant time delay in going through this approval process. Although this is not an issue specifically for the minister to address, he certainly would have heard about some of the perceived problems in that area.

The important thing about this bill is that it provides certainty, because it deals with what is called the Hughes case and maintains the national registration scheme for agricultural and veterinary chemicals. Why is it important that this scheme should be maintained? It is important because it provides for the control of agricultural and veterinary chemicals up to and including the point of sale. It guarantees a standard and the particular constitution of a chemical, insecticide or herbicide and, I believe, provides certainty for farmers who use that chemical. It details the application required and provides them with some certainty—given that it has been registered and has been through the process—that it does what it is supposed to do in relation to the particular agricultural products for which it is registered.

When talking about insecticides or herbicides, it is important to consider a number of issues which are addressed in the registration process of a particular herbicide such as glyphosate and its effect on crops. In the case of an insecticide, it would specify the particular crops in relation to which application should be proceeded with. If rigorous testing has not been undertaken with regard to some crops, it is simply not appropriate to use that material on crops for which it has not been registered.

Another issue in relation to the importance of the National Registration Authority is that it provides some level of safety for the workers and other people involved in the application of a particular insecticide so that, provided they stick to the requirements, the application procedures and the safety procedures, they will be safe in the application of that particular chemical. I said that it provides some certainty for the farmers who use the chemicals. By registering a chemical as set out on the particular product label, the National Registration Authority establishes a chain of authority from the manufacturer to the wholesaler, the retailer and the end user—the farmer. So the registration process is important because it assists the product guarantee and, I think, provides some certainty that, when a person applies it in the way required, that person is not going to become unnecessarily ill, and that it also does what it says it does because of the rigorous testing that has been carried out.

Chemicals are of enormous importance in cotton and wheat growing areas. With the high cost of diesel and the necessary farming equipment, we have moved to a situation of minimum till in farming procedures. That necessitates the use of particular herbicides and other chemicals in order to grow crops. Insecticides are important, too, because they guarantee that, if used properly, they are able to destroy bugs which are going to affect whether or not a crop can be produced and, secondly, the quality of that crop.

As I said, this bill is extremely important because it overcomes some of the problems that occurred through that High Court case. It emphasises and provides certainty for farmers and other people who work on farms that, firstly, a product is going to do what it says it does and that it is going to be safe provided that directions are followed in the application of that product.

I have spoken previously in this parliament about activities at the Narangba Industrial Estate adjoining my electorate. That industrial estate is a major employment generator in the local area. It is important that two major chemical formulators operate on that estate: A & C Chemicals and Binary Chemicals. Previously, the formulation of the agricultural chemicals they produce there was undertaken in New South Wales and Victoria. Secondly, as the patents are expiring on a number of chemicals, the opportunity exists to apply to the National Registration Authority to take on those particular products and their formulation for various companies under different labels. So when a patent has expired, this has led to better competition for agricultural chemicals. The benefits of that are obvious. It has opened up those chemicals to more farmers, because it has had the effect of price reduction and greater competition. By reducing the price to the actual grower of a product—which is usually the farmer—this can result in a cheaper and better quality product for the end consumer.

I think that this bill has great significance. It provides certainty in the application of actions taken under the national registration scheme. It is important that this bill pass through the parliament today to ensure that certainty is maintained, because the application of chemicals under that scheme is very important in Queensland, particularly in the rural areas.
