

**COMMUNITY CONSULTATIVE COMMITTEE
MINUTES OF MEETING CCC26**

20 May 2003

John Curtin House, Canberra

MEMBERS PRESENT

Jenni Mack (Chair), Sam Beechey, Ben Cole, Andrew Duncan, Alison Brinson, Anne Stanton, Jane Fuller. Liz Hanna, Sid Cowling

APVMA OFFICERS PRESENT

Alison Turner (part), Joe Smith, Tim Dyke (part), David Loshcke, Kathleen Allan, Peter Dagg (part), Peter Raphael (part).

AFFA OFFICERS PRESENT

Steve McCutcheon (part)

APOLOGIES

NIL

AGENDA ITEM 1 – WELCOME AND APOLOGIES

The Chair welcomed members and APVMA staff.

APVMA CEO Dr Alison Turner addressed the meeting. Alison welcomed members and thanked Jenni for agreeing to take over the role of Chair of the CCC. Alison emphasised the Board's commitment to increasing community support for the agvet regulatory process. She said that the CCC plays an important advisory role to the APVMA in effectively engaging the community.

Alison provided members with a brief overview of some of the major policy initiatives currently being undertaken by the organisation. These include the development of three major programs; AERP (Ag), Low Regulatory registration scheme and data protection. The APVMA is also developing improved guidelines and requirements for the management of spray drift, product containers and handling of dip disposal.

Members questioned the CEO on aspects of the strategic review, minor use program and the AERP for agricultural chemical products.

AGENDA ITEM 2 – ADOPTION OF AGENDA

The Chair advised members that due to the full agenda, items would be re-arranged so that priority issues would be progressed first.

Members adopted the amended agenda.

AGENDA ITEM 3 – MINUTES OF CCC26

The Chair requested two minor typographical amendments be made to the minutes of CCC26.

The amended Minutes were accepted as tabled.

AGENDA ITEM 4 – ACTIONS ARISING FROM THE PREVIOUS MEETING

Action Items from CCC26

See Action Sheet

Action 26.9 Urban Chemical User Education - Alison Brinson to provide further details of the training program package, accreditation requirements and proposal for the future.

Alison advised members that the user education program is delivered as 3 different courses for different audiences ie. urban lifestyle users and hardware store/nursery workers. To date, 2500 people have participated in the courses. The course is convened by Mr Andy Nicholls of SA EPA. Considerable interest in the program has been shown from other states. Due to the short nature of the course (less than 4 hours) it is not linked to any national competency standards however if participants wish to complete certificate courses at a later date they may be granted recognition for prior learning.

Alison emphasised that Mr Nicholls is very interested in coming to the APVMA to speak to CCC Members and other interested people.

Action 26.10 Urban Chemical User Education – Joe Smith to investigate the possibility of having Mr Nicholls address CCC at APVMA expense.

Joe Smith has sought in-principle support from the APVMA to have Mr Nicholls address the CCC. Joe suggested that Mr Nicholls might address CCC Members first followed by a similar presentation to APVMA staff.

Action 27.1 The APVMA, on behalf of the CCC, to invite Mr Nicholls to address CCC28. The APVMA to contribute to Mr Nicholls expenses for the visit.

4.1 CCC Planning Document

Meeting Dates

Members agreed that four CCC meetings should be held each year. It is proposed that meetings be held in February, May, August and November.

Joe Smith advised members that the time available for the meeting scheduled for 20 November will be less than normal; the reason for this being the 10th Anniversary celebrations of the National registration Scheme. CCC Members will be invited to a scientific seminar and afterwards, a social function at Old Parliament House. Members agreed that the 20 November meeting (CCC29) will start at 8.30am. Jenni will address the APVMA Board at the meeting scheduled for 21 November.

Member appointment record

Members agreed that three months was required to complete the selection process for new members. However the date at which the nominations would go to the Board would be relevant in determining the exact amount of time required. Additional time would have to be allowed if the process extended over December and January. Members requested that two additional columns titled advertisement date and board meeting date be added to the schedule. This would enable better planning to ensure that new members were appointed prior to the next scheduled CCC meeting.

ACTION 27.2 Kathleen to update the Member appointment record to include advertisement and board meeting dates.

2003 Key Dates

Members agreed that agenda papers should be due on the Monday rather than the preceding Friday. This is because some members prefer to conduct CCC work on weekends.

ACTION 27.3 Kathleen to amend the key dates table so that meeting papers are due on Monday rather than the Friday.

Progress of work program items

A number of amendments to the work program items table are required. Kathleen will work with Jenni to refine the document. It was recommended to split the work items into major and minor or equivalent. A number of other items including recall guidelines and modelling for dietary risk assessment need to be included. Members noted that the “progress of work program items” table will be an evolving one.

ACTION 27.4 Kathleen to work with Jenni to refine the work program items table.

AGENDA ITEM 5 – REPORTS

5.1 Member Reports

5.1.1 CCC Activity

Members were asked to briefly summarise their CCC activity since CCC26 and to nominate the top three issues of importance to member networks.

Sid Cowling

Sid advised members that he is satisfied that the spray drift item is progressing well.

Alison Brinson

- Alison gave a ½ hour presentation on the prescribed chemical scheme at a Chemcert forum recently.
- Alison held discussions with Mr Andy Nicholls regarding the urban chemical user education program
- A significant issue for Chemcert is how the program is able to implement program changes that reflect amendments in chemical regulation.

Liz Hanna

- Liz has been involved in formulating 3 policy amendments including pesticides and health by special interest groups of the PHAA
- Liz is actively involved in organising the environmental stream for a large international conference to be held in 2004.

Anne Stanton

Members NOTED the written activity and issue report provided by Anne.

Ben Cole

- Ben spent considerable time since the last meeting coordinating the CCC AERP response
- Ben advised that he is no longer with the Total Environment Centre and as such the majority of his liaison will now be with “Friends of the Earth”.

Jane Fuller

Jane advised members that she finds it very difficult to generate interest in CCC activities by her member networks however she is persevering.

Sam Beechey

- Sam’s major ongoing concern is the safe use of chemicals throughout the pastoral industries
- Sam has recently received inquiries from fencing contractors regarding the safe use of creosote products. This is likely to be the result of the publicity associated with the CCA review.
- Sam has held discussions with Worksafe Victoria regarding on farm storage of chemicals.

Andrew Duncan

- Andrew emphasised that the proposed APVMA AERP program needs to be a simple process
- There is significant concern throughout Western Australia regarding the potential for label restrictions or de-registration of 1080 after the review. 1080 is critical for wild dog control in WA. Andrew stated that if the product is deemed unregistrable in the Eastern states after the review, consideration should be given to the issuance of a permit in Western Australia. Joe Smith advised that rather than limiting product use via geographical location it would be more appropriate to limit or restrict the use pattern. Joe also confirmed that the 1080 review had generated a lot of community interest. Members agreed that they would like to be involved in consultation on this project. Joe suggested that a presentation on the 1080 review could be arranged. Members were in favour of this.
- Andrew has received queries from fencing contractors regarding the potential exposure from sawdust of CCA treated logs cut with chainsaws. Members agreed that this was a concern.

ACTION 27.5 Joe Smith to arrange for a presentation on 1080 to be given to CCC Members at a future meeting.

Jenni Mack

- Jenni is concerned about the continued use of antibiotics in livestock production and the effect this may have on antibiotic resistance. Joe advised that the APVMA is actively involved in a number of activities related to this issue. Members were interested in an APVMA presentation on the management of veterinary antibiotics.

ACTION 27.6 Tim Dye to speak to CCC regarding the role of the APVMA in relation to antibiotic resistance.

5.1.2 Constituent Details

Sid Cowling provided members with a brief overview of the role and history of the Organic Federation of Australia (OFA). The OFA is a lobby group for the whole organic industry. Effective lobbying can be a difficult due to the broad spectrum of industries involved in organic agriculture. The OFA has no paid extension or administrative staff.

Liz Hanna's presentation on the Public Health Association of Australia (PHAA) was re-scheduled until CCC28 due to time constraints.

5.2 APVMA Reports

As there was insufficient time to discuss the reports tabled, members agreed to NOTE the papers presented. Members were asked to provide any feedback on the format or content of the reports to Jenni.

ACTION 27.7 Members to provide feedback on APVMA CCC reports to Jenni Mack for discussion at CCC28.

5.2.1 Registration

Members NOTED the Registration Programs' Report.

Kathleen advised members that in future all CCC members would receive copies of the APVMA Gazette and therefore summary details of all major product registrations (as found in the gazette) would not be provided as part of the registration report. The Gazette is also available on the APVMA website as are the details of all APVMA registered products.

5.2.2 Chemical Review

Members NOTED the Chemical Review Report.

Members were happy with the additional information, including common product names and review status, provided as requested.

5.2.3 AERP

Members NOTED the AERP (Vet) Report.

5.2.4 Quality Assurance and Compliance

Members NOTED the Quality Assurance and Compliance reports.

AGENDA ITEM 6 – PROGRESS OF WORK PROGRAM ITEMS

6.1 AERP Discussion Paper (Ben Cole)

CCC Members met for a closed session to discuss the APVMA response to the CCC comments on the proposed AERP (Ag). The meeting was then re-opened and the Chair welcomed APVMA staff Peter Raphael and Peter Dagg to the discussions.

Peter Raphael provided an update on the program activity since the last meeting. Peter advised members that it was still intended to have the program operational by October 2003. The APVMA aims to have an advanced draft of the proposal on the website for public comment by the end of July. Peter advised that a number of targeted stakeholder meetings will be held in July and August. The second round of chemical industry consultation is nearing completion.

Jenni advised that the short consultation period for such an important issue remained a problem. Not all CCC members had conducted constituent consultation and the CCC would like to conduct constituent consultations with the updated program documents that incorporated their comments and included any materials that would be sent to the public such as reporting forms and any promotional material.

ACTION 27.8 Kathleen to provide members with an electronic copy of the updated program documentation.

ACTION 27.9 Members to distribute and seek comments from constituents, on the updated program. Members to provide comments to Ben Cole by Wednesday 6 August

ACTION 27.10 Ben Cole to compile a consolidated CCC response to the program proposal. This report is to be received by APVMA by Mon 18 August

ACTION 27.11 APVMA to provide CCC with a response to their comments for circulation with CCC28 meeting papers (1/9)

ACTION 27.12 Discussion of CCC responses and APVMA comments at CCC28.

Members stressed that broad community consultation was required and again suggested the value of consultation with medical professionals including the Rural Doctors Association. The Committee asked that any community comments received by the APVMA be brought to the attention of the CCC.

ACTION 27.13 APVMA to provide details of community feedback received to the CCC.

Members agreed that there needs to be a significant focus on publicity of the program when operational to ensure community reporting direct to the APVMA rather than to registrants in first instance. Members also suggested that the public consultation phase (website) should be advertised.

Members sought clarification on whether incidents had to post date the start-up of the program or whether retrospective reports would be accepted. Seven-year (statutory limitations period) retrospectivity was recommended by the Committee. It was accepted that some older reports might suffer from lack of documentation.

Members stressed the need for the APVMA to standardise the algorithm and expressed concerns of possible lack of comparability of data if registrants individually were able to devise their own.

A good feedback loop for reporters was also stressed, including that an acknowledgement letter should clearly set out timeframe for investigation and any further feedback to the reporter.

Members stated that they felt the definition of “serious” was far too extreme. It was proposed that 15% crop damage (rather than 80%) was commercially very serious. Members thought the life-threatening and death points should be reversed in order. They believe the last 2 points in the discussion document should also be reversed.

6.2 Communication/Consultation/Feedback with community networks

Members proposed that an e-bulletin be generated after each CCC meeting. This e-bulletin could then be circulated to community networks by members. The bulletin is to be quite brief with hyperlinks to various APVMA and other relevant documents. Members agreed that the e-bulletin will be distributed by members and could be tailored as appropriate. Ann Stanton volunteered to create the first draft e-bulletin. It was proposed that between CCC27 and CCC28 (16/9) a dummy e-bulletin be created. The process and contact/format will be discussed at CCC28 (16/9).

ACTION 27.14 Anne Stanton to create a draft CCC e-bulletin for distribution to community networks. This e-bulletin is to be circulated to CCC members for comment.

ACTION 27.15 Members to provide comments on the draft e-bulletin for discussion at CCC28.

AGENDA ITEM 7 - MATTERS ON WHICH THE COMMITTEE IS SEEKING APVMA ADVICE

7.1 Update on the prescribed chemicals scheme – *Alison Brinson/Ron Hogg*

Ron Hogg spoke to the issues raised at this item.

Ron advised members that the prescribed chemical scheme project started because of the increased need for training and accreditation of chemical users. The National Farmers Federation (NFF) and Product Safety and Integrity Commission (PSIC) have been involved in the program. Initial stages of the program development have been dedicated to identifying risk criteria (environment, toxicology, health etc) for determining whether a chemical should be prescribed. Upon sign-off on the proposal by the NFF an extensive consultation process will commence. CCC members agreed that they would like to be involved in the consultation process. The next stage of the process is to finalise policy issues such as accreditation, training needs prior to sale and point of sale control of chemical products. The determination of whether a chemical will be prescribed will be built in to normal APVMA registration processes.

As far as training needs are concerned, the APVMA have been working with Chemcert to identify skills requirements. Competencies will be less technical but more risk assessment/management based.

ACTION 27.16 CCC to be involved in the prescribed chemical and user accreditation scheme consultation process.

7.2 Registration process and analytical methods and standard for risk assessment – *Anne Stanton/Joe Smith*

Joe Smith spoke to the issues raised at this item.

Joe Smith stated that the APVMA is interested in seeing analytical methods available for chemical testing by laboratories for composition and residues of agvet products, however the APVMA is bound by confidentiality provisions within the Agvet Code.

The APVMA (NRA) had however taken actions to make analytical methods available to regulatory laboratories (see attached gazette notice). Joe also explained that data generated by companies to support registration had to meet internationally agreed standards.

Anne emphasised that NTN would also like to see chemical interactions included as part of a risk assessment. David Loschke advised that some studies investigating the environmental and toxicological interactions had been conducted, however such interactions are often found to be uncommon.

7.3 Evidence of the precautionary principle – Anne Stanton/Joe Smith

Joe Smith spoke to the issues raised at this item.

In response to comments, Joe advised that the registration application fee is not a reflection of product sales. The annual levy however is based on sales figures. The APVMA fees structure is established by Government and the APVMA must operate within this structure. Joe advised that the recent development of a low regulatory registration scheme is a mechanism of reduced fee for reduced product risk. Ron Hogg added that for a number of reasons (including a level of consumer demand) there is a global trend towards development of “softer” chemicals.

7.4 Benomyl Fungicide – Anne Stanton/Joe Smith

Joe Smith spoke to the issues raised at this item.

Joe Smith advised that whilst no formal decision has yet been made to place benomyl under chemical review, the APVMA is aware of the issues which have been raised about this chemical. Joe told members that since 1993 there has been no home garden use of benomyl.

David Loschke advised that the product was not banned by the US authorities and that indeed product registration was voluntarily withdrawn by the company.

AGENDA ITEM 8 MATTERS ON WHICH THE APVMA IS SEEKING COMMITTEE ADVICE

8.1 Highlights of the APVMA’s new proposed spray drift management requirements – David Loschke

Joe Smith outlined that the purpose of the APVMA spray drift project is to provide clear guidelines relating to registration requirements related to the management of spray drift risk.

David Loschke presented the highlights of the proposal to members. A copy of the full written proposal was distributed to members. David advised members that the APVMA is seeking extensive public consultation from 1 July. The CCC will have a key role in facilitating some of the community consultation.

Members agreed to circulate the draft proposal to community networks and any feedback received is to be consolidated and forwarded to the APVMA. The APVMA will develop a discussion paper and APVMA response to the feedback received following the process adopted for the AERP. Because no committee member was available to undertake the consolidation work it was agreed that Kathleen and David would coordinate this process. The paper will be discussed at CCC28.

ACTION 27.17 Kathleen to circulate an electronic copy of the Draft Spray Drift proposal to CCC Members

ACTION 27.18 Members to facilitate community network consultation on the draft proposal

ACTION 27.19 Members to provide feedback on the spray drift proposal to the APVMA by Monday 11 August 2003

ACTION 27.20 APVMA to generate a discussion paper based on CCC comments and an initial APVMA response. These papers are to be considered at CCC28.

AGENDA ITEM 9 – REPORT FROM 26/5 APVMA BOARD MEETING *– Joe Smith*

Joe Smith provided members with a brief summary of Board items from APVMA02 relevant to the CCC.

The May Board meeting was held in Canberra where the Board continued to focus on strategic planning. The APVMA future strategy contains three main elements:

1. to maintain operational excellence in the APVMA
2. to increase stakeholder confidence
3. to influence policy as it relates to the regulation of agricultural and veterinary chemicals.

The Board considered possible legislative changes following the PAN pharmaceuticals incident. They relate to strengthening compliance and licensing provisions.

The imminent release of the Public release Summary for the Bollgard Cotton gene event was noted (available on the APVMA website).

The Board discussed the role of the CCC. They are very committed to having an effective CCC and wish to be kept informed of CCC activity and progress. The CCC Chair is invited meet with the Board at the November 2003 meeting.

AGENDA ITEM 10 – GENERAL BUSINESS

AFFA – Steve McCutcheon

Steve thanked CCC Members for inviting him to address the meeting.

Steve advised members that AFFA works closely with the states to provide a policy direction for the National Registration Scheme. Over the last 18 months AFFA has looked strategically at the level of committee involvement in the Scheme. At a governmental level this has been achieved by the Primary Industry Standing Committee (PISC). In the last 6 months AFFA has established a non-government stakeholder forum representing industry and non-industry groups including community interests. Alison Turner, CEO of the APVMA is a member. At its recent workshop, key issues for agvet chemical regulation were identified and discussed. CCC Members were interested in receiving a summary of this workshop. Steve advised that when a summary was ready for circulation it would be provided to Joe Smith for distribution to members.

ACTION 27.21 CCC Members to be provided with a copy of the AFFA non-government committee workshop summary.

Steve advised members that a report is currently being generated which is a consolidation of a number of reviews of the agvet chemical regulation process, which have been conducted over recent years. Some common themes of the reviews are collection of use data for agvet chemicals, outcomes monitoring, national control of use and communication activities. Public comment on the document will be sought. Members will be provided with a copy.

ACTION 27.22 Kathleen to provide recently appointed CCC members with a copy of the Allen report “A Strategic Review for the NRA”.

ACTION 27.23 APVMA to provide CCC members with a copy of the consolidated strategic review document when available.

Steve provided an update on the proposed data protection scheme and its associated increased transparency provisions. The current legislation restricts the disclosure of information regarding registration applications. The proposed new data protection scheme will, among other things, allow earlier disclosure of information about applications. This could potentially allow for earlier community input. The timing of passage of the legislative amendments is beyond the reach of the department however it is hoped that the legislation may be tabled during the Autumn sitting of Parliament.

The Chair thanked Steve for his attendance.

There was no time for discussion of any further general business.

AGENDA ITEM 11 – NEXT MEETING

The next meeting of the CCC (CCC28) will be held from 8.30am to 4pm on 16 September 2003.

AGENDA ITEM 12 - CLOSE

The Chair thanked members and staff for their attendance.

Meeting closed at 3.15pm.

Signed

Jenni Mack (Chair)

Kathleen Allan (Secretariat)