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COMMUNITY CONSULTATIVE COMMITTEE
52nd MEETING – 18 September 2009

ATTENDANCE

MEMBERS

Dr Heather Yeatman (Chair)	Public Health Association of Australia
Mr Neville Prowse-Brown	Australian Landscape Trust, East Gippsland Landcare Network, Victorian Farmers Federation, East Gippsland District Council, Monash School of Rural Health, East Gippsland Organic Association, Redgum Conservation Management Network
Mr John Temperley	Farmsafe Australia Inc
Mr David Lawson	Australian Consumers Association
Mr Anthony Amis	Friends of the Earth
Mr Joe Elbustani	Greenhouse Vegetables Association, NSW Farmers Association
Mr John Mills	TAFENSW
Mr Peter Cone	National Farmers Federation

APVMA

Ms Felicity McDonald	Stakeholder Engagement Manager
Dr David Loschke (part)	Principal Scientist, Pesticides
Mr Alex Moore (part)	Web Manager
Ms Kathleen Bardon (part)	A/g General Counsel
Ms Elvira Currie (part)	Senior Review AERP
Mr Andrew Collins (part)	Legal Counsel
Dr Sabbu Putcha	Chemical Review

VISITOR

Ms Paula Matthewson	CropLife
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APOLOGIES

Dr Raj Bhula	Program Manager Pesticides
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1. INTRODUCTION

Item 1.1 Welcome and Adoption of Agenda

1. The Chair opened CCC52 at 9.10am and welcomed existing CCC members, APVMA staff and introduced new CCC member Mr John Mills
2. CCC ADOPTED the agenda.

Item 1.2 Minutes & resolutions of CCC51

1. CCC ACCEPTED the report of CCC51.

Item 1.3 Actions from previous meetings

1. CCC NOTED the status of actions as follows:
 - CCC49 Item 3.1 –
 - (a) addressed at agenda item 3.3
 - (b) meeting still to be organised with Simon Cubit, Jenni Mack and Heather Yeatman – leave on action list
 - CCC50 Item 2.1 – full report, recommendations and findings of the forum on Effectiveness of Risk Control Measures to Reduce Occupational exposure to members –copy of report and recommendations has been distributed to members – action completed
 - CCC50 Item 7.1(4) – advisory board view on the role of the CCC – CCC Chair to discuss with APVMA CEO – leave on action list
 - CCC51 Item 2.1 – aerial sprays in Tasmania questions – APVMA respond out-of-session and distribute to CCC members - completed
 - CCC51 Item 2.1 – AERP information packs – APVMA provided “Chemcert” Vic with 50 information packs – completed
 - CCC51 Item 2.1(a) – CCC Chair to respond to CropLife letter – completed
 - CCC51 Item 2.1(b) – CCC Chair to write to CropLife inviting them to next CCC – completed
 - CCC51 Item 3.1 – APVMA secretariat to send copies of the OGTR and APVMA presentations to CCC members – completed
 - CCC51 Item 3.2 – draft framework for education - addressed at agenda item 3.2 - ongoing
 - CCC51 Item 4.3 – APVMA to provide CCC members with new corporate and operational plans – completed
 - CCC51 Item 4.4 – APVMA to provide CCC with an updated list of projects and working groups at CCC55 – due June 2010
 - CCC51 Item 7.2 – APVMA to provide a presentation on science based risk assessment at CCC52 – addressed at agenda item 3.1

Item 1.4 CCC correspondence register

1. CCC NOTED the correspondence register with particular mention of the recent letter from the RSPCA regarding the assessment of humaneness of vertebrate pest control agents together with a copy of the Model for Assessing the Relative Humaneness of Pest Animal Control Methods.
2. The APVMA Principal Scientist will look at the RSPCA model for assessing the relative humaneness of pest animal control methods and discuss the perceived usefulness at CCC53.

ACTION	<ol style="list-style-type: none">1. CCC Secretariat to send members a copy of the RSPCA correspondence.2. APVMA Principal Scientist to take a look at the RSPCA model and discuss the perceived usefulness with members at CCC53.
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Item 1.5 Declaration of financial interest

1. CCC NOTED standing disclosures of relevant direct or indirect financial interests declarations returned by all current members of the CCC.
2. Peter Cone advised he needs to amend his current declaration and will complete a new form.

2. MEMBERS REPORTS

Item 2.1 Members Reports

David Lawson

1. David provided a written report for CCC52 advising members the QLD state government has now invited industry to participate on a number of committees as they seek to apply the regulations at farmer level in relation to the protection of the Great Barrier Reef.

Peter Cone

1. Peter discussed the issue of spray drift from herbicide applications damaging the cotton industry. There have been a lot of procedures set in place to alleviate the problem, although without great improvement, which raises the possibility of other causes; e.g. equipment and nozzle size may also need to be addressed.

John Temperley

1. John provided members with the report approved for release by RIRCD on *Effectiveness of risk control measures to reduce occupational exposure to pesticides* tabling the recommendations of the report.

Joe Elbustani

1. Joe advised members he feels the Department of Primary Industries NSW is undertaking good quality work with accommodating non-English speaking farmers by providing a folder with nearly every language spoken in the Sydney basin area, which is assisting to minimise language barrier difficulties.
2. Joe asked for the contact details of the consultant responsible for the development of the proposal for the new regulatory framework for agriculture and veterinary chemicals so he can be directly involved with providing input into the review on behalf of the grower groups.

ACTION	APVMA to provide Joe with the contact details for the consultant responsible for the development of the proposal for the new regulatory framework.
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Anthony Amis

1. Anthony asked APVMA in reference to the granular herbicide Eucmix GR stating the product is not to be applied within 10m of dirt tracks or roads; does this also apply for snig tracks?

ACTION	APVMA to respond back to Anthony if Eucmix GR can be applied within 10m of snig tracks.
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2. Anthony will be reporting his work with the emerging issues database proposal at agenda item 3.2.

Neville Prowse-Brown

1. Neville provided members with a written report for CCC52 outlining:
 - a. the Monash School of Rural Medicine is most interested in the AERP trial
 - b. East Gippsland have asked if APVMA do any education or disseminate information to medical students in general through other campuses. This raises the continuing issue of the APVMA needing to educate those that may be involved with the use of chemical product, or the effect, post use that may, or could occur as the regulator has a duty of care to ensure that all that may be affected by chemical use, know who and where to contact for advice and reporting to the regulator.
2. Neville also advised of his recent involvement with holding an awareness day for second year medical students at a local diary farm informing them of the hazards found on farms and the necessity of looking for chronic poisoning among farm patients. This was also an opportunity to utilise the powerpoint presentation to inform them of the AERP.
3. Neville also suggested as a matter of urgency the APVMA look at the following:
 - a. request all providers of chemical education awareness programmes to insert into their manuals a page on the working and role of the chemical regulator. Inclusive of this a tear out copy of the AERP

- b. contact be made with all Universities and Medical Teaching Institutions to include an awareness of the AERP in their curriculum
- c. APVMA staff attend Chemical Provider Conferences

In conclusion, Neville stated the need for all schools of teaching Doctors, Chemists, Nursing, Veterinary, and other public health providers, and including teachers and or providers of agricultural courses should be aware of their duty of care to supply information from the Chemical Regulator such as the AERP.

John Mills

1. John advised members the Department of Climate Change is working with TAFE NSW to look at the practicality of the delivery of information to non-English speaking background groups. There is not an easy solution, although there is work being progressed in this area.
2. John will be attending the National AgriFood Conference 2009 in Sydney 24-25 September 2009 and will report back to members at CCC53.
3. APVMA discussed with members the creation of a national calendar of events for 2010 to capture conferences like the National AgriFood Conference where APVMA staff may attend, agreeing this will assist with the promotion and awareness of the APVMA.

Heather Yeatman

1. Heather advised members of her recent meeting attendance to discuss the review of agriculture and veterinary (agvet) chemicals regulatory framework. This is further discussed at agenda item 7.2

3. BUSINESS ARISING

Item 3.1 Science based risk assessment presentation

1. APVMA presented CCC with a presentation on Spray Drift Risk Assessment for Human Health. The presentation stated:
 - a. the three main risk areas of pesticide use of protecting human health, protecting the health of the environment and protecting Australia's international trade, can all be affected by spray drift.
 - b. on 15 July 2008, the APVMA published on its website a policy overview paper entitled – APVMA Operating Principles in Relation to Spray Drift Risk http://www.apvma.gov.au/users/spraydrift_principles.shtml
 - c. the APVMA website also contains information about how protective no-spray zones are set and how the APVMA estimates potential drift by using standard application scenarios
2. The risk management approach states:
 - a. science-based risk assessment determines whether a particular risk can be managed safely
 - b. risk is managed by means of instructions and restrictions placed on product labels, and;
 - c. state and territory authorities enforce mandatory label instructions as law

3. Mandatory No-Spray Zones (buffer zones) exist only in the downwind direction at the time of spray application. Labels might have a different no-spray zone for each of the three major risk categories. The size of a no-spray zone is based on estimated spray drift deposition linked to an acceptable risk-threshold based on scientific studies.
 - a. mandatory no-spray zones were previously buried at the back of the label, they will now appear in a prominent area of the label right under the directions. These should start applying from the new year.

Item 3.2 Draft framework for education

1. Members discussed the draft education matrix, provided by David Lawson from discussions at CCC51.
2. Members had a range of views all agreeing:
 - a. the end user needs to have confidence in the APVMA and to know where and who to contact for the right information
 - b. AERP is common to everyone, although increased awareness of the reporting program is an important issue
3. John Mills advised members:
 - a. the Rural Production Training Package RTE03 is currently under going a major review. A number of chemical competencies are being updated to reflect changes in technology. In future AgriFood Skills Australia will be implementing a continuous improvement approach to updating their Training Packages to enable changes to units of competency and qualifications be made more quickly in response to changes in technology and identified gaps in the Training Packages
 - b. In response to industry requests AgriFood Skills Australia is adding new specialised chemical units of competency including on farm fumigation, operate chemical machinery and equipment and operate precision control technology
4. Members discussed the options of Chemcert and SmartTrain being approached to place information in their training manuals on APVMA and inserting AERP forms for their use, believing this is a viable way of dispersing information to relevant people.
5. CCC and APVMA discussed the options of promoting the APVMA, how to read a label and increased awareness of AERP via lifestyle and gardening television shows or within gardening magazines. This may be an expensive way of promotion, although it could also be a very effective way of getting messages to the domestic users.
6. Members advised the education matrix needs more input with particular attention into the who, what is needed, how and where we are now sections of the matrix, with broad suggestions into the agents of change seeing how, and to what extent education falls within the APVMA as a direct educational role or purely providing a leadership role.

ACTION	CCC secretariat to circulate education matrix to members Members to modify first four columns with track changes and forward to David Lawson to collate and prepare for further discussion at CCC53.
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Item 3.3 Database/information linkage

1. Anthony presented members with his work on the emerging issues database proposal advising he has collated information sourced from 170 articles/publications accessed between February 2009 – September 2009 stating of all health/environment issues the issues of most concern appear to be:
 - a. endocrine disruption
 - b. Parkinson’s disease and;
 - c. testing regimes for pesticides
2. Anthony suggested APVMA include an emerging issues information page on their website to give a brief overview of the key issues emerging with pesticides around the world, with references and links from the Community section of the AVPMA website to notable articles /publications.
3. APVMA stated the ‘hot topics’ area on the front page of the APVMA website provides responses to current issues raised within the media.
4. CCC members stated this issue would need to be discussed further, with the possibility of having a standing agenda item at meetings to discuss emerging issues raised to keep abreast of community concerns and issues.

ACTION	Further discussion on emerging issues database at CCC53.
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Item 3.4 The new APVMA strategic plan and the role of the CCC

1. This agenda item will be placed on CCC53, as there was insufficient time to discuss at this meeting.

4. GENERAL BUSINESS

Item 4.1 CropLife discussion

1. Members welcomed the CropLife CEO to CCC52.
2. Members were introduced and discussed their background and positions held on the CCC.
3. The CCC chair advised there is a wide range of expertise within the CCC, which provides a conduit between the APVMA and community interests.
4. The CCC Chair invited CropLife to provide their view on the CCC. CropLife advised members of the following concerns:
 - a. the delay in communication between APVMA committees due to the formal process of only approved minutes being distributed to other committees
 - b. APVMA should improve the communication between their committees with the chair of each committee meeting on a regular basis
 - c. CropLife believes the CCC are not representing community views or concerns
5. The CCC Chair responded to CropLife concerns advising the following:
 - a. at the completion of each CCC meeting the e-CCChatter, which is an e-bulletin compiled by the CCC, is placed on the APVMA website to

- advise the community the key topics that were discussed at the meeting. Once the previous meetings minutes are approved they are also placed on the APVMA website for viewing. Industry is welcome to view these minutes rather than waiting until their next meeting
- b. the CCC Chair currently meets with the APVMA CEO between meetings to improve the communication and for the CEO and Chair to keep each other abreast of current issues.
 - c. the CCC provides a forum for two-way communication between the APVMA, people and organisations with an interest in the way pesticides and veterinary medicines are regulated in Australia. Through the committee, representatives inform the APVMA about issues of interest or concern in the community and make recommendations about ways to improve the regulation of pesticides and veterinary medicines. The APVMA encourages debate and seeks input from the committee on important issues, as well as providing information to enable community networks to be better informed about the regulation of these products.
 - d. the CCC Chair is confident of the professional integrity of all the CCC members. APVMA committees should work to support and advance the work of the agency. This might be improved with more regular communication between the various APVMA committees.
6. The CCC welcomes feedback from all stakeholders including industry on the operation of the CCC, to enable it to provide informed and timely representation of community interests to assist the APVMA in providing a first class regulatory system.

ACTION	Chair to follow up with APVMA CEO matters raised in this discussion.
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Item 4.2 AERP update

1. APVMA provided CCC with an update on AERP specifically outlining:
 - a. the Australian Veterinary Association (AVA) and Australian Small Animal Veterinary Association (ASAVA) have released a report and supporting information about vaccination protocols of dogs and cats, stating:
 - i. vaccination protocols should be determined within a veterinarian-client-patient relationship, based on attributes such as duration of immunity of available vaccines and an individual animal's requirements.
 - ii. the Vaccination Guideline Group (VCG) of the World Small Animal Veterinary Association (WSAVA) recommends that vaccines be defined as core, non-core or not recommended:
 1. core vaccines should be administered to all animals to protect them against severe, life-threatening diseases that have a global distribution
 2. non-core vaccines are required by only those animals whose geographic location, local environment or lifestyle places them at risk of contracting specific infections

3. vaccines that have insufficient scientific evidence to justify their use are not recommended
- iii. individual animals will require assessment by a veterinarian to select the most appropriate vaccine and vaccination protocol. The veterinarian-client-patient relationship is important to fully understand the individual's needs
- iv. revaccination recommendations should aim to create and maintain clinically relevant immunity while minimising the potential for adverse reactions

ACTION	APVMA to provide members with the URL link to the AVA policy on vaccination of dogs and cats.
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Item 4.3 CCC Recruitment update

1. APVMA advised members they are writing to a number of organisations seeking nominations from suitable candidates associated with their organisations that would help strengthen our consultative arrangements with the community in the areas of either local government or rural women's interests.
2. The invitation to nominate for the position will be located on the APVMA website under public consultation and the CCC page. It will also be placed in the regulatory update and distributed via the Business Consultation website to seek nominations from interested organisations.
3. APVMA would like to have the position filled by CCC53.

ACTION	<ol style="list-style-type: none"> 1. CCC Secretariat to provide members with the Business Consultation website URL 2. CCC Secretariat to provide members with an updated CCC contact list
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Item 4.4 FOI reforms

1. APVMA provided CCC members with an update on the Freedom of Information (FOI) reforms expected to come into force in early 2010.
2. As part of its 2007 election policies, the Australian Government announced that it would reform the Commonwealth Freedom of Information Act 1982 (FOI Act) with the principle objective of promoting a pro-disclosure culture and encouraging scrutiny of government policy and action.
3. Five of the key reforms, all of which have significant implications for the APVMA, are:
 - a. establishing an Office of the Information Commissioner
 - b. an information publication scheme
 - i. agencies will be required to pro-actively publish information. While agencies currently have to publish certain classes of document and statements setting out particular information, the Bill extends this requirement to a wider class of information and documents, including:

1. “operational information” an agency holds to help it perform or exercise its functions or powers in making decisions or recommendations affecting members of the public
 2. information an agency holds that is routinely provided to Parliament in response to requests and orders from the Parliament; and
 3. information an agency routinely gives access to in response to requests under the FOI Act
- c. a new merits review structure for FOI
- i. proposing three levels of merits review for FOI decisions with a Federal Court appeal permitted after a decision by the Information Commissioner and the AAT. That is, a single FOI request could be dealt with by up to 5 levels of decision makers as follows:
 1. primary decision of APVMA delegate
 2. internal review decision of APVMA delegate (merits review)
 3. information commissioner (merits review)
 4. AAT (merits review); and
 5. Federal Court (questions of law)
- d. changes to exemptions (including a public interest test weighted in favour of disclosure)
- i. the reforms establish the concept of “conditionally exempt” documents. Under the new Act, conditionally exempt documents will only be exempt if their disclosure would also be contrary to the public interest. Conditionally exempt documents include those documents containing personal information, information about business affairs, the national economy and research, as well as those containing matters relating to the deliberative process of an agency, minister or the government (that is, documents that used to fall within the old “working documents” exemption)
- e. extending FOI to service providers
- i. the FOI reforms propose to extend the coverage of the FOI Act to contracted service providers and subcontractors delivering services for and on behalf of the Commonwealth. The reforms require agencies to ensure they receive particular documents from contracted service providers, including;
 1. documents as an agency is required to publish under the FOI Act
 2. documents about the agency and service provider’s entry into the Commonwealth contract; and
 3. documents the agency would have in its possession if it performed the services itself
4. CCC members NOTED the update provided and the resource implications for APVMA preparing for, and implementing the above FOI reforms.

5. APVMA REPORTS

Item 5.1 Pesticides Program

1. Members NOTED the Pesticides program report.

Item 5.2 Veterinary Medicines Program

1. Members NOTED the Veterinary Medicines program report.

Item 5.3 Regulatory Strategy and Compliance Program

1. Members NOTED the Regulatory Strategy and Compliance program report.

6. APVMA COMMITTEE UPDATES

Item 6.1-6.3 ILC, ITC & RLC

1. CCC NOTED copies of papers from other consultative committees provided for information:
 - a. the approved minutes of RLC35 [September 2008] and actions from RLC36 [March 2009]
 - b. the approved minutes of ITC27 [February 2009] and actions from ITC28 [June 2009]
 - c. the approved minutes of ILC41 [April 2009] and actions from ILC42 [August 2009]

7. OTHER BUSINESS/NEXT MEETING

Item 7.1 Update on new APVMA website

1. CCC noted the update and demonstration provided by the APVMA Web Manager on the new APVMA website stating:
 - a. the review of the structure of the website and content ownership is now complete
 - b. currently looking at reviewing the content on the website to ensure all content being brought across from the old website is still accurate
 - c. invited CCC members to provide feedback on their page on the website

ACTION	Two members will meet with the APVMA Web Manager after the meeting today to review the CCC content
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- d. APVMA advised CCC the launch of the new website will be later this year

Item 7.2 Update on review of agriculture and veterinary (agvet) chemicals regulatory framework

1. The Council of Australian Governments (COAG) considered the recommendations of the Productivity Commission Research Study on Chemicals and Plastics Regulation at its meeting on 29 November 2008. As a result, COAG has directed the Primary Industries Ministerial Council (PIMC) to report, in the first half of 2010, with a proposal for a single, national framework to improve the efficiency and effectiveness of the regulation of agricultural and veterinary (agvet) chemicals.
2. Two consultants have been engaged to undertake this work – one to develop a proposal for the new regulatory framework and the other to look at the funding/cost recovery aspects.
3. The CCC Chair recently attended a meeting with the consultants, which was an opportunity for all relevant stakeholders to make their views known. This was an opportunity to discuss the issues raised by the CCC including:
 - a. overcoming weaknesses in the current system – including ineffective and under-resourced communication and education regarding chemical use, inconsistent approaches to and expectations regarding training of agvet chemical users, and reactionary and haphazard monitoring and surveillance
 - b. a structure to enable local communities and public interest organisations to be meaningfully engaged in the policy development, implementation and enforcement activities. It is essential to ensure a structure that enables direct community input, as well as advice on effective strategies to achieve more in-depth community engagement on specific issues.
4. The Chair stated industry groups present at the meeting were supportive of a regulatory system that proactively and positively engaged with community groups.

Other business/date for next meeting

1. CCC AGREED CCC53 would be held on 2 December 2009.
2. CCC NOTED the tentative dates for 2010 CCC meetings as the following:
 - a. Wednesday 17 March 2010
 - b. Thursday 3 June 2010
 - c. Thursday 2 September 2010
 - d. Wednesday 1 December 2010

ACTION	Members to advise CCC secretariat the suitability for the proposed 2010 dates ASAP.
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The chair thanked members for their attendance and input and closed CCC52 at 3.15pm.