To: ACIL Allen Consulting

Re: Submission on the operation of amendments to legislation made by the *Agricultural and Veterinary Chemicals Legislation Amendment Act 2013* (Amendment Act).

The consultation discussion paper notes that one of the main purposes of the Amendment Act (2013) was:

'ensuring the ongoing safety of agvet chemicals and improving the effectiveness and efficiency of then current agvet chemical reconsideration arrangements by implementing a mandatory re-approval and re-registration scheme, designed to identify any potentially problematic chemicals while minimising any negative impacts on affected businesses'

The discussion paper also notes complications arising from changes made under the *Agricultural and Veterinary Chemicals Legislation Amendment (Removing Re-approval and Re-registration) Act 2014*. Those changes removed the requirement for regular (20 year) re-assessments and re-registration of approved agricultural and veterinary chemicals.

Operationally there now appears to be no process for revising previously approved chemical products, regardless of emerging evidence of negative environmental impacts arising from their approved use.

As an example, in 2018 the European Union banned the outdoor use of several previously approved synthetic neonicotinoid insecticides (clothianidin, imidacloprid and thiamethoxam). This followed a lengthy evaluation by the European Food Safety Authority (EFSA) of evidence on the potential impact of the use of these chemicals on honeybees.

Again, another neonicotinoid (acetamiprid) was re-assessed by the EFSA (as there may have been a possible risk to bees) and based on the available evidence in this case, was re-approved for use until 2033.

https://ec.europa.eu/food/plant/pesticides/approval_active_substances/approval_renewal/neonicotinoids_en

Operationally, there now appears to be no equivalent process available to the AVPMA as the regulator, for re-approval and re-registration of currently approved chemical products in Australia.

Such a regular review provision should be considered essential to guard against a situation where there is a growing body of evidence in Australia or internationally, suggesting continued use of an approved chemical product may result in adverse environmental or other impacts.

In light of the issue noted above, we submit there is an urgent need for the reinstatement of the original re-approval and re-registration provisions under the Amendment Act (2013) to provide regular operational reviews of currently approved chemical products.

The reinstatement of these provisions may also improve consistency between operations under the Amendment Act and those of similar regulators internationally.

Andrew Johnston **Robyn Wood**