



Submission on the Exposure Draft of the Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Bill 2017

Section A: General information

Purpose of this form For individuals and organisations to provide submissions on the Exposure Draft of the Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Bill 2017.

Use this form to provide a submission or to write a long-form response. You can also attach a separate response.

Before applying See [Agriculture and Veterinary Chemicals Legislation Amendment \(Operational Efficiency\) Bill 2017](#).

Closing date 19 July 2017

To complete this form Save the document to your computer.

Your submission must include a completed and signed submission form
 where relevant, supporting information from organisations, written on their official letterhead.

Post or email (preferred) your submission Agvet Chemicals
Sustainable Agriculture, Fisheries & Forestry Division
Department of Agriculture and Water Resources
GPO Box 858
Canberra ACT 2601
Email agvetreform@agriculture.gov.au

Section B: Applicant

1 Organisation name (if applicable) Department of Agriculture and Fisheries _____

2 Contact address

Postal address GPO Box 267 _____

Suburb/town/city Brisbane _____ State/territory Qld Postcode 4001

3 Contact person

Given name(s) Dick _____ Family name Watts _____

Work phone 07 XXXX XXXX _____ Mobile phone _____

Email _____

Section C: Confidentiality

4 Is all of your submission confidential?

No

Yes Clearly mark the submission 'In confidence'

5 Is part of your submission confidential?

No

Yes Clearly mark the relevant section(s) 'In confidence'

Section D: Publication of submissions on the department website

Unless you request otherwise, the department will publish your name, organisation and the title of your submission on its website. Your contact information will not be made available.

6 Do you agree to your submission being made publicly available?

No Go to question 8

Yes Go to question 7

7 Do you agree to your name and state/territory being listed?

No

Yes

8 Do you agree to the department contacting you about your submission if required?

No

Yes

Section E: Submission type

9 What type of submission are you making? (select one box only)

Response to key topics in the draft report → Go to section F

Long-form response to the whole draft report → Go to section G

Separate response in an attached document → Go to section H

Section F: Response to key topics in the consultation paper

Support your answers with references.

10 Comment on clarifying confidential commercial information provisions.

No comment on the matter

11 Comment on simplifying reporting requirements for annual returns.

No comment on the matter

12 Comment on increasing the APVMA's flexibility to manage minor errors in applications at preliminary assessment.

Supported

13 Comment on APVMA amendment of the relevant particulars or conditions in a variation application.

No comment on the matter

14 Comment on timeframe for notifying FSANZ about variations to the MRL Standard.

DAF support the intention to repeal the section as we recognise that it may not be clear within 28 days if an MRL amendment is required. However, DAF seek to be reassured that the shortest practical period between the APVMA gazetted a Maximum residue Limit (MRL) and it being promulgated to the Food Standards Code (FSC) will prevail. The period between APVMA gazetted the MRL and it is FSC promulgation causes the issue that a product is allowed to be used but any residue resultant from the use may not be allowed under the Food Act.

15 Comment on enabling a person to vary the particulars of a label approval that is suspended.

Whilst DAF generally supports the intention of this reform, there are specific details that appear to require further consideration. Firstly, The APVMA has already varied labels while they are suspended as part of the chemical review program. Therefore there seems to be a functioning process in place. If there is some doubt about the current process then we support the reform as a clarification of the matter.

Secondly, the APVMA typically suspend the registration as well as the label during chemical review outcomes. The proposed amendment only applies to the suspension of the label. It is recommended that consideration is also given to clarifying that it is possible to apply to vary the particulars of the suspended labels and thereby change the registration status from suspended to registered.

16 Comment on the amendments to the definition of 'expiry date'.

Supported. The proposed changes to the Agvet Code are considered not to alter Queensland control of use legislation interpretation.

17 Comment on adding the potential for human exposure to antimicrobial resistant microorganisms as a specific safety consideration.

Supported. This should not be a change in process for the APVMA but clarifies that antibiotic resistance is a matter to be considered in the registration of relevant products.

18 Comment on including civil penalty provisions for false or misleading information.

No comment on the matter

19 Comment on other minor and technical amendments to the Agvet Code and the Administration Act.

No comment on the matter

20 Other comments. This could include additional information or relevant issues to be raised.

DAF would like to see consideration given to whether deemed permits are taken to have been issued for all sections that relate to registrations that are suspended or cancelled of the APVMA's volition. Currently only some sections of Agvet Code have deemed permits which means that during some chemical review activities such as omethoate, the APVMA has to issue permits to cover uses for our jurisdiction. The functioning of deemed permits has an impact on how registrations are interpreted when they are suspended and re-registered from suspended.

→ Go to section H

Section G: Long-form response to the consultation paper

21 Support your response with references. Attach additional sheets if necessary.

Section H: Applicant declaration

To be completed by the person listed in section B of this application.

I understand that:

- the Australian Government reserves the right to refuse to publish submissions, or parts of submissions, that contain offensive language, potentially defamatory material or copyright infringing material
- a request may be made under the *Freedom of Information Act 1982* for a submission marked confidential to be made available. Such requests will be determined in accordance with provisions under that Act
- if I provide personal information about an individual other than myself, I must make that person aware of the privacy notice in section I of this form and draw their attention to the department's privacy policy.

Signature (type or sign your name)



Date 14/7/17

Full name Dick Watts

Section I: Privacy notice

'Personal information' means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

The collection of personal information by the Department of Agriculture and Water Resources in relation to this submission is for the purposes of gathering information on the Exposure Draft of the Agricultural and Veterinary Chemicals (Operational Efficiency) Bill and related purposes. If you do not provide this information, the department will be unable to contact you to discuss your submission.

Under the *Freedom of Information Act 1982*, submissions marked confidential may be made available. Such requests will be determined in accordance with provisions under that Act.

Personal information may be published on the department's website, disclosed to other Australian agencies, persons or organisations where necessary for these purposes, provided the disclosure is consistent with relevant laws, in particular the *Privacy Act 1988*. Your personal information will be used and stored in accordance with the Privacy Principles.

See the department's Privacy Policy to learn more about accessing or correcting personal information or making a complaint. Alternatively, telephone the department on +61 2 6272 3933.

