

29 March 2019

## **Submission to the Review of the Agricultural and Veterinary Chemicals Legislation Amendment Act 2013**

### **Introduction**

Cotton Australia is the key representative body for Australia's cotton growing industry supporting more than 1200 cotton producers. The cotton industry is an integral part of the Australian economy, worth more than \$2 billion per-annum in export earnings and helping to underpin more than 150 rural communities. Cotton Australia welcomes the opportunity to provide a submission on the operation of amendments to legislation made by the Amendment Act.

Crop protection technologies are essential tools for the cotton industry and Australian cotton growers are recognised as world leaders in effective stewardship of these crop production technologies to enable sustainable cotton production. It is vitally important that the APVMA operates as an independent, science and evidence-based regulator in a timely and cost effective manner to facilitate continued access to new and emerging crop protection technologies for agricultural industries.

Cotton Australia is broadly supportive of any initiatives aimed to simplify, re-organise and modernise the Agvet Code, and reform the approval, registration and reconsideration of agvet chemicals to improve the efficiency and effectiveness of the existing regulatory arrangements.

### **Application assessment efficiency and effectiveness**

Cotton Australia is supportive of the reforms aimed at improving assessment efficiency and effectiveness. In particular, the timeframes for assessments based on total elapsed time, including the time taken to provide more information (elapsed time model) has provided more certainty for applicants as to the expected time for a decision. However, there may still remain some scope for improving the efficiency for time to decisions.

Cotton Australia is also supportive of the use of overseas data and assessments conducted by comparable regulatory agencies, while recognising differences in national approaches. This is particularly relevant in industries where the Australian market share (when compared globally) is small and there is less incentive for commercial companies to generate data specific to Australian conditions. The considerable cost of regulation means that registrants only seek to register agricultural chemical product uses where it is financially viable for them to do so. In the case of minor and specialty crops or use situations, the cost of registration often outweighs the perceived financial benefits for commercial companies. As a result, Australian producers of specialty and minor crops are faced many challenges in managing pest, weeds and diseases. Cotton Australia applies for a number of permits on behalf of its growers to cover specialty use situations that are not covered by established approved chemical use

patterns. The lengthy time frames (often over 12 months) for having these minor use permits approved, or amended, is prohibitive to productivity. This is especially the case when emergency permits for new pest outbreaks are required. The prohibitive cost and time frames results in producers having to use products 'off-label'. The use of products in an unregulated, off-label situation creates potential risks with product safety, efficacy and resistance management for the whole Australian community.

### **Reconsiderations (chemical review)**

The amendments, including the published work-plans and timeframes, have improved the transparency and predictability of reconsiderations. This process has allowed industry to be made aware of upcoming chemical reviews and plan accordingly, including looking at current use patterns of the chemical or investigating available alternatives to either maintain access or be able to manage a products withdrawal or change in registration.

### **Compliance and enforcement**

Cotton Australia is supportive of reforms to simplify the Agvet Code further, with a greater use of conditions of registration to regulate the labelling of chemical products, and less reliance on specific labelling offences. The current labelling system can be inconsistent across chemicals and confusing for users. Any reforms that can simplify the label directions for end users, while ensuring responsible application of the product, is welcomed.

Cotton Australia looks forward to any to improvements that can be made to enhance the capabilities of the APVMA to deliver regulatory decisions that are both timely and cost effective.

Cotton Australia would welcome an opportunity to provide further information on its position.