

Office of the Director-General



Queensland  
Government

**FAXED**  
20/7/05

Department of  
Primary Industries and Fisheries

Reference: 05/11146

20 JUL 2005

Mr Scott Gregson  
Acting General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
**Dickson ACT 2602**

FILE No:
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Dear Mr Gregson

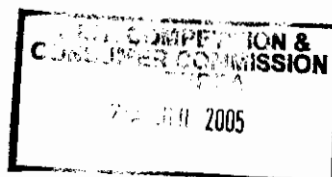
**Application for revocation of authorisation A90871 and substitution by replacement authorisation A90963 lodged by Agsafe Ltd**

I refer to your letter of 6 July 2005 regarding the abovementioned and provide the following comments for consideration in your assessment of the Agsafe application.

The conditions proposed by the Australian Competition and Consumer Commission in relation to the need for an audit to determine an appropriate levy to fund both ChemClear and drumMUSTER programs are supported. The current Agsafe levy which funds the drumMUSTER program has been set at too high a level as evidenced by; the considerable surplus expected to be held at the end of the current Industry Waste Reduction Agreement (IWRA) by Agsafe of \$4.5 million; and that the 4 cents per litre/kilogram levy currently funding the drumMUSTER program is proposed to remain the same to fund both programs.

The precursor pesticide and veterinary chemical waste collection program to ChemClear, ChemCollect, was established and funded by Commonwealth and State Governments on the condition that the pesticide and veterinary chemical manufacturing and distribution industry establish and fund an ongoing waste pesticide collection and disposal program at the completion of ChemCollect. It is important for the farming community and the environment, through an expected better environmental outcome, that the ChemClear program progress and be available Australia-wide.

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At section 3.7 it is incorrectly stated that ChemClear is a waste reduction program. ChemClear is a waste disposal program. A waste reduction program would be aimed at achieving a reduction in the quantity of waste generated. Unfortunately ChemClear is not trying to achieve one of the basic waste management principles of waste avoidance, which is the top priority of the waste management hierarchy framework of: waste avoidance; waste reuse; waste recycling; energy recovery; and lastly, waste disposal.

As the ChemClear program is not a waste reduction program it is difficult to see how, following the proposed inclusion of both ChemClear and drumMUSTER under the one IWRA, that the agreement can be referred to as an industry waste *reduction* agreement. A waste *management* agreement would seem more appropriate.

If you require any further information regarding this matter, please do not hesitate to contact Wayne Thompson on telephone 07 3227 7668 or email [Wayne.Thompson@dpi.qld.gov.au](mailto:Wayne.Thompson@dpi.qld.gov.au).

Yours sincerely



Jim Varghese  
**Director-General**