

Staltari, Danielle

From: Frances Cameron [frances.cameron@agsafe.com.au]
Sent: Thursday, 22 February 2007 7:11 PM
To: Staltari, Danielle
Cc: Sam Ponder
Subject: RE: [SEC=UNCLASSIFIED]

Hi Danielle,

The key to this answer is whether or not the manufacturer is a member of CropLife - as we have highlighted in the application, manufacturers who are members of CropLife are required to not sell Dangerous Goods, Hazardous Substances or Scheduled Poisons to locations that are not Agsafe accredited. Those organisations highlighted in Q5 align themselves voluntarily to Agsafe principles, as they are not members of CropLife. An accredited organisation can still trade with non-CropLife members.

Organisations may choose to accredit their personnel for a number of reasons – under most legislation, training is a requirement for those handling chemical. Agsafe training is a good way to achieve this standard.

Regards,

Frances

-----Original Message-----

From: Staltari, Danielle [mailto:danielle.staltari@ACCC.GOV.AU]
Sent: Thursday, 8 February 2007 5:43 PM
To: Frances Cameron
Cc: Sam Ponder; Palisi, Joanne
Subject: RE: [SEC=UNCLASSIFIED]

Hello Frances

Thank you for the timely reply to my questions. I note that a copy of Agsafe's response will be placed on the ACCC's public register. I have two additional questions in follow up to your answers provided below:

In regards to your response to question 5, if these manufacturers have not obtained premises accreditation is it correct to assume that retailers who are accredited through Agsafe are unable to obtain chemicals from these manufacturers? Why would these manufacturers only choose to have their employees obtain personnel accreditation but not complete the premises accreditation component of the Agsafe Guardian Program?

regards

Danielle

From: Frances Cameron
[mailto:frances.cameron@agsafe.com.au]
Sent: Thursday, 8 February 2007 4:38 PM
To: Staltari, Danielle
Cc: Sam Ponder; Palisi, Joanne
Subject: RE: [SEC=UNCLASSIFIED]

Hi Danielle,

In answer to your queries, please find following Agsafe responses:

1. I note that there are a number of pieces of legislation in each State and Territory which regulate the use of agricultural and veterinary chemicals.

How does Agsafe incorporate the different requirements from the various pieces of legislation into the

Code of Practice and the Accreditation Training Manual? For example, is it the case that the standard incorporated into these documents reflects the highest standard which exists in State or Territory legislation?

- Your assumption that the highest standard incorporated is correct – in the instance where State requirements vary, Agsafe maintains the highest standard available. In some instances, Agsafe encourages members to go beyond the requirements of State legislation. Some standards have in effect “grown up with the industry” – in essence, Agsafe encourages subscription to the principles of best practice, which may sometimes be construed as being above and beyond the legislation.

How does Agsafe ensure that the Code of Practice and the Accreditation Training Manual are up to date and address the range of different legislative requirements that may change from time to time?

Does Agsafe conduct a periodic review of these documents? If yes, how often is a review conducted and what process is involved in reviewing the documents?

- The Agsafe Code of Practice and all Training manuals undergo periodic reviews (normally every two years or as required) – the Code of Practice and the Basic manual were both reviewed in January 2007 with new versions being released by the end of March 2007. As part of the review process Agsafe engages industry participants (including Regulators) to obtain feedback.
- Agsafe employs a number of initiatives to maintain legislative standards. Our State based Accreditation Facilitators and trainers are a primary source of information, as are State and Federal agencies. Agsafe also holds seats on various Australian Standards committees and from time to time has input into the drafting of legislation, the most recent of which is the 1080 initiative in VIC. Most State and Federal regulators (and some commercial operators) have email/web based alert systems that flag when regulations are due for review (and require input) and thus amended.

2. Are the requirements in the Code of Practice and the Accreditation Training Manual consistent with State, Territory and Federal legislation?

- As learning tools, the Code of Practice and the Accreditation Training Manual do refer to legislation where necessary. It should be noted that the Code of Practice is used as an “Industry Standard” and whilst it accounts wherever possible for State & Federal Legislation as well as Australian Standards, it does attempt to achieve best practice which in some instances may be above legislation.

3. Are there generic manufacturers of agricultural and veterinary chemicals which operate in Australia? Could Agsafe please provide details on the extent generic manufacturers are represented in the agricultural and veterinary chemical market? Are generic manufacturers accredited under the Agsafe Guardian Program?

- There is a group called Generic Agricultural Chemicals Australia (GACA) that represents generic chemical manufacturers I believe that there are about 15 organisations that make up this group (although I need to check this information and will update you). Some of these locations may be accredited or have accredited personnel.

4. On page 6 of the Public Interest Statement you advise that premises are charged \$135 for each hour that a facilitator spends on site. Is Agsafe able to advise, on average, how many hours businesses usually need to have an Agsafe facilitator on site?

- Agsafe Facilitators spend on average three hours on site. Premises that maintain good compliance levels can expect consultations to be shorter.

5. Agsafe has advised that Kenso Corporation, the Victorian Chemical Company, Conquest Chemicals, Spray Gro and Ospray are manufacturers who are not represented by CropLife or Animal Health Alliance but are nonetheless aligned to the principles of the Agsafe Program.

Could you please confirm whether these manufacturers are accredited under the Agsafe Guardian Program?

- Those manufacturers detailed do not have current Agsafe accreditation, however some employees from these organisations do maintain personnel accreditation.

-----Original Message-----

From: Staltari, Danielle [mailto:danielle.staltari@ACCC.GOV.AU]
Sent: Wednesday, 7 February 2007 4:31 PM
To: Frances Cameron
Cc: Sam Ponder; Palisi, Joanne
Subject: [SEC=UNCLASSIFIED]

Hello Frances

Thankyou for your email and for also providing a copy of the Accreditation Training Manual.

I note that closing date for submissions from interested parties is the 8th February 2007. I will forward to you early next week a copy of the submissions received by the ACCC should Agsafe wish to provide comments on issues raised by interested parties.

I have also attached for your information a letter sent today to manufacturers who are not members of CropLife or Animal Health Alliance seeking comments on Agsafe's application for revocation and substitution.

I have outlined below a further list of questions which I would be grateful if Agsafe could address.

2. I note that there are a number of pieces of legislation in each State and Territory which regulate the use of agricultural and veterinary chemicals.

How does Agsafe incorporate the different requirements from the various pieces of legislation into the Code of Practice and the Accreditation Training Manual? For example, is it the case that the standard incorporated into these documents reflects the highest standard which exists in State or Territory legislation?

How does Agsafe ensure that the Code of Practice and the Accreditation Training Manual are up to date and address the range of different legislative requirements that may change from time to time?

Does Agsafe conduct a periodic review of these documents? If yes, how often is a review conducted and what process is involved in reviewing the documents?

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Program.

Could you please confirm whether these manufacturers are accredited under the Agsafe Guardian Program?

Should you have any queries about the questions outlined above please contact me on the number listed below.

<<Letter to Interested Parties - 07 02 07.pdf>>

Regards

Danielle

Danielle Staltari
Assistant Director
ACCC
Ph: 02 6243 1362
Fax: 02 6243 1211

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