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Mr S Gregson  
General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Dear Mr Gregson

Attention: Ms Danielle Staltari

**Agsafe’s Application for Revocation and Substitution A91027 and A91028 – interested party consultation**

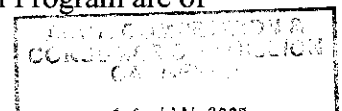
Thank you for your letter of 5 January 2007 concerning Agsafe’s Application for revocation and substitution of A91027 and A91028 in relation to its Code of Conduct (the Agsafe Guardian Program).

FSANZ develops food regulatory measures, including codes of practice, covering the content and labelling of food sold in Australia and New Zealand. In addition, FSANZ develops Australia-only food standards that address food safety issues, including requirements for primary production and maximum residue limits for agricultural and veterinary drug residues. Food regulatory measures developed by FSANZ are included in the *Australia New Zealand Food Standards Code*, which in turn is adopted into State, Territory, New Zealand and Commonwealth of Australia food legislation. FSANZ does not enforce compliance with these standards and this role is undertaken by other agencies that administer the State, Territory, New Zealand and Commonwealth of Australia food legislation.

In relation to Agsafe’s Application, I have noted that the Agsafe Guardian Program’s objectives are:

1. To ensure that agricultural and veterinary chemicals, within the distribution chain, are stored, handled and transported in accordance with all statutory regulations and standards; and
2. To ensure that all individuals who sell or offer advice on agricultural and veterinary chemicals, from point of manufacture through to point of sale have received proper training in the principles of safe, effective and legal use of these products.

The functions of FSANZ include the development or variation of food standards relating to Maximum Residue Limits for agricultural and veterinary chemical residues in food. These functions do not extend to the specific regulation of agricultural and veterinary chemical products and on this basis the Agsafe Application and the Agsafe Guardian Program are of




limited relevance to FSANZ. In addition, as FSANZ is not an enforcement or compliance agency, FSANZ has not had any involvement with the development or monitoring of the Agsafe Guardian Program.

Notwithstanding this and based upon the information provided in the Application, FSANZ is supportive of the objectives of the Agsafe Guardian Program. I also consider that the Agsafe Guardian Program would provide benefits to the community in ensuring that agricultural and veterinary chemical products are used appropriately. The appropriate use of agricultural and veterinary chemical products would, in turn, ensure that residues in food are minimised consistent with the effective use of agricultural and veterinary chemical products.

Thank you for the opportunity to provide comment on the Agsafe Application and should you wish to discuss this matter further then please do not hesitate to contact Rob Keane on (02) 6271 2227.

Yours sincerely



LYDIA BUCHTMANN  
A/g GENERAL MANAGER  
FOOD STANDARDS (CANBERRA)

7 January 2007