



FILE NOTE			
Matter name:	Agsafe Limited – application for revocation and substitution – A91234		
ACCC parties	Ben Davis, Adjudication Branch		
Other parties:	Mr Phil Hurst, CEO, Aerial Agricultural Association of Australia	Date: Time:	04/06/2010 10:15am

Mr Phil Hurst, CEO of Aerial Agricultural Association of Australia (AAAA), advised the ACCC that AAAA wished to resubmit its April 2007 submission regarding Agsafe Limited's 2007 applications for revocation and substitution A91027-A91030 for the current application for authorisation A91234.

End of record.

Signature:		Date: Time:	06/06/2010 9:30pm
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AERIAL AGRICULTURAL ASSOCIATION OF AUSTRALIA LTD.

ABN 13 002 501 886 • ACN 002 501 886



27 April 2007

The General Manager
Adjudication Branch
ACCC
PO Box 1199
Dickson ACT 2602

Dear Sir /Madam

Re: Agsafe's application for authorisation A91027-A91030

I write on behalf of the Aerial Agricultural Association of Australia to support fully the continuation of Agsafe's current approval for the refusal of supply of agricultural chemicals to businesses who have not obtained accreditation from Agsafe under the Guardian program,

AAAA represents the nation's professional aerial applicators of agricultural chemicals. AAAA runs the national accreditation and training programs for aerial applicators and companies under the 'Spraysafe' banner and has worked cooperatively with Agsafe over many years to ensure the standards of our industry sector are at a suitably high level. Further information on the Association, its members and programs can be found at the Association's website – www.aerialag.com.au

AAAA and its members have a long track record of responsible performance in terms of the safe handling and storage of agricultural chemicals, and the Board of the Association believes that the proposed removal of Agsafe's ability to refuse supply to non-accredited companies will jeopardise the gains that have been made in safe handling and storage of chemicals.

Agsafe plays a critical role in ensuring the safe storage and handling of pesticides in Australia.

It is a national program that provides a level playing field and certainty for all involved. It fills a gap that was vacated by the States and which would be unlikely to be filled by the States or federal regulation in any meaningful way should the program fail – something that is a possible outcome of the proposed ACCC decision.

AAAA does not believe that the Agsafe program poses a threat to competition, either real or perceived. It ensures that a suitable and transparent standard of competence of personnel and accreditation of facilities is available to all in industry.

Without an ability to refuse supply, Agsafe would become a 'toothless tiger' that may be simply ignored by disreputable companies wanting to enter the market without meeting any minimum standards for safety.

Agsafe provides an essential assurance to the community and to various government regulators that all those who resell agricultural chemicals are operating in a manner that is consistent with community expectations for safety.

Clearly, Agsafe and its programs provide a community benefit that is significant, accountable and transparent and which would otherwise would be very poorly and inconsistently regulated by governments with poor resources so to do.

Government is sending very mixed messages to industry as a result of the proposed ACCC decision.

Government actively encourages industry to be responsible and to take a stewardship role for its products, but the ACCC decision appears to be heading in the other direction by not giving Agsafe the tools essential to achieving that objective.

Agsafe's track record in acting responsibly and without compromising competition within this sector is an important indicator as to how the program should be allowed to continue in the future.

Agsafe is a program that is a model of how industry self-regulation can work well with the support of Government and meet the objectives of the community, government and industry at the lowest possible cost.

Government support of what Agsafe is achieving should be manifested through the ACCC approving Agsafe's application, rather than raising theoretical concerns of an organisation that is almost universally acclaimed as a success on the ground.

If you require any further information, please do not hesitate to contact me on 02 6241 2100 or at phil@aerialag.com.au. I have registered to attend the pre-decision conference at Dickson on the 1st of May.

Yours sincerely



Phil Hurst
CEO