

Setting the record straight

The article by Mr Jim Harris in TSIC News, *Fishing Today*, Volume 22 No. 2, includes statements that are inaccurate. The Department of Primary Industries and Water provides clarifying and correct information.

THE PAST

In relation to the oyster mortalities that occurred at several sites on the east coast in 2004, the 'independent research' that Mr Harris refers to was not cited. It may have been work authored by A. Bleaney and M. Scammell. This work, commonly referred to as the Scammell Report, was considered by DPIW, which was concerned that many claims in this work were unsubstantiated and the conclusions were not supported by or related to the data. DPIW referred this work to the University of Queensland – National Research Centre for Environmental Toxicology for expert analysis. International authority, Professor Paolo Ricci, of this organisation, noted the work "lacks scientific credibility and should not be used for policy analysis". Many key reasons were cited for this conclusion and included lack of a literature review, lack of statistical analysis, and inappropriate causal conclusions.

DPIW cannot rely on unsubstantiated claims and unsupported opinion when managing public policy and DPIW recognises that the public and industry expect regulatory decisions to be based on the best information available.

There is no established link between herbicides and the east coast oyster mortalities in 2004. There are many theories. The Government considered these when conducting the 2004 investigation.

THE PRESENT

Mr Harris expresses surprise that the results from the Department's water monitoring program are posted approximately four to six weeks after testing. The water monitoring program indicates the nature and extent of any water contamination from pesticides for which testing is undertaken, and then informs the community. The program is not designed to provide early warning of events in specific locations. This is presently impossible as there is a time lapse between sampling and finalising the water analysis. The results are published as soon as they are finalised and no later. The Department acknowledges that there is sectional community concern regarding the effectiveness of the program and is currently considering how it can be improved.

Mr Harris claims that there is no aerial spraying code for pesticides. This is not true.

The current Aerial Spraying Code of Practice prescribes responsibilities and minimum standards for users of registered chemicals when these products are applied by aerial spraying in Tasmania. Products are registered for use by the Australian Pesticides and Veterinary Medicines Authority, which is the national regulator of pesticides. The products must be applied according to the label instructions and must not be discharged within 100 metres of a dwelling or over a waterway. The Spray Information and Referral Unit of DPIW investigates incidents and complaints relating to pesticide use as they arise.

THE FUTURE

While recognising that agricultural chemicals play an important role in many modern agricultural production systems, the State Government acknowledges there has been concern in the community about the spraying of pesticides and has moved to tighten regulatory controls on this activity.

Codes of practice for aerial and ground spraying will be replaced by regulations



that are intended to establish exclusion zones around a range of sensitive places including waterways, schools, hospitals, child care centres, homes and certified organic farms. Exclusion zones are areas that should be free of pesticides and will provide a balance between the need for pesticide application by industry and the rights of people to be free from exposure to pesticides. Enforceable water quality standards will also apply, which aim to protect human health and aquatic environments. The new regulations will also allow for the auditing of these strict performance standards. Explicit requirements for neighbour notification, record-keeping and communication between land managers and spraying contractors have also been specified.

This is a complex public policy matter requiring serious consideration and so the process is taking longer than originally anticipated. The intention is to have an amended set of regulations out for public comment in the next few months.

ACTING RESPONSIBLY

The Department shares Mr Harris's concern regarding marketing and product positioning. It is eager to ensure that market opportunities for individual companies and the industry as a whole are not needlessly damaged by theories, speculation, unreliable 'experts' or untruths.

The Government will continue to support Tasmania's brand and protect the State's natural resources through science-based regulation and informed policy debate. Future input from TSIC into regulatory reviews is most welcome.

For further information on chemical regulation in Tasmania and the spraying reviews, please contact the DPIW Chemical Management Branch on 03 6233 8718.