

29 October 2024

Chemical Review  
Australian Pesticides and Veterinary Medicines Authority  
GPO BOX 3262  
Sydney NSW 2001  
Submission by email to [chemicalreview@apvma.gov.au](mailto:chemicalreview@apvma.gov.au)

## **PARAQUAT AND DIQUAT PROPOSED REGULATORY DECISION**

Organic Operators Australia calls on the Department of Agriculture, Forest and Fisheries to take urgent action in regard to the regulation of agvet chemicals in Australia.

Slow assessment of chemical safety in some cases up to thirty years (30) and approved use despite obvious community concerns points to one very clear deficiency in Australia's chemical regulation which is not within the scope of the APVMA.

As is the case for most product and service providers, harm caused to the community and, or the environment from commercial products must be remediated with victims compensated for harm where causal links can be established.

Sadly, this is not the case for agvet chemical manufacturers / distributors. Instead, the duty of proof of causal link falls on victims. The complex, expensive, and time-consuming task requiring preeminent qualification and peer review, is a burden for egregiously harmed victims, and not the perpetrators.

The era of agvet chemical distributors shifting the cost of community and environmental harm onto the community must end. All agvet chemicals distributors must include the true cost of their products' impact onto their balance sheet.

OOA calls for urgent action to mandate new regulations of agvet chemicals including:

- 1. Agvet chemical products are obligated to prove NIL causal link in all cases where correlation of agvet chemicals and community or environment harm is evident.**
  - a. Financial levies to fund research must commence with proof of correlation.
    - i. Correlation must have the benefit of doubt in the first instance causing the instigation of levies to fund independent research.
  - b. With increased cases and correlation, comes increased levies to further increase research funding.
    - i. The current system passes this funding cost to victims of harm, or on the limited resources of the APVMA. In both cases, the response is inappropriate.
    - ii. An appropriate funding mechanism must be established to respond to rampant product submissions and rampant potential environmental and community harm.
  - c. For clarity, proof of causal link must not be obligated on environmental and or community victims. Instead, the proof of **NO** causal link must be obligated on the agvet product manufacturer / distributor.

2. **Agvet chemical products are at least severally liable for all community and or environmental harm including off-label use.**
  - a. Minimum liability in all cases where causal link is determined at any level of litigation.
  - b. Independent research levy imposed at first case of correlation of harm.
  - c. Obligation of proof of NIL causal link rests with the agvet chemical distributor.
3. **Correlation of agvet chemicals and community or environmental harm mandates levies on all associated agvet chemical products to fund independent research to disprove causal link.**
  - a. This cannot be an associated research organisation of the product distributor or manufacturers.
  - b. This cannot be an internal service of the APVMA.
  - c. Good governance principles must be deployed to ensure accuracy and robust assessment of correlations.
4. **Reparation and compensation where any agvet chemical has caused harm.**
  - a. Mandatory insurance for environmental or community harm imposed on all agvet chemical distributors. (ensuring that insurance is triggered by regulator action, and not by proof of causal link)
  - b. Definition of reparation and compensation is to return the environment and or community to pre-harm status at minimum.
5. **Agvet chemical levies cannot constitute or be considered a component of funding of APVMA.**
  - a. APVMA is a service to protect the Australian community and environment. It is appropriate that it is funded by the taxpayer.
  - b. Revenues from levies imposed on agvet chemicals must go directly to fund independent research.
    - i. Research independent of the product manufacture & distribution
    - ii. Research independent of the APVMA
    - iii. Good governance principles.

The inclusion of off-label harm is intended to cause agvet product distributors to engage in strategies to reduce environmental and community harm. The threat of at minimum joint liability should both discourage the distribution of harmful chemicals, and the development of safer application / use solutions.

In particular, we call on the APVMA to urgently review Paraquat & diquat:

- Parkinsons Australia<sup>1</sup> is calling for an immediate ban on Paraquat with growing scientific evidence linking the chemical to increased community risk in the development of Parkinsons disease.
- 70 countries have banned the use of Paraquat due to severe health risks.
- Human health risks including permanent and irreversible harm resulting even from minimal exposure.
- APVMA concluded stricter regulations<sup>2</sup> on Paraquat and diquat but fell short of actions taken by other regulators.

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<sup>1</sup> <https://www.parkinsons.org.au/banpq/>

<sup>2</sup> [Paraquat and diquat – summary of assessment outcomes in proposed regulatory decisions](#)

We urge the APVMA to prioritise protection of the environment and the community from harm. The benefit of doubt should first rest with cause no harm, where doubt exists independent research (in good governance – more than one RO) must be the alternate action exclusively at the proponents cost.

All new products must be accompanied with environmental and health risk assessments completed within a reasonable period of the submission to ensure applicability of the research.

Further reading:

<https://www.abc.net.au/news/2024-09-11/peak-farm-lobby-tries-to-silence-members-on-parkinsons/104304080>

<https://www.grainproducers.com.au/post/gpa-calls-out-abc-for-inaccuracy-and-scaremongering-on-paraquat>

<https://ipen.org/news/plan-relax-australian-rules-chemicals-and-pesticides-attacked-environment-groups>

<https://iview.abc.net.au/video/RF2314Q029S00>

<https://link.springer.com/article/10.1007/s11356-022-24951-0>

<https://www.sciencedirect.com/science/article/abs/pii/S1353802023010118>

[https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196\(23\)00255-3/fulltext](https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196(23)00255-3/fulltext)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6672233/>

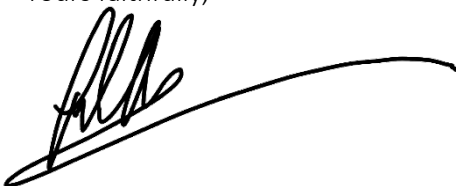
<https://www.bbc.com/news/science-environment-68215777>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9229215/>

<https://abcnews.go.com/US/burns-crisp-farmers-allege-link-popular-herbicide-parkinsons/story?id=102449723>

Organic Operators Australia calls on the APVMA to respond on these five urgent actions, and where any of these are addressed in the recent APVMA reform, to advise the date at which these changes will take effect.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Peter Hislop Speers', with a long, sweeping horizontal line extending to the right.

Peter Hislop Speers  
Chair, Organic Operators Australia