

14 June 2013

**Attn: Gregory Jean**  
Policy Manager

Ecosystem Services Programme  
FSC International Center GmbH  
Charles de Gaulle Straße 5  
53113 Bonn GERMANY

email: [pesticides@fsc.org](mailto:pesticides@fsc.org)

**RE: Public Consultation of FSC indicators and thresholds for the identification of 'highly hazardous pesticides'**

Dear Mr Jean,

In addition to the form provided for stakeholder feedback, we would like to take the opportunity to introduce our organisation and to make some additional contextual comments regarding pesticides in Australia.

**National Toxics Network Inc.**

National Toxics Network (NTN) is a community based network working towards a toxic-free future. NTN was formed in 1993 and provides a voice to community and environment organisations across Australia, New Zealand and the South Pacific. We are the only national NGO in Australia focussed solely on chemical pollution issues.

NTN is the Australian focal point for the International POPs Elimination Network (IPEN) and works towards the full implementation of the Stockholm Convention on Persistent Organic Pollutants (POPs) and other global chemical conventions. NTN is a member of the NGO delegation to the POPs Review Committee, the UN scientific committee assessing new POPs nominations. NTN participates in the Strategic Approach to International Chemical Management (SAICM).

**Pesticides in Australia**

With respect to pesticides in Australia, NTN has been actively involved at both the Commonwealth and State levels for over twenty years, helping to establish the first federal regulator in Australia, and subsequently, representing the environment sector on the community consultative committee of the regulator, the Australian Pesticides and Veterinary Medicines Authority (APVMA).

For the past four years we have been working closely with WWF-Australia on reforms to the Commonwealth legislation regulating pesticides in Australia. A Bill is currently before the Parliament.

Most stakeholders are of the view that Australian regulation is failing to keep up with world's best practice because we do not have an efficient and systematic approach to chemical review, and there are no triggers to remove or restrict highly hazardous pesticides (HHPs) from the chemical inventory.

Australia does very little in the way of monitoring and much is left to environment and community groups to raise the alarm when ecosystems and people are polluted with pesticides.

You may be aware for instance that the Great Barrier Reef is being negatively impacted by herbicide (diuron, atrazine etc) run-off from sugar cane fields. You may not be aware however, that monitoring results show pesticide run-off from forestry operations are impacting drinking water supplies in parts of Tasmania and Victoria.

We are aware of at least one case that has been brought to the attention of FSC-International regarding simazine run-off from an FSC forestry operation in Victoria and the impacted people are urgently awaiting your response.

### **Identifying highly hazardous pesticides**

As part of the legislative reform process in Australia, we have been looking closely at criteria to define 'highly hazardous pesticides' (HHPs).

In principle, we support the approach FSC takes in identifying HHPs and note the criteria proposed are largely in line with those used by the Pesticide Action Network International in their most recent document *PAN International List of Highly Hazardous Pesticides*, May 2013.

In relation to the proposed amendments to the FSC document, we have provided specific comments in the comment form provided. In addition, we would like to know who your panel of experts are and what the process will be for considering our comments and the process for the determination of the final document.

### **Pesticide policy guidance**

The HHP policy criteria and intent are good, however there are some emerging issues in toxicology and the regulation of pesticides that will challenge the approach you've taken and should be considered in your policy.

While it's commendable to identify and minimise the number of HHPs, the problems with pesticides don't stop there. Pesticide products, whether they are HHP or not, are mixtures of chemicals and not just active ingredients which can do damage to ecosystems. Different pesticide products are often applied at the same time resulting in a chemical cocktail with unknown consequences.

Your derogation notice for Simazine use in Australia actually encourages mixtures of pesticides to be applied together. This issue of chemical mixtures needs to be addressed.

Endocrine disrupting chemicals (EDCs), which you include as a criterion for HHP, is a very complex regulatory problem. The levels at which EDCs can damage ecosystems and people are orders of magnitude smaller than protective values currently used. This needs to be considered, especially in the derogation process.

### **Temporary derogations for highly hazardous pesticides**

We are concerned about your process for temporary derogations for HHPs, which from our perspective, appears to be being exploited by Australian FSC-certified forestry operations.

Australia was recently granted 5-year derogations from the 19 June 2012 for the use, with conditions, for the following HHPs: alpha cypermethrin, amitrole, fipronil, hexazinone, simazine, sodium fluoroacetate and terbuthylazine.

We note Australia was previously granted derogations, prior to 2008, for simazine and sodium fluoroacetate.

So little is known about the impact of pesticide exposures on Australian native animals. In the vast majority of cases there is simply no safety data and species such as Tasmanian Devils, platypus, koalas and native fish are at risk.

Australia has such a wide range of climatic conditions which needs to be considered in your derogation reviews. Tasmania is much colder than Queensland for instance and pesticides do very different things in different temperatures. Soil types vary considerably between the east and west coast and north and south, which also impacts how pesticides degrade and move around in the environment.

We note your pesticides policy guidance (2007) says that 'pesticides included on the FSC list of 'highly hazardous' pesticides may not be used in FSC-certified forests unless there is no viable alternative.

In order to implement this, FSC requires that managers wishing to use these 'highly hazardous' pesticides must justify such use through a specific process, which includes consultation with social, environmental and economic stakeholders.

As Australia's peak NGO working on pesticides for over twenty years, we find it extremely concerning that we have never been consulted about any pesticide derogations in Australia.

Could you please explain the specific process that was undertaken and what stakeholders were consulted in the recent derogation decisions for Australia. Could you explain the process for determining whether there were no viable alternatives to the HHPs in Australia. Could you also explain how you will monitor compliance with the conditions placed in the derogations.

An initial search of the APVMA database of registered pesticides<sup>1</sup> reveals that some of the pesticides given derogations do not even have a primary registration for use in forest plantations. It's possible they could be being used under permits<sup>2</sup>, which is concerning, as this tends to mean comprehensive data has not been provided to justify its use and inclusion on the label for forest plantations.

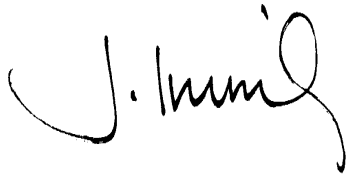
Fipronil, for instance, is currently under active review by the APVMA, largely due to its unknown environmental impacts under Australian conditions. It doesn't appear it's even registered for use in forestry. How did you see fit to grant a 5-year derogation for its use?

It would appear that since 2008, Australian FSC-forestry operations have an even greater need for the use of HHPs. Is there an explanation for this? Why have there been no viable alternatives found since 2008?

It's counter to the aims of your HHP policy that the use of HHPs in Australia is expanding rather than diminishing, and this is of great concern to us. It has the potential to undermine the FSC brand.

We look forward to your earliest reply.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Immig', with a stylized, cursive flourish at the end.

**JO IMMIG**  
NTN Coordinator

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<sup>1</sup> <http://services.apvma.gov.au/PubcrisWebClient/welcome.do>

<sup>2</sup> <http://www.apvma.gov.au/permits/search.php>