

Comments from the Victorian Departments of Health and Human Services, and Economic Development, Jobs, Transport and Resources.

Due date of submission – 3 June 2016.

The Victorian Departments of Health and Human Services, and Economic Development, Jobs, Transport and Resources (the departments) welcome the opportunity to provide comments on Proposal P1027 – Managing low-level agricultural and veterinary (agvet) chemicals in foods without maximum residue limits (MRLs).

It is understood that the key principles underpinning Proposal P1027 are that:

- FSANZ proposes to create low MRLs for certain listed agvet chemicals for ‘all other foods except animal food commodities’ to address issues associated with the current zero tolerance requirement in the Code;
- the proposed values of the MRLs in the ‘all other foods except animal food commodities’ category is high enough to allow for the presence of inadvertent residues of agvet chemicals in plant commodities but low enough to discourage off-label use of the chemical;
- veterinary chemicals, niche agvet chemical products and highly toxic products such as rodenticides and vertebrate poisons are not considered;
- the proposal will not affect the current ‘nil detectable’ requirement for the presence of non-listed agvet chemical residues in food; and
- the proposal is consistent with the principles provided by the Ministerial Policy Guideline on the Regulation of Residues of Agricultural and Veterinary Chemicals in Food.

The departments support these principles but reiterate that there may also be cases and justification for the inclusion of some veterinary medicines for assessment in the future.

The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) is also supportive of the Australian Pesticides and Veterinary Medicines Authority (APVMA) view that residue contamination needs to be primarily managed by industry and that the establishment of low level MRLs should be secondary to the implementation of Good Agricultural Practice.

The departments support FSANZ’s approach, as the levels set will be underpinned by risk assessments (which include dietary exposure considerations) and will result in certainty and national consistency for industry and regulators.

Timely introduction of priority chemical assessments for ‘all other foods except animal food commodities’ will be important. It would be desirable that all new chemical registrations and amendments to the Food Standards Code include consideration of the need for an ‘all other foods’ MRL and undertake the necessary risk assessment at that time.

DEDJTR, as the regulator in Victoria for control of use of agvet chemicals, supports the introduction of tolerance levels as proposed. This is because it will allow food with low level residues that do not present a public health or safety concern to be marketed, but would allow agvet chemical control of use regulators to take action to improve chemical use practices and to prevent recurrence. Thus, the departments support the inclusion of the ‘all other foods except animal food commodities’ MRLs, set under P1027, in the Food Standards Code only. This will enable the APVMA MRL standard to continue to be used as the primary reference for good agricultural practice.