

**Review of project
AHO4009
"coordination of
minor use permits for
horticulture"**

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Horticultural Services Pty
Ltd

Project Number: AH06104

AH06104

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Know-how for Horticulture™

FINAL REPORT

Review of Project:

**“Coordination of Minor Use Permits for
Horticulture”**

(Project AH04009)

Prepared for : Horticulture Australia Ltd

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Date : April 2007

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TABLE OF CONTENTS

Glossary.....	ii
Acknowledgements.....	ii
Executive Summary	1
1 Introduction.....	3
2 Terms of Reference.....	3
3 Activities of the Minor Use Coordinator	4
4 Specific Responses to TOR	8
5 Other Issues and Final Comment.....	18

LIST OF TABLES

Table 1: Number of MU permits submitted by each agency under the HAL MU project (from HAL database).....	6
Table 2: Breadth of old and more recent chemistry pesticides involved in permit applications under the HAL Minor Use project, and the number of permit applications relating to each active ingredient (from HAL database).....	7
Table 3: Permit applications ranked by manufacturer of the active ingredient.....	8
Table 4: Permit applications ranked by status.....	8

LIST OF FIGURES

Figure 1: Steps that need to be followed for a new pest, disease or weed control problem or new control required for an existing problem.....	5
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GLOSSARY

APVMA	Australian Pesticides & Veterinary Medicines Authority
CPA	Crop Protection Approvals (now defunct)
HAL	Horticulture Australia Ltd
IDO	Industry Development Officer (HAL)
IMC	Industry Management Committee (HAL)
MULO	Minor Use Liaison Office
PAC	Project Advisory Committee (HAL)
PDS	Peter dal Santo
PMUC	Pesticide Minor Use Coordinator
SARP	Strategic Agrochemical Review Process
SPGA	Strategic Pesticide Gap Analysis

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Many industry and organisational people have been contacted by Scholefield Robinson to discuss specific issues related to this review. We thank them collectively for their open and frank views.

Brad Wells (HAL), Kevin Bodnaruk (AKC Consulting), Peter dal Santo (AgAware), Alan Norden (APVMA), and Gary Artlett (Growcom) deserve special mention.

EXECUTIVE SUMMARY

HAL supported a minor use project in 1999 for the vegetable industry with Ausveg and Crop Protection Approvals, but this ran into difficulties. In 2004 the Pesticide Minor-Use Coordinator (PMUC) project was established to continue, but broaden, the project across all horticultural crops. This project has been operating for three years with Peter dal Santo in the role as PMUC. A new proposal has been submitted to HAL for a continuation of the PMUC project. Whenever major, long-term projects like PMUC are due for renewal, the IMC of HAL often requests a review of the project before approving an extension. Scholefield Robinson Horticultural Services was engaged to review the PMUC project and Peter Scholefield and Alison MacGregor were assigned to the review.

The APVMA issues permits for emergency use, minor uses (minor crops, or minor uses in major crops) and for research purposes. Sometimes the permit approval process is to approve/legitimise a use that has been happening anyway, especially by smaller industries. The PMUC, HAL and its committees, industry bodies, companies conducting trials to determine residue levels, and APVMA all have important roles in the minor use permit process.

In addition to managing the steps in this process, the PMUC must liaise with the many industries that comprise "horticulture", inform the minor industries about how the process works so their expectations are realistic, and assist industries to be proactive on pesticide issues by participating in the Strategic Agrichemical Review Process (SARP) to identify gaps.

The horticultural industries that the PMUC is engaged to service are spread across all States and Territories of Australia.

The mix of crops for which minor use permits have been submitted under the HAL PMUC project can be summarised as follows:

• Vegetables	46%
• Fruit crops	20%
• Nuts	13%
• Berries	10%
• Nursery flowers	7%
• Others	4%
	100%

The balance in this group is broadly representative of Australian horticulture. Although vegetable crops are still a major part of the minor use permit applications because of the size and proliferation of small crops in this industry, there is a wide range of other crops that the PMUC has also assisted with permits.

Alan Norden of APVMA commented that submissions from horticulture (of which 50% are from Peter dal Santo and the PMUC project) are more consistent and of better quality than under the old system.

Considerable time and resources have been spent by the PMUC in industry meetings, particularly in relation to the preparation of Strategic Pesticide Gap Analysis (SPGA) for industries and the related Strategic Agrochemical Review Process (SARP). These initiatives ensure that industries and HAL can be proactive in identifying needs for pesticide permits ahead of time, rather than just in an emergency situation.

Our assessment of the effectiveness of the PMUC, based on Milestone Reports, discussions with APVMA, industry and organisations is:

- The extensive contacts that Peter dal Santo has in industry, agencies and chemical companies across Australia have been of great benefit to this project and to horticulture.
- Industry groups have been very supportive of the role he has played in accessing minor use permits.
- Some competing organisations have been less supportive but this may relate more to their past experiences with Ausveg and CPA.
- The comment that PMUC is still running the project as a vegetable project is not supported by the facts.
- APVMA sees the PMUC as streamlining the permit process with quicker approvals for horticultural applications.

Some of the things that have worked well are:

- There is a protocol available for minor use applications that is better understood by industries and appreciated by APVMA.

- *The SGAP and SARP processes for assessing chemical needs and priorities are being promoted to industry groups as part of the communication strategy of the PMUC. These methodologies provide a more structured way of assessing needs and priorities.*
- *Considering the scope of the PMUC role and the personnel available to the project we are impressed that it has worked as well as it has.*

Some of the things that have worked less well are:

- *The HAL database does not include all of the horticultural minor use permits. All of the permits are on the APVMA database but that is not as “user-friendly”.*
- *The communication between PMUC and other agencies has broken down occasionally and permits for the same crop in different states or regions have been sought without the other party knowing. A more complete HAL database with pending or HAL prioritised approval may avoid this issue.*
- *The issue of who holds the permit has caused some anxiety. It would be preferable for HAL to hold all permits that it has provided funding for the application (and others too if possible). HAL represents the horticultural industries nationally and is the appropriate body to hold the permits. Peter dal Santo advised that because of legal liability concerns HAL was reluctant to hold the permits. This must be resolved one way or the other.*

Our review has shown that the current position of the PMUC project with things just starting to work well must not be jeopardised by cuts to the project.

The new project MT07029 proposes a much more structured plan which is based on the experience gained with project AH04009. The funding for the project of \$793,200 from HAL levies is divided equally between Vegetable funding and Across Horticulture funding. This is appropriate given the numbers of permits are about 50% for vegetable and 50% for the other industries. We have not exhaustively reviewed the resources in the new project but we strongly recommend that there is scope for another senior researcher in the project working with Peter dal Santo to ensure that this project is not at risk if anything happens to him.

The project is making good progress towards providing minor use permits across all of horticulture in a structured and consistent way. (If this was lost and individual applications without coordination returned, industry would suffer.)

The selection process for pesticides and crops by industry needs chemical company support, HAL funding availability, and preferred companies to carry out the spray and residue trials. APVMA requirements are now well understood and coordinated by HAL and the PMUC. (If the coordinator was not in place I do not believe that this complex process could be managed from within HAL alone.)

Some final issues that need to be considered are:

- *The PMUC project is exposed to a risk associated with the majority of the knowledge and industry contacts residing with Peter dal Santo. There is a need to incorporate some additional experienced staff into the new project, even if it means that additional funds are required. These staff may all be at the one location, or be state, regional or industry based.*
- *A comment was made that the location of AgAware in Bendigo is away from the key groups that need to be regularly consulted, HAL and APVMA. We do not fully agree with this comment.*
- *The reviewers have not been able to fully ascertain the degree to which HAL manages the PMUC project. Some comments suggested that the project was not being driven hard enough from the HAL end.*
- *There was some suggestion that the permits were being held in the AgAware name for some benefit to AgAware. In our opinion all permits that are funded by HAL (levy or voluntary contribution) should be held by HAL. I discussed this with Peter dal Santo and he advised that HAL did not want to hold the permits because they were concerned about the legal liability. This matter needs to be resolved.*
- *All horticultural permits should be listed in the HAL database (as well as the APVMA database) to allow easier extraction of information on these permits.*
- *There is still considerable “baggage” in the horticultural industry resulting from the Ausveg/CPA problems some years ago. This must be left in the past and not allowed to in any way reduce the benefits that have, and will come from the PMUC project.*

1 INTRODUCTION

Horticulture is an aggregate group of large and small industries. Many sectors of horticulture, particularly small industries, have problems with access to approved and effective pesticides that they can legally use on their crops. The issues contributing to the availability of pesticides include:

- loss of access through chemical reviews;
- new crops for which few pesticides are available;
- requirements of QA programs;
- pesticide resistance; and
- disinclination of manufacturers to invest in registration of pesticides for minor use.

HAL supported a minor use project in 1999 for the vegetable industry with Ausveg and Crop Protection Approvals, but this ran into difficulties. In 2004 the Pesticide Minor-Use Coordinator (PMUC) project was established to continue, but broaden, the project across all horticultural crops. This project has been operating for three years with Peter dal Santo in the role as PMUC. A new proposal has been submitted to HAL for a continuation of the PMUC project.

Whenever major, long-term projects like PMUC are due for renewal, the IMC of HAL often requests a review of the project before approving an extension.

Scholefield Robinson Horticultural Services was engaged to review the PMUC project and Peter Scholefield and Alison MacGregor were assigned to the review.

2 TERMS OF REFERENCE

- 1 Assess the activities undertaken to date by the Pesticide Minor Use Coordinator against the original proposal for AH04009.
- 2 Determine whether the existing project deliverables, outcomes and objectives have been achieved and/or are being achieved by the Pesticide Minor Use Coordinator.
- 3 Assess the changes made since the project was initially contracted and how these developments have impacted on the outcomes required.
- 4 Assess the effectiveness of the Pesticide Minor Use Coordinator as the appropriate service provider for the horticulture industry.
- 5 Advise what has worked well within the minor use program and what has not.
- 6 Assess how effectively the PMUC project is coordinated with other similar activities including determining any duplication of activities. This assessment should include the project, HG05005: Horticultural Pest Management Strategic Plan Review and on going support.
- 7 Advise what the state of the minor use arena is, for example how has minor use situation changed since the inception of this project and how this effects the need for a coordinator.
- 8 Advise whether there is a need to continue this project, with details on what time frames and resource levels are required. Please make note of any changes recommended which will enhance the effectiveness of this project into the future.

- 9 Advise the implications of not continuing to support the project past the existing project funding.
- 10 Determine the coverage of all horticultural industries and the opportunities and benefits to all horticultural industries.

3 ACTIVITIES OF THE MINOR USE COORDINATOR

The APVMA issues permits for emergency use, minor uses (minor crops, or minor uses in major crops) and for research purposes.

Permit applications are accompanied by residue data (and only to a much less extent crop safety of efficacy data). Data does not have to relate to the specific crop that the permit is requested for. APVMA are happy to extrapolate from data sets, if the crops are similar (egg. data for a product registered in carrots will suffice to justify residues in parsnips; data from one leafy vegetable can be used to support a permit in another).

Permits are issued when the use would otherwise be illegal according to State legislation (Victoria is an exception).

By issuing a permit, an MRL gets set. Granting of MRLs is not the only benefit of providing a permit. The application is also looked at for environmental impacts and OHS issues.

Sometimes the permit approval process is to approve/legitimise a use that has been happening anyway, especially by smaller industries.

The PMUC, HAL and its committees, industry bodies, companies conducting trials to determine residue levels, and APVMA all have important roles in the minor use permit process.

In addition to managing the steps in this process, the PMUC must liaise with the many industries that comprise “horticulture”, inform the minor industries about how the process works so their expectations are realistic, and assist industries to be proactive on pesticide issues by participating in the Strategic Agrichemical Review Process (SARP) to identify gaps.

The horticultural industries that the PMUC is engaged to service are spread across all States and Territories of Australia.

Not all horticultural minor use permits are submitted through the HAL/AgAware process and some individuals and organisations choose to independently submit applications directly to APVMA. Growcom is a main supplier of permits for industries that operate in this way. To some extent this is counter to the HAL aims of coordinating minor use permits in horticulture via the PMUC.

Figure 1 provides a simple picture of the process and steps that are followed from the identification of the need for a new “legal” pesticide for a crop when the full registration process is not attractive to a chemical company.

Figure 1: Steps that need to be followed for a new pest, disease or weed control problem or new control required for an existing problem

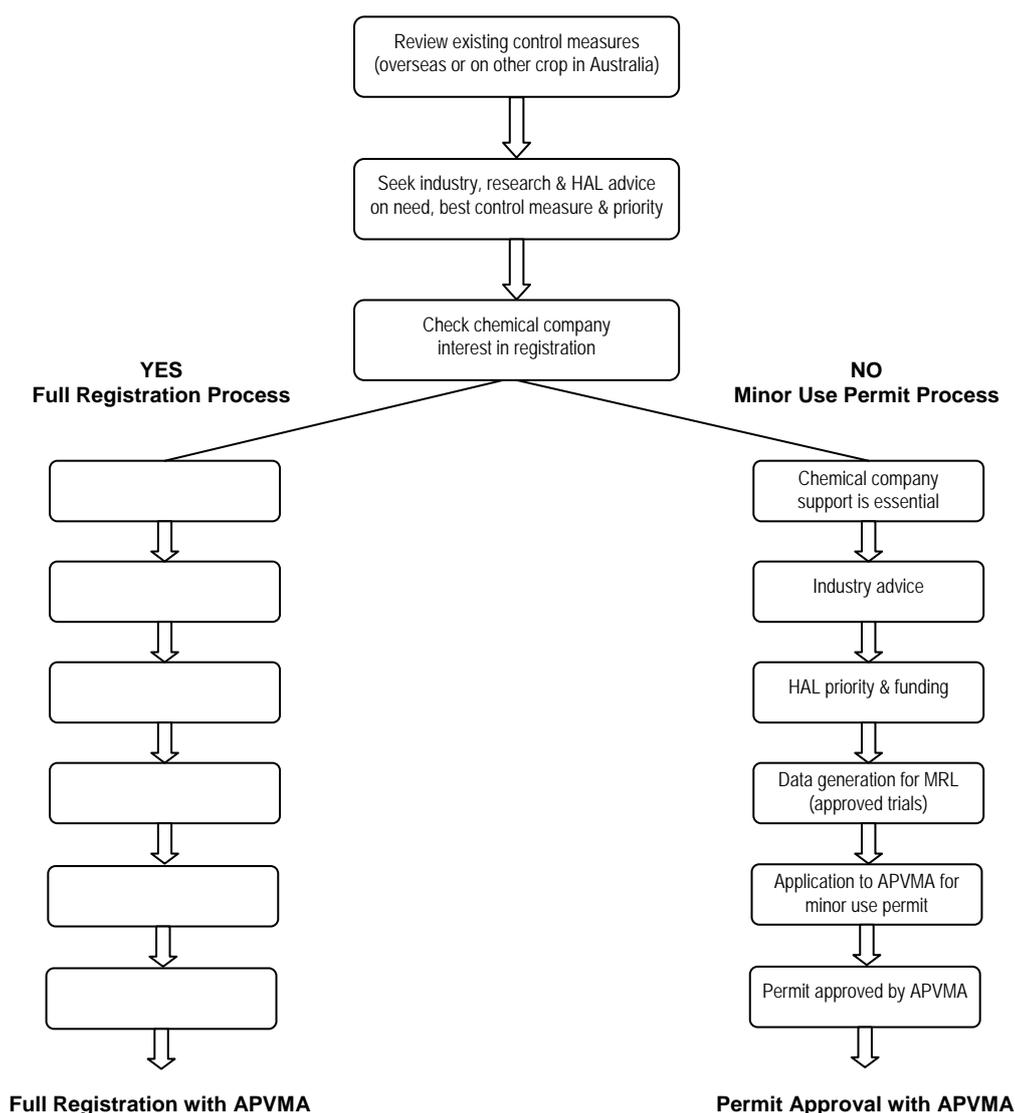


Table 1 presents data extracted from the HAL minor use database showing the number of permits by crop and agency. A total of 135 permits are listed with AgAware responsible for 93. All 135 permits were under the control and management of PMUC.

A breakdown of crops shows that the major industry groups were vegetables 46%, fruits 20%, nuts 13%, and berries 10%. This breakdown relates reasonably well to the size of the vegetable, and the combined fruit, nuts, and other industries being almost the same.

The permits submitted and held by other agencies are not included in the 135 in the database.

APVMA records show that from 1999 to 2004 Ausveg (HAL) and Growcom accounted for 44% of all the permits in the fruit and vegetable sectors. There were 750 permits across all industries and sectors.

Vegetables, fruits and nuts make up 57% of all applications for minor use permits.

Tables 2, 3 and 4 present analysis of data from the HAL minor use database, showing the range of active ingredients that have been the subject of permit applications as part of the current HAL project. The list highlights that a range of quite old and also more recent chemistry pesticides have been proposed in permit applications.

Table 1: Number of MU permits submitted by each agency under the HAL MU project (from HAL database)

Agency that submitted the permit	Total supplied by that agency (including consolidated permits for several crops)	Number of permits per crop	Crop
No name supplied	5	1 2 1 1	Cucumber, capsicum, lettuce (field & greenhouse) Nursery stock Pistachio Ribes - currants (black, red & white) & gooseberry
Agronico	1	1	Cucumber, capsicum, lettuce (GH & hydro)
Agrisearch	7	3 1 2 1	Cucumber (greenhouse) Lettuce (field, greenhouse & hydroponics) Peppers (capsicums, chillies & paprika) (1 field capsicum, 1-greenhouse-hydroponics) Sweet potatoes
AKC Consulting (Kevin Bodnaruk)	24	1 1 4 2 1 6 3 2 2 1 1 1	Beans (green & processing) herbs, lettuce & silverbeet Brassicas Capsicum (GH & hydroponic) Celery Cucumber (field) Capsicums, Tomatoes Grapes (table) Rhubarb Snow peas and sugar snap peas
Minor Use Liaison Office	1	1	Stonefruit
Ag Aware	93	1 5 2 2 2 1 2 1 1 2 2 2 1 1 4 4 1 3 2 1 1 4 3 4 4 8 2 2 1 1 8 2 5 2 1 3 2	alliums (not onions) & carrots Almonds Apples Bananas Beans Brassica & brassica leafy vegetables Capsicums, ornamentals Cherries Citrus Cucumber Eggplant Exotic fruits including rambutan Hazelnuts Herbs (incl parsley) Impatiens Lettuce Chicory, endive, radicchio Macadamias Mango Mushroom Olives Onions Ornamentals Papaya Peas - snow, sugar snap and garden Pistachio Pitaya (Dragon fruit) Potato Propagation nursery stock-ornamentals & vegetables Pyrethrum Rubus, Ribes & Blueberries Stonefruit Strawberries Sweet potato Tamarillos tomato Tropical fruits - exotic, non-bearing
ServAg (Peracto)	4	1 1 1 1	Brassicas - broccoli, Brussels sprout, cauliflower Cucumber (greenhouse) Leafy veges - chicory, endive, radicchio Snow peas & sugar snap peas
	Total	135	

Table 2: Breadth of old and more recent chemistry pesticides involved in permit applications under the HAL Minor Use project, and the number of permit applications relating to each active ingredient (from HAL database)

Number of permit applications	Active involved in the application
10	Boscalid
6	azoxystrobin Imidacloprid
5	Pyriproxyfen
4	Endosulfan phosphorous acid Pirimicarb Pymetrozine
3	Bifenazate Captan cyprodinil + fludioxonil Glyphosate
2	beta cyfluthrin Bifenthrin Chlorothalonil Ethephon Fipronil Indoxacarb Iprodione Metalaxyl potassium bicarbonate Procymidone Propiconazole Trifloxystrobin zinc phosphine
1	alpha-cypermethrin Bacillus thuringiensis boscalid, iprodione, chlorothalonil buprofezin carbaryl chlorothalonil chlorpyrifos copper (cupric hydroxide) copper (hydroxide, oxide, oxychloride, sulfate) cyproconazole diazinon difenconazole dimethomorph diquat & paraquat diquat + paraquat dithianon fenbutatin oxide fenoxycarb fosetyl glufosinate-ammonium hexythiazox iprodione mancozeb metalaxyl-M + copper hydroxide methidathion methomyl metiram oryzalin + simazine oxyfluorfen petroleum oil phosphorous (phosphonic) acid pyraclostrobin sulphur thiabendazole thiamethoxam tolylfluanid

Table 3: Permit applications ranked by manufacturer of the active ingredient

Company	Number of applications
Agrichem	3
Animal Control Technologies	2
BASF	2
Bayer	21
Crompton	3
Crop Care	5
Dow Agrosciences	2
Dupont	2
FMC	2
Muir	1
Not Specified	4
Nufarm	13
Nufarm/BASF	3
Organic Crop Protectants	2
Sumitomo	8
Syngenta	29
various	18

Table 4: Permit applications ranked by status

Status	Number
Applied for permit	24
Applied for renewal	16
Completed	50
Deferred	5
In progress	8
In trials	10
Stopped	3
Use is registered	1

The role of the PMUC is to work with industry groups, HAL IDOs, chemical companies and resellers and consultants who identify the need for a pesticide that is currently not legally available for use. The aim is for the PMUC to be aware of minor use requirements of the horticultural industry and to facilitate the process by either directly assisting, or facilitating through other agencies. The PMUC should be the person who knows most about what is happening, a big role.

Further information on the activities will be listed under the questions below that were posed in the TOR.

4 SPECIFIC RESPONSES TO TOR

4.1 Assess the activities undertaken to date by the Pesticide Minor Use Coordinator against the original proposal for AH04009

Under the old Ausveg/CPA project all of the vegetable requests for minor use permits were captured. Requests from other industries would have received lower priority after vegetables.

There was a need for a similar system for minor use permits for the broader horticultural industries, both large and small. The smaller industries have limited structures and resources for managing the minor use permit process, prioritising applications and funding.

The activities listed in the proposal for PMUC (AH04009) were relatively simple and they can be summarised (my interpretation) as:

- Establish a Minor Use Review Committee within HAL to oversee the project nationally;
- Standardise procedures;
- Intervene when like requests to APVMA were made, to group similar requests and avoid duplication;
- Develop a database and tracking system that is accessible and “user-friendly”;
- Establish good lines of communication with industries;
- Facilitate a permit system that has a quick response time and is cost effective.

4.2 Determine whether the existing project deliverables, outcomes and objectives have been achieved and/or are being achieved by the Pesticide Minor Use Coordinator

Perusal of the milestone reports for the project has identified the following activities that have matched the activities listed in the original proposal (see 4.1).

- Although vegetable crops are still a major part of the minor use permit applications because of the size and proliferation of small crops in this industry, there are a wide range of other crops that the PMUC has also assisted with permits.
- A committee has been established in HAL called the Project Advisory Committee (PAC).
- Alan Norden of APVMA commented that submissions from horticulture (of which 50% are from Peter dal Santo and the PMUC project) are more consistent and of better quality than under the old system. The consolidation of permits also means less administrative delays at APVMA due to less duplication.
- The database and tracking systems in HAL and APVMA have improved over the life of the project but not necessarily just because of the project.
- Considerable time and resources have been spent by the PMUC in industry meetings, particularly in relation to the preparation of Strategic Pesticide Gap Analysis (SPGA) for industries and the related Strategic Agrochemical Review Process (SARP). These initiatives ensure that industries and HAL can be proactive in identifying needs for pesticide permits ahead of time, rather than just in an emergency situation.
- Industry representatives had varied understandings of the precise project aims, most considering the aim to be efficient processing of permits (this being what they perceive as their immediate need). They recognised other activities of the PMUC as being the mechanics of achieving those permits, and resoundingly considered the program immensely valuable.
- From the above deliverables it is clear that the minor use permit system is now working better for horticulture.

4.2.1 Relevant Comments Sourced from Interviews

- The workload for individual industries has been massively reduced by being able to pass requests to the PMUC to deal with. Industries often don't know where to start the process.
- Smaller industries are conscious of the benefits that have flowed from consolidated permit applications.

- The PMUC project has led to more consistent submissions to APVMA.
- The focus on gap analysis has made the process more pro-active.
- Some attempts have been made to consolidate permits by chemical, rather than crop.
- The PMUC system has greatly assisted the berry fruit industry.
- Industries commented that Peter dal Santo has made the permit system much easier for them.

4.3 Assess the changes made since the project was initially contracted and how these developments have impacted on the outcomes required

The aims and objectives of the project were generally broad and HAL wanted to fill the vacuum left by the demise of the Ausveg/CPA project. The experience of Peter dal Santo was invaluable to the current project and it would have been a severe set-back to minor use permit access for horticulture if he was lost to the project.

The implementation of the PMUC project has resulted in a much more focussed program that is now proposed to continue for a second round.

4.3.1 Relevant Comments Sourced from Interviews

- Including the making of wish lists in the original objectives was necessary because there was such a backlog of requests that had to be prioritised before they could be addressed.
- Initially the project relied on the input of 'experts' to assist with prioritising and finding data. This involves too much reliance on too few people, and perhaps missing the real priorities. The importance of gap analysis has emerged as critical during the current project. It is proactive, and reduced the impost on individual expert's time.
- The need for PMUC to travel is reducing as he has effectively made himself known to industries. Increasingly the communication can be by phone.
- The process of achieving a minor use permit is more efficient. (APVMA has not simplified the system; rather the PMUC understands the procedures better than individuals in industry.)
- Communications with industries and the chemical companies have improved.
- The gap analysis process has been effective in rating priorities for permit applications.
- The consolidation of permits for the same chemical is now occurring.

4.4 Assess the effectiveness of the Pesticide Minor Use Coordinator as the appropriate service provider for the horticulture industry

Our assessment of the effectiveness of the PMUC, based on Milestone Reports, discussions with APVMA, industry and organisations is:

- The extensive contacts that Peter dal Santo has in industry, agencies and chemical companies across Australia have been of great benefit to this project and to horticulture.
- Industry groups have been very supportive of the role he has played in assessing minor use permits.
- Some competing organisations have been less supportive but this may relate more to their past experiences with Ausveg and CPA.

- The comment that PMUC is still running the project as a vegetable project is not supported by the facts.
- APVMA sees the PMUC as streamlining the permit process with quicker approvals for horticultural applications.

4.4.1 Relevant Comments Sourced from Interviews

- All industries know that the PMUC is available to assist them and that the role has cross industry interest. Only by being a HAL role can the PMUC service the industries according to need.
- No levy paying industry would go to a commercial service provider to get a permit because they already pay HAL levies and this is a HAL project.
- As a HAL-coordinated program, consolidation of permits becomes possible in a way that it would not be if industries were individually approaching several service providers.
- It's important that the role is filled by someone outside the APVMA but who understands the intricacies of APVMA working.
- APVMA direct enquiries from horticultural industries to the PMUC.
- The quality of permit applications to APVMA has improved.
- Communication by the PMUC to industries is effective.
- Most permits are all in the one place rather than spread across industry bodies.
- The PMUC understands the horticultural industries and the APVMA procedures.

4.5 Advise what has worked well within the minor use program and what has not

4.5.1 Worked Well

- There is a protocol available for minor use applications that is better understood by industries and appreciated by APVMA.
- The SGAP and SARP processes for assessing chemical needs and priorities are being promoted to industry groups as part of the communication strategy of the PMUC. These methodologies provide a more structured way of assessing needs and priorities.
- Considering the scope of the PMUC role and the personnel available to the project I am impressed that it has worked as well as it has.
- One of the successes of the PMUC is that Peter dal Santo is extremely prompt and responsive, and that industry people trust him (this praise came from all sectors).

4.5.1.1 Relevant Comments Sourced from Interviews

- The PMUC helped the banana industry get an emergency permit quickly.
- The PMUC has the needs of the industry at heart.
- The chemical companies are taking the minor use permit scheme more seriously.
- Duplication of permit applications for the same crop and chemical has been reduced because of better communication.

4.5.2 Worked Less Well

- The HAL database does not include all of the horticultural minor use permits. All of the permits are on the APVMA database but that is not as “user-friendly”.
- A comment has been made that the HAL database is not available to everyone.
- The communication between PMUC and other agencies has broken down occasionally and permits for the same crop in different states or regions have been sought without the other party knowing. A more complete HAL database with pending or HAL prioritised approval may avoid this issue.
- The issue of who holds the permit has caused some anxiety. It would be preferable for HAL to hold all permits that it has provided funding for the application (and others too if possible). HAL represents the horticultural industries nationally and is the appropriate body to hold the permits. Peter dal Santo advised that because of legal liability concerns HAL was reluctant to hold the permits. This must be resolved one way or the other.
- Despite the increasingly efficient development of permits, APVMA administration remains a slow down or blockage in their being processed. The APVMA difficulties stem mainly from APVMA evaluators being inconsistent in their acceptance of overseas data or of data from other similar crops.

4.5.2.1 Relevant Comments Sourced from Interviews

- PMUC and HAL have the role to tender out trials and permit preparation. Nonetheless when tendering companies are not clear on APVMA requirements or how to process applications, this adds to the training and handholding roles of the PMUC (which needs to be recognised and resourced in the new project). Tenderers include Agrisearch, Peracto, and Agronico. These groups have good and open (but time consuming) dialogue with the PMUC.
- Requests for the ‘wish list’ are sometimes quite uninformed and time wasting (someone requests a new fungicide because of hearsay that ‘it works best’).
- Benefit of Gap Analysis approach: PDS can take a logical argument to APVMA to support a permit request. The gap analysis is an important part of the prioritizing process for industry because it rationalizes lots of the silly requests. It also shows APVMA the reasoning behind requests.
- Several industry IDOs expressed frustration that APVMA’s struggle with definitions of minor and major crops means they consider some ‘large’ industries ineligible, despite them being disparate (in the cases of vegetables or production nursery), or having urgent requirements (eg banana industry after Cyclone Larry) and regardless of the importance and quality of the permit application.
- Peter’s combined knowledge of horticultural industries, plus the APVMA administration, plus the chemical industry is of enormous value to his role as PMUC. This is further enhanced by him working so intimately with Alan Norden and Kevin Bodnaruk.
- Some industries feel that the PMUC should push companies to pursue full registration.
- Sometimes chemical companies do not support permit applications, but it is not known if they have a valid reason for this.
- Non-levy paying industries do not have as good access to the permit system (not really true as they can have a VC matched by HAL).
- The HAL database needs improvement.
- Not everyone has access to the HAL database.
- HAL does not drive the project hard enough.

4.6 Assess how effectively the PMUC project is coordinated with other similar activities including determining any duplication of activities. This assessment should include the project, HG05005: Horticultural Pest Management Strategic Plan Review and on going support

- It is always difficult to achieve full cooperation between similar R, D&E projects because of personal and organisational rivalries. This has become more apparent as funding for researchers is more tied to projects rather than government funding.
- There were some issues raised between project HG05005 and the PMUC but when I pressed the people, the relationship between the projects was satisfactory.

4.6.1 Relevant Comments Sourced from Interviews

- Several agencies must develop and retain experience to prepare permits to ensure that expertise is widely available and to spread the risk of losing the expertise of any individual.
- The risk associated with several players duplicating services is that unless they have excellent communication and cooperate, permits will be prepared without the efficiency and national overview achieved under one coordinator. Time and cost wasted on inefficiency prevents the industries from achieving best practice, and reduces the power of the program to persuade manufacturers to support minor uses.
- Permit preparation falls within, but should not be the focus of, the PMUC role, and detracts from the time that can be spent on national and cross-industry coordination gap analysis and desktop data collation.
- MULO picks up the orphan industries that the HAL project cannot fund. Different sectors are serviced by MULO than they are under the HAL project. MULO and the PMUC have quite seamless communication, and do not overlap in their activities.
- MULO cannot take over coordination of the HAL project because, being part of APVMA, they cannot submit permits to themselves.
- Growcom are extremely effective in helping Qld industries to identify needs and solutions and conduct trials towards submitting permit applications. If there is overlap with the PMUC role it might be in their conducting a type of gap analysis and identifying potential chemistry to fill niches for Qld industries. Where there is not overlap is that they have a broader role than the PMUC in conducting trials, exploring optimum options, rates and timing. Growcom do not address the needs of industries nationally, so the gap analysis process deals with Qld issues (which may be appropriate in some cases but cannot substitute for the role of the PMUC). The roles may seem to overlap but do not duplicate, with regard to local gap analysis and submitting of permits, but that is minimised if there is open dialogue. Communication is necessary to ensure that the industries are serviced efficiently. Growcom don't appear to be consolidating permits nationally like the HAL project does. Growcom do submit permits and these do not get incorporated into the HAL database managed by the PMUC.
- The Growcom project has been doing some very good work with the pineapple industry.
- It should not matter who manages the permit application as long as it is done and the information is available to the industries.
- Because the PMUC project and the Growcom project are both important, a concerted effort must be made to improve the relationship.
- The Growcom permits should be listed in the HAL database.

4.7 Advise what the state of the minor use arena is, for example how has minor use situation changed since the inception of this project and how this effects the need for a coordinator

The minor use permit systems administered by APVMA filled a need when it was introduced in 1995. Prior to that date state agencies could authorise the non-label use of chemicals.

The minor use arena is always changing with chemicals being withdrawn, new pests and diseases emerging and new crops being grown for which no approved chemicals are available.

There will always be a need for new minor use permits or renewals of expired permits and we see a need for a national coordination system for horticulture. Currently and in the immediate future the PMUC adequately fills this role.

APVMA clearly indicates that it hopes minor uses will, after the permits expire, become label registrations. Despite this many permits require renewal because there remains an insufficient case for the manufacturer to pursue a registration.

Some minor use permits are necessary to legalise practices that farmers in small industries are already doing.

There have been some key changes in the minor use arena since the HAL project began.

- **International harmonization of the regulatory process:**
There is increasing dialogue with international agencies re harmonising of the regulatory process between countries, and APVMA are involved in these discussions. This, together with programs for joint data collection (eg IR4) could all potentially facilitate a path for how we can get more approvals onto labels. Note that while there is dialogue and a will to see this happen, eg in APVMA, there is not the financial resources yet to make it happen.
- **Broader understanding by industry about the MUP process:**
There is increasing and better understanding about how the minor use permit system works. This, together with more openness via the gap analysis process means that more people can take responsibility for matching use patterns and finding data. This will lead to a lesser requirement for hand holding of industry and less number crunching for the PMUC.

4.7.1 Progressing permits to label registrations is hindered by data protection laws

- Manufacturers are reluctant to provide or develop data for old chemistry pesticides. There is no market advantage for a cooperating manufacturer. Other manufacturers benefit because growers can substitute cheaper brands once an MRL has been established under a permit.
- Manufacturers are also reluctant to provide or develop data for new chemistry for minor uses for the same reasons of losing data protection. Manufacturers lose data protection once they submit data for a permit, increasing their reluctance to cooperate with providing data. If there are competing brands with that chemistry the manufacturer gets no benefit and no protection. The manufacturer can't come back and claim data protection for a label if they transfer the permit data to a registration on a label.
- Currently, manufacturers get bonus time on their data protection for adding a minor use to their label. This is not enough of a draw for them because the added years rarely take the protection time beyond the patent anyway. Manufacturers need to earn more bonus years from generating minor uses

4.7.2 Parochialism

- Manufacturers in Australia are very parochial, and seem phobic about sharing any information about their future products. In the US they are very open by comparison.
- We need to come up with a strategy to overcome this parochial reluctance to share information. There have been efforts to incorporate Croplife members into the groups that are pushing for IR-4 and to encourage openness towards getting partnerships, so that labels can be coordinated and the data protection issue overcome.

4.7.3 Relevant Comments Sourced from Interviews

- At the Board level APVMA recognize that minor use permits are a significant issue needing better mechanisms to deal with the requests. APVMA evaluators however are inconsistent with respect to their support for minor use permits, which hinders permit processing. Evaluators have to be ‘satisfied’ with the risk assessment, and may want to see efficacy data even when the applications resemble existing registrations or permits.
- Because control-of-use legislation varies between States, the attitudes to off-label use of industries in each state vary. They therefore offer different degrees of support for progressing development of permits or for communicating within the industry across states.
- Definition of minor crops or minor uses must be addressed by APVMA but this is likely to require sustained pressure from HAL. It seems to depend on whether the crop is spread over different regions, or in the one place, e.g. banana.

Two suggestions to make MU registrations or development of MU permits more attractive to manufacturers:

- Permits end up going onto a label automatically when it comes up for review a second time, if there have been no reports of adverse effects from use under the permit.
- Manufacturers could use a ‘carbon credit’ system where the extra year they gain on data protection for a product by adding a minor use can be transferred to the product label of their choice.

4.8 Advise whether there is a need to continue this project, with details on what time frames and resource levels are required. Please make note of any changes recommended which will enhance the effectiveness of this project into the future

Our review has shown that the current position of the PMUC project with things just starting to work well must not be jeopardised by cuts to the project.

The new project MT07029 proposes a much more structured plan which is based on the experience gained with project AH04009.

The funding for the project of \$793,200 from HAL levies is divided equally between Vegetable funding and Across Horticulture funding. This is appropriate given the numbers of permits are about 50% for vegetable and 50% for the other industries.

We have not exhaustively reviewed the resources in the new project but we strongly recommend that there is scope for another senior researcher in the project working with Peter dal Santo to ensure that this project is not at risk if anything happens to him.

4.8.1 Relevant Comments Sourced from Interviews

- It is vital that the coordination across industry and nationally is retained. Its hard to see how the process would work effectively without a project officer working cross-industry, under HAL. Under HAL the process is industry driven, with cross-industry focus and linkage. Private consultants would not have the impetus to be so cross-industry.
- The gap analysis component of the new project is critical. The wishlist approach in the existing project needs to be more strategic. Taking wishlists to ‘experts’ for review required too much input from too few experts. Rationalising the lists is more efficient
- Continual improvements to transparency within the program are of paramount importance. Transparency in decisions about whether to support uses or generate more data allows industry to understand how the MU process works and why their requests haven’t gone ahead. They can then see the bigger picture and take more responsibility.
- For the issues that hinder the MU permit process to be overcome, someone needs to encourage the APVMA to work more closely with HAL and the PMUC program. The streamlining that has become possible within and between industries and with the PMUC is not followed up through APVMA. Transparency from APVMA would really help.
- Pressure from industries, via HAL, to interest APVMA in having a better working relationship on minor use issues has not been able to make the required shift in attitude throughout APVMA. Industry still relies on a few sympathetic individuals whose resources are over stretched.
- Yes, continue with the project.
- Our industry would like to participate in the gap analysis and see a tracking system that reminds us when a permit is about to expire.
- Continue with the good communication and coordination aspects of the project.
- Gap analysis should be completed for all industries as a matter of urgency.
- I would prefer to have access to the HAL database as the APVMA one is difficult to use.
- Yes, continue with the project.

4.9 Advise the implications of not continuing to support the project past the existing project funding

The good things that have come out of the project are listed below with a comment on what could happen if this project is not supported.

- The project is making good progress towards providing minor use permits across all of horticulture in a structured and consistent way. (If this was lost and individual applications without coordination returned, industry would suffer.)
- The selection process for pesticides and crops by industry needs chemical company support, HAL funding availability, and preferred companies to carry out the spray and residue trials. APVMA requirements are now well understood and coordinated by HAL and the PMUC. (If the coordinator was not in place I do not believe that this complex process could be managed from within HAL alone.)
- The value of the minor use permit scheme to the horticultural industries, local and export markets is much greater than the costs of the PMUC program and other related projects

supported by HAL and industry. (Any jeopardising of produce in markets by MRL breaches would have severe ramifications for horticultural industries.)

4.9.1 Relevant Comments Sourced from Interviews

- A privately run service wouldn't be so proactive nor do the gap analysis or come back to industries with a package of options etc. If industries were arranging a private service to develop permits it wouldn't be proactive and the industries would be back in the dark ages.
- Industries would rely on IDOs to help with permit preparation. Being such a specialised area, using IDOs would waste HAL investment into IDOs. HAL's investment is better spent on the PMUC.
- Without the PMUC, the number of disparate applications from IDOs would increase, increasing duplication and APVMA workload, and further slowing the processing of permits.
- Industry and chemical industry personnel felt strongly that while the PMUC role is ideal, if that role ceased, then coordination of permits must still be managed and to achieve the aims of industry it must:
 - maximise efficiencies of permit applications
 - increase the cross industry perspective
 - be proactive with gap analysis
 - represent all horticultural industries
 - not be aligned with APMVA
 - reduce duplication in requests for data and trial support
 - have good communication with all sectors (manufacturers, APVMA, researchers, experts, industry bodies)
 - be responsive, efficient and transparent
 - be trusted by all the stakeholders.
- Individual industries would have to employ or pay an experienced IDO to carry out the tasks that the PMUC does. The costs would be greater than the current arrangements.
- If individual industries act separately, the benefits of coordination and the shared knowledge from other crops would be missed.

4.10 Determine the coverage of all horticultural industries and the opportunities and benefits to all horticultural industries

The mix of crops for which minor use permits have been submitted under the HAL project presented in Table 1 can be summarised as follows:

• Vegetables	46%
• Fruit crops	20%
• Nuts	13%
• Berries	10%
• Nursery flowers	7%
• Others	4%
	100%

The balance in this group is broadly representative of Australian horticulture with an equal amount of vegetables and fruits and nuts.

4.10.1 Relevant Comments Sourced from Interviews

Industries who had very few permits processed successfully expressed variously that:

- The few occasions when they had need for a permit it was dealt with promptly and successfully;
- Small industries can feel left out because they are unaware of whether permits are being sought in other crops that might also be of use to them – hearing after a permit is granted is too late;
- If there are industries that do not get much attention from the PMUC then it is because they don't communicate their needs. The PMUC is very responsive;
- All industries benefit from having a cross industry coordinated process.
- That few permits are being granted for their industry did not reflect on the HAL program but, on APVMA reluctance to see their industry as eligible as a minor crop or minor use.
- There is good coverage of industries, big and small; and
- Vegetables get more attention than other crops (this is not supported by the above permit numbers).

5 OTHER ISSUES AND FINAL COMMENT

There are a number of issues that have been raised by industries or organisations, or have been discovered by the reviewers. They are:

5.1 Project Management

- The PMUC project is exposed to a risk associated with the majority of the knowledge and industry contacts residing with Peter dal Santo. There is a need to incorporate some additional experienced staff into the new project, even if it means that additional funds are required. These staff may all be at the one location, or be state, regional or industry based.
- A comment was made that the location of AgAware in Bendigo is away from the key groups that need to be regularly consulted, HAL and APVMA. I do not fully agree with this comment.
- The reviewers have not been able to fully ascertain the degree to which HAL manages the PMUC project. Some comments suggested that the project was not being driven hard enough from the HAL end.

5.2 Permit Holders and Database

- There was some suggestion that the permits were being held in the AgAware name for some benefit to AgAware. In our opinion all permits that are funded by HAL (levy or voluntary contribution) should be held by HAL. I discussed this with Peter dal Santo and he advised that HAL did not want to hold the permits because they were concerned about the legal liability. This matter needs to be resolved.
- All horticultural permits should be listed in the HAL database (as well as the APVMA database) to allow easier extraction of information on these permits.

5.3 Politics

- There is still considerable “baggage” in the horticultural industry resulting from the Ausveg/CPA problems some years ago. This must be left in the past and not allowed to in any way reduce the benefits that have, and will come from the PMUC project.
- Associated with the above issue several people commented that vegetables are better served by the PMUC at the expense of other horticultural industries. The data presented in Section 4.10 of this review shows that the balance between vegetables and other crops is equitable.
- There seem to be some historical issues between AgAware and Growcom that should be cleared for the project to move forward. HAL has an important leadership role in resolving this issue.

**SCHOLEFIELD ROBINSON
HORTICULTURAL SERVICES PTY LTD**



**PB SCHOLEFIELD
Principal Consultant/Director**

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Appendices

Appendix 1 Brief

Appendix 1

Brief



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BRIEF

Review of project AH04009 “Coordination of minor use permits for horticulture”

Project Number: (AH04035)

December 2006

PROJECT DESCRIPTION

Horticulture Australia and the Industry Management Committee require a consultant and/or consultant team to conduct a review of the project “Coordination of minor use permits for horticulture” (AH04009).

This review is to evaluate the effectiveness of the activities of the project to date (against set strategies set out in the proposal and to provide recommendations for the future of the project.

The review of this project needs to be undertaken within the months of December 2006 – February 2007, with a report developed and presentation made to the Industry Management Committee meeting occurring 13-14 March 2007.

BACKGROUND

Before an agricultural pesticide can be supplied, sold or used in Australia, the Australian Pesticides & Veterinary Medicines Authority (APVMA) must register it. However, the information required to gain registration for pesticides is often financially unviable for the manufacturer for minor industries and minor uses within larger industries.

To overcome this shortcoming the APVMA has a permit system that allows a person or an organisation to use pesticides in situations that would, if it were not for the issue of the permit, be an offence either against certain provisions of the federal legislation (Agvet Code) or of appropriate State control of use legislation.

Many sectors of Australian horticulture currently have a significant problem with access to approved and suitable pesticide uses. Issues contributing to this situation include loss of uses through chemical reviews, emerging crops, requirements of quality assurance programs, resistance and the disinclination of manufacturers to register minor uses.

Most horticultural industries do not have the resources or expertise to prepare minor use permit submissions and all would benefit from a coordinated approach. Horticulture Australia was keen to develop a system that encompassed a whole of industry approach to:

- Meet the needs of all of horticulture for access to permits
- Was cost effective
- Ensure delivery of quality permit requests



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- Maximise the efficiencies and reduce duplication.
- Ensure that requested pesticides are the best option

The general model that was agreed was for a two stage process:

- coordination and consolidation of permit requests
- tendering and management of projects to gather data to support permit requests

Some components of this model were developed in late 1999, when Ausveg and Crop Protection Approvals initially developed a project to overcome these issues in vegetables. HAL took over management following Crop Protection Approvals going into liquidation. Following an open tender process, Peter Dal Santo from AgAware, was selected to manage this minor use project for all of horticulture.

The Coordination of minor use permits for horticulture project was established in 2004 as a means of facilitating access to minor use permits by horticulture industries and is funded equally by the vegetable and across industry programs.

The Pesticide Minor-Use Coordinator (PMUC) acts for all horticultural industries serviced by HAL. This role dovetails with the services provided by Kevin Bodnaruk under Project AH04007 (Pesticide Regulation Coordinator) that addresses the existing chemical review, CODEX and regulatory issues associated with access to pesticides.

The PMUC is responsible for facilitating analysis of industry needs with many industries or through projects for other industries. For those industries that fund projects for needs analysis, the PMUC has been involved in refinement of requests, with information provided by the industry.

The PMUC has no role in the collection of data to support permit requests. At the point where data generation to support permit applications has been identified, the PMUC compiles project briefs for tender by HAL.

The outcomes from these projects were designed to generate residue data and apply for minor-use permits to APVMA. Between 2000 and 2003, 110 permits were obtained and since January 2004, AgAware has submitted 55 new applications to APVMA that are under evaluation with a further 105 projects currently being managed and 74 permit renewals including the consolidation of 62 individual permits into 16 'mega' permits.

The earlier minor use permit process included the following steps:

1. The recording and consolidating of industry requests (wishlist) by considering: similar or same requests and requests from multiple industries for the similar or same pesticides.
2. The PMUC assessed each request and provided any background information.
3. The requests were then circulated to an expert review panel (including APVMA), pesticide manufacturers (for their input and availability of supporting data) and Kevin Bodnaruk (HAL Pesticide Regulation Coordinator AH04007) for Codex and trade implications.
4. The PMUC then worked with each industry group to prioritise each request based on a set of agreed criteria, maximising the benefits to that industry.



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Once the priority projects and data requirements was decided (based on discussions with APVMA and industry), the projects were split into two groups;

- desktop applications which can be tender by HAL and acted on immediately
- residue/efficacy/crop safety data requirements for applications which can be tender by HAL with the successful research facility then responsible for all GLP data generation and permit application

Improvements have been made to the project since initiation in 2004. From the wishlist approach, the PMUC has developed a process whereby appropriate pesticides are identified through industry strategic gap analyses.

In order to maximise the efficiency and cost effectiveness of the permit application process for all industries, it was necessary to have their pesticide minor-use needs recorded and consolidated on a central database. From here, an analysis has been made of industry needs based on legitimacy of request, cost-effectiveness and best management practice.

The efficiency of the permit application process was improved further by coordinating applications across crop groups. For example, instead of applying for permits in oranges, applications should be made in citrus. This removes the potential for future permits in other members of the citrus group.

The next stage in efficiency was to coordinate all like requests from multiple industries requiring the same pesticides. For example, individual permit applications in oranges, almonds and broccoli could result in a minor-use permit application for citrus, nuts and brassicas. These processes are well accepted by APVMA and are part of their current review for minor-use permits.

Crop grouping also made the prospect of a pesticide company registering the use more probable as the crop area increases significantly as does the potential sales. This also increased the potential for cooperative funding of projects, especially with improved Data Protection legislation expected shortly.

It was and is one of the aims of this project to work closely with pesticide companies to transfer as many minor-use permits as possible to registered uses. This is also a key objective of APVMA.

The PMUC is also developing a communication network with the Australian representatives of Codex Alimentarius Commission on Pesticide Residues. This will ensure that when issues are raised by Codex regarding the restrictions of a pesticide use, appropriate responses and actions can be planned. Alternative pesticides will be sourced and permits applied for ensuring that the Australian horticultural industries needs are met. The same communication hub with Codex will be used to determine the future of pesticides before any grower funds are spent in obtaining permits.

Other ways to improve the efficiency of the minor-use permit process are regularly discussed with the APVMA and where possible, implemented.

To date there has been \$499,000 invested in Coordination of minor use permits for horticulture over 3 years. Consequently, there is a need to review the effectiveness of the



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activities of this project to date and to provide a recommendation to the Industry Management Committee regarding the future of this minor use programme.

TERMS OF REFERENCE

For the purpose of this review, the review should:

1. Assess the activities undertaken to date by the Pesticide Minor Use Coordinator against the original proposal for AH04009.
2. Determine whether the existing project deliverables, outcomes and objectives have been achieved and/or are being achieved by the Pesticide Minor Use Coordinator.
3. Assess the changes made since the project was initially contracted and how these developments have impacted on the outcomes required
4. Assess the effectiveness of the Pesticide Minor Use Coordinator as the appropriate service provider for the horticulture industry.
5. Advise what has worked well within the minor use program and what has not.
6. Assess how effectively the PMUC project is coordinated with other similar activities including determining any duplication of activities. This assessment should include the project, HG05005: Horticultural Pest Management Strategic Plan Review and on going support.
7. Advise what the state of the minor use arena is, for example how has minor use situation changed since the inception of this project and how this effects the need for a coordinator.
8. Advise whether there is a need to continue this project, with details on what time frames and resource levels are required. Please make note of any changes recommended which will enhance the effectiveness of this project into the future.
9. Advise the implications of not continuing to support the project past the existing project funding.
10. Determine the coverage of all horticultural industries and the opportunities and benefits to all horticultural industries.

PROJECT OUTPUTS AND TECHNOLOGY TRANSFER

Throughout the project there is need to:

1. Produce full written and electronic reports including:
 - The assumptions (and other relevant considerations) made in conducting the project
 - The approach taken in conducting the project
 - Any difficulties encountered and how they were resolved
 - A list of all sources of information and personal communication with other horticultural industries
 - Recommendations
 - Any other documentation that has formed a requirement for the brief
2. Conduct meeting(s) with the reference group to discuss progress of project (if required)
3. Provide a report by the 13th February and present recommendations to the Industry Management Committee meeting on 13th or 14th March 2007.

DRAFT TIMETABLE

Following is the suggested process and timeline:

What	Input sought from	Summary/points	Finalised by
1. Select consultant/researcher	Project reference group	<ul style="list-style-type: none"> Consultant selected on basis of selection criteria following advertising of Brief 	Late December, 2006
2. Initial project briefing	Project reference group	<ul style="list-style-type: none"> Provide consultant/researcher with an initial briefing and answer questions regarding the Pesticide Minor Use Coordinator Project or the review 	Early January, 2007
4. Final report and recommendations	Project reference group	<ul style="list-style-type: none"> Final report detailing review of program and recommendations for ongoing commitment to the program provided to HAL, for inclusion in the papers for the Vegetable IAC and IMC meetings in March. 	7 February 2007
5. Presentation to the Industry Management Committee	Project reference group	<ul style="list-style-type: none"> Face to face presentation of final report and findings to IMC 	13 th or 14 th March 2007

PROJECT MANAGEMENT RESPONSIBILITIES

The consultant will report to the responsible Horticulture Australia Program Manager in the first instance (see below).

Key groups that must be consulted throughout the project:

- MU Coordinator, Peter Dal Santo
- Pesticide Regulation Coordinator, Kevin Bodnaruk
- Gary Artlett / Jan Davis, Growcom (Principal Investigator, HG05005)
- Vegetable Industry Advisory Committee members
- Industry Management Committee members
- Industry representatives (i.e. key industry chief executive officers and industry development officers – to be advised by Program Manager)
- Other relevant HAL Staff (i.e. Industry Services representatives)
- Project Advisory Committee members, where appropriate.



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Project Reference Group:

Consultancy team will report to:

- The Industry Management Committee, and
- John Tyas, Industry Services Manager for IMC
- Horticulture Australia Portfolio Manager - Plant Health:
Brad Wells
Portfolio Manager – Plant Health
(02) 8295-2327
brad.wells@horticulture.com.au

The final report will be provided to HAL, with 2 hard copies (1 bound, 1 unbound) and an electronic copy.

RESOURCE ALLOCATION TO THE PROJECT

Maximum allocation of \$10,000.

Consultant/s will provide their own administrative support, including word processing and printing requirements. Consultant/s will be responsible for the collation of data and the analysis of the results.

The Horticulture Australia contact will provide assistance in accessing relevant Horticulture Australia documents and appropriate Horticulture Australia and industry representatives as may be agreed to.

Consultancy personnel allocated to the project cannot be changed throughout the project without the concurrence of Horticulture Australia.

GENERAL CONDITIONS OF CONTRACT

Horticulture Australia expects that:

- Confidentiality will be maintained at all times.
- All intellectual property (including but not limited to the copyright in all reports) developed, as the result of a project, will be negotiated between HAL and the project consultant/s.
- The project is undertaken in an impartial, objective and professional manner.
- EEO principles will be applied in both the selection of personnel for the project and in the conduct of the project.
- The consultant has insurance cover for property damage and public risk, public liability and accident or injuries to employees of their company.
- Any areas of potential conflict of interest be identified at the time of the consultant's response to the brief and updated during the course of the project should potential conflicts arise.
- The consultant's contract may be terminated or the work content reduced, with a fair and reasonable monetary adjustment determined by Horticulture Australia, subject to the consultant being given notice in writing.
- Any material provided by Horticulture Australia for this project will be used only for this project and remains the property of Horticulture Australia.



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- A formal Research Agreement will be entered into at the commencement of the project. The general conditions as stated in the brief and the specific conditions as stated in the Research Agreement will apply.
- The decision as to which, if any, proposal will be pursued further will be made by Horticulture Australia at its absolute discretion. No legal relations with regards to any proposal will arise unless a legal agreement with Horticulture Australia has been executed.

CONSULTANTS PROPOSAL

The consultant's response to the brief must address:

1. Methodology:
 - a) Demonstration of a detailed understanding of the project requirements
 - b) A detailed description of the proposed methodology to address the specific project outcomes and associated timeframes.
2. Costing and payment:
 - a) A total job cost with breakdown of anticipated costs for each major phase or milestone of the project, including allocation of the consultant's time, material and other costs
 - b) A detailed outline of when project payments are due.
3. Qualifications of consultants:
 - a) A statement of the names, role, qualifications and experience of personnel allocated to the project must be provided.
 - b) Current references, which would demonstrate the experience of both the organisation and personnel nominated for this project, must also be provided.
 - c) Contact details for all personnel nominated for involvement in the project.
 - d) Clearly identify the project leader, the main contact for correspondence.

CRITERIA FOR SELECTION

Detail the various criteria for selection will include:

- Competence of the consultant/s to undertake the work
- Availability of the consultant/s to undertake the work
- Past history in the field of research
- Feed back from referees
- Other criteria considered applicable by HAL and the Industry Management Committee

OTHER REFERENCES

AH04009 project



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LODGMET OF RESPONSE

To respond to this brief please submit a proposal including acknowledgment that all terms and conditions stated in this brief are accepted. **Three paper copies and one electronic version of the proposal must be lodged in the tender box during normal business hours by 5.00 pm**

Late proposals or faxed and e-mailed proposals will NOT be considered.

Please address all responses marked "Confidential" as follows:

Proposal for: AH04009 - Coordination of Minor Use Permits for horticulture

Three copies of the proposal to:

Brad Wells
Portfolio Manager – Plant Health
HAL
Level 1, 50 Carrington Street
Sydney NSW 2000

Ph: 02 8295 2300