

Status of early harvest reforms agreed at July 2008 Attachment C

Reform	Report to November 2008 COAG.
<p>Reform 1 Nationally consistent implementation by all jurisdictions of the 7th edition of Australian Dangerous Goods Code and attendant regulation within a 12 month period.</p> <p>COAG Decision: COAG agrees to the nationally consistent implementation by all jurisdictions of 7th edition of Australian Dangerous Goods Code and attendant regulation within a 12 month period, and directs that all jurisdictions are to adopt the Code and supporting legislation and regulation by December 2008 and directs the Australian Transport Council to report its completion to the December 2008 COAG meeting.</p> <p>Lead agency: NTC/DITRDLG</p>	<p>The code has been implemented in WA.</p> <p>NSW, Victoria, Queensland, and SA expect to adopt the Code by 31 December 2008.</p> <p>The code is expected to be implemented in the ACT during the first session of the new Legislative Assembly in 2009.</p> <p>Tasmania and the NT will adopt the code during by mid-2009.</p>
<p>Reform 2 The 7th edition of the Australian Dangerous Goods Code be made free on the Internet.</p> <p>COAG Decision: COAG agrees to make the 7th edition of the Australian Dangerous Goods Code available on the internet for free, by 31 December 2008, and asks the Australian Transport Council to consider a submission by the National Transport Commission on the implementation of the decision including the funding and contractual implications.</p> <p>Lead agency: NTC/DITRDLG</p>	<p>This reform will be implemented by 31 December 2008.</p>
<p>Reform 3 Recognition by Food Standards Australia New Zealand of the Australian Pesticides and Veterinary Medicines Authority's residue risk assessment and the promulgation of the resulting maximum residue limits to the Food Standards Code.</p> <p>COAG Decision: COAG agrees to the recognition, for domestically grown produce, by Food Standards Australia New Zealand of the Australian Pesticides and Veterinary Medicines Authority's residue risk assessment and the promulgation of the resulting maximum residue limits to the Food Standards Code. COAG calls for the Commonwealth to complete the reform by December 2008 and report its completion to the COAG December 2008 meeting.</p> <p>Lead agency: DoHA/FSANZ</p>	<p>Implementation of this reform requires amendments to the <i>Food Standards Australia New Zealand Act 1991</i> and the <i>Agricultural and Veterinary Chemicals Code Act 1994</i> and consultation with the States and Territories through the Australia and New Zealand Food Regulation Ministerial Council.</p> <p>The Australia and New Zealand Food Regulation Ministerial Council met on 24 October and agreed that the Commonwealth would come back to the Ministerial Council out-of-session to consult on the Amendment Bill, once it has developed an implementation model that includes the established safeguards.</p> <p>Treaty obligations require consultation with New Zealand when amendments are proposed to the <i>Food Standards Australia New Zealand Act 1991</i> and this consultation is underway.</p> <p>The Commonwealth proposes that an Amendment Bill be enacted in the autumn 2009 session of</p>

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	Parliament.
<p>Reform 4 The Australian Government should progress industry reforms for regulating on-farm dairy cleansers and report progress to COAG.</p> <p>COAG Decision: COAG agrees to the Australian Government progressing industry reforms for regulating on-farm dairy cleansers, and directs the Commonwealth, State and Territory agencies, though the Product Safety and Integrity Committee, to report completion of the reform to the COAG December 2008 meeting.</p> <p>Lead agency: DAFF/APVMA</p>	Industry has indicated that the dairy industry self regulatory model may pose a greater regulatory burden than regulation as a low risk product by the APVMA and that it may no longer want this reform. Government is working with industry to help them decide whether to proceed with the reform, and a report will be made to the first COAG meeting of 2009.
<p>Reform 5 The Australian Government should progress industry reforms for regulating water sanitisers for industrial use.</p> <p>COAG Decision: COAG agrees to the Australian Government progressing the review into industry reforms for regulating water sanitisers for industrial use and directs the Commonwealth to present recommendations on reforming regulation of these products for endorsement by the 2008 December COAG meeting.</p> <p>Lead agency: DAFF/APVMA</p>	Recommendations on reforming regulation of these products will be presented for endorsement by the first COAG meeting of 2009.
<p>Reform 6 Access to high risk agricultural and veterinary chemicals is restricted to those with the necessary competencies in order to ensure that they are not misused and, as a result, withdrawn from the market.</p> <p>COAG Decision: COAG agrees to the development of an improved management protocol by the Product Safety and Integrity Committee for high risk agricultural and veterinary chemicals to ensure that they are not misused and, as a result, withdrawn from the market, and calls for the Product Safety and Integrity Committee to report on its implementation to the COAG December 2008 meeting.</p> <p>Lead agency: DAFF/APVMA</p>	<p>The Product Safety and Integrity Committee has developed and endorsed a set of principles to underpin the new scheme for high risk agricultural and veterinary chemicals to ensure that they are not misused.</p> <p>The Primary Industries Ministerial Council (PIMC) will be asked to endorse the principles following the release of a regulation impact statement and public and stakeholder consultation.</p> <p>A report on progress will be presented to the first COAG meeting of 2009. Endorsement by PIMC is expected in April 2009.</p>
<p>Reform 7 Exclude certain agricultural and veterinary products that are currently regulated by the Australian Pesticides and Veterinary Medicines Authority from the National Registration Scheme on the basis of risk.</p>	<p>For products where no transfer of responsibility is necessary, amendments to Commonwealth regulations will go to Executive Council in December 2008.</p> <p>For products where a transfer of responsibility is required, alternative regulators have been identified.</p>

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<p>COAG Decision: COAG agrees that certain agricultural and veterinary products that are currently regulated by the Australian Pesticides and Veterinary Medicines Authority be excluded from the National Registration Scheme on the basis of risk, and directs the Commonwealth, State and Territory agencies, through the Product Safety and Integrity Committee, by October 2008:</p> <ul style="list-style-type: none"> • Complete the reform for products where no transfer of responsibility is necessary; • Present a work plan for the progression of the reform for the remainder of the product. <p>Lead agency: DAFF/APVMA</p>	<p>Consultation and negotiation with alternate regulators will occur through November and December 2008 (see also reforms 4 and 5 above).</p> <p>Where it is agreed that the alternative regulator will accept responsibility for certain products, product-class specific work plans (necessary as specific transfer issues will pertain to individual product classes) will be developed between the two regulators. These will be presented to the first COAG meeting of 2009.</p>
<p>Reform 8 Agricultural and veterinary chemical labelling reform – regulatory box.</p> <p>COAG Decision: COAG agrees that the Commonwealth reform labelling of agricultural and veterinary chemicals, to enable label amendments in specified circumstances without application to the Australian Pesticides and Veterinary Medicines Authority. COAG directs the Product Safety and Integrity Committee to report on the completion of the reform at the COAG October 2008 meeting.</p> <p>Lead agency: DAFF/APVMA</p>	<p>The reform package has been finalised and stakeholders will be consulted in December 2008.</p>
<p>Reform 9 Improve data protection provisions for agricultural product registrants.</p> <p>COAG Decision: COAG agrees to the Commonwealth improving data protection provisions for agricultural product registrants, and directs the Ministerial Taskforce on chemicals and plastics to report on the progress of the legislative bid, currently with the Parliament, at the COAG October 2008 meeting.</p> <p>Lead agency: DAFF/APVMA</p>	<p>Necessary legislative amendments to <i>the Agricultural and Veterinary Chemicals Code Act 1994</i> have been drafted.</p> <p>The legislation has been granted C status for the 2008 Spring Session of Commonwealth Parliament and is, therefore, unlikely to be introduced in that Session.</p> <p>A bid has been made for elevated status in the Autumn 2009 Session.</p>
<p>Reform 10 Regulatory process for low risk agricultural and veterinary chemicals.</p> <p>COAG Decision: COAG agrees to the development of faster, less costly arrangements for low risk agricultural and veterinary chemical products and directs the Ministerial Taskforce on chemicals and plastics to report on the completion of the reform for at least one class of low risk products at the COAG October 2008 meeting.</p>	<p>Models for registration of low regulatory concern agvet chemicals are being prepared, and will be released for public consultation in December 2008.</p> <p>Timing of the implementation of the models will depend upon the nature and extent of stakeholder feedback.</p> <p>A report on implementation will be presented to the first COAG meeting of 2009.</p>

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Lead agency: DAFF/APVMA	
<p>Reform 11 National Industrial Chemicals Notification and Assessment Scheme to finalise low regulatory concern chemicals reforms.</p> <p>COAG Decision: COAG notes that the National Industrial Chemicals Notification and Assessment Scheme is finalising the low regulatory concern chemicals (LRCC) reforms that it initiated in 2004 and calls for the final stage of the LRCC reforms to be completed by October 2008.</p> <p>Lead agency: NICNAS</p>	<p>This reform will be completed by December 2008.</p> <p>The regulations will be considered by the Executive Council in December 2008.</p> <p>Implementation will coincide with the passage of regulations through Executive Council.</p>
<p>Reform 12 Various amendments to agricultural and veterinary chemical legislation.</p> <p>COAG Decision: COAG agrees that various amendments to agricultural and veterinary chemical legislation agreed to by the Product Safety and Integrity Committee (PSIC), be completed by the December 2008 COAG meeting.</p> <p>Lead agency: DAFF/APVMA</p>	<p>The Commonwealth proposes that an Amendment Bill be introduced into the Federal Parliament in the Autumn 2009 sittings for passage in the Winter 2009 sittings.</p>
<p>Reform 13 National scheme for regulating the aerial application of agricultural chemicals.</p> <p>COAG Decision: COAG agrees that the Product Safety and Integrity Committee (PSIC) develop a national scheme for regulating the aerial application of agricultural chemicals. COAG directs that the relevant Commonwealth, State and Territories implement the PSIC work plan by December 2008 and report on implementation to the COAG October 2008 meeting and on completion to the COAG December 2008 meeting</p> <p>Lead agency: DAFF/APVMA</p>	<p>Agreement of the Product Safety and Integrity Committee will be sought at 5 December 2008 meeting.</p> <p>The Primary Industries Ministerial Council (PIMC) will be asked to endorse the principles following the release of a regulation impact statement and public and stakeholder consultation.</p> <p>A report on finalisation will be made to the first COAG meeting of 2009, and endorsement by PIMC is expected in April 2009.</p>

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<p>Reform 14 National Industrial Chemicals Notification and Assessment Scheme to evaluate the effectiveness of the low regulatory concern chemical (LRCC) reforms introduced in 2004.</p> <p>COAG Decision: COAG agrees to the National Industrial Chemicals Notification and Assessment Scheme (NICNAS) evaluating the effectiveness of the low regulatory concern chemical reforms introduced in 2004, and calls for NICNAS to initiate the evaluation by July 2008 with completion by March 2009 and that NICNAS report progress to COAG's Business Regulation and Competition Working Group in December 2008.</p> <p>Lead agency: NICNAS</p>	<p>This reform is on track for completion by March 2009.</p> <p>The project commenced in March 2008. Quotations were sought in October 2008 and are currently being evaluated. Industry and community representatives will continue to be consulted on the proposed approach.</p> <p>A progress report will be provided to COAG's Business Regulation and Competition Working Group in December 2008.</p>
<p>Reform 15 National harmonisation of poisons scheduling regulation using template or model regulation; plus mutual recognition of decisions.</p> <p>COAG Decision: COAG agrees to the national harmonisation of poisons scheduling regulation using template or model regulation, and mutual recognition of decisions; and directs the Ministerial Taskforce on chemicals and plastics to present recommendations on implementing the reform in a timely manner to the October 2008 COAG meeting for endorsement by the December 2008 COAG meeting.</p> <p>Lead agency: States and territories</p>	<p>Scheduling-related reforms from the early harvest and the final PC research report (Recs 5.1, 5.2 and 5.3) are closely related and must be considered as a package of reforms.</p> <p>All scheduling-related reforms from the early harvest and the final Productivity Commission research report were considered by the Australian Health Ministers' Advisory Council on 9 October 2008 and referred to the National Coordinating Committee on Therapeutic Goods (NCCTG) for development of implementation plans on 13-14 November 2008.</p> <p>The implementation plans will be presented out of session to the Australian Health Ministers' Advisory Council and the Australian Health Ministers' Conference for endorsement. Implementation plans will be provided to COAG for endorsement at its first meeting in 2009.</p>

Reform	Report to November 2008 COAG.
<p>Reform 16 States and Territories uniformly implement Commonwealth scheduling of poisons.</p> <p>COAG Decision: COAG agrees to State and Territory jurisdictions uniformly implementing Commonwealth scheduling of poisons, and directs the Ministerial Taskforce on chemicals and plastics to present recommendations on implementing the reform in a timely manner to the October 2008 COAG meeting for endorsement by the December 2008 COAG meeting.</p> <p>Lead agency: States and territories</p>	<p>Scheduling-related reforms from the “early harvest” and the final PC research report (Recs 5.1, 5.2 and 5.3) are closely related or overlapping and for implementation purposes must be considered as a package of reforms.</p> <p>All scheduling-related reforms from the early harvest and the final PC research report were considered by the Australian Health Ministers’ Advisory Council on 9 October 2008 and referred to the National Coordinating Committee on Therapeutic Goods (NCCTG) for development of implementation plans on 13-14 November 2008.</p> <p>The implementation plans will be presented out of session to the Australian Health Ministers’ Advisory Council and the Australian Health Ministers’ Conference for endorsement. Implementation plans will be provided to COAG for endorsement at its first meeting in 2009.</p>
<p>Reform 17 National Industrial Chemicals Notification and Assessment Scheme recognition of Canadian new chemicals regulations as an approved foreign scheme.</p> <p>COAG Decision: COAG supports the National Industrial Chemicals Notification and Assessment Scheme recognition of Canadian new chemicals regulations as an approved foreign scheme, and calls for NICNAS to complete the next stage of reform by December 2008 and report progress to the COAG October 2008 meeting.</p> <p>Lead agency: NICNAS</p>	<p>This reform is on track for completion by December 2008.</p> <p>At this stage it is expected that the next stage of reforms, polymers of low concern, will be completed by December 2008.</p> <p>This will complete activities required to recognise the Canadian new chemicals regulations as an approved foreign scheme.</p> <p>Ongoing improvements will be undertaken on an administrative basis.</p>
<p>Reform 18 The Australian Government should progress industry reforms for regulating hard surface disinfectants for hospital, industrial and domestic use and report progress to COAG</p> <p>COAG Decision: COAG notes that the Commonwealth is progressing the industry reforms for regulating hard surface disinfectants for hospital, industrial and domestic use arising from the response to the Banks Report of 2006, and calls for a progress report to the COAG October 2008 meeting.</p> <p>Lead agency: NICNAS</p>	<p>This reform is will be completed by December 2009.</p> <p>NICNAS and the TGA are developing a government position taking into account a consultant’s report and subsequent public submissions.</p> <p>A mechanism for ensuring human health and environmental protection will be developed as part of the implementation strategy.</p> <p>Information will be sought from industry to inform a regulatory impact assessment in October 2008. A period of 6 weeks will be provided for stakeholder responses.</p>