CropLife AUSTRALIA

The precautionary approach

Human health, worker safety and the protection of the environment are the highest priorities for our industry

Why don't Australian regulators adopt the 'Precautionary Principle'?

Industries and regulatory authorities in Australia are frequently accused of putting human health and safety and the environment at risk by refusing to adopt the 'Precautionary Principle'. Many commentators consider that adoption of this principle will require chemical users to prove that their products are safe before they can be sold or used.

Unfortunately, this fundamentally misunderstands both what the precautionary approach is and the way that agricultural chemicals are regulated in Australia.

Human health, worker safety and protection of the environment are the highest priorities for our industry. CropLife and its member companies will never accept a regulatory system that exposes the community, chemical users or the environment to excessive risk.

Proponents of the 'Precautionary Principle' believe that chemicals should only be approved once they are proven to be safe. However science doesn't work that way.

What is the 'Precautionary Principle' ?

Principle 15 of the Rio Declaration made at the 1992 Earth Summit states that; "In order to protect the environment, the precautionary approach shall be widely applied by states according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost – effective measures to prevent environmental degradation".

This is different to proving safety. The problem with attempting to prove that a new product or technology is safe is that safety is a very subjective term. Is a product safe if it is only detrimental in large doses? Is it safe if harm only occurs at exposure levels that are unlikely to be reached? If it is deliberately misused and causes harm does that mean that the product is unsafe, even if used properly? Even if we were to answer all these questions, this does not preclude the possibility that there might be some new information of a risk that needs to be addressed.

Almost every chemical or product, whether it is natural or man-made can potentially be unsafe. Motor vehicles, pocket knives and oven cleaner can all be unsafe if used inappropriately. Even water, when inhaled in great quantities can pose a significant risk to human health. None of these things can be proven to be 100% safe, but with the appropriate precautions and instructions for use, they can be used and trusted by the public because they are considered to be safe.

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CropLife Australia Limited ABN 29 008 579 048
www.croplifeaustralia.org.au Ph 02 6230 6399 Fax 02 6230 6355

We can never say that a product is 100% safe, as in the wrong hands, and without proper precautions it may not be. In the future new evidence might come to hand that changes our view of the safety or otherwise of a product.

How does the Australian regulatory system work?

The products that farmers use today are subject to a rigorous, thorough and conservative risk assessment process. Industry is required to submit all their information on the human health and environmental hazards associated with any product. This is then independently assessed by Government regulators which must be satisfied that all the risks to human health, worker safety and the environment are effectively controlled before the product is released on the Australian market. The onus is on the industry to demonstrate this to the satisfaction of the relevant regulator.

This is different to proving safety, as while all current evidence might point to a product being safe, new scientific evidence may emerge that alters that conclusion. Australian regulators regularly respond to new and updated science and either alter use conditions, or prohibit particular uses where the risk is too great.

Under the Australian system no product is ever 'proven safe'. All may be subject to new scientific evidence that questions their safety. Industry may even be required to generate additional information to further investigate potential hazards to human or environmental health.

Australia incorporates, and goes further than, the precautionary approach.

All Australian regulators incorporate the principles of precaution by requiring proponents of new technologies (whether that technology be a new chemical, nanotechnology or genetically modified organisms) to demonstrate the safety of their product.

Australian regulators also go further. Any evidence of a new hazard can trigger a regulator to require additional research to determine the true risk. With more information, regulators may decide to alter the way that a chemical is used, or determine that existing controls are sufficient.

The threshold for requiring further investigation is low. Any evidence of a new risk might suffice to trigger further investigation. This is well below the standard suggested through a precautionary approach.

The critical element is that Australian regulators and industry take an active approach in determining the true risk from new technologies, and are established and prepared to be responsive in assessing and managing risks to human health and the environment.

Properly applied, the precautionary approach has much to offer regulators in ensuring that Australia maintains its excellent food safety record and reputation. Australia has taken the best elements of the approach and adapted them to local circumstances to improve outcomes. The result is a system that maintains an open mind about the adoption of new technologies while being more open, more accountable and more transparent.