

How ERMA learnt from past mistakes

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By Graeme Peters

It's easy to criticise the government and in particular its regulators, who have a huge say over what farmers and growers can use in their farming systems.

At the same time it's important to recognise when a regulator has learnt from past mistakes, adjusted its thinking and processes, and made decisions that are infinitely more sensible and achievable for you and the industry which stands behind you.

The Environment Risk Management Authority (ERMA) this month said it would revoke approval to sell azinphos methyl in New Zealand. Azinphos methyl is an 'old chemistry' insecticide, one of a group of organo-phosphates gradually being phased out around the world.

Agcarm represents the crop protection industry so you'd think we'd support the continued sale of azinphos, known in New Zealand as Cotnion 200, and other old chemistries.

It's not Agcarm's role to advocate for or against individual chemicals. Decisions on the continued sale of chemicals correctly reside with ERMA. The regulator takes into account an array of factors – scientific evidence, cultural influences, social attitudes – before coming to a reasoned decision on whether a product under reassessment should continue to be available in New Zealand and, if so, what new controls and safety measures should be in place.

Where ERMA hit the mark was not in deciding to deregister or otherwise, but in recognising that a regulator – even one with considerable powers to ban products - cannot flick a switch to remove a chemical at short notice from every spray tank and every corner of the farm shed.

ERMA correctly chose to phase out azinphos over five years, recognising that certain crops – notably potatoes, summerfruits and strawberries – still relied on the chemical. Azinphos is used to control leaf roller, potato tuber, and other insects.

The phase-out recognised that alternatives had to be developed to meet the needs of growers. It hinged on submissions providing information on the length of time to develop and trial potential alternative products. Additional requirements for protective clothing and buffer zones have been placed on the use of azinphos methyl in the phase-out period to reduce its risks to people and the environment.

The azinphos methyl story is a far cry from a highly unsatisfactory decision from ERMA in December last year. Then, ERMA also chose the deregistration path but the difficulty lay in the phase-out period: there was effectively none. ERMA gave industry just 28 days, after which it was prohibited to import, manufacture, or use endosulfan for any purpose.

Industry had accepted that endosulfan would probably go, but not immediately. The decision dismayed growers, who called it "drastic" because they thought they had been working on a realistic solution with ERMA.

Horticulture New Zealand asked for a five-year phase-out so some industry sectors could find sensible alternative products. In a couple of cases there are no alternative products, leaving the citrus and tomato industries under huge pressure.

And it wasn't just growers who bore the brunt. Farm retailers were left holding thousands of dollars of stock which they had to write off and dispose of. An importer had a large consignment of endosulfan on the water bound for New Zealand as the ERMA decision emerged.

The short window provoked angry phone calls to ERMA and severely tested agriculture's faith in the reassessments system.

Thankfully that faith has been restored by the azinphos methyl review. A phase out will not only allow alternatives to be developed and tested, it will allow orderly disposal of stocks through spraying out on crops, which is undoubtedly the safest option as it closes off any possibility of irresponsible dumping of chemicals.

Regulators make the odd mistake, but thankfully ERMA has seen the endosulfan debacle as an opportunity to learn from its error and restore the industry's faith in its important work.

- Graeme Peters is chief executive of Agcarm, the industry association for manufacturers and distributors of crop protection and animal health products.