

**Petition 121: Call for a Royal Commission into the Use of Pesticides and Harm to Public Health**

Following the tabling of other pesticide related petitions, Petition 121 calls for a Royal Commission. Petitioners are of the view that there is a systemic problem due to the inadequacy of laws to protect communities from exposure to pesticides (scheduled poisons: herbicides, fungicides, insecticides..). There is a need to fully investigate the reasons behind the ineffectiveness and incompetence evident in the administration of those laws by Federal, State and Local Governments. I advise that I have not taken my complaint to the Commissioner for Administrative Investigations. This submission addresses the four points raised in Petition 121.

**1. Grounds for a Royal Commission.**

**Inadequate Laws:** There is a range of pesticide legislation crossing various government portfolios including health, environment, local government and education. Given the extensive use of pesticides in WA, concerned citizens expect that legislation should protect the health of people and the environment; however there has not been a proper analysis of relevant laws in this regard. The current legislative framework is complex but fails to address the issue of escalating risks to our communities and environment from increasing pesticide residues and mixture toxicity. Evidence to LGs and Ministers has failed to improve outcomes. **Petitioners are seeking a full review of the legislative framework for the regulation, importation, sale and use of pesticides to deliver appropriate protection from involuntary exposure to these poisons, with consideration to related illnesses and environmental harm.**

**Conflicts of Interest in administration:** Environmental Health Officers employed by LGs are 'Authorised Officers' under the Health Act and the Poisons Act to regulate elements of the legislation. These same individuals or their colleagues and contractors, are often the main offenders committing breaches of the legislation. The obvious outcome of this situation is a failure of the legislation to deliver intended protections for our communities. **Petitioners are seeking a full review of the administration of the relevant legislation, as identified above, to identify and eliminate any actual or perceived conflict of interest, and ensure proper regulatory oversight.**

**Incompetence and lack of qualification of administrators:** It is in breach of both State and Federal law to make false claims about a pesticide, to claim that a pesticide is safe or that it can be used for any purpose other than its registered use. State and LG officers, however, often state or imply that products are 'safe' because they are registered for use by the APVMA and used according to manufacturers' instructions. Decades of misinformation and disinformation about the safety of pesticides have obfuscated the risks to public health. Such claims of safety are in breach of the Agricultural and Veterinary Chemicals Code Act, contrary to international best practice, the Wingspread Precautionary Principle and MSDS warnings to weeders entering poisoned turf areas within two weeks after application that they should wear protective clothing. Officers stating or implying to parents that it is safe for their children to play on these areas 20-30 minutes after the 'spray has dried' are ignorant of their responsibilities and obligations and failing in their duty of care. Given the body of independent research warning of the risks from exposure to pesticides such comments are negligent. Medical evidence points to Pesticide illness (with flu-like symptoms), breast cancer, Non Hodgkins Lymphoma, birth defects, neurological and autoimmune diseases. **Any review should consider the minimum competency requirements for personnel and decision-makers who are assigned responsibilities under legislation in relation to pesticide use.**

**Failure of complaints and incident reporting process:** Western Australia does not have a centralized pesticide complaints/ incident reporting scheme. Incidents are generally reported to the relevant LG or State Department of Health. As officers and their contractors are frequently the offenders, complaints often go unheeded or unrecorded and the industry is allowed to continue with impunity. Industry whistle-blowers have been ignored by government and serious acts of bullying and intimidation have occurred indicating that our government processes are exposed to collusion and corruption. Independent scientists and residents who raise concerns about pesticides have been

ridiculed and defamed. Individuals have been verbally abused by pesticide sprayers when raising concerns about exposure to chemicals. **There needs to be high level intervention through a full public investigation into the regulatory framework, conflicts of interest and influence of the industry on government policies and practices that adversely affect community wellbeing.**

**Systemic failure in stakeholder engagement and government review processes:** As one of four community representatives who met with the Auditor General regarding evidence of the above, I was dismayed to read in the Auditor General's Report into the Management of Pesticides in Western Australia that the Office did not audit LGs who are the biggest users of pesticides on public land in urban areas. Our evidence was effectively ignored. The Report states **"the audit focus was on whether there is a coordinated and effective approach to minimising the risk of inappropriate pesticide use in WA"**. The report wrongly assumed that there is general agreement that 'appropriate' or lawful use of pesticides does not cause environmental pollution and harm to public health. This resistance to understanding community expectations is at the core of the issues raised.

## **2. Why we need a moratorium on the spraying of pesticides on public land in urban areas.**

The 2015 listing by the World Health Organization's International Agency for Research on Cancer of Glyphosate as a class 2A Probable Carcinogen should come as a wakeup call to managers of public land about their use of all pesticides. Evidence that herbicides such as Metribuzin, Simazine, Hexazinone and other suspected endocrine disruptors and environmental pollutants are being used in conjunction with Glyphosate throughout our suburbs and roadsides is of great concern. Perth media, including gardening shows, still promote Glyphosate as safe, disregarding information from the WHO and independent scientists, misleading the community and in breach of the law. The Monsanto corporation will be brought before an international tribunal at The Hague in October 2016 for its crimes against humanity, however the Australian community is largely unaware of the international body of evidence and escalating concerns about the cancer link to the weedkiller 'Round-up'. Many residents have expressed concerns about the arbitrary decisions by LGs in regard to Pesticide Exclusion Zones offered to residents who complain about the routine spraying of footpaths and the chemical drift into their homes. There has been no leadership from either State or LGs to inform the community about the known health risks associated with exposure to pesticides.

## **3. Why we need a moratorium on the growing of pesticide-reliant crops such as RR GM Canola**

Herbicide/pesticide-reliant GM crops designed to survive when sprayed with a specific poison or to produce their own poison, further compound the risks of human exposure to pesticides. The Monsanto model of GM agriculture promotes the use of pesticides on food crops and government is enabling this increased exposure without independent research into the long-term effect to people and the environment. Approximately 28, 000 Western Australians signed a petition to maintain bans on the growing of Roundup Ready GM Canola, however, the former Minister for Agriculture, Terry Redman, ignored community concerns and reversed protection for human health in favour of Monsanto, the world's least ethical company (listed last of 581 by Covalence Research). Monsanto now owns a 26% share of Australia's InterGrain. The community generally has no information about the level of residual pesticides they consume in food and our government laboratories do not test for residues in breast milk and urine. Within this void of information it is disturbing that FSANZ is assessing submissions on a proposal to allow low-level pesticide residues in "all other food".

## **4. Why WA needs laws to restrict policies and practices that promote the use of pesticides**

Decades of misguided weed poisoning strategies across WA have failed to recognize this cause of environmental pollution and human illness. All efforts to prevent this harm under current laws have failed and there is an urgent need for new laws to provide the necessary protection from pesticides.

This overview can be supported by further information and evidence that I and other Petitioners would be pleased to provide to the Committee upon request.