

**STANDING COMMITTEE ON
ENVIRONMENT AND PUBLIC AFFAIRS**

**INQUIRY INTO CHEMICAL USE BY THE
AGRICULTURE PROTECTION BOARD**

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
ON MONDAY, 10 MAY 2004**

SESSION 2

Members

Hon Christine Sharp (Chairman) (Substituted by Hon Robin Chapple)

Hon Kate Doust (Deputy Chairman)

Hon Jim Scott

Hon Louise Pratt

Hon Frank Hough

Hon Robyn McSweeney

Hon Bruce Donaldson

[12.10 pm]

PEARSON, MR ERIC GREGORY
Biosecurity Officer, Department of Agriculture,
100 Bougainvillea Avenue,
Forrestfield, examined:

The DEPUTY CHAIRMAN (Hon Kate Doust): Thank you very much for appearing before the committee. I understand that this is the first day of your leave, so we appreciate your giving up your very valuable leave time. You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

Mr Pearson: Yes.

The DEPUTY CHAIRMAN: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record, and please be aware of the microphones and try to talk into them. Ensure that you do not cover them with papers or make noise near them. Please note that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. Are you comfortable with having this as a public hearing?

Mr Pearson: Yes.

The DEPUTY CHAIRMAN: Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that premature publication or disclosure of public evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege. Do you wish to make an opening statement to the committee?

Mr Pearson: No, I do not think so.

The DEPUTY CHAIRMAN: We are pretty relaxed here. We do not want you to feel uncomfortable or anything. You will understand that we have fairly limited terms of reference for this inquiry. We are looking at the sources of these chemicals and where they were supplied to, and the record-keeping procedures that were maintained during that period.

Mr Pearson: Yes, I saw that. I am not really sure that I can help you a great deal with those issues.

The DEPUTY CHAIRMAN: We have a few questions to ask you, so we will see where we go with them. Can you please tell the committee in what capacity you were employed by the Agriculture Protection Board and during what time period?

Mr Pearson: I was employed as an agricultural protection adviser starting in 1978. I actually was still in that position when the APB, staff-wise, disappeared in 1996.

The DEPUTY CHAIRMAN: What were your duties? What sorts of things did you do?

Mr Pearson: I had a supervisory - I guess you would call it a managerial - role over field staff. I guess in the broader sense I was a link between head office and field staff.

The DEPUTY CHAIRMAN: Were you involved in the purchasing or distribution of chemicals for use by the APB?

Mr Pearson: Not purchasing as such. I guess it is a matter of definition. In terms of purchasing, the most I ever did was fill out an internal requisition. There would have been a few occasions on which I said, "Please send this chemical to this place".

The DEPUTY CHAIRMAN: So you would have sent that requisition to your main office, and it would have processed it from there. Is that right?

Mr Pearson: Yes, to what we used to call our stores and transport group.

The DEPUTY CHAIRMAN: Can you explain to us what were the distribution procedures for chemicals in the APB?

Mr Pearson: We in the field would work out or estimate what we thought we needed, and provided that fitted into the budget, the stores and transport people would get it distributed to us. They had a system where it was not always purchased. If they knew someone had excess chemicals, sometimes it was just internally rearranged; chemicals were not always bought.

The DEPUTY CHAIRMAN: It was just a bit of moving it around to fix it up. Okay. Did you know anything about a batch of 2,4,5-T that was different from the standard 2,4,5-T?

[12.20 pm]

Mr Pearson: No. Not really.

The DEPUTY CHAIRMAN: Did you ever see drums that were either unmarked or marked differently from the standard drums of 2,4,5-T?

Mr Pearson: I certainly saw some drums where it was evident they had been marked because the labels had fallen off. I guess they were unmarked. There were unmarked drums in one place and labels on the ground.

The DEPUTY CHAIRMAN: Do you know what chemicals were in those drums?

Mr Pearson: I am pretty sure it was 2,4,5-T.

The DEPUTY CHAIRMAN: How did the APB handle employee complaints in relation to chemicals, if there were any? Did anyone ever complain about the chemicals they were handling at the time?

Mr Pearson: Not to any great degree. Not that strongly comes to mind. I can remember more concerns about the efficacy of chemicals than human health concerns.

The DEPUTY CHAIRMAN: Was there any sort of structured procedure in case there was a complaint? Was there any procedure that workers could follow to raise their concerns?

Mr Pearson: I think I should step back one. There was a lot of general concern about the use of chemicals, I guess, in the early 1980s when the Agent Orange-Vietnam veterans business was all the news. Certainly, staff had some worries at that point in time. However, they were reassured that the chemicals we were using, particularly the 2,4,5-T, had dioxins that were within the stated limits and that they were safe provided they were used correctly.

The DEPUTY CHAIRMAN: Okay. Did you have any knowledge of the testing of chemicals for use by the APB?

Mr Pearson: Not really other than I was aware that it happened. Once again, I think that was done just for an active ingredient. I do not think they would have been looking at other things, but I am not sure.

Hon BRUCE DONALDSON: Can you remember the colour of the drums?

Mr Pearson: Dirty grey, if I remember correctly.

Hon BRUCE DONALDSON: They were not red?

Mr Pearson: I do not think so. They might have had red tops.

Hon BRUCE DONALDSON: Were they blue? That was ICI.

Mr Pearson: No. My guess would be -

Hon BRUCE DONALDSON: No, that is fine. You would probably remember.

Mr Pearson: Metal grey; that sort of colour.

Hon ROBIN CHAPPLE: What size drums were they?

Mr Pearson: The ones I am thinking of that had the labels off used to be modern 200-litre drums.

Hon ROBIN CHAPPLE: Yes, 44-gallon drums.

Mr Pearson: Yes, but we certainly had 20-litre drums as well.

Hon JIM SCOTT: You said that the concerns that you had heard were mostly to do with the efficiency of the chemicals that kill weeds. Was there any feedback process within the department that you were aware of to handle complaints about the chemicals not working or people thinking that the chemicals made them ill or whatever?

Mr Pearson: Nothing specific. It would just be dealt with in the standard reporting procedures the board had for, basically, any problem, which was simple line management.

Hon JIM SCOTT: What would happen in that process?

Mr Pearson: If we are talking about the Kimberley, it first went to the casual operators, then the district officers and then the regional officers. Up until about 1982, there was a senior officer and then my position as APA. Normally, if one of those operators had a problem, he would refer it to the district officer or sometimes the regional officer. More often than not, that is where it would finish. If they were dissatisfied with the sort of treatment they got from the district or the regional officer, they were entitled to jump a step, but to my knowledge it would be rare that that would happen.

Hon LOUISE PRATT: I think you said that workers were reassured that the chemicals were within the dioxin limit, and yet you had no knowledge of testing for dioxins - I think you said they were done separately -

Mr Pearson: Yes.

Hon FRANK HOUGH: You said that the drums were metallic grey or whatever grey. That was the main drum. Were there red or blue ones as well? Can you recall? I know it is a long time ago.

Mr Pearson: Not what I would call red. They were mission brownish in colour - that rust colour - but I would not call that red. I certainly cannot recall something that I would call red in colour.

Hon FRANK HOUGH: What, blue or red?

Mr Pearson: Blue smaller ones. Certainly blue 20 litre-drums. I would not like to say they were not the 200-litre drums, but I do not know.

Hon BRUCE DONALDSON: I farmed most of my life. We used ester in those years, and I am having trouble remembering. I can remember blue 200-litre drums, a reddish-brownish 200-litre drum, and a blue 20-litre drum, but I cannot remember whose chemicals they were. We used to pull them out of the stock agency of course.

Hon FRANK HOUGH: What about grey drums?

Hon BRUCE DONALDSON: I cannot remember the grey ones.

Hon ROBIN CHAPPLE: That is the problem with using chemicals.

Hon JIM SCOTT: Do you remember who the grey ones came from or did they have grey ones coming from various -

Mr Pearson: I might be wrong about the colour of them. I might be getting confused with fuel drums that were certainly grey, but they used to have a coloured bit in the middle.

The DEPUTY CHAIRMAN: Did they have the label of the manufacturing company on them at all or any sort of logo or -

Mr Pearson: Certainly, some of it came from what I think was then called Chemical Industries (Kwinana) Pty Ltd, which later became Nufarm. I think they were our main supplier. I could not vouch for it but to my knowledge that is where most of it came from.

Hon LOUISE PRATT: Can you recall the names of any other suppliers?

Mr Pearson: We did get a batch from the eastern States, I could not tell you from whom, towards the end of the period your people are interested in. It was in 1984 when 2,4,5-T was almost off the market; it was getting difficult to get.

Hon ROBIN CHAPPLE: You identified that you took over that position from 1978 onwards. Were you with the department prior to 1978 or -

Mr Pearson: No, I worked in the Northern Territory.

Hon ROBIN CHAPPLE: Who was carrying out your job prior to you taking over?

Mr Pearson: I actually took over a new position.

Hon ROBIN CHAPPLE: So there was no structural arrangement similar to yours prior to you taking over?

Mr Pearson: One person basically did it for the whole State.

Hon ROBIN CHAPPLE: Can you remember his name?

Mr Pearson: Joe Schwartz.

Hon ROBIN CHAPPLE: Is Mr Schwartz still around?

Mr Pearson: I think he is. The last I heard, he was teaching at a christian-type of school somewhere near Armadale.

Hon ROBIN CHAPPLE: Thank you for that. Were you ever made aware of the concerns - obviously we are all going with this - coming out of the Kimberley? Did they ever cross your desk.

Mr Pearson: Since these issues started over the last three or four years?

Hon ROBIN CHAPPLE: No, before now. Certainly there was indication that some of the workers were complaining in the mid 1970s through to the 1980s of some of the issues up there. Did you -

[12.30 pm]

Mr Pearson: There were people - I can recall one definitely - who got ill. I was aware of that. There was a weekend newspaper that no longer exists.

Hon FRANK HOUGH: *The Daily News?*

Mr Pearson: No, it was a different one. Robert Holmes à Court got stuck into us once.

Hon LOUISE PRATT: In terms of your awareness of people who purportedly became unwell, was that, to your knowledge, was just from the ordinary use of 2,4,5-T?

Mr Pearson: The one thing I was thinking of was skin problems. As I understand it, the report I got was more a result of poor hygiene and constant contact with diesel, because that is what they used to spray the 2,4,5-T with. Certainly, with the 2,4-D, which was used on the Noogoora Burr, we used to get a lot of problems, but that was just a lot of contact dermatitis from the plant itself.

Hon JIM SCOTT: What was the procedure when some of the drums came without labels? What was the procedure with drums that did not have labels; were they tested in any way?

Mr Pearson: Not as far as I knew. If they came as a consignment of 2,4,5-T, as long as there was some evidence that that is what they were meant to be, we just accepted it. There were some drums with labels on.

Hon JIM SCOTT: Was there any "buy local" policy that you are aware of, at that stage?

Mr Pearson: No. If anything it was the reverse. They called it an interdepartmental government contract for the procurement of chemicals. I suspect the APB was the biggest user of them, but in those days the forestry department was certainly on the same contract, and I guess the Department of Agriculture would have been as well. It was very much centralised. The only local purchase would be if they made a mistake and they had to rush out and get something.

Hon ROBIN CHAPPLE: Could I just chase that one down a little? Did all the purchased material go to a central depot? If Kununurra ran out and there was no more around, could it order direct from CIK?

Mr Pearson: No. To my knowledge it was always ordered through South Perth. It may well have been sent straight from Chemical Industries (Kwinana) to Kununurra.

Hon JIM SCOTT: There has been a lot of discussion about a batch that went from the forestry department to the Department of Agriculture in the north west. Would you have any knowledge of that? There was also a rogue batch, which looked a bit different from others. Would you know whether the forestry department batch might have been such a batch?

Mr Pearson: My guess would have been not. I think the stuff that came from the forestry department was just about all in 20 litre drums, whereas what I have read about the would-be rogue batch, it was in 44 litre drums. I do not know, but my guess would be that it is not.

The DEPUTY CHAIRMAN: Is there any further information that you think might be of use to the committee?

Mr Pearson: No. I will just say one thing on the reporting and awareness. Having gone to Vietnam myself, I was quite aware of the sort of 2,4,5-T issues - not just personally, but with respect to staff in that sense. Until recently I had no doubt that the 2,4,5-T we used was up to scratch.

The DEPUTY CHAIRMAN: Thank you for coming in today. It has been very useful. You will receive your transcript in due course. If you need to make any adjustments, please forward them back to the office.