



FSC Highly Hazardous Pesticide Derogations – 2016

INTERIM Stakeholder Feedback Report

December 2015

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Report Overview

The following report provides a summary of the outcomes of the FSC Highly Hazardous Pesticide Derogation stakeholder feedback, including survey responses and additional feedback received from public comments and communication with forest company representatives.

This feedback was used by the independent advisory group in making recommendations to forest managers regarding pesticide acceptance and preferred conditions of use. These recommendations were then considered in the further development of the various derogation applications.

At the completion of the second feedback period (December 24 2015 to January 24 2016), feedback from both stakeholder feedback periods will be collated and submitted to the FSC International Pesticides Committee.

Following the recent change in derogation process by FSC International, this report only includes stakeholder feedback for those derogations being submitted to FSC International at this stage. This is the derogation renewal applications for 1080, Amitrole, Alpha-Cypermethrin and Fipronil.

The stakeholder report includes a brief overview of the survey respondent characteristics, and other responding stakeholders where information is available. Stakeholder feedback is then provided for each of the four pesticide derogation applications, including selected quotes from stakeholder comments are provided to show the range of stakeholder concerns and preferred management approaches. Basic comparative data for each pesticide by state is provided to show the differences and similarities in perceptions of the pesticides across the jurisdictions. Very little stakeholder comment was provided directly relating to individual forest companies and hence the analysis by state is provided. The report finishes with a description of the survey respondents understanding and acceptance of forest certification.

Appendix 1 lists a direct copy of stakeholder feedback provided in the survey, and Appendix 2 provides the stakeholder feedback received through public comments, email, and communication with forest managers. This feedback is listed by state not pesticide due to many stakeholders responding to multiple pesticide applications. All feedback is de-identified as far as practicable to assist with stakeholder anonymity. For email chain discussions stakeholders will be aware of each other's identity and as such anonymity cannot be ensured.

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Stakeholder response

In total 125 stakeholders have provided feedback on the derogations applications as December 21, 2015. This includes 75 survey respondents and 50 stakeholders who participated through providing public comment and communication with the National Coordinator or forest company representatives. Many survey respondents also provided feedback through other approaches such as email and/or communication with forest company representatives.

The majority of survey respondents were individuals living on or owning properties adjacent to forested areas (63%) as shown in Table 1. These high numbers of stakeholders who live on or adjacent to forest areas was expected given that forest companies primarily approached those stakeholders registered on company databases for stakeholder feedback. The number of survey respondents identifying as being members of environmental groups was lower than anticipated given the typically high level of interest of such groups in forestry issues.

Table 1: Types of stakeholders who participated in feedback opportunities

Stakeholder Type (n=75)	No. Survey Responses	% of Survey Responses	No. Comment Responses	Total % of Responses
I am a member of an environmental group with an interest in forestry activities	5	7%	4	7.2%
I am a member of the general public with an interest in forestry activities	10	13%	4	12.8%
I live on a property adjacent to or near a forested area (native forest and/or plantation forest)	22	29%	1	18.4%
I own or manage land adjacent to near a forested area (native forest and/or plantation forest)	18	24%		14.4%
I work, or used to work, within the forest industry	11	15%		8.8%
My business, or place of employment, is impacted by forestry activities	4	5%	4	6.4%
Government	3	4%	2	4.0%
Other, or unknown	2	3%	35	29.6%

State of origin (survey respondents only)

Survey respondents were predominantly from Tasmania (49%), followed by Victoria (35%) and Western Australia (9%) (Figure 1), with very little response from other jurisdictions. The majority of survey respondents were potentially affected stakeholders from rural and regional areas, with 51% living on a rural property and a further 29% in regional and rural towns (Figure 2).

Figure 1: State of origin of survey respondents (n=75)

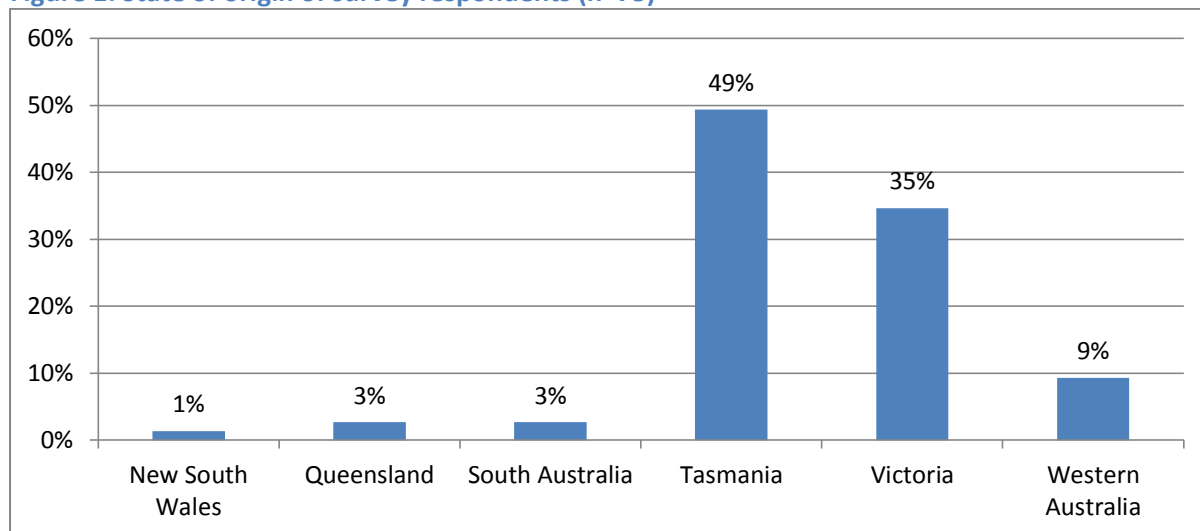
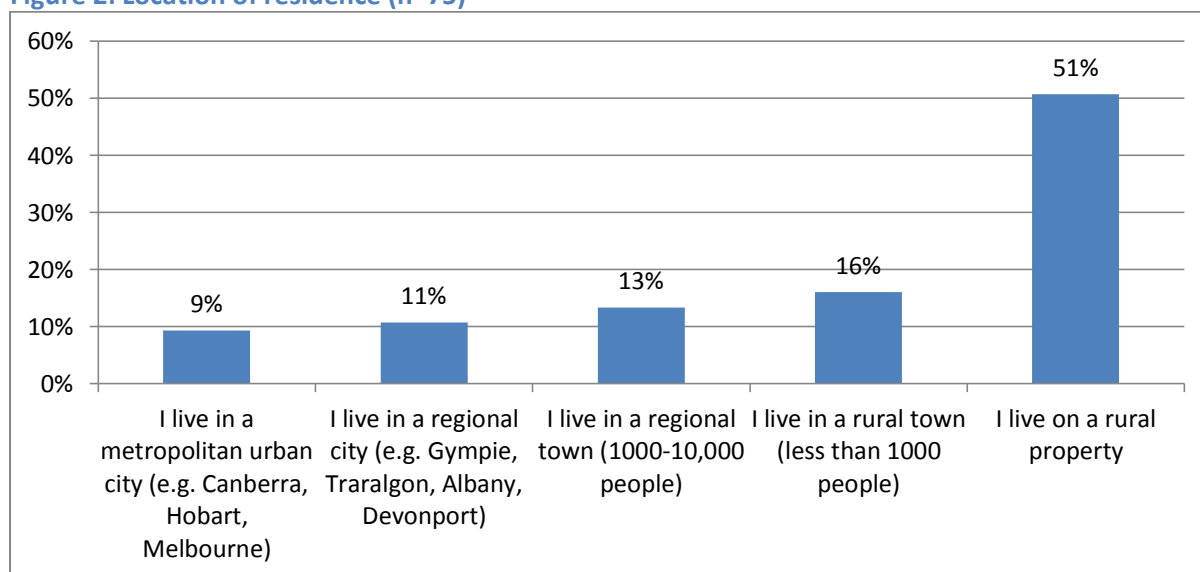


Figure 2: Location of residence (n=75)

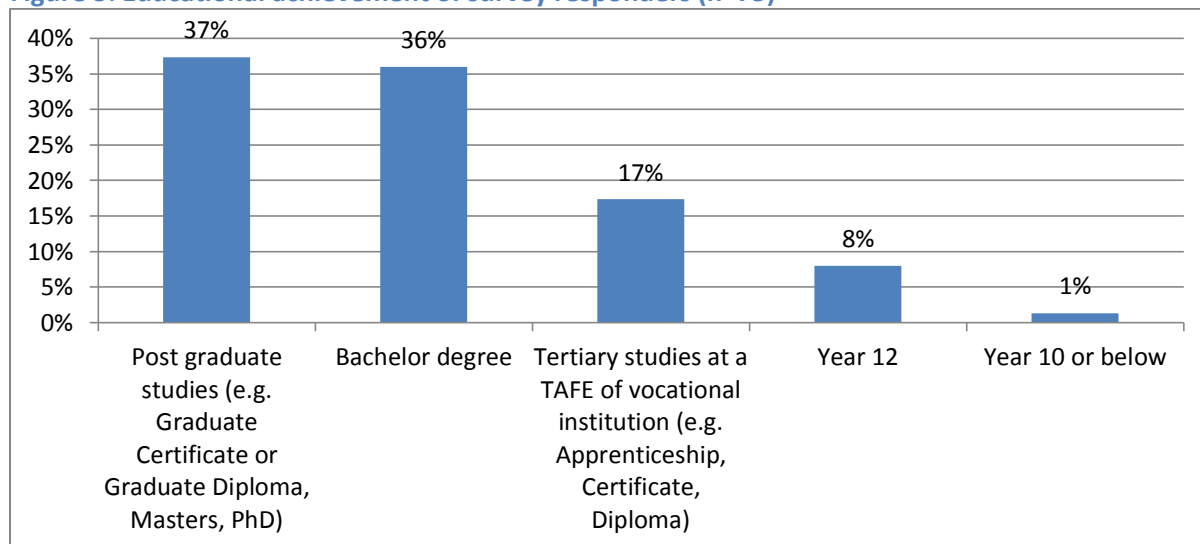


Survey responder demographics

Of the 75 survey respondents 41% were female, 55% male and 4% preferred not to state their gender. This represents a higher sample of men to women; however this is a good sample of women, with rural and regional women not often completing surveys pertaining to rural matters.

Survey respondents were highly educated as shown in Figure 3, with 74% of stakeholders have a bachelor degree or higher. While this is not representative of the general Australian public with a substantially higher level of education reported, it is indicative of the education levels of those individuals interested in forest management with forest managers reporting that this level of education is typical of their stakeholder registers.

Figure 3: Educational achievement of survey responders (n=75)



Stakeholder interest in derogation applications

As indicated in Table 2 the majority of survey comments were in regards to Tasmanian derogation applications. Some stakeholder comments were received for pesticides not under application for that jurisdiction (e.g. 1080 received 5 comments from Tasmania despite Tasmanian companies not seeking a derogation for this pesticide). This widespread interest highlights the level of concern of stakeholders regarding the use of pesticides.

Table 2: Stakeholder interest in derogation applications by state (n=75)

Pesticide commenting on*	NSW	QLD	SA	TAS	VIC	WA	Total
1080	0	0	1	5	15	4	25
Amitrole	0	0	1	5	5	2	13
Alpha-cypermethrin	0	1	1	28	5	2	37
Fipronyl	0	0	0	24	7	1	32
Cuprous Oxide	0	0	0	2	8	1	11
Copper Sulphate	0	0	0	2	1	0	3
Picloram	0	0	0	3	2	1	6
Glufosinate ammonium	0	0	0	4	3	1	8
Pindone	0	0	0	4	2	5	11
All Derogation Applications	1	1	1	9	11	3	26
Total	1	2	4	86	59	20	172
	1%	1%	2%	50%	34%	12%	

**Note – due to a change by FSC International derogations are now only being sought for 1080, Amitrole, Alpha-Cypermethrin and Fipronil pesticides*

Table 3 provides a breakdown of the company derogations survey respondents provided comment on, highlighting the high focus of stakeholders on Tasmanian and to a lesser extent Victorian forest companies derogations.

Table 3: Company derogations commented on (n=75)

Derogations Commenting On	Number of respondents
Albany Plantations Fibre Limited (WA)	14
Hancock Queensland Plantations – HQP (QLD)	8
PF Olsen (Aus) Pty Ltd (VIC, SA, QLD, WA)	20
Australian Bluegums Ltd (VIC, SA, WA)	25
Forestry Tasmania	41
Hancock Victoria Plantations - HVP (VIC, SA)	20
WAPRES(WA)	14
Bunbury Fibre (WA)	13
Forico (TAS)	30
SFM (TAS, VIC, SA)	26
National Coordinator (Pinnacle Quality)	9

Initiation of stakeholder participation

The majority of survey respondents were attracted to the stakeholder feedback process through invitations received from local forest company(s) or friends (see Table 4). Participation through environmental group dissemination of invitations was very low. Public comment feedback provided some insights into this potential low rate of interest from environmental groups, with a poor perception of FSC engagement processes and hence a lack of interest in participating due to perceived no influence on the process.

Table 4: Participant involvement initiation (n=75)

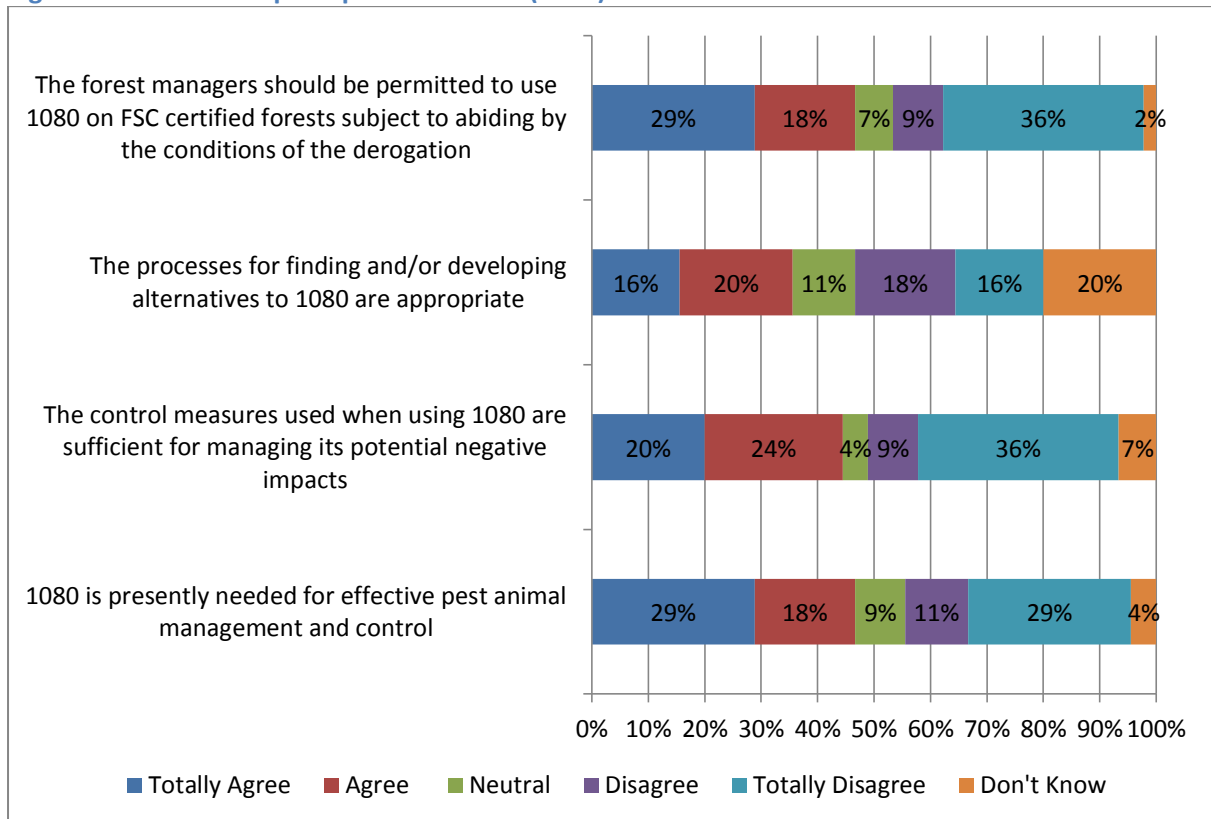
Participation Initiation	Response	% Responses
Direct email invitation from my local forest company	39	52%
Direct email invitation from the National Coordinator (Kevin O’Grady)	2	3%
Forest company website	4	5%
FSC Australia website	4	5%
Information was provided to me from a friend	23	31%
Information was provided to me from an environmental group	2	3%
Information was provided to me from through my place of work	8	11%

Feedback on Derogation Applications

1080

Survey respondent’s acceptance of 1080 was fairly evenly distributed and consistent across the questions. As shown in Figure 4, 47% of respondents agree that 1080 should be permitted and 45% disagree, 7% were neutral. Similarly 47% of respondents felt that 1080 was needed for effective pest control, 40% disagreed that it was needed, and 44% perceived control measures used were sufficient compared to 45% who see them as insufficient.

Figure 4: Stakeholder perceptions on 1080 (n=45)



The disparity of views on 1080 was echoed in the broader stakeholder feedback, with many stakeholders concerned about the impact of 1080 on non-target species, including domestic animals:

“I have lost 2 dogs to 1080 poisoning. It is a cruel poison resulting in a horrendous death for the animal (whether pest or pet). There is no way to guarantee that non-targeted species will not be affected, nor that animals will not unduly suffer.”

“1080 is a cruel and inhumane pesticide that also impacts native wildlife”

However, there was also recognition that 1080 is an effective pest control method capable of mitigating impact of pest animals on wildlife:

“Australian wildlife is being decimated by introduced predators. Unfortunately poisons such as 1080 are needed to control predators that are pushing small mammals and some bird and reptile species to extinction. Banning the use of 1080

though certification under the FSC would be disastrous to many threatened species.”

The use of 1080 in Western Australia, where it is a naturally occurring substance, is more acceptable for some stakeholders who recognise the reduced impact of 1080 on non-target species in Western Australia, and its contribution to broader public pest control programs:

“1080 is found naturally in WA native plants. Its use on pest species such as foxes, cats and dogs is well controlled and very effective. It is used by National Park Managers why would we not, under controlled conditions use it on our plantation lands.”

“In the South-West of Western Australia foxes (and feral cats) have a high negative impact on native fauna - both through predation, and competition, as well as on the agricultural sector through the loss of livestock (namely sheep). The impact of 1080 ingestion by native animals within this region is negligible, and extremely unlikely to result in mortality, making it an appropriate poison in the control of introduced pests.”

“The use of 1080 baits by the plantation companies also make the companies “good neighbours” as they are supporting the community wide baiting program and increasing the overall effectiveness.”

Stakeholders indicated their preference for alternative browsing control methods, despite the associated increased cost:

“There are also alternative methods of controlling browsing animals (such as fencing, tree guards etc.) which would preclude the use of 1080 poison but forest managers will attempt to use the easiest and cheapest option available.”

Overall the high toxicity of 1080 to non-target species, including native fauna, concerned many stakeholders, including those not in those jurisdictions seeking to use the highly hazardous pesticide. The public benefit of 1080 in controlling predatory pest animal species was well recognised, particularly in Western Australia where many non-target native species are resistant to 1080 poisoning.

Table 5 and Figure 5 compares the acceptance of 1080 for use on FSC certified lands for Victoria and Western Australia (the low number of respondents for South Australia, New South Wales and Queensland preclude its inclusion here with only 4 respondents across these states). As Tasmania is not seeking a derogation for 1080 it is not included here, however those stakeholders who commented on the 1080 application are included in the analysis presented above.

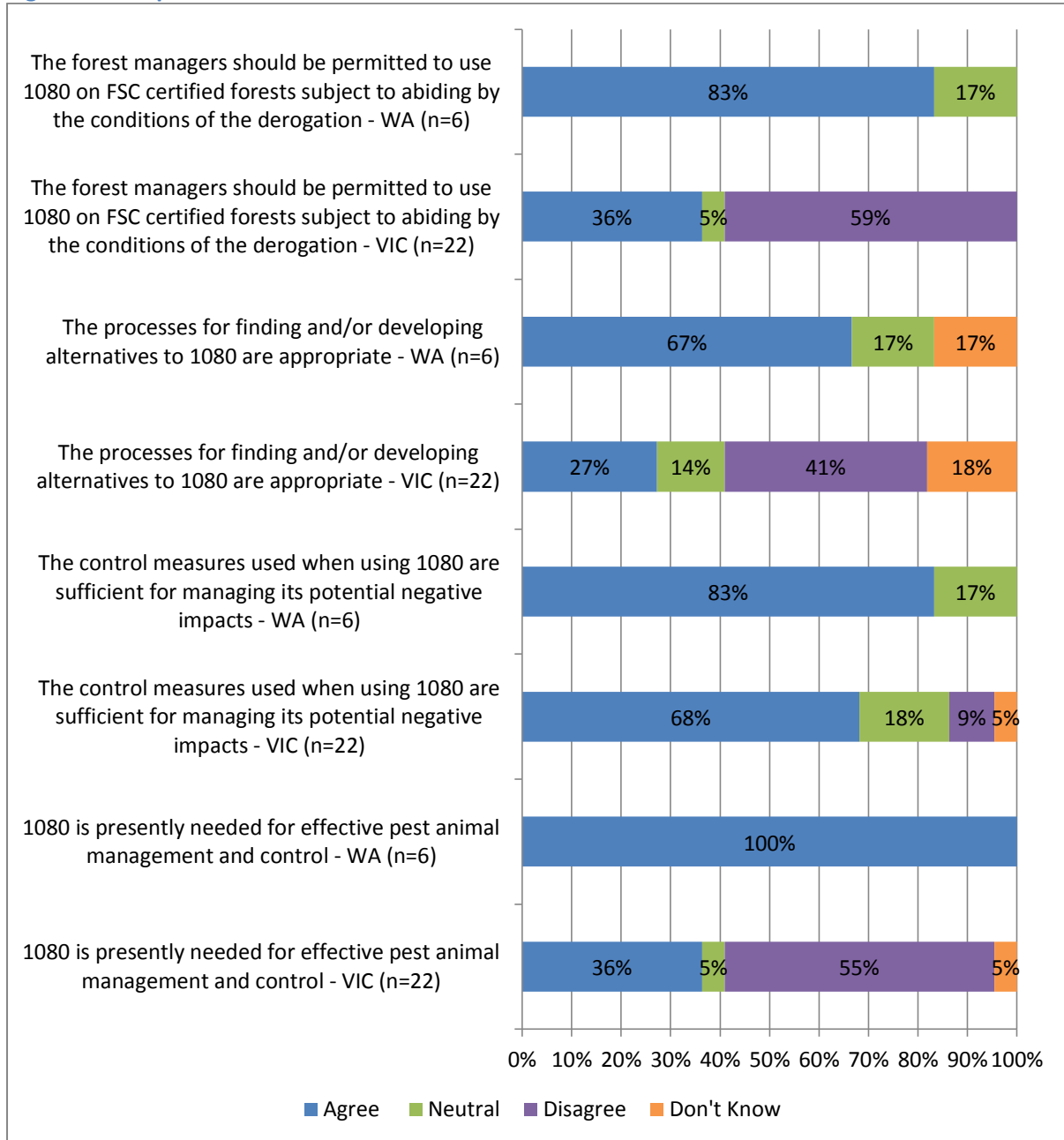
As can be seen in Table 5 and Figure 5, 1080 is highly accepted for use on FSC certified lands in Western Australia, with 83% of survey respondents agreeing to its use, and 100% agreeing that 1080 is needed to control pest animal species. In Victoria this level of acceptance is substantially lower, with only 36% of respondents agreeing that forest managers should be permitted to use 1080 on FSC certified forests, and 59% disagreeing. However, 68% of survey respondents commenting on

Victorian derogations thought that control measures used in the application of 1080 were sufficient, with only 9% disagreeing that control measures were sufficient.

Table 5: A comparison of acceptance for use of 1080 across Victoria and Western Australia

	Agree	Neutral	Disagree	Don't Know
1080 is presently needed for effective pest animal management and control - VIC (n=22)	36%	5%	55%	5%
1080 is presently needed for effective pest animal management and control - WA (n=6)	100%	0%	0%	0%
The control measures used when using 1080 are sufficient for managing its potential negative impacts - VIC (n=22)	68%	18%	9%	5%
The control measures used when using 1080 are sufficient for managing its potential negative impacts - WA (n=6)	83%	17%	0%	0%
The processes for finding and/or developing alternatives to 1080 are appropriate - VIC (n=22)	27%	14%	41%	18%
The processes for finding and/or developing alternatives to 1080 are appropriate - WA (n=6)	67%	17%	0%	17%
The forest managers should be permitted to use 1080 on FSC certified forests subject to abiding by the conditions of the derogation - VIC (n=22)	36%	5%	59%	0%
The forest managers should be permitted to use 1080 on FSC certified forests subject to abiding by the conditions of the derogation - WA (n=6)	83%	17%	0%	0%

Figure 5: Acceptance of 1080 within Victorian and Western Australian FSC certified forests

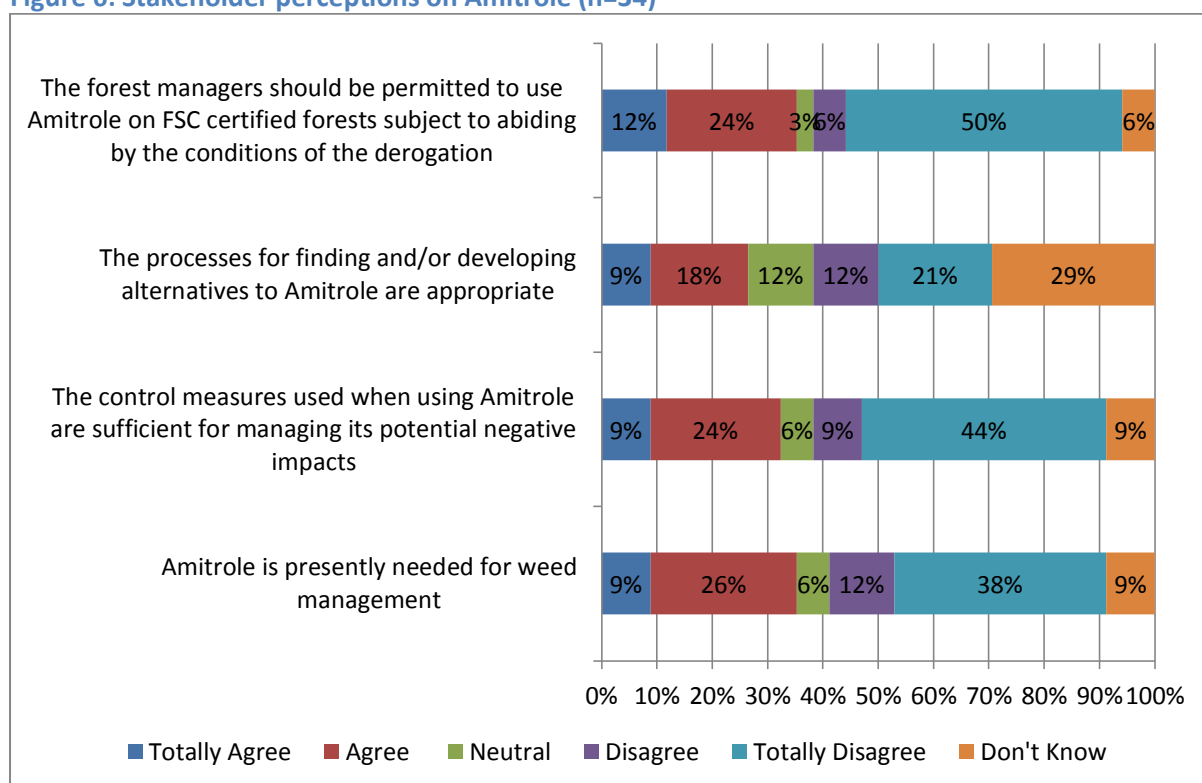


Amitrole

Survey respondents on a whole are not accepting of the use of Amitrole on FSC certified lands, with 56% of respondents disagreeing with its use and 26% agreeing (Figure 6). This is consistent with the perceived need for Amitrole, with 50% of survey respondents disagreeing that Amitrole is needed for weed management compared with 35% of respondents who agreed that its use is needed.

There was some concern about the sufficiency of the control measures used to reduce risks associated with the use of Amitrole, with 53% of respondents perceiving control measures as insufficient, and 33% as sufficient. There was some uncertainty regarding the acceptability of process to find alternative management approaches with 29% responding that that ‘don’t know’ if approaches are appropriate, 33% perceiving current approaches as inappropriate and 27% seeing them as appropriate.

Figure 6: Stakeholder perceptions on Amitrole (n=34)



The broader feedback on Amitrole was similar to Alpha-Cypermethrin, with many responding stakeholders highly concerned about Amitrole due to it being an endocrine disrupter and hence the potential risks for humans and the environment:

“Amitrole causes cancer. In 1971 the EPA cancelled the use of Amitrole on food crops. Although the plantations are not food crops, anything that has the potential to cause cancer should not be used in any form whatsoever. It is not worth the risk to human health. ... There is a moderate potential for groundwater contamination - any potential for groundwater contamination makes it therefore inappropriate to use.”

Some stakeholders understand the increased costs associated with the use of alternative pesticides, but would like to see these costs absorbed by the forest management companies to protect the environment:

“There can be no 'safe' levels of an endocrine disrupting pesticide in the environment. There are alternatives but the excuse given is they cost more. That cost needs to be born by forest managers and not the environment and communities by exposing them to an endocrine disrupting pesticide!”

Other stakeholders see the benefit of Amitrole given that forest managers are experienced in using the pesticide, its use is regulated, and that its inclusion as an allowable pesticide is important to reduce chemical resistance:

“Good long-standing, safe and reliable chemical that has stood the test of time.

“Its use is effectively and efficiently controlled by appropriate local authorities / regulators.”

“Can also use glyphosate a little more carefully (so as not to damage crop trees) but it's good to have a range of chemicals to avoid chemical resistance.”

However, stakeholders expressed the need to ensure controls are in place to ensure risk to no-target area is minimised:

“Can also use glyphosate a little more carefully (so as not to damage crop trees) but it's good to have a range of chemicals to avoid chemical resistance.”

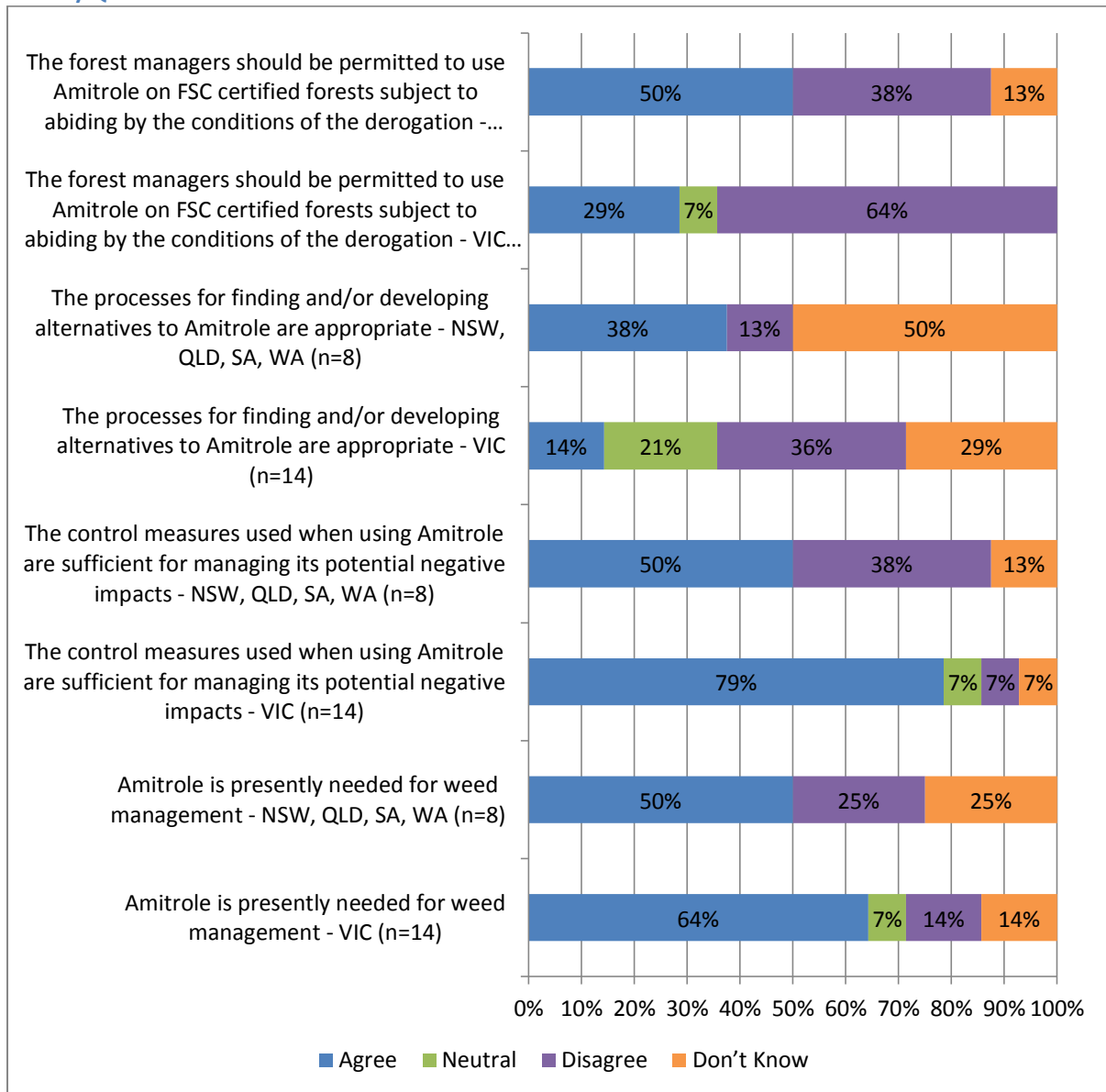
Table 6 and Figure 7 compare the acceptance of using Amitrole on FSC certified lands for Victoria and the combination of New South Wales, Queensland, South Australia and Western Australia (due to the low number of respondents within each state these responses were consolidated to retain anonymity).

Table 6: A comparison of acceptance of Amitrole within Victorian and Western Australian/New South Wales/Queensland and South Australian FSC certified forests

	Agree	Neutral	Disagree	Don't Know
Amitrole is presently needed for weed management - VIC (n=14)	64%	7%	14%	14%
Amitrole is presently needed for weed management - NSW, QLD, SA, WA (n=8)	50%	0%	25%	25%
The control measures used when using Amitrole are sufficient for managing its potential negative impacts - VIC (n=14)	79%	7%	7%	7%
The control measures used when using Amitrole are sufficient for managing its potential negative impacts - NSW, QLD, SA, WA (n=8)	50%	0%	38%	13%
The processes for finding and/or developing alternatives to Amitrole are appropriate - VIC (n=14)	14%	21%	36%	29%
The processes for finding and/or developing alternatives to Amitrole are appropriate - NSW, QLD, SA, WA (n=8)	38%	0%	13%	50%
The forest managers should be permitted to use Amitrole on FSC certified forests subject to abiding by the conditions of the derogation - VIC (n=14)	29%	7%	64%	0%
The forest managers should be permitted to use Amitrole on FSC certified forests subject to abiding by the conditions of the derogation - NSW, QLD, SA, WA (n=8)	50%	0%	38%	13%

As shown here, Amitrole is more accepted in NSW/QLD/SA/WA than Victoria with 50% of respondents agreeing that Amitrole should be permitted compared with 29% in Victoria, although the low number of respondents means that such findings need to be treated with caution. In all jurisdictions the need for Amitrole and the control measure used is accepted. However respondents are more cautious about the processes for finding alternatives, with a high proportion of survey respondents either disagreeing, or do not know if processes to find alternatives are appropriate.

Figure 7: Acceptance of Amitrole within Victorian and Western Australian/New South Wales/Queensland and South Australian FSC certified forests

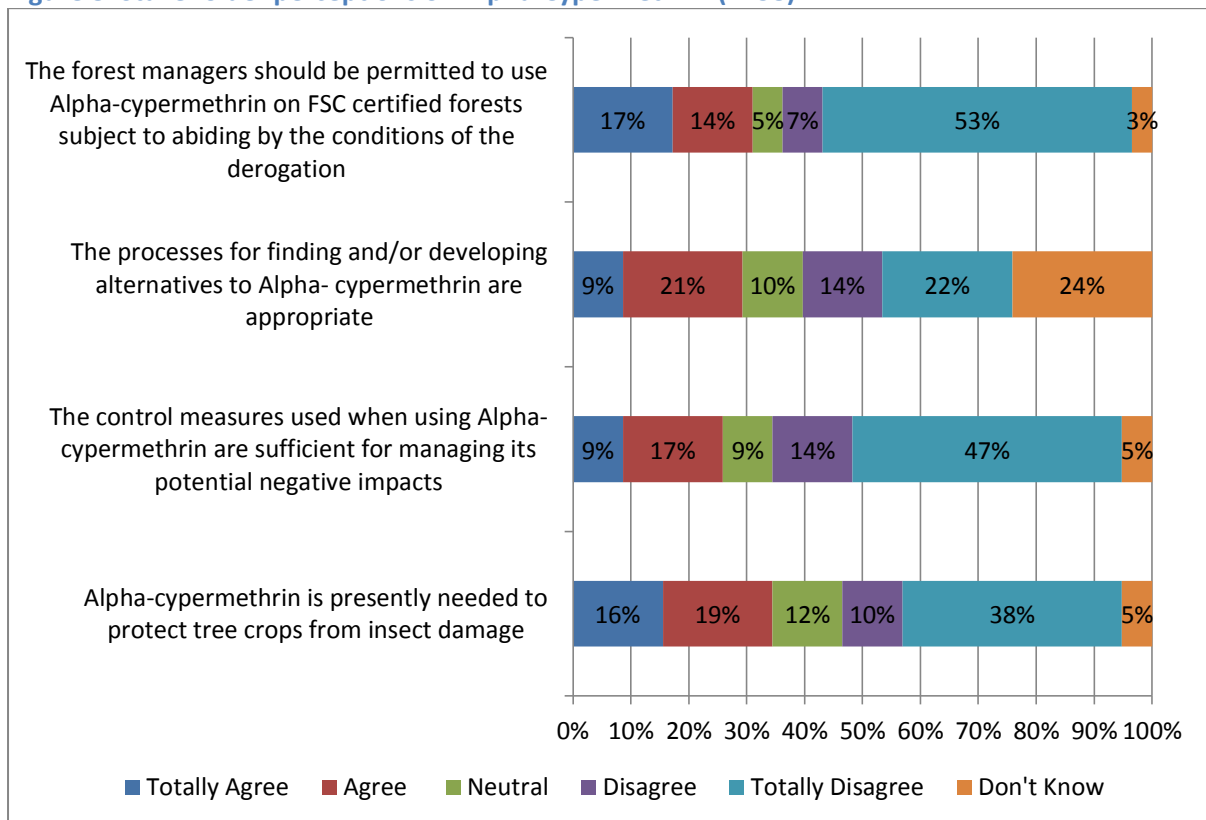


Alpha-Cypermethrin

Responding stakeholders do not accept the use of Alpha-Cypermethrin, with 60% of respondents disagreeing with the use of Alpha-Cypermethrin on certified land, and 21% agreeing (Figure 8). The perceived need for Alpha-Cypermethrin is questioned with 35% of survey respondents agreeing that there is a need to use the pesticide, and 48% disagreeing that there is a need.

Stakeholders are concerned about acceptable control measures given the perceived potential impacts of the pesticide, with 61% disagreeing that control measures provided in the draft derogations are sufficient.

Figure 8: Stakeholder perceptions on Alpha-Cypermethrin (n=58)



Stakeholders expressed significant concern over the use of Alpha-Cypermethrin due to its potential toxicity to the environment and human health:

“It is a broad spectrum insecticide that is highly toxic to fish, water insects, aquatic invertebrates and bees.”

“Any pesticide with this degree of toxicity and potential to cause harm should not be used anywhere ... we believe the use of Alpha-cypermethrin should not be considered for use given its highly toxic properties.”

“It is highly toxic to fish and highly toxic to bees... this is disastrous given the importance of bees and the other issues impacting bees.”

“Due to its acute toxicity to aquatic organisms, mammals and birds there is just too much risk involved with the use of this pesticide over such large areas in so many States.”

For some, aerial application further heightens this risk due to perceived increased risks of spray drift, although others feel that proper control measures such as buffers, and technical advances GPS tracking as being important and effective in reducing this risk:

“NO AERIAL SPRAYING [emphasis original] should be permitted of this or any other chemical as spray drift cannot be prevented.

“Aerial application of pesticides results in widespread and indiscriminate impacts on non-target species, and can affect water quality.”

“[Stakeholder] has concerns about Alpha-Cypermethrin due to aerial application, but as long as buffers are applied it can be used safely.”

“An excellent chemical for insect pest control in hardwood plantations. Modern DGPS tracking systems in aircraft have ensured application is accurately targeted and chemical is kept out of waterways.”

However, despite these improvements some stakeholders see that more work is needed on such control measures as the risks are too high for potentially affected stakeholders and the environment:

“The Tasmanian Code of Practice for Aerial Spraying has not been significantly upgraded since 1998. ... As it currently stands it does not provide adequate provisions to ensure that aerial spraying does not contaminate certified organic operations ... If our property is contaminated with a hazardous pesticide such as Alpha cypermethrin, we are likely to lose our organic certification.”

“Aerial spraying has great capacity to drift from target areas ... The water sampling technique, mid level/mid stream (relatively high flow) is not the habitat of most aquatic insects and may not be location of the highest concentrations of any contaminants present.”

The perceived environmental costs of using Alpha-Cypermethrin and perceived economic costs of not controlling pest insect populations are often difficult to reconcile, with some stakeholders concerned over the priorities of forest management organisations and the lack of efforts in finding safer alternatives:

“One of the criteria for chemical use of alpha cypermethrin (costs vs alternatives) makes it clear that economics are considered more important than human and environmental health ... So called ‘safe’ use in a forestry context can have impacts way beyond forestry operations ... what efforts have been made to find safer alternatives ? ... Is financial gain more important?”

“Invest money in the research for safer alternatives.....maybe more costly now but in the long term it will benefit everyone ... The report clearly states that there are alternatives

available but that they are more expensive. The forestry industry needs to factor this cost in."

"Forestry should spend the money and make sure less toxic pesticides get registered in Australia rather than just claim there is no alternative."

Some stakeholders are more pragmatic on the use of Alpha-Cypermethrin and see it as being an important, regulated and controlled pesticide that can be used safely when sufficient controls are put in place:

"The use is essential for control of leaf defoliating insects"

"This product is widely used in the agricultural industry for management of pests on crops. Forestry in Tasmania has strict controls on usage and if used appropriately it should be available for use"

"If leaf beetle populations are monitored to determine if controls are necessary after most natural predation has occurred the negative effects of applying alpha-cypermethrin are reduced if it is applied on this basis."

"This chemical has a known off-target negative impact on aquatic life. If to be used in environments where seasonally ephemeral wetlands and remnant water bodies are located - either in adjoining land or within remnants within forestry plantations; careful application to avoid run-off and contamination impacts must be observed."

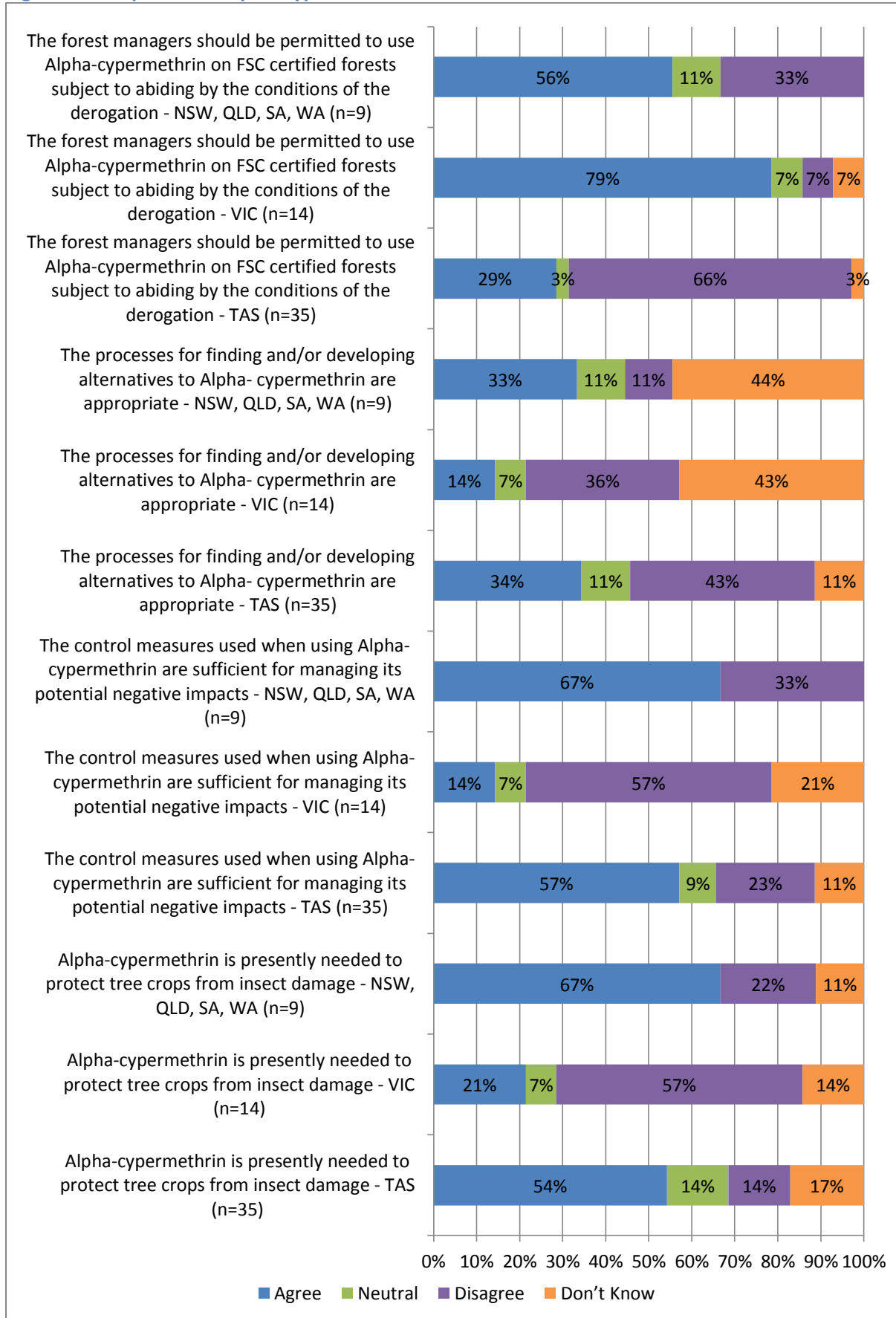
The acceptance of using Alpha-Cypermethrin on FSC certified lands for each of the relevant states is provided in Table 7 and Figure 9. Again New South Wales, Queensland, South Australia and Western Australia have been combined due to the low number of respondents within each state.

The acceptance of Alpha-cypermethrin for use on FSC certified lands varies considerably across each state, with Tasmanian survey respondents critical of its use with only 29% of respondents agreeing that forest managers should be able to use Alpha-cypermethrin on FSC certified forests, compared to 79% in Victoria and 56% across the other states. This is in stark contrast to survey respondent's perceptions of the need for Alpha-cypermethrin where 54% of Tasmanians agreed it was necessary, 67% of NSW, QLD, SA and WA, and only 21% of Victorians. This acceptance of the need is similar to the perceived sufficiency of control measures where again those interested in Victorian derogations were critical, with 57% disagreeing that control measures are sufficient, compared to 57% agreeing in Tasmania and 67% in NSW/QLD/SA and WA.

Table 7: A comparison of acceptance of Alpha cypermethrin for use on FSC certified forests across the states

	Agree	Neutral	Disagree	Don't Know
Alpha-cypermethrin is presently needed to protect tree crops from insect damage - TAS (n=35)	54%	14%	14%	17%
Alpha-cypermethrin is presently needed to protect tree crops from insect damage - VIC (n=14)	21%	7%	57%	14%
Alpha-cypermethrin is presently needed to protect tree crops from insect damage - NSW, QLD, SA, WA (n=9)	67%	0%	22%	11%
The control measures used when using Alpha- cypermethrin are sufficient for managing its potential negative impacts - TAS (n=35)	57%	9%	23%	11%
The control measures used when using Alpha- cypermethrin are sufficient for managing its potential negative impacts - VIC (n=14)	14%	7%	57%	21%
The control measures used when using Alpha- cypermethrin are sufficient for managing its potential negative impacts - NSW, QLD, SA, WA (n=9)	67%	0%	33%	0%
The processes for finding and/or developing alternatives to Alpha-cypermethrin are appropriate - TAS (n=35)	34%	11%	43%	11%
The processes for finding and/or developing alternatives to Alpha-cypermethrin are appropriate - VIC (n=14)	14%	7%	36%	43%
The processes for finding and/or developing alternatives to Alpha-cypermethrin are appropriate - NSW, QLD, SA, WA (n=9)	33%	11%	11%	44%
The forest managers should be permitted to use Alpha-cypermethrin on FSC certified forests subject to abiding by the conditions of the derogation - TAS (n=35)	29%	3%	66%	3%
The forest managers should be permitted to use Alpha-cypermethrin on FSC certified forests subject to abiding by the conditions of the derogation - VIC (n=14)	79%	7%	7%	7%
The forest managers should be permitted to use Alpha-cypermethrin on FSC certified forests subject to abiding by the conditions of the derogation - NSW, QLD, SA, WA (n=9)	56%	11%	33%	0%

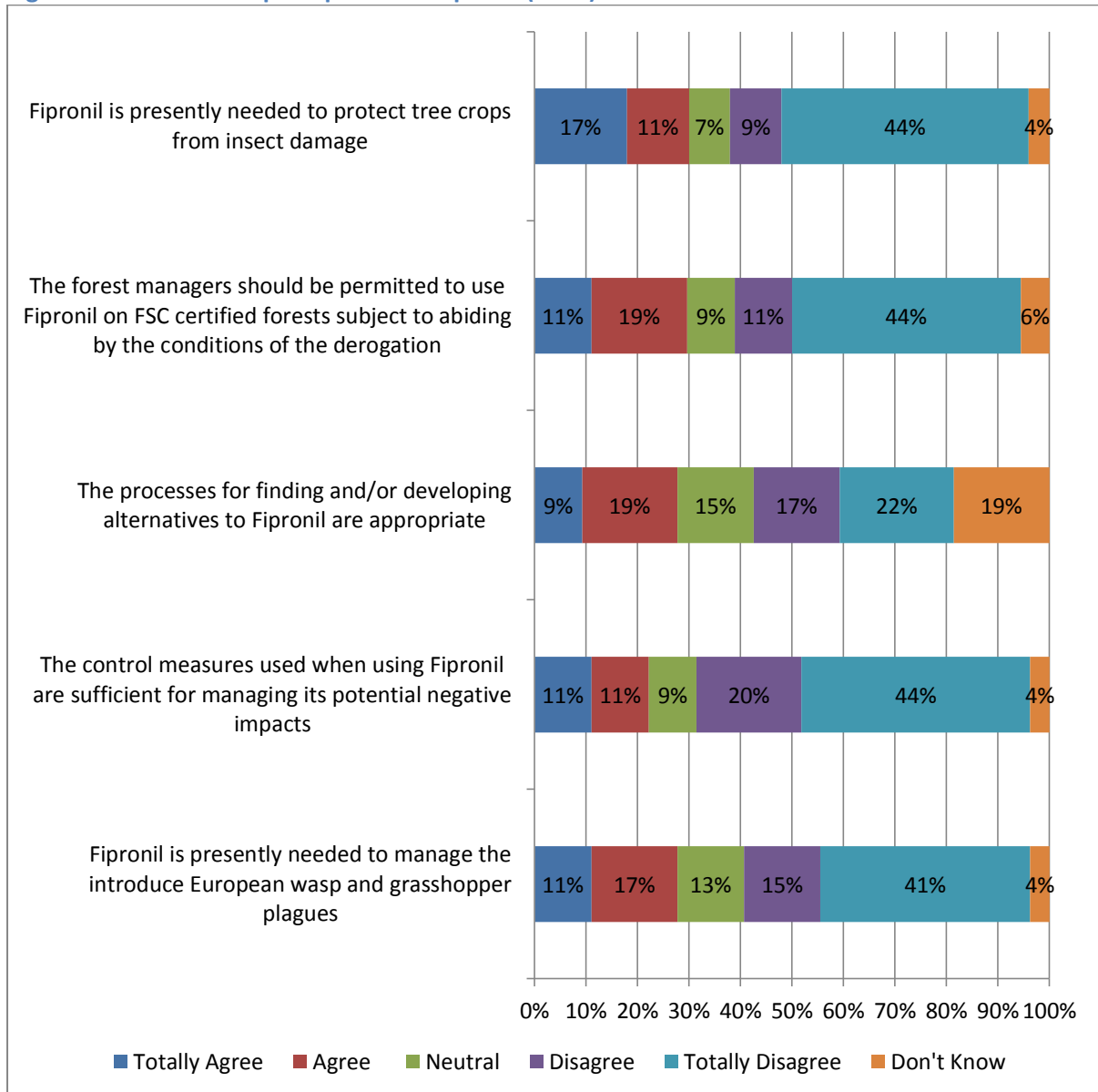
Figure 9: Acceptance of Alpha-Cypermethrin for use on FSC certified forests across the states



Fipronyl

Survey respondents predominantly disagreed (56%) with the use of Fipronil as provided in the draft derogation applications, with 30% agreeing with its use (Figure 10). Additionally stakeholders did not accept that there was a real need to use Fipronil to protect trees (53% disagreed), or to control European wasps and grasshoppers (56% disagreed). Stakeholders were highly concerned about the sufficiency of control measures given the potential impacts of the pesticide on non-target species, with 64% disagreeing that control measures detailed in the draft derogations were sufficient.

Figure 10: Stakeholder perceptions on Fipronil (n=54)



Like Amitrole and Alpha-Cypermethrin, many stakeholders are highly concerned about the use of Fipronil on FSC certified lands due to its toxicity and hence potential impact on environmental and human health:

“The potential hazards of Fipronyl make it inappropriate to use in plantations close to human habitation.”

“Fipronil was found to be highly toxic to some birds and to honey bees. Honey bees are already under immense pressure. No honey bees equates to long term no sustainable life.”

“Fipronyl is highly toxic to freshwater fish and invertebrates and it should not be used near or about water ways as minute quantities in waterways can kill fish and crustaceans”

There are also concerns over the use of aerial spraying to apply Fipronil given its toxicity:

“We are also concerned about the aerial application of all pesticides and the adverse impact this has on communities living adjacent to and in near proximity to these operations. Despite the latest technology spray drift, mobilisation through water tables and water courses poses threats to sensitive people.”

“Fipronyl has been banned in other countries. We should not be using this chemical particularly NO AERIAL SPRAYING [emphasis original] should take place.”

Some stakeholders questioned the need for Fipronil at all given the potential impacts:

“Being a resident, I do not believe either of these pests are a significant problem - I have a real issue for the impacts on birds, mammals and bees in our area, of which there are many! Perhaps for employee safety, proper safety clothing should be issued for wasps?”

“... In WA we rarely have grass hopper plagues and I haven't heard of grass hopper damage to blue gum plantations when they did occur. I am unsure of the European wasp situation however the death of beneficial insects and bees vastly outweighs any reason to use this highly hazardous chemical.”

“European wasps can be controlled by other means. Use of dangerous chemicals should be discouraged according to FSC principles.”

“Is it clear that the benefits of very occasional use in extreme circumstances only, outweigh the negatives? Again something with such acute toxicity should be a last resort not become part of standard practice.”

There is concern from some stakeholders regarding the effectiveness of control measures and the enforcement of breaches with such controls:

“The checks in place for its application, monitoring, frequency of use are not stringent enough. It is not enough that notices will be put up to notify communities....communities should have the right to say no to spraying in their area if the forestry industry cannot convince them otherwise.”

“Fipronil spray would require very careful management of off-target spray drift onto grazing land, high conservation land including that found within plantations, and water bodies within 1.5km of the spray zone.”

The acceptance of using Fipronil on FSC certified lands for each of the relevant states is provided in Table 8 and Figure 11. Again New South Wales, Queensland, South Australia and Western Australia have been combined due to the low number of respondents within each state.

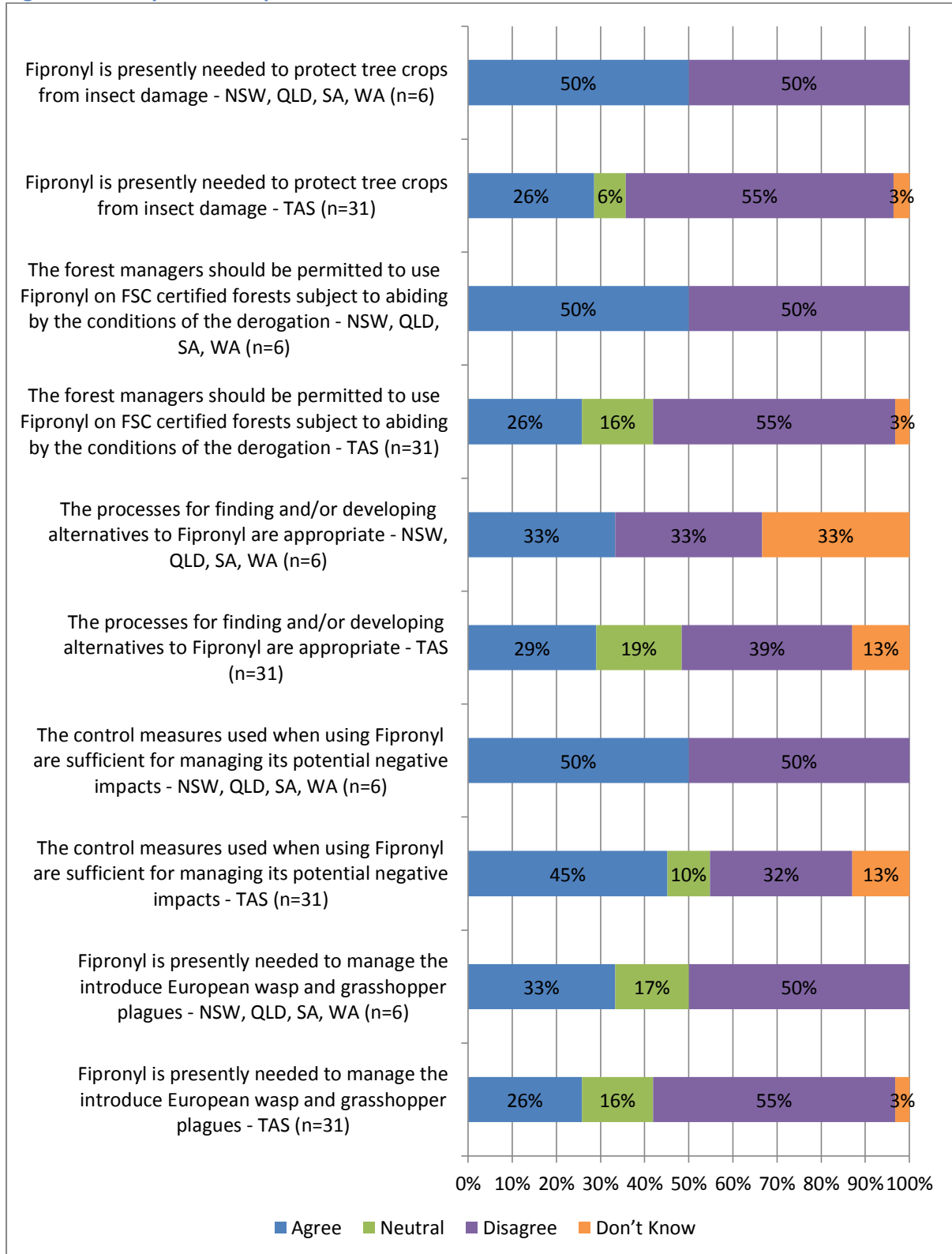
Table 8: A comparison of acceptance of Fipronil for use on FSC certified forests across the states

	Agree	Neutral	Disagree	Don't Know
Fipronil is presently needed to manage the introduce European wasp and grasshopper plagues - TAS (n=31)	26%	16%	55%	3%
Fipronil is presently needed to manage the introduce European wasp and grasshopper plagues - NSW, QLD, SA, WA (n=6)	33%	17%	50%	0%
The control measures used when using Fipronil are sufficient for managing its potential negative impacts - TAS (n=31)	45%	10%	32%	13%
The control measures used when using Fipronil are sufficient for managing its potential negative impacts - NSW, QLD, SA, WA (n=6)	50%	0%	50%	0%
The processes for finding and/or developing alternatives to Fipronil are appropriate - TAS (n=31)	29%	19%	39%	13%
The processes for finding and/or developing alternatives to Fipronil are appropriate - NSW, QLD, SA, WA (n=6)	33%	0%	33%	33%
The forest managers should be permitted to use Fipronil on FSC certified forests subject to abiding by the conditions of the derogation - TAS (n=31)	26%	16%	55%	3%
The forest managers should be permitted to use Fipronil on FSC certified forests subject to abiding by the conditions of the derogation - NSW, QLD, SA, WA (n=6)	50%	0%	50%	0%
Fipronil is presently needed to protect tree crops from insect damage - TAS (n=31)	26%	6%	55%	3%
Fipronil is presently needed to protect tree crops from insect damage - NSW, QLD, SA, WA (n=6)	50%	0%	50%	0%

Survey respondents in NSW/QLD/SA and WA were much more accepting of Fipronil than Tasmanian respondents, with 50% agreeing to use Fipronil on FSC certified lands compared to 26% in Tasmania. However, the sufficiency of control measures was relatively similar with 45% of Tasmanian respondents agreeing they were adequate and 50% of NSW/QLD/SA and WA respondents.

The need for Fipronil to control European wasps and grasshoppers was less accepted for QLD/NSW/SA and WA respondents (33%) than the need to protect tree crops from damage in general (50%), Tasmanian respondents did not agree with either of these needs with 55% of respondents disagreeing with both statements.

Figure 11: Acceptance of Fipronil for use on FSC certified forests across the states



Survey respondents awareness and acceptance of forest certification

Knowledge of Forest Certification

Respondents had a good understanding of forest certification, with 67% having heard of forest certification before, and 79% having heard of FSC (see Table 9). This knowledge of certification is not surprising given that stakeholders informed of the derogation process were primarily those registered on company of FSC Australia databases and hence had dealings with certified companies previously. Similarly, given that this survey is relating to an FSC process it is unsurprising that a reduced number of survey respondents were aware of the PEFC (33%).

However, stakeholder knowledge of certifying bodies was significantly less, with only 56% of responders aware of Rainforest Alliance, and less for other certifying bodies. This lack of knowledge of certifying bodies provides an insight into the poor depth of knowledge regarding forest certification of many stakeholders, highlighting that stakeholders are potentially aware of certification but have insufficient understanding of how forest certification works and hence limited capacity to engage in certification processes when requested and/or concerned about forest management practices of certified forest managers.

Table 9: Knowledge of forest certification and its organisations

Have you heard of...	Yes	% of Respondents
Forest certification	50	67%
Forest Stewardship Council (FSC)	59	79%
Programme for the Endorsement of Forest Certification (PEFC)	25	33%
Australian Forestry Standard (AFS)	55	73%
FSC Australia	49	65%
Rainforest Alliance	42	56%
Soil Association Woodmark	20	27%
Scientific Certification Services (SCS Global Services)	23	31%

Acceptance of forest certification

Figure 12 shows the level of stakeholder acceptance of forest certification, with 67% of respondents agreeing that forest certification should influence forest policy and 56% of respondents believing that forest certification has a positive influence on sustainable forest management.

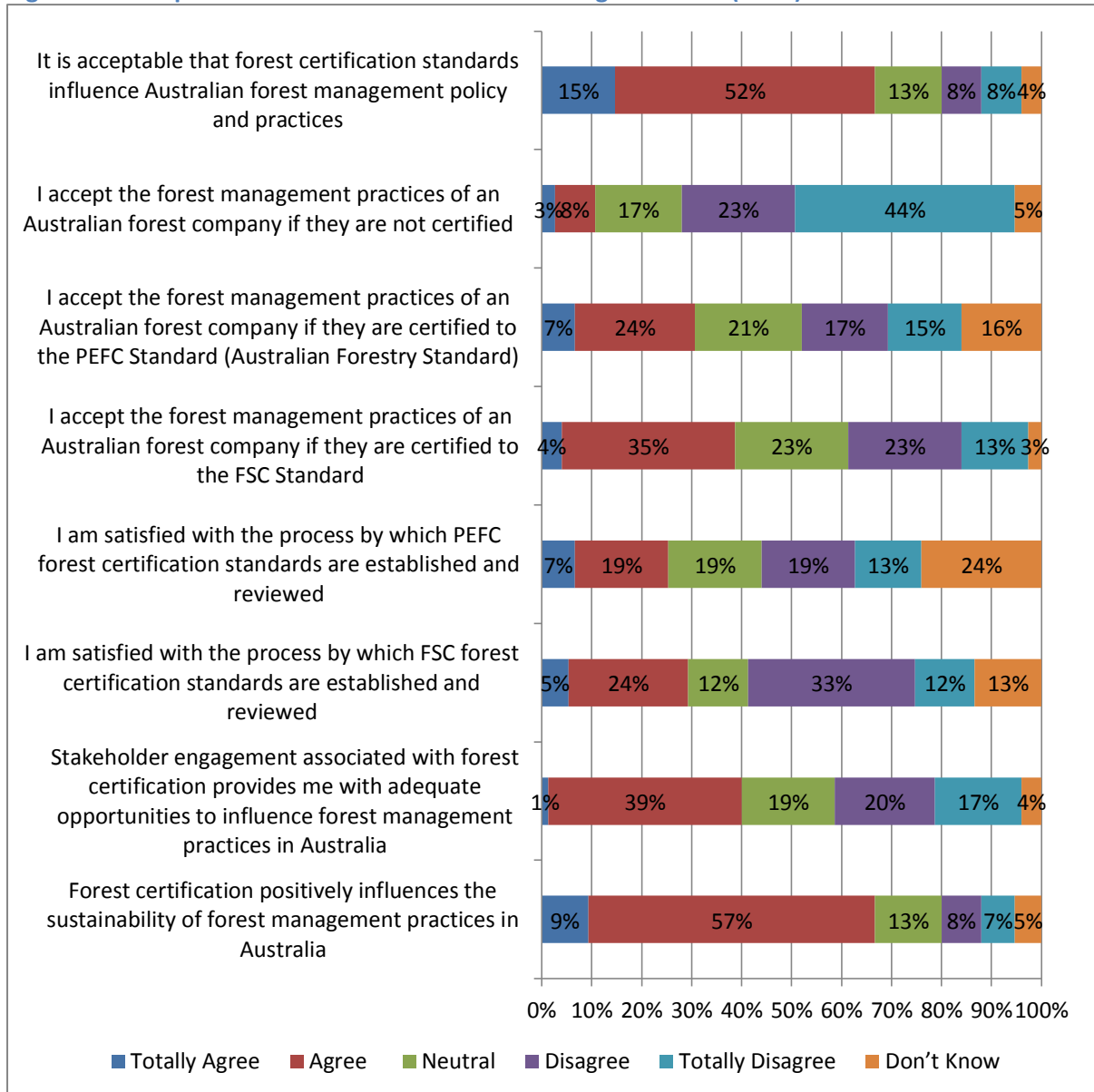
The forest management practices of non-certified organisations are not accepted by 67% respondents. However, there remains a low level of acceptance of certified organisations as well, with those certified to PEFC accepted by only 31% of survey respondents, and FSC certified organisations recording a slightly higher acceptance at 39%, with both having high levels of neutrality.

Similarly the establishment and review processes for each certification standard is questioned. More survey respondents were dissatisfied with the establishment and review processes than satisfied for

both certification standard schemes, with 32% dissatisfied with PEFC processes compared to 26% satisfied, and 45% of respondents dissatisfied with FSC processes and 29% satisfied.

This questioning of certification governance is further highlighted by the moderate level of acceptance with current opportunities for engagement in certification processes, with 40% of survey respondents satisfied with current engagement opportunities and 37% dissatisfied.

Figure 12: Acceptance of forest certification as forest governance (n=75)



FSC Highly Hazardous Pesticide Derogations – 2016

INTERIM Stakeholder Feedback Report

Appendices

Appendix 1 – Survey stakeholder feedback

The following details the feedback provided by survey respondents for each of the four pesticides where a derogation is being sought. This feedback has not been altered from the survey apart from formatting.

1080

Survey comments on 1080 include:	
1	I have lost 2 dogs to 1080 poisoning. It is a cruel poison resulting in a horrendous death for the animal (whether pest or pet). There is no way to guarantee that non-targeted species will not be affected, nor that animals will not unduly suffer. 1080 should be banned, period! There are other forms of pest control that could be utilised without the cruelty.
2	1080 is an extremely cruel poison which has a huge impact on non targeted species refer to CSIRO Publishing Wildlife Research 2003 30,147-149 Effects of bait station design on the uptake of baits by non target animals during control program for foxes and wild dogs. Glen and Dickman UNSW 2006 Australia. / The larges surviving marsupial carnivore on mainland Australia: the Tiger or Spotted-tailed Quoll Dasyurus maculatus, a nationally threatened forest dependent species. Pp 612-623 in the Conservation of species in Australia's Forests Fauna second edition 2004 edited by D. Lunney Royal Zoological Society of NSW /
3	The use of 1080 should be prohibited entirely
4	Its use is effectively and efficiently controlled by appropriate local authorities/regulators.
5	1080 Also has been shown to impact the native fauna, specifically endangered quolls and Devils. There needs to be alternatives to this toxin that mitigates this loss
6	1080 is an effective tool in the management of pests. It is widely used in Tasmania by the Agricultural industry. If it is used and controlled appropriately then it should be available for use in specific situations
7	whilst I agree wallaby populations are in almost plague proportions I find 1080 a most cruel and slow avenue in pest control. I would be more open to an agent or methodology that provides instantaneous death than the suffering inflicted by internal haemorrhage and pain. Whilst the literature indicates that dosages intended for wallaby will not affect other wildlife I cannot condone the deaths to the native carnivores/birds of prey which forestry seems to think acceptable collateral damage. However there does not seem to be an acceptable alternative. Sadly the wallaby do not die where they are poisoned and travell often onto neighbouring properties to die leaving landowners to dispose of cantaminated carcasses this is not acceptable
8	Australian wildlife is being decimated by introduced predators. Unfortunately poisons such as 1080 are needed to control predators that are pushing small mammals and some bird and reptile species to extinction. Banning the use of 1080 though certification under the FSC would be disastrous to many threatened species. Banning 1080 would bring into question whether FSC seeks to protect biodiversity or impose politicly motivated policies on privately and publicly owned land. / / The conditions of the derogation should mirror those legislated or otherwise approved by the elected representatives of Australia.
9	usage should be minimised and in conjunction with an education /information process for community. Time to remind

10	Use of 1080 to target native species is questionable
11	It is irresponsible to even consider using 1080. We have had direct disasters with working dogs as a result of 1080 being used in the plantations. We witnessed the agonising death of 2 dogs and the symptoms displayed: incontinence, diarrhea, excessive salivation, bursts of painful violent activity before the clonic phase with the dogs crawling, biting, eyes rolling back, rapid breathing before they die - an excruciating, slow and agonising death. We were driving our sheep up the road adjacent to the plantations, the dogs were not inside the perimeter of the plantations; foxes or other wildlife obviously moved the baits or the baits were incorrectly laid (it is common knowledge that foxes do not eat the baits, but may store them or move them, as will birds). Morally, we cannot condone the death of any animal in this way and it is known not to be an effective control of foxes. We cannot, in any way, support the use of 1080. Working dogs are expensive, an essential part of our livelihood and take years to train.
12	1080 is a cruel and inhumane pesticide that also impacts native wildlife
13	1080 is a cruel and inhumane pesticide that also impacts native wildlife and domestic animals and will go into waterways.
14	The only effective way to manage fox numbers in plantations is through baiting. This method is effective and used widely in other areas and National Parks.
15	1080 is found naturally in WA native plants. its use on pest species such as foxes, cats and dogs is well controlled and very effective. It is used by National Park Managers why would we not, under controlled conditions use it on our plantation lands.
16	I think as long as the notification process is adhered to along with all the safety measures then use of 1080 is acceptable.
17	In the South-West of Western Australia foxes (and feral cats) have a high negative impact on native fauna - both through predation, and competition, as well as on the agricultural sector through the loss of livestock (namely sheep). The impact of 1080 ingestion by native animals within this region is negligible, and extremely unlikely to result in mortality, making it an appropriate poison in the control of introduced pests. Whilst the target species suffer an unpleasant death, the need for on-going control of these introduced predators is imperative in the conservation of native fauna. Ingestion by domestic animals, e.g. dogs, is unlikely if baiting is undertaken following the SOP's, and if adjacent landholders take note of baiting signs and restrain their animals accordingly to prevent them from entering the properties where 1080 baits have been laid.
18	1080 has no known antidote. Fsc certification should be directed away from dependence on toxic chemicals. Continued use of this chemical does not encourage hvp to seek alternative methods of pest control.
19	/ 1080 is essential for the control of rabbits, particularly in forest plantations. / Rabbits must be controlled to avoid numbers building up to plague proportions. /
20	1080 kills quolls. The community got it banned in Gippsland in the late 1980's. The company developed alternatives to 1080. We are going back 30 years in re-introducing it into Gippsland
21	I agree that the use of 1080 in FSC forests is essential to prevent these forests becoming habitat for feral species and to combat the damage feral animals inflict on native species and domestic farm animals.

22	no info provided on hardcopy surey
23	Our property is adjacent to a plantation forest and as a direct result of the plantation company laying 1080 baits to control foxes we have lost over several years three dogs. Proponents of baiting DO NOT realise that wildlife pick up the baits and drop them randomly, and in the case of foxes, often make nests of them in burrows. We are highly sceptical of baiting effectiveness and consider the risks associated with its use, make the practice unacceptable.
24	If 1080 is contained so that only the feral animals ingest it then that is OK.
25	What work has been done to elimiate this. Why are derogations renewed when companies are meant to phase aout over first 5 years? I oppose all derogation renewals.
26	Forestry is a major landholder in the region of several highly vunerable fauna species. Without the ability to use 1080 subject to appropriate control, the scale at which integrated pest management to protect these vulnerable native fauna would not be possible. Therefore we support its continued use in forestry to support projects conducted by other land managers in the vicinity.
27	Particularly in WA, where i live, the natives are unaffected. It's THE BEST solution to managing pest animals here.

Amitrole

Survey comments on Amitrole include:

- 1 AMITROLE (Quotes below: <http://www.cdc.gov/niosh/docs/81-123/pdfs/0027.pdf>) / / 3. Hazardous decomposition products: Toxic gases (such / as oxides of nitrogen) may be released in a fire involving / amitrole. / / The use of amitrole on food crops is now banned in the / United States... / / NIOSH has also recommended that amitrole be considered / a potential occupational carcinogen and that exposure be / limited to the lowest feasible concentration [NIOSH 1992]. / / 1. Effects on Animals: Amitrole is a potent antithyroid agent / and an animal carcinogen. / / A number of subchronic studies via oral routes of / administration have established the thyroid as the primary / target organ of amitrole toxicity. / / In addition, rats fed amitrole in drinking water (12 to 14 mg/day) / developed goiter and showed histologic evidence of thyroid / pathology at autopsy [Clayton and Clayton 1981]. Dietary exposure / of breeding pairs of rats to amitrole caused reduced growth and / viability of offspring [IARC 1986], and oral administration / to pregnant mice caused fetotoxicity [NLM 1991]. In vitro / mammalian test systems indicate that amitrole is also / mutagenic [NIOSH 1991]. Amitrole has been tested for / carcinogenicity in mice (by oral administration, skin application, / and transplacental exposure), in rats (by oral and subcutaneous / administration), and in hamsters (by oral / administration). Orally, this substance produced thyroid / tumors, liver carcinomas, and benign and malignant liver / tumors in mice of both sexes; it also caused benign and / malignant (adenocarcinomas) thyroid tumors in rats of both / sexes, and benign pituitary tumors in female rats [IARC / 1987]. On the basis of these studies, the International Agency / for Research on Cancer (IARC) has concluded that the / evidence for the carcinogenicity of amitrole in animals is / sufficient [IARC 1987]. / / 2. Effects on Humans: Amitrole is a thyroid toxin in / humans. On the basis of effects seen in animals, this substance / is also a potential occupational carcinogen. There / have been no reports of signs or symptoms in exposed / individuals, but extrapolations from animal data suggest that / dyspnea, muscle spasms, fasciculations, ataxia, anorexia, / salivation, and increased body temperature could occur / [NLM 1991]. A single oral dose of 100 mg of amitrole given / to volunteers inhibited thyroid iodine uptake for 24 hr after / administration; the volunteers included healthy persons as / well as individuals with hyperthyroidism [ACGIH 1991a]. / Ingestion of 20 mg/kg of a commercial preparation / (30% amitrole) by a 39-year-old woman did not induce / signs or symptoms of toxicity [NLM 1991]. A small cohort / study of Swedish railroad workers exposed for 45 days or / more to amitrole, other pesticides, and organic and inorganic / chemicals revealed an excess number of deaths from / cancer. A subgroup of these workers exposed both to / amitrole and chlorophenoxy herbicides had an increase in / cancer mortality that was statistically significant; however, / in the subgroup exposed primarily to amitrole alone, no / significant excess was seen [IARC 1987]. On the basis of / this study, IARC has concluded that the evidence for the / carcinogenicity of amitrole in humans is inadequate [IARC / 1987]. / / My Comment: What the above inadequate statement is avoiding is that environmental SYNERGIES of chemical combinations have absolutely unknown ramifications overall. Synergies are mercurial, almost 'immortal', complex and unpredictable. They introduce profound levels of toxicity vigorously where little toxicity was (wrongly) indicated by the previous wholly unsophisticated paradigm of toxicology (e.g. AMPA as a metabolite of Glyphosate). Toxicology studies of individual chemicals that indicate "no or low toxicities" are bankrupt in terms of the new reality of cumulative exposures AND environmental synergies. Cumulative exposures and complex environmental synergies are the developing scientific basis for class actions. These lawsuits will highlight gross scientific and Public Health incompetence and negligence in terms of Duty of Care and The Precautionary Principle. As well, the ever increasing population of those afflicted with Multiple Chemical Sensitivity will be seen as a Disability group particularly at risk in terms of multiple industrial (especially) pesticide

	conveniences.
2	Good long-standing, safe and reliable chemical that has stood the test of time.
3	Its use is effectively and efficiently controlled by appropriate local authorities/regulators.
4	known/probable carcinogen, known groundwater pollutant
5	The conditions of the derogation should mirror those legislated or otherwise approved by the elected representatives of Australia.
6	Amitrole causes cancer. In 1971 the EPA cancelled the use of Amitrole on food crops. Although the plantations are not food crops, anything that has the potential to cause cancer should not be used in any form whatsoever. Amitrole has been classified as an human carcinogen by EPA because of the probable evidence for cancer induction in experimental animals. It is not worth the risk to human health. There is a moderate potential for groundwater contamination - any potential for groundwater contamination makes it therefore inappropriate to use.
7	There can be no 'safe' levels of an endocrine disrupting pesticide in the environment. There are alternatives but the excuse given is they cost more. That cost needs to be born by forest managers and not the environment and communities by exposing them to an endocrine disrupting pesticide!
8	There are no 'safe' levels of this endocrine disrupting pesticide in the environment. There are alternatives but apparently they cost more and therefore the derogation is allowed. That cost needs to be born by forest managers/companies and not the environment and communities exposed to an endocrine disrupting pesticide!
9	Gippsland is a goitre area. Amitrole impacts on thyroid function. It's also a carcinogen and suspected endocrine disruptor.
10	Amitrole was banned in the US in 1971 on all food crops and is a human carcinogenic. Even with best practice risk management it is not possible to 100% guarantee no contamination due to spray drift. Totally disagree with using this.
11	no info provided on hardcopy survey
12	Highly toxic to aquatic organisms
13	What work has been done to eliminate this. Why are derogations renewed when companies are meant to phase out over first 5 years? I oppose all derogation renewals.
14	Is the application method limited to ground application?
15	Consideration of spray drift onto adjoining grazed land and into reserves containing native vegetation (including high conservation road sides) needs to be addressed by spray contractor used.
16	Can also use glyphosate a little more carefully (so as not to damage crop trees) but it's good to have a range of chemicals to avoid chemical resistance.

Alpha Cypermethrin

Survey comments on Alpha-Cypermethrin include:

- 1 We have had plantation replanted within the last 12 months with no spraying and all seedlings have survived!!
- 2 These insecticides are known to have adverse impacts on non target species and are mobilised in water post rainfall. / Refer to Environmental Science and Technology Effects of Pesticides Monitored with three Sampling Methods in 24 sites on macroinvertebrates and microorganisms. Shafer, Pettigrove, Rose, Wight et al ACS Publications received September 2010 Accepted December 2010 Revised December 2010
- 3 Spray drift on the day of spraying is not the major migration effect evident. Drift can also occur in a form that is entirely non-visible and almost totally undetectable, that is, "vapor drift (off-target movement when a pesticide evaporates from a sprayed surface)" (Owens & Feldman 2004:16). / / Note: "...the full range of drift cannot be detected visually" (Cordell & Baker 1998:1). Further: "Drift isn't limited to the period during or immediately after an application since it can occur hours or even days later... Days after application, pesticides can volatilize into a gas. Low levels of pesticides may be carried long distances by air currents. Vapor drift from a legal pesticide application is sometimes difficult to predict..." (ibid:2). The distinction being made here is "...primary particle drift and secondary vapor drift" (Cordell & Baker 1998:1). The somewhat lagged and staccato vapor drift is therefore pictured as "frequent, lower doses that drift by invisibly throughout the growing season, contaminating... air, water and food" (Peeples 2012). / / See: CHEMICAL & GMO APOCALYPSE: INDUSTRIAL BAD SCIENCE, CORRUPTION & FASCISM, PESTICIDE-CHEMICAL-GMO-TRANSGENE-POLLEN-ENDOTOXIN POLLUTION, & HUMAN HEALTH & BEHAVIOR META-IMPLICATIONS / Research Consensus On Pesticide, Endotoxin & Transgene Mobility, Exposures & Toxicity, Environmental Insults, Pandemic Ramifications (Extinction Potential) & Our Dying Civilization. Briefly: The Right Type of Farming & Innovative Non Or Low-Toxic Herbicide Alternatives For Plantations & Crops As A Small, Pleading Signature of Good Sense & Potential. / / Essay URL: <http://poisonedpeople1.wordpress.com/2014/03/12/chemical-gmo-apocalypse-industrial-bad-science-corruption-fascism-pesticide-chemical-gmo-transgene-pollen-endotoxin-pollution-human-health-behavior-meta-implications/> / / A spray event cannot avoid poisoning people, and that over extended periods of time, especially over the warmer and drier months.
- 4 It is highly toxic to fish and highly toxic to bees... this is disastrous given the importance of bees and the other issues impacting bees. There is no guarantee sprays will not drift or run off into our waterways and in our case the Russell River - totally unacceptable. Also no guarantee that drift will not come onto our land, pasture and vegetable gardens.
- 5 An excellent chemical for insect pest control in hardwood plantations. Modern DGPS tracking systems in aircraft have ensured application is accurately targetted and chemical is kept out of waterways.
- 6 Its use is effectively and efficiently controlled by appropriate local authorities/regulators
- 7 this product is widely used in the agricultural industry for management of pests on crops. Forestry in Tasmania has strict controls on usage and if used appropriately it should be available for use
- 8 Effects of cypermethrin on human health and / the environment depend on how much / cypermethrin is present and the length and / frequency of exposure. Effects also depend on /

<p>the health of a person and/or certain / environmental factors. / Scientists have no data from work-related, accidental / poisonings, or epidemiological studies that indicate / whether or not cypermethrin is likely to cause / reproductive problems or birth defects in humans / As some aforested areas are also used for recreation I am concerned about its toxicity</p>
<p>9 This is a particularly dangerous measure that can impact across the board...'acute toxicity to mammals and birds and aquatic organisms'.In tasmania there are two further considerations....the unique native bee already threatened...and the fact that in country areas that often boarder forestry people live on tank rain water or water pumped from streams all highly susceptable to blow off. / We do not want the application of any further chemicals of this toxicity, country tasmania has being seeing the marked improvement of wildlife and particularly birds numbers since the reduction of toxic chemicals previously used in agriculture and in particular the fruit industry. Do not allow the country to go backwards. / Invest money in the research for safer alternatives.....maybe more costly now but in the long term it will benifit everyone. / One industry...plantation forestry...should not be allowed to conduct bad practise that puts the health of people mammals birds and aquatic organisms at risk just so that one industry can make a faster/larger profit. / The report clearly states that there are alternatives available but that they are more expensive.The forestry industry needs to factor this cost in.</p>
<p>10 This is a highly toxic insecticide, (an endocrine disruptor as well as an acute toxin) in the highly hazardous group, and should not be allowed to be used let alone aerially sprayed in water catchments. A derogation by FSC is simply unacceptable.</p>
<p>11 The conditions of the derogation should mirror those legislated or otherwise approved by the elected representatives of Australia.</p>
<p>12 The use is essential for control of leaf defoliating insects</p>
<p>13 The most significant aspect of the leaf beetle problem is the very high natural predation of leaf beetle eggs and young larvae by a range of insect predators, particularly ladybird beetles and soldier beetles. If leaf beetle populations are monitored to determine if controls are necessary after most natural predation has occurred the negative effects of applying alpha cypermethrin are reduced if it is applied on this basis.</p>
<p>14 Again Alph-cypermethrin has the potential for ill effects in humans. Exposure by animals has shown that there are developmental delays caused in young, and it is classified as a possible human carcinogen because it causes an increase in the frequency of lung tumours in femal mice. Cypermethrin has been linked to an increase in bone marrow micronuclei in both mice and humans. It cannot be condoned for use in the plantations, especially with our proximity to the plantations.</p>
<p>15 Due to its acute toxicity to aquatic organisms, mammals and birds there is just too much risk involved with the use of this pesticide over such large areas in so many States. Forestry should send the money and make sure less toxic pesticides get registered in Australia rather than just claim there is no alternative. Spray buffers do little to protect sensitive aquatic ecosystems when rainfall events occur and pesticides are washed into watercourses.</p>
<p>16 Toxic to fish and bees. We run a fish farm within 7 kilometres of a forestry site and the risks are to great to use this product.</p>
<p>17 I work at a Salmon Hatchery that is within 7 kilometres of Forestry Clearing and replanting and this product could seriously affect the viability of this business</p>

<p>18 Due to its acute toxicity to aquatic organisms, mammals and birds there is just too much risk involved with the use of this pesticide over such large areas in so many States. Forestry should send the money and make sure less toxic pesticides get registered in Australia rather than just claim there is no alternative. Spray buffers do little to protect sensitive aquatic ecosystems when rainfall events occur and pesticides are washed into watercourses. / This insecticide persists in sediments, and research is continuing to demonstrate the adverse effects of alpha-cypermethrin - endocrine disrupting effects, neurotoxic effects as well as those of acute toxicity- and it is currently classified as a highly hazardous pesticide.</p>
<p>19 The potential to harm Mammals, Birds, and bees etc. It is not necessary and the expense would be better spent elsewhere.</p>
<p>20 This broad spectrum pesticide should NEVER be permitted near any water catchment. It is essentially a neuro toxin and particularly damaging to babies and young children. / There is nothing sustainable or environmentally responsible in permitting the use of this chemical. / If a derogation is provided for the use of this then the FSC standards are a farce. / The question is: Do you sacrifice the trees for the health of the people. OR Do you sacrifice the people for the health of the trees?</p>
<p>21 This chemical is far too toxic to birds and aquatic life and should not be used at all. Furthermore NO AERIAL SPRAYING should be permitted of this or any other chemical as spray drift cannot be prevented.</p>
<p>22 toxic to some water based life in parts per trillion</p>
<p>23 The broad spectrum nature of Alpha-cypermethrin concerns me with regard to its effect on beneficial insects and bees</p>
<p>24 Has resulted in significant mortalities of marine bivalves in our catchment</p>
<p>25 The use of Alpha-C poses unacceptable public and environmental health risks. It is a suspected endocrine disrupter with risk of acute toxicity in mammals. Although the chemical is believed to bind with organic matter, the method for testing its continued existence in waterways is inconclusive. With these plantations occurring in so many TAS water catchments, water safety is severely compromised, particularly given the steep topography with associated risks of pesticide run-off. Mono-culture eucalyptus plantations necessitate the continued use of dangerous chemicals due to a complete absence of natural pest resistance.</p>
<p>26 Alpha-cypermethrin is a neuro - toxin and should not be permitted to be used in a water catchment area.</p>
<p>27 If the forests were managed for biodiversity then chemical management would not be necessary. It is unacceptable to be using chemicals in water catchments especially in a Tasmania where cancer rates are so high.</p>
<p>28 What work has been done to eliminate this. Why are derogations renewed when companies are meant to phase out over first 5 years? I oppose all derogation renewals. FSC can't allow this highly toxic substance to be used at all.</p>
<p>29 We live in an area where our water catchment (including drinking water and for certified organic farming) will be adversely affected by the use of Alpha-cypermethrin. As it bonds to organic matter it can't be easily detected in water testing but studies provided by our community medical practitioner indicate that there are risks to health (at least in rats) as this is</p>

an ED chemical - an endocrine disruptor - meaning that it can affect the health and well-being (and normal development of) children in particular. As all of the residents of our community have chosen to live here for the clean air and water, as well as the good soil for farming and the health of the food we produce, the use of a Highly Hazardous chemical that can enter our only water supply is totally unacceptable.

- 30** This chemical has a known off-target negative impact on aquatic life. If to be used in environments where seasonally ephemeral wetlands and remnant water bodies are located - either in adjoining land or within remnants within forestry plantations; careful application to avoid run-off and contamination impacts must be observed.

Fipronyl

Survey comments on Fipronyl include:

- 1 Being a resident, I do not believe either of these pests are a significant problem - I have a real issue for the impacts on birds, mammals and bees in our area, of which there are many! Perhaps for employee safety, proper safety clothing should be issued for wasps?
- 2 Will need to provide attachments
- 3 Environmental Science and Technology Effects of Pesticides Monitored with 3 sampling methods in 24 sites on macroinvertebrates and microorganisms Shafer, Pettigrove, Rose et al ACS Publications Accepted December 2010 revised December 2010. / This paper highlights the fact that these insecticides are by no means benign in their application. / / We are also concerned about the aerial application of all pesticides and the adverse impact this has on communities living adjacent to and in near proximity to these operations. Despite the latest technology spray drift, mobilisation through water tables and water courses poses threats to sensitive people. / / It is the accumulative effect even of doses well below accepted thresholds which pose the most serious risk to many people.
- 4 FIPRONYL / FIPRONIL (QUOTES:
<https://www.beyondpesticides.org/pesticides/factsheets/Fipronil.pdf>) / / Symptoms of exposure to fipronil include / headache, nausea, dizziness, and weakness / -symptoms typically associated with / the antagonism of GABA receptors in the / brain.¹³ In pets, poisoning symptoms include / irritation, lethargy, incoordination, / and convulsions.¹⁴ It may cause mild irritation / of the eyes and slight skin irritation, but / is not a skin sensitizer.¹⁵ Adverse effects in shortterm / studies have been observed in the central / nervous system for all test species used, and / in the liver and thyroid for the rat.¹⁶ It has moderate / acute toxicity by oral and inhalation routes / in rats. It is of moderate dermal toxicity to rabbits, / and is less toxic to mammals than to fish, some / birds, and invertebrates. Severe skin reactions to / Frontline Topspot for cats and Topspot for / dogs have occurred, with skin irritation / and hair loss at the site of application. / / Once absorbed, fipronil is rapidly metabolized / and residues widely distributed in tissues / where significant amounts of residues / remain, particularly in fat and fatty tissues. / Levels of residues in fat and other tissues are / greater with repeated exposures to low doses / or a single high dose exposure than with / a single low dose. The long half-life (150-245 / hr in some cases) of fipronil in blood may / reflect slow release of residues from fat and / might suggest potential bioaccumulation of / metabolic products of fipronil.¹⁷ / / Neurotoxicity / Fipronil has demonstrated neurotoxicity in / the acute and subchronic rat neurotoxicity / studies, as well as in the rat chronic/oncogenicity / and chronic dog studies... / / A study by Lassiter et al. found that fipronil / inhibited DNA and protein synthesis in undifferentiated / neuronotypic PC12 cells and / evoked oxidative stress, resulting in reduced / cell numbers... / / Endocrine Disruption / Fipronil can disrupt thyroid function – responsible / for the regulation of cell metabolism- / by decreasing plasma concentrations / of total thyroxine (T4) likely through increased / T4 clearance... / / Carcinogenicity / Fipronil is carcinogenic to rats at doses of / 300 ppm, causing thyroid cancer - thyroid / follicular cell tumors - related to disruption / in the thyroid-pituitary status, and is classified / by EPA as a Group C (Possible Human) / carcinogen based on the rat carcinogenicity / study... / / Metabolites / Fipronil has several break-down products / including: fipronil-sulfone (MB46136), / fipronil-thioether (MB45950) and fipronildesulfinyl / (MB46513). Fipronil-sulfone, / the primary biological metabolite of fipronil, / and fipronil-thioether have a similar / toxicological profile to fipronil, even though / fipronil-sulfone is reportedly six times more / potent in blocking vertebrate GABA-gated / chloride channels than fipronil. Fipronildesulfinyl / however, appears to be about / 10 times more acutely toxic to mammals / and more persistent than fipronil itself.^{28,29} / Fipronil-desulfinyl is not an animal or plant / metabolite,

<p>rather it is a photodegradata / of fipronil - meaning it forms when the / parent compound fipronil is exposed to / sunlight.30... / / In regards to the immediately above, see my previous notes on vapor drift and note that both represent long-term dynamics in terms of toxicity. / / Effects on Wildlife / Fipronil is highly toxic to fish and aquatic / invertebrates, highly toxic to bees, highly / toxic to upland game birds, and moderately / toxic to waterfowl, but is practically / non-toxic to mallard ducks and other bird / species. Some fipronil formulations present / a risk to endangered bird, fish, and aquatic / and marine invertebrates.33 The metabolite / fipronil-sulfone is more toxic to birds, and / both fipronil-sulfone and fipronil-thioether / are more highly toxic to freshwater invertebrates / than fipronil itself.34 There is evidence that / fipronil and some of its degradates may / bioaccumulate, particularly in fish.35 Stehr / et al. discovered that fipronil can also impair / the development of spinal locomotor / pathways in fish by a mechanism unrelated / to its effect on the GABA receptor.36 / / It is obvious that Fipronil is an ENVIRONMENTAL DISASTER.</p>
<p>5 It is highly toxic to fish and highly toxic to bees... this is disastrous given the importance of bees and the other issues impacting bees. There is no guarantee sprays will not drift or run off into our waterways and in our case the Russell River - totally unacceptable. Also no guarantee that drift will not come onto our land, pasture and vegetable gardens.</p>
<p>6 Its use is effectively and efficiently controlled by appropriate local authorities/regulators</p>
<p>7 fipronil was found to be highly toxic to some birds and to honey bees. Honey bee are already under imense pressure. No honey bees equates to longterm no sustainable life.</p>
<p>8 Is it clear that the benifits of very ocssional use in extreme circumstances only, out weigh the negatives? Again something with such acute toxicity should be a last resort not become part of standard practice. / the danger of industry becoming complacent in its use if this is passed in its current form are high.The checks in place for its application , monitering,ffrequency of use are not stringent enough. It is not enough that notices will be put up to notify communities....communities should have the right to say no to spraying in their area if the forestry industry cannot convince them otherwise. / the only thing i can see in favour of this chemical is that IF there was a major outbreak of european wasp it could be used as a last resort to protect tasmanias native bees.</p>
<p>9 The conditions of the derogation should mirror those legislated or otherwise approved by the elected representatives of Australia.</p>
<p>10 The potential hazards of Fipronyl make it inappropriate to use in plantations close to human habitation.</p>
<p>11 Fipronil is acutely toxic to mammals and birds. Conclusions of the worldwide integrated assessment on the risks of neonicotinoids and fipronil to biodiversity and ecosystem functioning found that the present scale and patterns of use combined with the systemic, toxic, and persistent nature of neon's and fipronil, pose high risks of widespread contamination of soils, water, wetlands, and plants. There is a growing body of evidence showing that this contamination poses a high risk of ecological impacts. This synthesis of the WIA shows that there are serious environmental risks beyond the issue of honeybee decline. The paper also identifies a number of critical information gaps in the published literature that preclude a full environmental risk assessment at this time.</p>
<p>12 Fipronil is toxic to both fish and aquatic invertebrates, its use close to fish hatcheries should not be allowed under the derogation. It should not be used close to any water ways as it is toxic to invertebrates such as endangered freshwater lobster. We operate a salmomid/trout hatchery close to forestry in north east Tasmania and this product should not be used in forestry across Tasmania.</p>
<p>13 Fipronyl is highly toxic to freshwater fish and invertebrates and it should not be used near or</p>

	about water ways as minute quantities in waterways can kill fish and crustaceans
14	Fipronil is acutely toxic to mammals and birds. Conclusions of the worldwide integrated assessment on the risks of neonicotinoids and fipronil to biodiversity and ecosystem functioning found that the present scale and patterns of use combined with the systemic, toxic, and persistent nature of neonicotinoids and fipronil, pose high risks of widespread contamination of soils, water, wetlands, and plants. There is a growing body of evidence showing that this contamination poses a high risk of ecological impacts. This synthesis of the WIA shows that there are serious environmental risks beyond the issue of honeybee decline. The paper also identifies a number of critical information gaps in the published literature that preclude a full environmental risk assessment at this time.
15	The potential to harm mammals, birds and bees and to humans is high and the money spent on this process would be better spent elsewhere.
16	Fipronyl has been banned in other countries. We should not be using this chemical particularly NO AERIAL SPRAYING should take place.
17	European wasps can be controlled by other means. Use of dangerous chemicals should be discouraged according to fsc principles.
18	possible carcinogen and suspected endocrine disruptor.
19	Fipronyl is one of the main chemical causes blamed for the spread of colony collapse disorder among bees and has been classified by the US EPA as a Group C (possible human) carcinogen based on an increase in thyroid follicular cell tumours in both sexes of the rat. / / In WA we rarely have grass hopper plagues and I haven't heard of grass hopper damage to blue gum plantations when they did occur. I am unsure of the European wasp situation however the death of beneficial insects and bees vastly outweighs any reason to use this highly hazardous chemical. / /
20	Highly Toxic to aquatic invertebrates
21	If forests were managed for biodiversity then chemicala management would not be necessary. It is not acceptable that chemicals be used in water catchments especially in Tasmania where cancer rates are so high.
22	What work has been done to elimiate this. Why are derogations renewed when companies are meant to phase aout over first 5 years? I oppose all derogation renewals. FSC can't allow this highly toxic substance to be used at all.
23	Fipronyl spray would require very careful management of off-target spray drift onto grazing land, high conservation land including that found within plantations, and water bodies within 1.5km of the spray zone. /

Appendix 2 – Other stakeholder feedback

The following details the feedback provided by stakeholders in public comments, emails or communication with forest company representatives and/or derogation consultants. All feedback received is provided here, not just that comment pertaining to the four pesticides where a derogation is being sought. This feedback is only altered to remove identifying information, remove generic email discussion that does not relate to the derogation applications, or removal of generic derogation administration such as invitation to participate etc.

Tasmania

FORICO- Contact responses

Date	Res.ID	Communication Type	Consultation Received	Forico Response
4/11/2015	TAS-F1	Survey response and follow up phone call	<ul style="list-style-type: none"> Does not understand that the derogation process forms an integral part of a company complying with FSC Principles and Criteria. Scientific evidence suggests that alpha-cypermethrin is a neuro-toxin and endocrine-disrupting chemical. Cannot be detected in watercourses due to the fact that it binds with organic matter. As Forico sprayed 2% of the plantation estate last season with insecticide, this should be accepted as collateral damage. Application of spray from a helicopter cannot control where chemical will be applied. Request that Forico do not use the chemical irrespective of what certification standard permits. 	<ul style="list-style-type: none"> Described IPM strategy implemented by Forico. Described spraying applications and operational controls with helicopter and use of GIS and suitably qualified contractors.
31/10/2015	TAS-	Survey	<ul style="list-style-type: none"> Queries more directed to National Coordinator 	<ul style="list-style-type: none"> Significant correspondence –

	F2	response and follow up email	(Kevin O'Grady). <ul style="list-style-type: none"> Has been liaising with National Coordinator. 	phone call, email, meetings, letter conducted between TPEHN and Forico during the individual derogation process initiated by Forico in April 2015.
30/10/2015	TAS-F3	Letter received as a follow up to public notice. Forico responded with phone call.	<ul style="list-style-type: none"> Letter specific in relation to gorse infestations throughout Tasmania and appropriate control mechanisms. <u>Concerns raised not relevant to the alpha-cypermethrin derogation.</u> 	<ul style="list-style-type: none"> As one of many land managers across Tasmania (albeit one of the largest) Forico adopt strategies to contain and where appropriate eradicate populations of gorse. Forico has protocols / procedures to ensure infestations are detected, mapped, and treated where appropriate. There are localities where it is not possible to eradicate, so containment is the only viable alternative.
7/10/2015	TAS-F4	Survey response and follow up email	<ul style="list-style-type: none"> Inadvertently requested Forico communication whilst completing the online survey. 	<ul style="list-style-type: none"> None required.

Forestry Tasmania Contact responses

Respondent	Comments
TAS-FT2	11/10/2015: had a discussion regarding alpha cypermethrin and bees. Wanted reassurance that FT would notify bee keepers in advance of using A-c. Was aware of procedures FT uses to make people aware of spraying operations.
TAS-FT3	made contact. Fellow who filled out survey was not Fred and is presently on leave. Fred had concerns about toxicity of a-c. I gave a basic run down on FT's risk management approach. We agreed that if he had any further concerns he would let us know.
TAS-FT4	left message on phone. 19/10/2015. Spoke with later that afternoon. She was comfortable that she had provided sufficient a submission in FT's last round of a-c consultation and through the online survey to the National forum.
TAS-FT5	rang back . No further discussion required. Mistakenly pressed the contact FT option.
TAS-FT6	Provided a more formal submission that supported risk management approach provided it complied with the Forest practices Code.

TAS-FT7	Rang on the 19th of October. I explained that wearing PPE gear for wasps is impractical and would likely be ineffective. Also explained that the land owner is responsible for preventing spread of weeds on their property, and that FT endeavours to do this on its own land.
TAS-FT8	Dion responded
TAS-FT9	follow up meeting. Very comfortable with FT's approach to chemical application. Encouraged to provide formal submission. May consider management actions around Taswater infrastructure if FT operations have the potential to impact. May also consider independent water monitoring near FT spraying.
TAS-FT10	6230 8979 goes to Hobart Function centre. Henrietta is not know at this establishment. 6297 12324 is an invalid number. Sent email requesting contact on the 19th October.
TAS-FT11	left message on phone 19/10/2015
TAS-FT12	left message on phone 19/10/2015. Rang back on the 19th. Lives in Fitzgerald area. 2km . Decline in health since moving to fitzgerald. He has "multiple chemical toxicity" and is concerned about vapour drift. (Has degree in Environmental Health. Requested to be put on register of nearby spraying operations. Will put on notification list for spraying in local area. No specific comments beyond derogation. Later on the 19th, I rang him and left him a message as I don;t think I informed him about the online map viewer and spray notification process.
TAS-FT13	spoke to wife and left phone number 19/10/2015 6266 0209. Spoke to on the 20th October. Wanted to be kept informed about spray operations in the local area. Informed him of online viewer and stakeholder notification process. He was aware of this process and indicated that this was satisfactory to him. No further concerns.

Respondent TAS-N1

On Tue, Oct 13, 2015 at 11:36 AM,

Dear Kevin

I write to make comments on the proposal to allow the continuous use of alpha-cypermethrin--- classified as a highly hazardous chemical,not readily biodegradable,toxic to bees,fish,aquatic invertebrates,birds,beneficial insects as well as targeted species, (Interesting that FSC was asking for a "temporary derogation"for acm in 2008----- is still using it and still asking for continuing use

It is obvious that the plantation estate in tasmania is certainly not sustainable without continuous chemical use of such a highly toxic chemical, thus leading to continuously negative environmental outcomes,and threats to human health. Aerial spraying of this chemical is most used in the north east,spray drift is nigh on impossible to avoid ,spreading the poison beyond plantation boundaries and Into surrounding bush and waterways

You state that decisions will be made by a group convened by the FSC boarddo these people have experience in chemical application,environmental And human health,or plantation forestry?

One of the criteria for chemical use of alpha cypermethrin (costs vs alternatives)makes it clear that economics are considered more important than human and environmental health. Economics can change according to demand, but environmental damage can be long term and irreversible .So called "safe " use in a forestry context can have impacts way beyond forestry operations

.what efforts have been made to find safer alternatives ?

Is financial gain more important?

These monoculture plantations are subject to insect damage because they are so unnatural,with little or no understory,therefore an almost complete absence of birds and predatory insects to deal with infestations .

Compare the native bush..also subject to the same insect attacks,but able to survive without chemical sprays

FSC is fast losing credibility in the eyes of the public,one the one hand asking on a regular basis for input from the public ,and continuing to ignore said input Needless to say that these continuous requests for public involvement in the process is increasingly being seen as no more than box ticking (ie classed as community consultation) for business as usual,and no change in policy or implementation

Response 1

Thank you TAS-N1 for this considered response.

I will get back to you but am presently en route to NZ for family reasons.

Economics do come into it. FSC is governed by a 3 chamber process, economic, environmental and social. Principle 5.1 of teh FSC standards says (I paraphrase) do everything you can to meet the social and environmental aspects of the standard but don't go broke doing it. Having said that the whole point is to retire chemicals of concern if we can possibly do so. In the first round of derogation some years ago 19 out of 35 were retired so this is progress.

The efforts to find alternatives is hampered by the registration process. This takes up to 7 years so repeat derogation application are inevitable. Even if teh "chemical" is organic eg vegetable oils it still is subject to the registration process.

More will follow.

Through his e mail I am asking my technical colleague to provide more information.

Kind regards

Subject: RE: FT Derogation Application [from technical colleague]

Hi Kevin,

I am not sure there is much on the technical side that I can add to this conversation.

I think statements about the sustainability of the plantations are probably best left to FT.

Detrimental spray drift is not impossible to avoid and our understanding of spray drift and the buffers necessary to prevent down-wind drift are excellent for aerial application and continually improving. In general, alphacypermethrin has a half life of 7-14 days, so is not very persistent in the environment.

You have addressed the Economics/Social/Environmental aspect.

The draft derogation addresses the alternatives examined and necessity for the pesticides use to date.

Plantations support a diversity of animals and insects (there are a number of CRC for Forestry reports to support this that FT could provide). Forest Managers have an excellent understanding of insect lifecycles and the numbers of insects that require control. Forest Managers only apply insecticide when herbivorous insect numbers are not adequately controlled by predatory animals and insects.

Native Forest is not immune to insect, animal or pathogen damage. In some native forests, native miner birds have caused extensive dieback of forest trees (eg. see first attachment). Insect pests have also caused damage sufficient to threaten native forest ecosystems to the extent that it has been necessary to spray native forest. This link (<http://www.environment.nsw.gov.au/determinations/bellminerfd.htm>) has some information on dieback. Tasmania is not immune from this process, as per the second attachment.

Let me know if you want me to spend more time on this.

Cheers,

Kevin to TAS-N1

Our experts comments FYI.

Just a comment. Globally there are derogations for FSC certified native forest application. Often for serious pests such as Asian Gypsy Moth in the US or for weed control to allow native forest regeneration after wild fires.

Kind regards

Kevin O'Grady

Respondent TAS-N2

[Tas-N2],

FT left it to me to respond since your points were generic (across all derogations).

I hope this is OK.

Kevin

To: kopinnacle@gmail.com
Subject: Derogation Applications

Hi Kevin

I refer to the joint derogation applications by Forestry Tasmania and nine other forest managers.

I consider that there should be no derogations for any chemicals which are classified as being hazardous chemicals and do not concur that these FSC-Highly Hazardous pesticides are the only viable tool available to the forest manager.

Many of these chemicals, such as neonicotinoids, are banned in other jurisdictions such as Europe and their use is primarily required due to the inappropriate selection of monoculture tree species (e.g. non-native e.nitens in Tasmania).

<http://www.theguardian.com/environment/2013/apr/29/bee-harming-pesticides-banned-europe>

I also consider that aerial spraying of pesticides should be prohibited.

There are also alternative methods of controlling browsing animals (such as fencing, tree guards etc.) which would preclude the use of 1080 poison but forest managers will attempt to use the easiest and cheapest option available.

Finally, I consider that the ongoing credibility of FSC is at stake should it agree to the new or continuing use of such hazardous pesticides.

Regards

[some not substantive communication between KO and TAS-N2 was deleted]

On Thu, Oct 15, 2015 at 12:23 PM

Thanks Kevin.

In the interest of transparency and accountability I would like to see a summary of comments and responses posted on the FSC website for all stakeholders to view.

Also, who is making the decision regarding the derogation applications and when is this expected to take place?

Regards

Hi TAS-N2,

We have set up a peer review group whose job is to advise the FSC Australia Board on the validity of the stakeholder process especially the responses to stakeholder comments and how we took into account their comments. They will also review the derogation applications against the criteria set by FSC and advise the FSC Australia Board of their opinion on the process. Note that the FSC Australia Board has no standing in the decision making that is done by FSC International in Bonn. This exercise is an additional step, if you will, to keep the process under scrutiny. FSC Australia will at their discretion advise FSC IC (or not) that the process met the requirements of the FSC IC procedures.

Your recommendation to publish comments will go to them.

The review panel is:

Social perspective

Margaret Alston OAM

Professor of Social Work and Head of Department

Director of the Gender, Leadership and Social Sustainability (GLASS)
research unit

Caulfield Campus

Monash University

Environmental perspective

Dayanthi Nugegoda B.Sc.(Hons), Ph.D., Professor of Ecotoxicology,
School of Applied Sciences, RMIT University,

Engagement specialist

Dr Lain Dare

Senior Research Fellow

Institute for Governance and Policy Analysis

University of Canberra

The ACTUAL decisions are made by a group convened by FSC International. I am not aware of the makeup of that group but in the past it has been led by a technical adviser Lars Neumeister who also led the review of the Thresholds and believe me is no apologist to the agrichemical use.

http://www.pan-germany.org/download/proceedings/03_Neumeister_Myth_of_Safe_Fruit_and_Veg.pdf

See also Review of the Forest Stewardship Indicators and Thresholds for identifying "highly hazardous pesticides" Coordinated by Lars Neumeister. Expert Panel: Prof. Gerhard Verdoorn Prof. (emeritus) Steven Radosevich, , Kern, Lars Neumeister and Prof. Carlos Wilcken Dr. Stephanie Williamson, Stefan Gous, Maren Kern For Forest Stewardship Council Final Report (April 2013).

Regards

Respondent: TAS-FT1

Sent: Saturday, 26 September 2015 9:33 AM

**Subject: RE: INVITATION TO PARTICIPATE IN THE NATIONAL FSC PESTICIDE DEROGATION
STAKEHOLDER CONSULTATION PROCESS**

Dear Stakeholder Engagement Coordinator,

Thank you for the update and invitation to be involved in the process detailed below. My main response to the proposed submission to FSC to be allowed to use the two insecticides below mentioned is quite straightforward: the proposal would receive my support only if it included the undertaking of efficacy and impact trials of both chemicals *before* an FSC exemption for wider use of each was granted, and that those trials were unequivocal in finding that neither chemical had wider impacts on the natural ecosystem into which forestry practices encroach. While I've no doubt that a quick search would reveal that similar trials have been undertaken elsewhere, Tasmania's natural forests are unique and thus require tailored studies. Specifically, I would suggest the formation of a panel whose mandate would be to oversee two parallel studies undertaken by independent entities. Ideally, the panel would have balanced representation from across the relevant stakeholder groups and there would be an expectation on those undertaking the trials to exercise the highest integrity and professionalism, as we would expect in any other situation where there is so much at stake, both for the natural ecosystem and for commercial forestry viability.

Two specific points:

1. Please provide all the information you have on the efficacy and impact of both chemicals in other forestry situations. Namely, I'd like to see (i) published accounts of fully developed trials for each that have been undertaken elsewhere and (ii) a draft of your proposed submission to FSC.
2. The use of language, such as "in which there are no effective alternative management options for dealing with specific threats to forest health" and "severe defoliation by insect pests" in the general sense is somewhat loaded. This is especially true in the context of using a chemical that is prohibited from use for good reason – according to the FSC guidelines, the chemicals have wider and unacceptable levels of impact on the health of the natural forest ecosystem, into which the manmade forest that the statement refers to is placed. In effect, statements like these suggest (intentionally or otherwise) that when a practice cannot be undertaken within acceptable limits, approvals must be sought to lower the bar so that the practice can carry on regardless. In doing so, the wider natural ecosystem is then put at risk of being impacted on to an extent that is unacceptable under the usual guidelines that FSC use. If the FT approach is to request and be granted a lowering of the bar each time such a situation is encountered, rather than finding an acceptable alternative, the integrity of the very body it seeks endorsement from is likely to be eroded in the eyes of the broader community. I suggest that FT needs to adopt a slightly different and perhaps more widely acceptable attitude when it views the uses of chemicals to protect against the threat of naturally occurring species (acknowledging the use of one of the chemicals specified below to protect forestry workers from an introduced pest) on a manmade ecosystem.

I look forward to your reply and to being involved in the wider ongoing discussion about these and other proposals.

All the best

Response from Forestry Tasmania

Hello TAS-FT1,

Thank you for your reply to our invitation to provide comment on our derogation applications to FSC.

While Forestry Tasmania seeks to avoid use of pesticides, there are some circumstances in which there are no effective alternative management options to dealing with specific threats to forest health or worker safety. In these circumstances FSC acknowledges that the controlled use of pesticides may be preferable to alternatives, and therefore has a process which permits the restricted use of pesticides it considers as "Highly Hazardous" that it would otherwise restrict certified forest managers from using.

The two pesticides Forestry Tasmania is seeking to continue to use are approved for use in Australia by the Australian Pesticide and Veterinary Medicine Authority (APVMA), the Federal regulatory authority. Forestry Tasmania currently uses all pesticides in accordance with the chemical label (a legal requirement) and relevant State legislation in particular the [Code of Practice for Ground Spraying](#) and the [Code of Practice for Aerial Spraying](#). In addition Forestry Tasmania has policies and procedures in place to manage pesticide use which is described in our [Forest Management Plan](#).

In addition to the information available on the [FSC National Derogation Process website](#), we have compiled a summary document for [alpha-cypermethrin](#) and [fipronil](#) the two chemicals we are seeking a derogation for. These documents will give you the information you have requested and are now made available on our website.

A "draft submission to FSC" has not yet been prepared. This will be prepared on behalf of all the forest managers applying for a particular chemical and will include all feedback provided from stakeholders during the consultation period.

Regards

Respondent: TAS-N3

Hi Kevin,

Many thanks for the information regarding applications to use pesticides.

As owners and business operators next to a coupe on Bruny Island we are wholly opposed to these applications. FT is well advised to comply with all FSC requirements.

Kind regards,

TAS-N3

Respondent TAS-N4

Hello Mr O'Grady, It has come to my attention that Forestry Tasmania are applying for derogation in regards to the use of Alpha Cypermethrin.

I am against this use, I and 3 of my friends were subjected to an overspray by Gunns Ltd when they were using alphacypermethrin on their plantations at Weegen a in Tasmania.

We all suffered from blurred vision, nausea, inability to concentrate and focus after this event.

This chemical is highly toxic to all insects and aquatic vertebrates, many of the plantations in Tasmania are in the upper catchments and as such the spray gets into waterways.

I have photos and evidence of Alphacypermethrin being used around the Huntsman Lake, which is a water supply at the head of the Meander River that supplies town water to Deloraine, Exton, Westbury, Carrick, Hagley and West Launceston.

This is not a specific insecticide for eucalypt beetle but a broad spectrum chemical that kills all insects, including any beneficial ones. It also affects threatened species such as the giant freshwater lobster.

I am totally against the use of this chemical by any FSC or non FSC certified forestry companies.

I can supply more detailed evidence if you require it.

yours sincerely

TAS-N4

Hello Kevin, I am happy for anything I send on alphacypermethrin to be shown to the company so that they can respond.

The attached document is a slide show of a presentation that I gave in Launceston a few years back, there were around 300 people at the Tailrace centre for a meeting on pesticide use and aerial spraying.

Many of the photos I have are from the days when Gunns Ltd were spraying their plantations but the information also applies to Forestry Tasmania as well. Many of their plantations are in the same areas as Gunns Ltd plantations were. The Huntsman area above the Meander Dam is filled with both companies plantations as is the area above the Western Creek area.

I have also included an adverse incident report that I filed with the Department of Primary Industries and Water. Unfortunately the investigator did not take any action against the company or the helicopter pilot. Even though there are very clear breaches of the aerial spraying code evidenced by my photographs. The investigator actually tried to tell me that parallax error may have made the helicopter look closer to the river than it was.

As you can see from the google images there is no way that the helicopter could spray the coupe at Weegen a without being close to the river and parallax error does not affect a camera.

I hope that the information helps

yours Sincerely

TAS-N4

[short text deleted to ensure anonymity]

Respondent TAS-N5

Telecon 12.48 pm 1/10/2015 with Kevin O'Grady

Has started discussions with Forestry Tas over derogations.

Has few concerns about Fipronil because of the way it is used direct into wasp nests. More concerns about Alpha Cypermethrin due to aerial application but even then as long as buffers are applied it can be used safely.

Has not had detections from Forestry for some time although from Agriculture detections are increasing.

Respondent TAS-N6

On Thu, Nov 5, 2015 at 12:46 PM

Dear Mr O'Grady

I am writing to you about the Forico FSC derogation application for alpha cypermethrin.

Your name has been mentioned in a letter we received.

We are stakeholders in any FSC process over forestry in Tasmania.

I seek to be advised by you of your role and your relationship with any forestry companies please.

It is our intention to make a representation on the subject. We have a range of concerns about the proposal to certify the use under FSC, certainly in regards to Tasmanian conditions and governance.

I would welcome any background information you may have please about the process and the standard please.

PS Are you the Kevin O'Grady who used to work at Timbercorp?

I hope to hear from you.

Sincerely

On 5/11/2015 7:01 PM, Kevin O'Grady wrote:

Hi [Tas-N6].

Yes I was formally of Timbercorp (formally a company). I think we met when I was Chairman of FSC Australia doing the consultation on the FSC Australia controlled wood risk assessment.

To explain the process and my part in it.

I am contracted to develop the derogation nationally, that is one derogation for each chemical rather than one per company per chemical. This is allowed for in the FSC standard. I am also the go to person for the national stakeholder process. Although the process for the consultation has been managed by an Engagement specialist Dr Lain Dare Senior Research Fellow, Institute for Governance and Policy Analysis, University of Canberra. An important point is that there is a national process with responses via me but analysis by Lain Dare. BUT there is a local process for each company, That is that Forico should be your first point of contact. However feel free to copy me in.

For the wider process.

There are 2 groups involved in the process and none of them are the forest managers or derogation applicants since that would be a conflict of interests.

We have set up a peer review group whose job is to advise the FSC Australia Board on the validity of the stakeholder process especially the responses to stakeholder comments and how we took into account their comments. They will also review the derogation applications against the criteria set by FSC and advise the FSC Australia Board of their opinion on the process. Note that the FSC Australia Board has no standing in the decision making that is done by FSC International in Bonn. This exercise is an additional step, if you will, to keep the process under scrutiny. FSC Australia will at their discretion advise FSC IC (or not) that the process met the requirements of the FSC IC procedures.

The review panel is:

Social perspective

Margaret Alston OAM

Professor of Social Work and Head of Department

Director of the Gender, Leadership and Social Sustainability (GLASS)
research unit

Caulfield Campus

Monash University

Environmental perspective

Dayanthi Nugegoda B.Sc.(Hons), Ph.D., Professor of Ecotoxicology,
School of Applied Sciences, RMIT University,

Engagement specialist

Dr Lain Dare

Senior Research Fellow

Institute for Governance and Policy Analysis

University of Canberra

The ACTUAL decisions are made by a group convened by FSC International.

I am not aware of the makeup of that group but in the past it has been led

by a technical adviser Lars Neumeister who also led the review of the

Thresholds and believe me is no apologist to the agrichemical use.

http://www.pan-germany.org/download/proceedings/03_Neumeister_Myth_of_Safe_Fruit_and_Veg.pdf

See also Review of the Forest Stewardship Indicators and Thresholds for identifying "highly hazardous pesticides"

Coordinated by Lars Neumeister. Expert Panel: Prof. Gerhard Verdoorn Prof.

(emeritus) Steven Radosevich,

, Kern, Lars Neumeister and Prof. Carlos Wilcken Dr. Stephanie Williamson,

Stefan Gous, Maren Kern For Forest Stewardship Council Final Report (April 2013).

Regards

This section includes Response from KO

Sent: Monday, 9 November 2015 12:32 PM

Subject: Re: Forico derogation application

Dear Mr O'Grady

I confess I am unsure whether we have met. I would have to troll through my diaries.

We have limited interaction with FSC Australia and indeed, although I requested (of FSC Aust) to be kept advised about the new standard and the attendant consultation nothing has been forwarded by FSC Australia.

I consider we are a stakeholder.

Thank you for the explanation.

I expect we will have a few questions over the next day or so. The first ones are below.

Who is contracting you (Pinnacle) specifically regarding A/ the derogation and B/ the national stakeholder process?

Both are in a single contract which is funded by the applicant companies.

Regarding Dr Lain Dare's involvement, to which process are you referring?

Lain is an independent engagement specialist. She designed the SH process and is doing work analysing the results. I am just the "organiser" of the process she is the expert. She was recommended by the Board of FSC Australia and has worked with Jackie Shirma. To anticipate the next question Pinnacle is engaging Lain and on charging to the applicants.

Mr O'Grady please advise whether you (Pinnacle) currently work directly or on a contract basis for any forestry company? If so which ones?

Yes I do. I have a "cluster group" where companies receive updates on FSC especially where policy or standards change from the point of view of what the impact is on their systems and certification and what they need to do about it. When they want work done in other areas I often get called on. All the applicants except 1 (WAPRES) are in the cluster group. The current size is about 17 companies. Most if not all big companies in Australia are involved in the group and it would be easier to say who is not a member. Namely WAPRES, 141 Plantations (Formally Forestry SA), Forest NSW.

I would welcome some explanation from you, providing us with an understanding as to how you were contracted to develop the national derogation for alpha cypermethrin.

For all derogations the idea was that, rather than company by company applications it would be better to do an industry based one covering all companies. This was because, with only minor details, most companies have the same use and approach to the chemicals they use. I used an expert in the chemicals to draft the technical stuff and I facilitated. FYI and for the sake of full disclosure I was also contracted by companies in South Africa to do the same for them.

I would also like to know who is on the Pesticide Derogation Group please, as we are not clear about that aspect. I would also welcome knowing their fields of expertise and the name of their employer.

The FSC IC group who will deliberate on these is not known to us. The FSC IC person involved, who can probably give a better responses is Pasi Miettinen <p.miettinen@fsc.org>

Finally, given there would be a range of jurisdictions and regulations from state to state what was FSC's rationale in taking a national approach? Or was it not FSC who decided? Indeed who decided?

Good point. FSC standards allow for a national approach but the decisions to do so was the companies. The regulations were taken into account but in general the criteria from FSC go beyond regulatory minima.

I await your early response to our questions please.
Sincerely

Monday, 9 November 2015 6:13 PM

Dear Mr O'Grady

Thank you for the answers to our first batch of questions. Our second batch follows.

Easier for you but not us! NB: It cannot be assumed I know to whom you are referring when you state: "Most if not all big companies in Australia are involved in the group and It would be easier to say who is not a member. Namely WAPRES, 141 Plantations (Formally Forestry SA), Forest NSW..". I do not in fact. [TAS-N6] thus seeks the names of all the 17 or so companies (the "cluster group") who have engaged you over the derogation matter please and whether all are "the applicants".

[text edited due to business confidence]

The companies who have engaged me on the derogations are the applicants see also <https://au.fsc.org/fsc-highly-hazardous-pesticide-derogation-2015.397.htm>

Chemical	Companies Seeking Derogation
1080	Albany Plantations Forest Company, HQ Plantations, PF Olsen Australia, Australian Blue Gum Plantations, HVP Plantations, WAPRES, Bunbury Fibre Plantations, SFM Forest Products
Amitrole	Albany Plantations Forest Company, Australian Blue Gum Plantations, Bunbury Fibre Plantations.
Alpha cypermethrin	Albany Plantations Forest Company, PF Olsen Australia, Australian Blue Gum Plantations, Forestry Tasmania, WAPRES, Forico, Bunbury Fibre Plantations, SFM Forest Products
Fipronyl	PF Olsen Australia, Forestry Tasmania, HVP Plantations
Cuprous oxide	Albany Plantations Forest Company, PF Olsen Australia, HVP Plantations, Bunbury Fibre Plantations
Copper sulfate	HQ Plantations
Picloram	HQ Plantations
Glufosinate ammonium	HQ Plantations, PF Olsen Australia
Pindone	PF Olsen Australia

Is the "single contract" a public document? If so we would welcome a copy please. Why are both matters in the one document?

The is no contract per se. I put up a proposal (below) and it was accepted. The process has changed slightly especially with the appointment of an independent engagement expert.

. Introduction

The members of the FSC certified forest cluster group for Australia all have derogations for use of Pesticides on the FSC Highly hazardous list. These are temporary derogations and in cases where alternatives are not available and need to be renewed.

This proposal is to manage a derogation process that combines all the derogations and to offer a consistent approach to renewal in order to maximize the chances of success.

This process must take into account new additions to the list recently published in FSC-STD-30-001 Indicators and thresholds for the identification of 'highly hazardous' pesticides (HHP)

2. The Issues

The FSC derogation process is currently under the existing *standard* FSC PROCEDURE PROCESSING PESTICIDE DEROGATION APPLICATIONS

FSC-PRO-01-004 (Version 2-0) EN.

Although this is imminently going to be replaced by Pesticide Derogation Procedure - FSC-PRO-30-001 V1-0 (currently a draft) it is expected that the preparation and criteria for derogations will be unchanged.

FSC have said that derogations are temporary and that there is no expectation renewal automatically. Therefore all derogations have to go back through the approval process. There are three key criteria to be met for the renewal of these derogations

- There is no available alternative for the delegated chemical
- The delegated can be used safely
- There is an active programme looking to replace a chemical with a non-chemical or alternative non highly hazardous chemical approach

For most of the current derogations no alternatives have been developed or registered. Therefore the case has to be put to FSC that the derogation should continue.

This will require an updated literature search on alternatives to the chemical in question and will require information to be presented on the actions by the certificate holders to find a replacement for the chemical.

Finally there will need to be a stakeholder engagement process that demonstrates substantial support for the use of the chemical.

3. Proposal and investment costs.

In this project some of the work will be done by companies since technically derogations are on the company by company basis. For example the company will be expected to run their own local stakeholder consultation for their own affected stakeholders.

However some of this work can be done collectively and it shared cost.

The proposed process and division of labour is shown below.

NOTE the timeline for the process is not able to be shown since this will depend on the groups set up to review the derogations. A

Task	Action
Collate existing derogations into common drafts by chemical and by chemical application method.	Pinnacle Quality
Review of alternatives since the last derogation by chemical and	Pinnacle Quality

by Chemical application method.	
Review and update of toxicological and environmental information since the last derogations.	Pinnacle Quality
Update draft derogations to incorporate new information.	Pinnacle Quality
Review of drafts and personalization of company derogations e.g. adding outcomes of affected party consultation.	Companies
Development and management of a national stakeholder process including engagement with NGOs, FSC Australia and the eventual IPM groups set up by FSC Australia under the Pesticide Derogation Procedure - FSC-PRO-30-001 V1-0 D2-0	Pinnacle Quality
Development of a Company stakeholder process to known affected stakeholders.	Companies
Submission of derogations	Companies

Is there a consensus among the "applicant companies" over the desired outcome regarding the seeking of a derogation over alpha cypermethrin?

I am not sure what you mean here. Alpha c was approved last time and there is no alternative. Technically there was one alternative that was looking promising (Imadoclopid - applied as a tablet in the seedling root zone and absorbed through the plant as a anti feedant to insects) that would have replaced Alpha C at the seedling stage but it was itself elevated to the HH list. That was frustrating since it was considered toxic to bees but its use in Australasia (Plantation trees don't flower until year 7 and bees don't feed on them) would have replaced Alpha applications in a large number of cases and negated any aerial spraying.

Which states of Australia would be affected by the proposed derogation?

Alpha cypermethrin Albany Plantations Forest Company WA, PF Olsen Australia WA and VIC, Australian Blue Gum Plantations WA VIC SA, Forestry Tasmania TAS, WAPRES WA, Forico TAS, Bunbury Fibre Plantations WA, SFM Forest Products TAS.

Who initiated the decision to seek a national derogation?

Long story.

At the 2011 General assembly a motion was passed to allow national initiatives to allow national initiatives to manage the process collectively and this was approved in March 2015 in a new procedure <http://ic.fsc.org/download.fsc-pro-30-001-v1-0-en-pesticides-derogation-procedure.2187.htm>.

FSC Australia declined to form a national group due to lack of resources to manage it. However the procedure still allowed for (in fact encouraged) joint applications so that is what we did.

7 Joint applications and 'late-comers'

7.1 In order to minimize the administrative burden, certificate holders located in the same country are encouraged to submit a joint application if they are facing similar challenges and have identified similar needs for the use of 'highly hazardous' pesticides.

Have you handled other FSC chemical derogations? And if so for what chemicals?

Over the years (eg for Timbercorp) we have looked at many chemicals eg Simazine, Hexazanone, Tubuthylazine, Haloxyfop,

What level of confidentiality would be accorded if our submission were made to you and with whom would it be shared?

What every you like. The peer review group would see it and our response to it. However you should also make the submission to the local (TAS) applicants since their response to you is more important as you are locally interested stakeholders.

Within the FSC derogation process what is the ability for and scope of a confidential submission?

Happy to do this.

To whom within FSC are we entitled to make a representation over this derogation matter?

The representation is via the local Stakeholder consultation process. Approaching FSC International directly will get a stock answer (NO) and you will be directed back to the process since the process is prescribed in standards and they must follow it. Note also FSC Australia has no part or standing in the decision making process. They are just facilitating the process as a National initiative.

If we made a submission through you would we be entitled to a copy of your report and any other report on the matter?

Our expert Lain Dare is preparing a report on the consultation and you can see that report. Lain Please copy [TAS-N6] and his in on the report.

I look forward to your response.

Sincerely

Tuesday, 10 November 2015 10:35 PM

Dear Mr O'Grady,

I find it hard to accept your request for confidentiality in such a process, especially given what you

have told me so far.
Please explain the reason.
Sincerely

Wednesday, 11 November 2015 12:27 PM

Sorry looking at this again I think we are at cross purposes.

The names of applicants in the table below are in the public domain. You however asked for all my forestry clients so I have provided the remainder. These are nothing to do with the derogation process. I would prefer my competitors not to know the full list of my forestry clients thus I ask for this to be confidential.

Regards

KO

Sent: Thursday, 12 November 2015 1:59 PM

To: kopinnacle@gmail.com

Subject: Applications for derogation - Seeking further information

Dear Mr O"Grady

I am seeking please, from your office as the coordinator of the group of applications, the completed application form (and its enclosures) from the forestry company/s involved for each chemical and thus each application so we may consider and ensure the application is correct and adequate. See section 5.3 of Pesticide Derogation Procedure FSC-PRO-30-001 V1-0 EN.

All Full applications are on the FSC Australia web site provided previously. Note that some parts of the application happen after the stakeholder engagement and some may change as part of the SH process.

For clarification we are now interested in all the chemicals proposed for derogation Australia wide not just the ones being applied for use in Tasmania.

OK

I am also seeking that you advise us the details which constitute the "similar challenges" and advise whether there have been identified "similar needs" for the use of 'highly hazardous' pesticides under FSC across Australia? And if so what those are please?

These are in the full applications. All contents are considered common challenges unless other wise stated eg Fipronil is used in Tasmania for controlling European wasps but not elsewhere.

Also please advise whether you are aware whether there would either possibly or likely be "late comers" who plan to, would or even may join in any of the chemical derogations you are handling and whether any of those would or could be your current customers, the names of whom you have provided but asked remain confidential?

I can't answer that. This is a matter for the companies. Any seeking certification (some of the list are not certified) they may do their own derogations based on the work done here. However I am not aware of any companies in that situation.

Finally I seek to be advised by you whether the use of the 'highly hazardous' pesticide/s is/are likely to be continued or repeated and whether the submission of a 'normal' derogation application/s is occurring regarding the repeated or ongoing use of any of the pesticides which it would seem you have had listed on the FSC Australia website. If that is the case I seek details about the nature of the ongoing use.

I'm sorry I can't understand what you're asking here.

Finally I seek to be advised about and also to receive a copy of the Integrated Pest Management Plans for each applicant company please.

That will have to be a question for/to each individual company. I don't have these documents. The IPM approach is going to be scrutinised as part of the application but I can't see why companies would not be open to such a request.

I await your earliest response and look forward to the information and answers.

Sincerely

On 11/11/2015 12:31 PM, Kevin OGrady wrote:

Please note the enclosed.

Thanks for your constructive engagement so far.

KO

Sent: Wednesday, 11 November 2015 3:08 PM

To: kopinnacle@gmail.com

Subject: Pesticide Derogation Advisory Group

Dear Mr O'Grady

Please advise the membership of the Pesticide Derogation Advisory Group and its location.

From what I understand of your emails including the one on the 5th November, this is not the above group but I await your advice and clarification.

I would seek to know the convenor of the Pesticide Derogation Advisory Group and how I might contact it please.

Sincerely

Wednesday, 11 November 2015 5:35 PM

I am the convenor but am not taking part (due to conflict). The best contact is Lain Dare.

Note this group will not make any decisions on the derogations. That is done by FSC International in Bonn. The role of the group is detailed in the e mail I sent earlier today but is copied at the end of this message for your convenience.

The 3 experts named earlier will take part. Repeated below for clarity.

Social perspective

Margaret Alston OAM

Professor of Social Work and Head of Department

Director of the Gender, Leadership and Social Sustainability (GLASS)

research unit

Caulfield Campus

Monash University

Environmental perspective

Dayanthi Nugegoda B.Sc.(Hons), Ph.D., Professor of Ecotoxicology,

School of Applied Sciences, RMIT University,

Engagement specialist (Lain Dare will chair the group).

Dr Lain Dare

Senior Research Fellow

Institute for Governance and Policy Analysis

University of Canberra

2 company people will be there to answer technical questions on behalf of the industry. I think these are from HVP and PF Olsen in which case they will be the people in the public contacts list for the derogations.

Here is the full list for your reference (scroll to the bottom)

<https://au.fsc.org/fsc-highly-hazardous-pesticide-derogation-2015.397.htm>

Roll of the Pesticide Derogation Advisory Group

At the completion of the stakeholder period a full report will be prepared for the Pesticide Derogation Advisory Group. This report will synthesise all of the feedback received from stakeholders across the survey, public comments, and phone/email discussions with forest managers and the National Coordinator. Please note that all information provided in the public report will be de-identified to ensure the anonymity of stakeholder participants.

Following the preliminary meeting of the Pesticide Derogation Advisory Group on Tuesday November 24, the derogation applications will be amended in response to the stakeholder feedback. The amended derogations and stakeholder feedback report will be made available for comment prior to the final Pesticide Derogation Advisory Group meeting on December 16 2015. Those stakeholders who have indicated their interest in the derogation process will be sent the amended derogations and stakeholder feedback report directly, and the derogations and report will also be made available on the FSC Australia website at <https://au.fsc.org/fsc-highly-hazardous-pesticide-derogation-2015.397.htm>.

While every effort will be undertaken to reach an agreement on the derogation applications and the conditions they entail, if an agreement within the Pesticide Derogation Advisory Group cannot be reached the matter will be referred to the FSC International Pesticides Review Group for consideration. A copy of the stakeholder report will be provided to the review group as well.

Kind regards

KO

Wednesday, 11 November 2015 3:20 PM

Dear Dr Dare,

I am emailing you seeking to have a conversation regarding the current FSC multiple chemical derogation process please.

If you have any description of your role I would welcome that additional information. I understand you have been employed by Pinnacle consulting.

I tried phoning your published number at the University but there was no answer.

My number is [number removed].

I hope to hear from you.

Regards

Wednesday, 11 November 2015 11:58 PM

Hi [TAS-N6],

Sorry for my delay in responding, I am currently in north eastern China and my internet connection is patchy.

I have been informed of your email correspondence with Kevin so will attempt to give you as much detail as I can now via email, and I will call you when I return on Nov 23rd. I know that this date is later than the 16th deadline but I can include your response at that late notice. If this is not suitable I can try to Skype you if that is preferred.

I am contracted through Pinnacle Consulting to provide independent expertise around the stakeholder engagement. This includes preparing the stakeholder engagement plan, writing and running the online survey, and analysis of the open feedback from stakeholders via comments, emails and phone conversations. I will also facilitate the online forum, and the pesticide derogation working group meetings. I am not involved in the FSC International group that makes the final decision on the derogation applications.

I am a Senior Research Fellow at the Institute for Governance and Policy Analysis, University of Canberra. I completed my PhD in community engagement in the Australian forest industry in 2011 and hence am well aware of the industry and the regulatory and political environment. In light of this I prepared the stakeholder engagement plan for the derogation process which provides a range of opportunities for engagement from interested stakeholders.

In this role as an independent engagement expert I am committed to providing an open and inclusive engagement process and look forward to talking with you about your concerns as soon as is practicable.

Kind Regards,
Lain Dare

Thursday, 12 November 2015 11:31 AM

Hello Dr Dare,

Thank you for your email, especially in the circumstances.

I do not have Skype.

I can see you have been copied on our correspondence.

I have been working on forestry issues since 1989. Some [TAS-N6] members have been working on forestry issues from as far back as 1973. We are not a member of FSC.

We have been raising concerns over FSC in Australia and Tasmania as well as other certification schemes since the mid 1990s. We consider Governance over forestry in Tasmania is completely inadequate, a sham and a disgrace. Likewise spraying legislation and regulation is completely inadequate and does not protect the safety of residents and others in proximity.

I would seek to read the 'stakeholder engagement plan' you prepared please.

I would also welcome reading your papers on governance. Can I access them easily, electronically?

We are absolutely not satisfied with the FSC derogation process and consider there to be far too many conflicts of interest. I consider you also have too great a stake in too many aspects of this process. I can set those conflicts out for you if you wish.

[TAS-N6] is also concerned in the way this cornucopia of chemicals is being promoted. Until recently we were not aware of the plethora of chemicals over which derogation is being sought. We were only told of Forico and FT's request.

I note that conservation minded people and organisations continue to remove themselves from any association with FSC. There are good reasons that is occurring in our view.

At this stage we have formed a view: Any submission [TAS-N6] makes to this derogation application process would be under sufferance.

Sincerely

Monday, 16 November 2015 5:19 PM

Dear FSC International and Others (as per list in our attached letter)

Please find attached our representation, objection and complaint opposing Australian Forest Managers FSC Highly Hazardous Pesticides Derogations 2015.

Sincerely

On 24/11/2015 2:03 PM, Kevin OGrady wrote:

> [TAS-N6] thank you for your considered response.

>

> I note that it has many audiences not just the current derogation applicants. I note that those audiences, like FSC IC and FSC Australia are copied in here and they may choose to reply to you separately.

>

> Notwithstanding your reticence about the process we will take those comments about the derogations on board in the process going forward.

>

> Thank you again for your submission.

>

> Regards

> Kevin OGrady

Dear Mr O'Grady

Thank you for your acknowledgement of our representation of the 15th November, which we considered to be also a complaint.

To clarify [TAS-N6's] 26 page submission expressing in some detail a lack of confidence about the current derogation process and the propositions for derogation could not in our view be interpreted as reticence.

By all means however consider our submission, outlining significant concerns to be an objection to the applications and the process.

[TAS-N6]

Thu 11/26/2015 5:42 PM

Dear Dr Dare

I am following up our missed 3 pm appointment of today. I was under the impression you were phoning me today. I have tried to phone you twice since 3 pm but gone to your message bank, hence the email.

I will be out much of tomorrow, though you may reach me early in the AM.
You mentioned that any change to the process needs to be ratified or approved by The FSC Board.

Our view about the process and your proposal to change it half way though is that this represents potential unevenness problems, including for those who have not so far participated, possibly because they felt it was unfair. In other words the change you proposed on the phone to me would need to be explained and advertised.

Should applications which are not final applications be advertised as applications? Indeed are the applications in essence unassailable because they can always be further amended under FSC. If indeed this is the case then they should obviously be advertised as such.

The change proposed by you does not address the several other issues and concerns we have with the process. We can only say we are very concerned about the process.

I hope to have the discussion we had planned please.

[TAS-N6]

Summary of phone conversations with [TAS-N6] November 23 and 30th

- Not 1st time unhappy with FSC process, unfortunately when concerned on process and issue at stake – much of representation about process
 - Serious concerns about this and past processes, including unresolved issues
 - 1 past one application for FT certification, [TAS-N6] wanted to take CB to places to provide evidence about FT activities, became a shambles and they refused to go to the places – yet they wanted to invite us to other places not known or on issues- [TAS-N6] declined to meet with CB
 - Another incident regarding Forico recent certification through WoodMark. Late representation organised, yet told too late. Hence sensitive over process aspects of FSC. A lack of confidence.
- If had more confidence in process would have spent more time on chemicals and the laws around the application of the chemicals which concern [TAS-N6] a lot
- If benign (like ag lime) wouldn't matter if they blew around the landscape
- Inadequacy of laws become the major issue as FSC signs off to any countries laws
 - FSC by providing a derogation (or an abrogation) they more or less accept the country laws
 - National process (KO organised – sold idea)

- Problems of FSC difficult for 1 person to overcome – be an org or an engagement expert.
 - Often no feedback on their representation – “they know what we think but we they don’t know what they think”. Made to be ‘difficult’ – with unevenness comes a lack of confidence and qtns on probity of the process, no one likes to be disadvantaged.
 - If more resources would have commented on more chemicals. But limited confidence, and in order to prove something to them it is almost at the level of reasonable doubt.
 - Concern with national standards process – tried to be involved and receive information – policy officer “out to lunch – hasn’t sent stuff that he says he will”
 - A satisfactory process in incredibly important – when not fair and unjust someone will inevitably get disadvantaged. Very important the process be good and just.
 - FSC board haven’t managed to create a IPM working board but got expert to design process
-
- Incident not changed overall of FSC – this hasn’t improved matters, in fact has made things worse.
 - 1st time made a comment on a derogation. Certifying bodies rang back.
 - Concerned that national process took a process and tacked other processes onto it.
 - Concerned that 1 plantation grower can do something with 1 chemical and another grower can do it with 6 chemicals – not that much difference across the states/areas. Growing conditions with some similarities, Tassie is hilliest and windiest which is higher risk.
 - AR grows trees without chemicals and they grow alright
 - Some changes have occurred, Forico has improved
 - FSC subsidised by TFPP process – not right
 - Range of process problems that can not necessarily be blamed on My O’Grady – in the broader picture the process, form the FSC international point of view (that FSC sets and published)
 - From 1989 could see that the forest industry was an atrocious industry and should be changed – a lot of things have not changed in Tasmania.

Wed 12/2/2015 1:27 PM

Thank you Lain.

[TAS-N6] had made a decision regarding that report.

May I ask why and how you came to be 'Lain' when your name is 'Melanie'. I always find such things fascinating. I hope you do not mind me asking.

I would welcome some background regarding the project over which you are seeking to interview myself next year please.

From what I can see of your published work you have mainly done reports on forestry rather than governance, except the one 'Tasmanian drought evaluation project' which again was not really

governance. That project in itself is interesting.

I find the characterisation of climatic anomalies as drought rather than perceiving them as cyclic climate changes to be a fascinating issue and a vital one for agriculture Australia wide. It is interesting that Flinders Is. was included. So often overlooked.

A couple of questions re the current FSC Derogation process:

1. When will you be advising about the revised/ amended process?
2. Will it be in the form of a codicil or a version 2 of your process description?

Hoping to hear from you.

[TAS-N6]

Wed 12/2/2015 3:55 PM

Hi [TAS-N6],

With my name, my brother could not say Melanie so called me Lanie and somehow it became 'Lain' – I have never really been called Melanie other than my health professionals as it is still my legal name.

Yes – my more recent research is on governance with publications being prepared and coming out now. A research life-cycle means there is often a delay, especially given the short contracts and hence constant need to find the next bit of funding.

As for the FSC Derogation process – there has been some changes at FSC International and FSC Australia is seeking clarification on that. We are waiting on those details so as we can advise stakeholders of everything at once – I am hoping by the end of the week but it is out of my hands at the moment.

I think the revised process is more than a codicil in that it is more important than what some may perceive an 'appendix' to be – it will be an integral part of the derogation application process.

I will send some background to the other project in the coming weeks – I am preparing some information around that in an attempt to clarify the project objectives. This derogation process is enabling me to reflect on my original ideas and tighten the scope of that project.

Kind Regards,

Lain Dare

[See following public comment]

15th November 2015

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**AN UNDER SUFFERANCE REPRESENTATION OBJECTION AND
COMPLAINT OVER:**

**All Applications for Highly Hazardous Pesticide Derogations from Forest
Stewardship Council and Related Probity Process and Transparency Issues**

(Australian Forest Managers FSC Highly Hazardous Pesticides Derogations 2015)

Dear Sirs and Mesdames

Introduction

has a lack of confidence around both the process and applications. We set out our concerns briefly in this document. We are making this objection and complaint under sufferance. It includes the identification of systemic FSC problems and conflicts of interest.

We claim the applications represent an expansion of highly hazardous chemical pesticide usage under the FSC certification banner, not a reduction or indeed even avoidance under IPM. We claim this so-called national application represents, in the main, a 'business as usual' approach rather than a temporary proposition.

We do not intend to go over the plethora of FSC documents, nor do we support the convoluted web, which the process clearly represents. We do not consider it to be our role to do much more than point out in broad terms the abject failure of both the applications and the process. We consider the process to be volunteer and community abuse.

However you can see that we have addressed this letter of complaint and objection to a wide range of people within the FSC web, which we believe may have at least some of the overall responsibilities for the shambles and who in any case may start to fix the situation which is clearly unacceptable.

FSC Principles

We quote from the document: 'FSC International Standard FSC Principles And Criteria For Forest Stewardship' FSC-STD-01-001 (version 4-0) EN

"6.6 Management systems shall promote the development and adoption of environmentally friendly non-chemical methods of pest management and strive to avoid the use of chemical pesticides. World Health Organization Type 1A and 1B and chlorinated hydrocarbon pesticides; pesticides that are persistent, toxic or whose derivatives remain biologically active and accumulate in the food chain beyond their intended use; as well as any pesticides banned by international agreement, shall be prohibited. ..."

"6.9 The use of exotic species shall be carefully controlled and actively monitored to avoid adverse ecological impacts."

"10.7 Measures shall be taken to prevent and minimize outbreaks of pests, diseases, fire and invasive plant introductions. Integrated pest management shall form an essential part of the management plan, with primary reliance on prevention and biological control methods rather than chemical pesticides and fertilizers. Plantation management should make every effort to move away from chemical pesticides and fertilizers, including their use in nurseries. The use of chemicals is also covered in Criteria 6.6 and 6.7."

In Australia it can be shown that the principles of FSC International Standard FSC Principles And Criteria For Forest Stewardship are effectively not being actively pursued in that FSC Australia is negligent and derelict in not ensuring a proper adherence and promotion of the Standard and of the Derogation process.

claims that contrary to the above that chemicals are considered a part of forestry, erroneously termed "forest management".

quote from FSC-STD-01-002 (V1-0) EN FSC Glossary Of Terms:

“Chemicals”

“The range of fertilizers, insecticides, fungicides, and hormones which are used in forest management. FSC Source: FSC-STD-01-001”

Note FSC does not say, “which may be used” it says which are used. Not much scope for an FSC certified organic plantation there it would seem.

Issues around FSC Highly Hazardous Pesticide Derogations

The process for approving the FSC Highly Hazardous Pesticide Derogations are described in the document ‘International Pesticide Derogation Procedure’ FSC-PRO-30-001 V1-0 EN. There are several other documents however, which are mentioned further. The whole can only be described as complex and unwieldy.

For example this document quotes the following FSC documents as references:

1. FSC-STD-01-001 FSC Principles and Criteria
2. FSC-POL-30-001 FSC Pesticides Policy
3. FSC-STD-01-005 FSC Dispute Resolution System
4. FSC-PRO-01-005 Processing Appeals

The Meaning of the Term Derogation.

The Oxford dictionary defines Derogation thus:

Definition of derogation in English: noun

1 *An exemption from or relaxation of a rule or law: countries assuming a derogation from EC law*

2 *[mass noun] The perception or treatment of someone or something as being of little worth: the derogation of women*

Origin

Late Middle English (in the sense ‘impairment of the force of’): from Latin derogation (n-), from the verb derogare (see derogate).

DEROGATION (<http://www.lectlaw.com/def/d144.htm>)

“The partial abrogation of a law. To derogate from a law is to enact something which is contrary to it, while to abrogate a law is to abolish it entirely.”

der·o·gate (der'·-gat') (<http://www.thefreedictionary.com/derogation>)

1. *To take away; detract: an error that will derogate from your reputation.*

2. To deviate from a standard or expectation; go astray: a clause allowing signers of the agreement to derogate from its principles during a state of emergency.

Derogation, From Wikipedia, the free encyclopaedia

“Derogation is the partial revocation of a law, as opposed to abrogation or the total abolition of a law. The term is used in both civil law and common law. It is sometimes used, loosely, to mean abrogation, as in the legal maxim: Lex posterior derogat priori, i.e. a subsequent law imparts the abolition of a previous one.

Derogation differs from dispensation in that it applies to the law, where dispensation applies to specific people affected by the law.

In terms of European Union legislation, a derogation can also imply that a member state delays the implementation of an element of an EU Regulation (etc.) into their legal system over a given timescale,[1] such as five years; or that a member state has opted not to enforce a specific provision in a treaty due to internal circumstances (typically a state of emergency).”

So clearly there is a temporary intent in the term derogation. Otherwise the word abrogation would be the correct one. Temporary means: lasting only a short while. Or lasting for only a limited period of time; not permanent.

Temporary:

Also found in: Dictionary/thesaurus, Medical, Acronyms, Encyclopaedia, Wikipedia.

Temporary adjective acting, ad tempus, brief, changeable, deciduous, elusive, ephemeral, evanescent, fleeting, fugacious, fugitive, impermanent, interim, limited, makeshift, momentary, monohemerous, nondurable, perishable, provisional, shifting, short-lived, stopgap, temporal, transient, transitional, transitive, transitory, unstable, volatile

Associated concepts: temporary restraining order See also: acting, brief, ephemeral, interim, interlocutory, provisional, tentative, transient, transitory, vicarious

Burton's Legal Thesaurus, 4E. Copyright © 2007 by William C. Burton. Used with permission of The McGraw-Hill Companies, Inc.

TEMPORARY. That which is to last for a limited time; as, a temporary statute, or one which is limited in its operation for a particular period of time after its enactment the opposite of perpetual.

A Law Dictionary, Adapted to the Constitution and Laws of the United States. By John Bouvier. Published 1856.

And from <http://definitions.uslegal.com/t/temporary-permit/>

“Temporary permits refer to a written or oral authorization to do something for a short duration. They are permits issued temporarily. Usually they are issued on payment of a prescribed fee for a specific period beyond which it has no validity.”

thus claims that approving a temporary application or providing derogation over and over is obviously tantamount to permanence.

FSC defines long term but strangely not temporary. argues that temporary is not long term:

“Long term”

“The time-scale of the forest owner or manager as manifested by the objectives of the management plan, the rate of harvesting, and the commitment to maintain permanent forest cover. The length of time involved will vary according to the context and ecological conditions, and will be a function of how long it takes a given ecosystem to recover its natural structure and composition following harvesting or disturbance, or to produce mature or primary conditions. FSC Source: FSC-STD-01-001”

In terms of the short rotation tree crop multiple repeats of 5-year derogations is obviously a virtual permanent arrangement. An expeditious, cynical and callous discarding of the FSC principles.

argues and asserts that what we are now seeing from FSC aspirants is an application to supplant the FSC principles and an abrogation of those and all of that is being facilitated by

The FSC Pesticides Derogation Procedure

The document: FSC-PRO-30-001 V1-0 EN Pesticide Derogation Procedure states:

“In relation to pesticides, the FSC Principles and Criteria aim to prevent, minimise and mitigate the negative environmental and social impacts of pesticides use whilst promoting economically viable management of the world’s forests.

In accordance with the FSC Pesticides Policy, pesticides containing any of the active ingredients listed in the FSC list of ‘highly hazardous’ pesticides (HHP) shall not be used in FSC-certified Management Units except in specific circumstances authorized by the FSC Board of Directors through the issuance of a formal temporary derogation.

FSC takes a precautionary approach to pesticide use, in part because experience has repeatedly shown the difficulty of ensuring consistent proper use, and the limits of knowledge of the ecological and environmental impacts of pesticides and the consequent unforeseen consequences of their use.”

disputes that a precautionary approach is used by FSC.

FSC Director General, Kim Carstensen's recent comments are interesting and are noted:

"The Pesticides Derogation Procedure (FSC-PRO-30-001) (<https://ic.fsc.org/preview.fsc-pro-30-001-v1-0-en-pesticides-derogation-procedure.a-4562.pdf>) describes the requirements to be granted with a derogation. When the applicant fails to demonstrate compliance with these requirements (eg. the applicant does not demonstrate that the 'highly hazardous' pesticide is the only feasible way to control a pest that is causing severe damages; or does not have enough measures in place to prevent negative social and environmental impacts; or has not conducted an appropriate stakeholder consultation, etc.), a derogation is rejected."

FSC should look closely at the extent of the stakeholder consultation, which has occurred. A large number of people are potentially affected, were they consulted?

"Stakeholder"

"Any individual or group whose interests are affected by the way in which a forest is managed. FSC Source: FSC-STD-30-010 V2-0"

Past Derogations Provided by FSC in 2011

1. FSC_DER_30_V1_0_EN_Amitrole_Aus_01022011.pdf
2. FSC_DER_30_V1_0_EN_Alpha_cypermethrin_Aus_01022011.pdf
3. FSC_DER_30_V1_0_EN_Fipronil_Aus_01022011.pdf
4. FSC_DER_30_V1_0_EN_Hexazinone_Aus_01022011_1.pdf
5. FSC_DER_30_V1_0_EN_Sodium%20Fluoroacetate_Aus_01022011.pdf
6. FSC_DER_30_V1_0_EN_Simazine_Aus_01022011.pdf
7. FSC_DER_30_V1_0_EN_Terbuthylazine_Aus_01022011.pdf

Current Temporary Applications and the definition and meaning of the term Temporary.

The following list is extracted from the Stakeholder Engagement Plan by Dare

- | | |
|--------------------|--------------------|
| 1. 1080 | 4. Fipronyl |
| 2. Amitrole | 5. Cuprous Oxide |
| 3. Alpha- cyper'in | 6. Copper Sulphate |

7. Picloram

9. Pindone

8. Glufosinate ammonium

This represents an increase of different types of highly hazardous chemicals being applied for FSC derogation of almost 30%. It seems therefore in relation to FSC that the FSC Principles and the IPM approach are failing.

The interesting thing about the applications is that there would appear to be three certifying bodies that will be making the applications. Those three bodies are serving 10 forestry companies.

If we were to accept the proposition that there can be a national approach because the situation around the application of highly hazardous pesticides in forestry is comparable across the nation then asks FSC International to consider the following as a relevant consideration: Currently, based on the 2015 applications, there are two forestry companies which claims to need to use ONE only highly hazardous pesticide to manage their plantations. There is one that needs two highly hazardous pesticides. There are 3 companies claiming they need 3 highly hazardous pesticides. There is a further 3 companies claiming they cannot conduct their operations viably with less than 4 highly hazardous pesticides. There is 1 company claiming they need the extraordinary 6 highly hazardous pesticides.

So the range of need for highly hazardous pesticides is at a ration of 6 to 1 across the continent of Australia and across FSC aspiring and certified forestry corporations. That could hardly be considered to be a nationally consistent approach.

view is that each forestry company should be making separate application and providing their own explanation of their own needs, methods of IPM and circumstances. We have no confidence that the approach of one company is comparable with another.

considers that the applications are not sufficiently particularised for each forestry company who is making the joint application. That represents a devaluation of the concept of IPM and the entrenchment and indeed a potential pathway for an expansion of highly hazardous pesticides. is opposed to this nationalised approach.

From a process perspective we consider too it has the strong potential to confuse stakeholders.

Other FSC Documentation over Highly Hazardous Pesticides.

Regarding 'Indicators And Thresholds For The Identification Of 'Highly Hazardous' Pesticides' (HHP) FSC-STD-30-001 V1-0 EN, again the whole can only be described as complex and unwieldy, full of weasel clauses. For example this document quotes the following FSC documents as references:

1. FSC-POL-30-001 FSC Pesticides Policy
2. FSC-PRO-01-004 Processing Pesticide Derogation Applications

3. FSC-STD-01-002 FSC Glossary of Terms,

FSC Australia

FSC Australia has existed since 2006 (Responsible Forest Management Australia Limited was incorporated as a public company limited by guarantee (ABN 81 120 667 870)) yet still does not have a National Standard.

A National Office has some obligations regardless:

“FSC National Office: a legally established and independent FSC partner organization promoting responsible management of the world’s forests on behalf of FSC at the national level on the basis of a formal cooperation agreement. National Offices are required to establish a multi-stakeholder governance structure, similar to that of FSC AC.”

National IPM Advisory Group: FSC Australia has explicitly chosen to not have one of these. has been advised that an attempt at a consensus over pesticides has been unsuccessful in FSC and that a group, which was formed about seven years ago, “imploded”.

is also aware that FSC Australia claims to not have the physical and financial resources to convene and conduct a National IPM Advisory Group.

In our view FSC does not even, within itself in Australia, claim to have a stake over the responsible consideration of the highly hazardous pesticides. That was confirmed when we contacted the National Office. Thus considers the FSC Australia is NOT “*promoting responsible management of the world’s forests on behalf of FSC at the national level*”.

claims FSC Australia is in breach of FSC’s FSC-POL-30-001 (2005) EN FSC PESTICIDES POLICY, which states: “Promotion of ‘non-chemical’ methods of pest management as an element of an integrated pest management strategy;”

FSC Australia has obviously manifestly failed to promote IPM as it cannot even form a National IPM Advisory Group but rather ends up leaving it up to the industry-appointed or self-appointed Mr O’Grady to have his way.

One of the problems for FSC Australia, to be fair to it, is that the design of the structure of FSC overall is deeply problematic, where both the power and flow of funds largely benefit the certification bodies. National organisations such as FSC Australia are not adequately supported by FSC to the extent that they find it difficult to survive and to be effective. So from our perspective your FSC system is both highly complex, unwieldy, unfair procedurally and the national organisation is left to hang out to dry. It is a stupid system.

Opposed to the Current Process.

The process has been poorly described and unjust, that is not procedurally fair. These problems are described. As such we consider the consultation to be inadequate.

also questions the degree to which stakeholders have been identified and contacted around Australia. A list of neighbours for example should accompany each application.

We make the point that on the basis of the differences around neighbour and neighbour notification a national process would see not warranted. It is hard to consider that all neighbours of the various CW or FMU holdings have been notified. If the neighbours have not been notified of the derogation applications the consultation is, we assert, manifestly inadequate. The FMUs mainly cover large, indeed vast tracts of country with many titles over several states of Australia, being a whole continent. Just imagine if Europe was to make one application for the continent. That is what we are talking about here.

“As an integral part of the derogation process the group of forest management companies, invite all interested stakeholders to provide feedback on the draft derogation applications and process. A range of consultation opportunities are available during the 52 day consultation period which extends from 25 September until 16 November 2015.”

Stakeholder Engagement Plan –FSC Pesticide Derogation 2015

Dr Lain Dare wrote the Stakeholder Engagement Plan which at page 6 states:

“The opportunity to provide public comment enables stakeholders to prepare a considered document in response to the derogation application. While such an approach does not allow for an engaged discussion, the approach provides a public record of stakeholder concerns that can be used for consideration in decision-making processes.”

The trouble with this plan is that it does not clearly set out the full process, who created what and who has the responsibility for the various parts of the process, what rights and recourse stakeholders possess as of right.

What it really comes down to as expressed above would see to be that one's representation forms merely a record of concerns. For this Plan is deficient and inadequate to the point that, along with matters such as the misidentification of draft documents and incomplete applications, we consider the engagement to be fundamentally compromised.

Dr Dare's stakeholder engagement plan gives the illusion that the Pesticide Derogation Advisory Group has some status and may have been created by, say FSC Australia, or even FSC International, given there is no FSC National Standard and given there is no FSC IPM Group in Australia.

contacted Dr Dare by email on the 11th November and she responded promptly by email even though she is overseas. She stated amongst other statements:

"I have been informed of your email correspondence with Kevin so will attempt to give you as much detail as I can now via email, and I will call you when I return on Nov 23rd. I know that this date is later than the 16th deadline but I can include your response at that late notice."

There are indeed issues, which could not be resolved without a discussion with Dr Dare.

However in the past has arranged a late comment (to Woodmark) under FSC and when we did so we were informed our submission would not be considered. So we are now not very trusting of FSC processes.

2015 FSC Highly Hazardous Pesticide Derogation Stakeholder Survey

will not be participating in this survey, which goes to Dr Dare.

will not be participating in any online event being held post the close of the comment period.

Pesticide Derogation Advisory Group

emailed Mr O'Grady regarding the Pesticide Derogation Advisory Group.

He stated:

"I am the convenor but am not taking part (due to conflict). The best contact is Lain Dare.

Note this group will not make any decisions on the derogations. That is done by FSC International in Bonn. The role of the group is detailed in the e mail I sent earlier today but is copied at the end of this message for your convenience.

The 3 experts named earlier will take part. Repeated below for clarity.

Social perspective

Margaret Alston OAM, Professor of Social Work and Head of Department

Director of the Gender, Leadership and Social Sustainability (GLASS) research unit, Caulfield Campus, Monash University.

Environmental perspective

Dayanthi Nugegoda B.Sc. (Hons), Ph.D., Professor of Ecotoxicology, School of Applied Sciences, RMIT University,

Engagement specialist (Lain Dare will chair the group).

Dr Lain Dare, Senior Research Fellow, Institute for Governance and Policy Analysis, University of Canberra

2 company people will be there to answer technical questions on behalf of the industry. I think these are from HVP and PF Olsen in which case they will be the people in the public contacts list for the derogations."

So Mr O'Grady created the Pesticide Derogation Advisory Group. Mr O'Grady contacted the companies and brought the applications together. Mr O'Grady is also receiving the public stakeholder comments. We consider Mr O'Grady's above description is not accurate and indeed we consider it may have been calculated to deceive.

From the Stakeholder Engagement Plan written by Dr Lain Dare it states (page 6) the Pesticide Derogation Advisory Group is comprised as follows:

The advisory group will comprise of the following:

Phil Whiteman, HVP Plantations

David Bennett, PF Olsen Australia

Dr Dayanthi Nugegoda, RMIT (TBC)

Professor Margaret Alston, Monash University (TBC)

Dr Lain Dare, University of Canberra (Independent Facilitator)

Thus the two industry people who are representing forestry applicants are on the Pesticide Derogation Advisory Group and presumably would be within the decision-making process. It is a blatant bias is unwilling to tolerate.

Then the Stakeholder Engagement Plan states:

"At the completion of the 52 day consultation period all comments received will be evaluated by the Pesticide Derogation Advisory Group. This advisory group will consist of representatives of the economic, environmental and social chambers of FSC Australia, in addition to the independent stakeholder engagement facilitator."

This gives the incorrect impression that FSC Australia chose the "representatives" being the members of the Pesticide Derogation Advisory Group and that it may have some official status. considers the Pesticide Derogation Advisory Group may have no official status but rather more notably has conflicts of interest, an issue which we discuss and claim below.

considers that it would be irresponsible for the Board or officers of FSC Australia to set up such a Pesticide Derogation Advisory Group without a terms of reference (which cannot find), without a clear decision to do so from The Board and without a publicly advertised recruitment process onto the group.

It may be that the Pesticide Derogation Advisory Group is nothing more than a forestry industry conceived outfit. Regardless of the probity of some of the members of the Pesticide Derogation Advisory Group, we nonetheless consider the outfit to lack transparency. considers there to be a systemic problem with the process, which has

been devised, and the Pesticide Derogation Advisory Group is caught within that conception.

notes the aim in the Plan to achieve a consensus:

“Where the advisory group is unable to reach consensus discussions will be facilitated by the independent stakeholder engagement facilitator. If following facilitation consensus is still not reached, the range of recommendations identified by the advisory group will be included within the derogation applications for consideration by FSC International.”

It seems the Stakeholder Engagement Plan may also be the inadequate surrogate for the Pesticide Derogation Advisory Group terms of reference. So the writer of the plan writes her own process.

Regarding consensus notes the FSC definition:

“Consensus”

“General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments (adapted from ISO/IEC Guide 2:1991). FSC Source: FSC-STD-01-005 V1-0”

The process is not sufficiently described for the Pesticide Derogation Advisory Group nor is there sufficient time to apply consensus in this case in view. We recommend it be abandoned as a sick joke and that the opposing or differing views and concerns simply be put, along with all submissions, unabridged that is, to FSC International.

Indeed we specifically call for all submissions to be left unabridged. Nothing else has any probity.

also recommends that the decision-making meetings, which we assume will be face to face, should be recorded and minuted. That for each decision over the various stakeholder suggestions, comments and objections, reasons be given and documented for FSC International.

Conflicts of Interest and The Disproportionate Power Seekers

Regarding Dr Lain Dare's involvement, to which process are you referring?

“Lain is an independent engagement specialist. She designed the SH process and is doing work analysing the results. I am just the “organiser” of the process she is the expert. She was recommended by the Board of FSC Australia and has worked with Jackie Shirma.

Dr Lain Dare wrote the Stakeholder Engagement Plan but she is also the chair of the Pesticide Derogation Advisory Group and under the Stakeholder Engagement Plan she

has seemingly appointed herself as the person who facilitates a consensus of that Pesticide Derogation Advisory Group. In our view those multiple roles are conflicted. Additionally we are very concerned that she has a disproportionate amount of power and influence in the process.

In our email to Dr Dare we raised the conflict issue and stated:

"We have been raising concerns over FSC in Australia and Tasmania as well as other certification schemes since the mid 1990s. We consider Governance over forestry in Tasmania is completely inadequate, a sham and a disgrace. Likewise spraying legislation and regulation is completely inadequate and does not protect the safety of residents and others in proximity.

I would seek to read the 'stakeholder engagement plan' you prepared please.

I would also welcome reading your papers on governance. Can I access them easily, electronically?

We are absolutely not satisfied with the FSC derogation process and consider there to be far too many conflicts of interest. I consider you also have too great a stake in too many aspects of this process. I can set those conflicts out for you if you wish.

is also concerned in the way this cornucopia of chemicals is being promoted. Until recently we were not aware of the plethora of chemicals over which derogation is being sought. We were only told of Forico and FT's request.

I note that conservation minded people and organisations continue to remove themselves from any association with FSC. There are good reasons that is occurring in our view.

At this stage we have formed a view: Any submission makes to this derogation application process would be under sufferance."

Indeed it would be cause for complaint on probity grounds and thus we call here and now for Dr Dare to recuse.

Mr O'Grady writes to TEA:

"To anticipate the next question Pinnacle (Mr O'Grady) is engaging Lain and on charging to the applicants."

Who appointed Mr O'Grady to be the National Derogation Coordinator?

Mr O'Grady please advise whether you (Pinnacle) currently work directly or on a contract basis for any forestry company? If so which ones?

Mr O'Grady writes

"Yes I do. I have a "cluster group" where companies receive updates on FSC especially where policy or standards change from the point of view of what the impact is on their systems and certification and what they need to do about it.

When they want work done in other areas I often get called on. All the applicants except 1 (WAPRES) are in the cluster group. The current size is about 17 companies. Most if not all big companies in Australia are involved in the group and It would be easier to say who is not a member. Namely WAPRES, 141 Plantations (Formally Forestry SA), Forest NSW."

Mr O'Grady writes

"Yes I was formally of Timbercorp (formally a company). I think we me when I was Chairman of FSC Australia doing the consultation on the FSC Australia controlled wood risk assessment."

Mr O'Grady writes :

"To explain the process and my part in it. I am contracted to develop the derogation nationally, that is one derogation for each chemical rather than one per company per chemical. This is allowed for in the FSC Standard. I am also the go to person for the national stakeholder process. Although the process for the consultation has been managed by an Engagement specialist Dr Lain Dare Senior Research Fellow, Institute for Governance and Policy Analysis, University of Canberra. An important point is that there is a national process with responses via me but analysis by Lain Dare. BUT there is a local process for each company, That is that Forico should be your first point of contact. However feel free to copy me in."

So making a comment to Mr O'Grady, who it would appear has possibly termed himself the "National Derogation Coordinator", thus creating an illusion that he is something other than Pinnacle Pty Ltd, the consultant firm representing the 17 Forestry Corporations, 10 of which are applicants in the current process. would go so far as to claim this to be tantamount to a deception, perhaps a deliberate one. Mr O'Grady has charge of receiving the community comments on the derogation applications and may indeed have influence over them in relation to the Pesticide Derogation Advisory Group.

can find no terms of reference or job description for the role of "National Derogation Coordinator". It is opaque, to be kind.

The community may not understand how many roles the seemingly perennially energetic and entrepreneurial the Mr O'Grady to have. Again considers Mr O'Grady has too many roles and too many associations and thus claims him to be a disproportionate power seeker.

Phil Whiteman is the representative for the Derogation Applicant forestry company Hancock Victoria Plantations (HVP Plantations) but he is also assessing the stakeholder feedback via his participation on the **Pesticide Derogation Advisory Group**.

David Bennett is the representative for the Derogation Applicant, forestry company PF Olsen Australia but he is also assessing the stakeholder feedback via his participation on the **Pesticide Derogation Advisory Group**.

The National Approach

Finally, given there would be a range of jurisdictions and regulations from state to state what was FSC's rationale in taking a national approach? Or was it not FSC who decided? Indeed who did decide?

“Good point. FSC standards allow for a national approach but the decisions to do so were the companies. The regulations were taken into account but in general the criteria from FSC go beyond regulatory minima.”

wishes to make it abundantly clear we oppose a national Approach across the continent of Australia including the island state of Tasmania. considers that it was not the companies which sought a national approach but more likely Mr O’Grady.

Opposed to Current Applications.

Past chemical derogations

In consideration of the derogations applied for by companies managing forestry in Australia for pesticides to FSC, it must be pointed out that the established EDCs are Amitrole, alpha-cypermethrin, Fipronyl, copper, Picloram, Glufosinate with no full knowledge regarding 1080 and Pindone (the full science is not yet in and so they cannot be considered ‘safe’ chemicals).

Applications Claimed to be Temporary

When one looks at the title of the application for Alpha cypermethrin (CAS No 67375–30–8) it states:

“FSC-TPL-30-001 Application for a temporary derogation to use a ‘highly hazardous’ pesticide”

“Active ingredient for which a temporary derogation is being requested: Alpha cypermethrin CAS No 67375–30–8”

The 2015 application follows directly from the 2011 Temporary application, which expires in February 2016.

claims the application is not temporary in the terms of land use planning for example or indeed in any terms that the community could understand or find acceptable.

claims that all the applications are not temporary. Certainly the ones, which follow on from 2011, cannot be claimed to be temporary. We claim a ‘business as usual’ situation.

Forestry Tasmania’s summary document over alpha cypermethrin states in the title:

“Forestry Tasmania’s Alpha-cypermethrin Summary Document on Forestry Tasmania’s application to the Forest Stewardship Council® for a temporary

derogation to allow the continued use of the insecticide alpha-cypermethrin in eucalypt plantations”

Underlining is our emphasis.

The word “Continued” is obviously closely associated with continuous and thus is not synonymous with temporary. The word ‘Continued’ has an Oxford Dictionary definition of: 1/ carried on without cessation, continual and 2/ Carried on in space, time or series, continual.

It is not possible to understand how a continual use could ever be equated or indeed accommodated with a temporary derogation. Indeed were FSC International to claim such an abhorrent deceit is sure it would attract damaging media attention.

Applications not identified as Drafts or Consultation Drafts

When one reads the 25th September stakeholder letter from Forico one gains the impression that the published applications are merely drafts.

“Stakeholder comments will be used by:

- 1. Forico to incorporate within (i) Pesticide Application Plans and (ii) the alpha-cypermethrin derogation application;*
- 2. The Pesticide Derogation Advisory Group to ensure an accurate understanding of the perspectives of stakeholders and to develop potential control measures; and*
- 3. FSC International, in consideration of the derogation application.”*

When one looks at the title of the application for Alpha cypermethrin (CAS No 67375–30–8) it states:

“FSC-TPL-30-001 Application for a temporary derogation to use a ‘highly hazardous’ pesticide”

“Active ingredient for which a temporary derogation is being requested: Alpha cypermethrin CAS No 67375–30–8”

There is no identification of the Alpha cypermethrin document as a DRAFT.

This is the same situation and the same inadequacy as for all the other chemicals in the applications.

Not identifying the application to be draft is a fundamental problem where the application is obviously incomplete and insufficient. It is a draft. Indeed it may be that it is intended to be a Consultation Draft.

To be procedurally fair it is vital that people know the status of the application documents in advance of them being published.

They are purported to be final applications in our view in terms of the way in which they are portrayed on the FSC Australia website. We have taken a screen copy of the FSC website for our records and can make it available if required.

Applications Incomplete

A document on the FSC Australia website states:

“There are several parts of the applications that need to be completed by the Certifying Body (CB) or in consultation with the CB, OR require input from stakeholders before they can be completed.”

Applications Insufficient

The applications in several cases have not been sufficiently particularised to the Forestry Management Enterprise and the FMU concerned.

sees no reason for going through each of the applications for each highly hazardous pesticide (HHP) and documenting all the errors, omissions and inadequacies. Too onerous a job for our unfunded, volunteer, community organisation, given our lack of confidence in the FSC process.

The application document ‘Information on missing parts on the derogation applications’

Simply shows that these so called applications are a work in progress. They are not complete and not sufficient and should not have gone out for stakeholder consultation at this stage.

Integrated Pest Management (IPM) Strategies

The FSC Derogation process described and defines IPM as:

“Integrated Pest Management (IPM): Pest and disease control method, where preventive measures and biological/physical/chemical methods are carefully selected and balanced taking into account the protection of health of humans and of the environment.”

It commits that forestry companies will have IPM Strategies. Where are they?

Are they so feeble as to be a non-event?

We contacted Forico last week seeking to receive a copy of the Forico Integrated Pest Management Plan but have not received a copy. It should be on their website.

We have just received it, perused it albeit briefly and note it is extremely basic to the extent we consider it inadequate. We would like to make further submission over those aspects.

Specific Highly Hazardous Chemical Concerns

Alpha Cypermethrin ("Alpha C") CAS No. 67375-30-8

Alpha-Cypermethrin is classified by FSC as Highly Hazardous due to it's: "acute toxicity to mammals and birds & acute toxicity to aquatic organisms."

considers there to be a range of likely impacts from the application of this chemical on humans and that there is sufficient information that citizens are caused anxiety and fear they would be unsafe from nearby spraying or from the HHP becoming air or water born. The safety of citizens is more important than corporate profit.

Bear in mind that FSC carries significant benefits in certification terms and thus if there was a slight cost penalty in overall production terms, bearing in mind pest control is not the major cost of growing trees, then if the same rule applies to one as it does to all the additional costs is merely passed on to the end user. That would be "responsible".

does not support this derogation for Alpha Cypermethrin ("Alpha C") CAS No. 67375-30-8.

Bees

Bees on the continent of Australia are an overriding public interest. Aside from Antarctica, Australia is the last continent free of Varroa mite and it is also free of colony collapse disorder. Chemicals, which affect bees, should not be certified under some derogation weasel words by FSC.

Bees cannot be claimed to be harmful and thus cannot be claimed to be a Pest under the Pesticide Derogation Procedure.

believes there is sufficient contention over the impact on bees from Alpha-Cypermethrin to strongly warrant a precautionary approach and phase out. can provide additional information about this aspect if required.

Other Derogations

has long campaigned against 1080 and will never support the use of such cruel poisons anywhere for any purpose. Tasmania shows it can be removed from the forestry landscape and trees can still be grown successfully. Tasmania has more wildlife than any other state.

Triazine herbicides are proven carcinogens, which pollute ground water. There is no justification as far as we are concerned.

Fipronyl: If this product is not used with great care it kills bees. The Remaining Other HHPs we would seek to make comment on at a later stage.

Aerial Spraying is not safe in Tasmania.

Tasmania is one of the windier places on the planet. Tasmania is hillier, has more headwater streams, has more turbulent air flowing over it and for this reason alone the legislation and codes around aerial spraying remains inadequate and not equivalent to mainland Australia. Once the highly hazardous pesticide is on airstream it is away – out of control.

has a position over aerial spraying and pesticide use, which briefly is summarised as follows:

Chemical regime of forestry plantations is unacceptable to the community. Aerial Spraying - Code of Practice is inadequate.

1. The preferable solution is to ban Aerial Spraying in forestry plantations and in native forest.
2. Reduced reliance on chemical spraying and especially on aerial spraying.
3. Introduce far more stringent controls including adequate notice provisions. [People currently often get only 24 hours notice.]
4. Establish substantial setbacks from roads, dwellings and other habitation and any Sensitive Use as well as streams and water tanks and storages.
5. Rights of objection and rights to be advised for people in the vicinity, say up to 2 kms to aerial spraying operations as a minimum.
6. Cessation of the use of triazine chemicals and any other recognised carcinogenic chemicals.
7. Ban triazine and other persistent herbicides completely. Is necessary for community health.

Currently Agricultural and Veterinary Chemicals (Control of Use) Act provides:

- o Anyone listed in the Aerial Spraying Code of Practice is to be notified (includes schools within 1km and residences within 100m)
- o Owners who have resided within 1km of the area being sprayed for at least 12 months can seek a direction from the Secretary that they be notified of spraying events.
- o Tenants who have resided on the property being sprayed for at least 12 months can seek a similar direction.

The Aerial Spraying Code does not specify when Notice is to be given. Notice given pursuant to a direction of the Secretary is to be in accordance with the direction.

The Aerial Spraying Code establishes the following inadequate buffer areas:

- o 1km of school during school hours
- o 100m of dwelling or boundary of residential / commercial zone
- o Over waterways

This Aerial Spraying Code is not enforced nor does industry even adhere to it. I would be willing to take any FSC official to places where clear breaches have occurred, especially waterways and the miserable and inadequate 100 metre setback. Making a complaint in Tasmania is a relatively useless activity where the third world bureaucracy has been told or rather guided into uselessness.

We can take FSC to places in Tasmania where the public road has been sprayed. Indeed we have a video of such an event where both a road and a stream were sprayed. This was some years ago and maybe the company concerned and its successor Forico have changed but maybe they have not. In any case the laws and the protections for the citizens of Tasmania manifestly remain inadequate.

I am, upon request and with assurances of confidentiality, willing to provide testimonials over aerial spraying incidents.

Recommended amendments:

1. Amend s.31 of the Agvet (Control of Use) Act 1995 to require notice be given to all landowners and occupants within prescribed distance, regardless of length of residence and without need to seek direction from Secretary.
2. Establish register for other interested parties to be informed (e.g. people with health concerns, organic farming enterprises). The Guidelines for Planned Burning 2009 is an example of this approach.
3. Amend r.9 of the Agvet (Control of Use) Regulations 1996 to extend prescribed distance to 2 km and introduce minimum and maximum notice periods (e.g. not less than 48 hours, not more than 14 days).
4. Amend Schedule 5 of the Agvet (Control of Use) Act 1995 to require applications for spraying permits to be advertised and an opportunity to object.
5. Amend Schedule 3 of the Agvet (Aerial Spraying) Order 1996 to include triazine chemicals in list of chemicals not to be aerially sprayed.
6. Amend the Aerial Spraying Code to include stricter setbacks from various boundaries and sensitive uses.

I would be interested in the records of pesticide drift into to the Cape Grim (Tasmania) atmospheric monitoring station.

So does not support or accept the Tasmanian legislation or the Aerial Spraying Code. People do not feel safe living in rural in Tasmania and for good reason.

Because Tasmania is hilly and because some plantations are in hilly areas and on elevated sites, those sites gain much more wind than other sites nearby. The elevated site problem means that some of the sites are virtually permanently unsuited to any aerial application.

For example there is a Forestry Tasmania plantation site almost on the top of Christmas Hill, north west of Deloraine. It must be over 450 metres in altitude. The surrounding area either at Weetah or Parkham would be much lower, at around 200 to 250 metres.

Another example would be the Mersey Hill at Chudleigh where Forico have two plantations, which would be around 350 metres with the valley, floor around 250 metres. The people of Chudleigh consider and have documented what they call the Chudleigh cancer cluster, which they attribute to the pesticide spraying problem.

Another example would be Forico's Hingston plantation at Parkham ranging in the main from 250 to 400 metres and often windy. The writer's residence is downwind of this site and only 220 metres in altitude.

So it is very easy in all these situations for the pesticide to get airborne especially when the plantation trees grow up. Bear in mind that what is applied to be derogated are highly hazardous pesticides. So in the situation where FSC has been advised by stakeholders that the processes and laws to protect citizens are not adequate it should take a precautionary approach and not simply approve further derogations.

Cost claims – should not be a dominant consideration in terms of a derogation justification

In various rationales within the applications for the continued use of the highly hazardous pesticides there is a justification that other methods are more expensive and are then dismissed. That is not satisfactory and is not supported by

Regarding the FSC PESTICIDES POLICY FSC-POL-30-001 (2005) EN which was Approved December 2005 and states:

“FSC policy in relation to the use of pesticides in FSC-certified forests and plantations aims to minimise the negative environmental and social impacts of pesticide use whilst promoting economically viable management.”

considers that the effect of the clause in the Policy is an irresponsible dismissal of the negative environmental and social impacts of pesticide use to the imperative of economically viable management. We call on the FSC Board to change the Policy and to drag it kicking and screaming into the 20th century and then into the 21st. It is currently a pile of rubbish.

FSC is completely out of step with modern land use planning and the concept of ecological sustainable development.

In Tasmania land use in the main comes under the Resource Management Planning System (RMPS) and that system has objectives including the approval objectives, which are reproduced below. You will see that those objectives provide a broad and even approach to development that is not dominated by the imperative of “economically viable management” to the disadvantage and diminishing of all others.

“PART 1 - Objectives of the Resource Management and Planning System of Tasmania

1. The objectives of the resource management and planning system of Tasmania are –

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and

(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and

(c) to encourage public involvement in resource management and planning; and

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

2. In clause 1(a), "sustainable development" means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –

(a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

PART 2 - Objectives of the Planning Process Established by this Act

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule –

(a) to require sound strategic planning and co-ordinated action by State and local government; and

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and

(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and

(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and

(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and

(i) to provide a planning framework which fully considers land capability.”

Therefore considers that in Tasmania at least there is a superior and more responsible way of considering land use development to the approach set out in the FSC PESTICIDES POLICY FSC-POL-30-001 (2005) EN. Indeed we consider the FSC Policy to be neither responsible nor sustainable.

Plantations are not Forests

FSC considers plantations erroneously to be forests:

“Plantation”

“Forest areas lacking most of the principal characteristics and key elements of native ecosystems as defined by FSC-approved national and regional standards of forest stewardship, which result from the human activities of either planting, sowing or intensive silvicultural treatments. FSC Source: FSC-STD-01-001”

has long asserted and claimed that intensive artificial plantations, usually comprising exotic species (to the site) and usually where the site has a very low biophysical naturalness are not and cannot be responsibly claimed to be forests.

Land Clearance

Plantations in Tasmania have often been carved out of the native forest and placed hard up against the secure conservation reserves, despite advice given to the contrary.

The avoidance of Land Clearance activities by way of the change of corporate ownership of forest and plantations represents a serious dissatisfaction in FSC certification terms.

Legislative Reform of Forestry

considers legislative and regulatory reform the most important aspect to transform forestry into a sustainable industry. Reform of all legislation where forestry is unreasonably assisted or exempted and/or favoured as well as where the people of Tasmania are unfairly disadvantaged is long overdue. Achieving such reform, mainly of State legislation, may require a Memorandum of Understanding type agreement that ensures reforms are implemented.

In particular a broad right of appeal to forestry operations is crucial to allow disputes over logging operations, regardless of tenure, to be fairly resolved. This has been largely denied Tasmanians for decades.

Legislative reform to ensure adequate and consistent rights of public participation in all land use planning decisions, including forestry activities is urgently and crucially required. This can occur within the current Forest Practices Act or under the planning legislation. Either would be acceptable to

Legislative reform must be far broader than that constrained by any interpretation of the Tasmanian Forest Agreement 2012, if a durable outcome is to be achieved. The current legislative package is completely unacceptable to

We consider it inappropriate and unworkable to encourage Forest Stewardship Certification (or any other certification scheme) without first enacting adequate legislative reform over forestry and forest practices. Genuine legislative reform of forestry has long been on the agenda but seemingly governments are not pursuing it.

Legislative and planning reform to level the playing field of forestry is the most equitable avenue to resolve the conflict in a durable way. We consider that governments must provide justice and avenues of redress regarding forestry to ensure the wellbeing of the community.

legislative reform proposals represent a core principled position for both a more comprehensive and equitable reform of forestry as well as biodiversity conservation and carbon sequestration. They are contained throughout this submission document.

view of the FSC Certification system

Dealing with the complexities of FSC criteria is hard, detailed work that requires time, expertise and sound proof from past activity to indicate the behaviour of the proposed future activity. Interestingly when one provides such proof with the FSC process, one does not necessarily get anywhere or even find out the outcome of one's representation. Then one must go to an appeal. That is atrocious and unjust.

For the public, FSC is unwieldy, complicated, not transparent, technical, voluminous and probably difficult for many to engage in participation. The pathways to appeal are also not straightforward or transparent. In our view it is a way of stopping public participation even though on the surface of things it looks so reasonable. We consider FSC is a merely a promotional tool for forestry corporations.

There is, in fact, no truly external appeal for a review of decisions. FSC has developed its own appeal body under a different name. (One is meant to be conversant with a vast array of documents and jargon to become FSC literate.)

Conclusion

would have far preferred to work with the Forest Enterprise Managers directly and believe the whole derogation process should be redesigned as a matter of urgency.

We call upon FSC to reject all of the applications for temporary derogation for the reasons set out in this, our under sufferance representation, objection and complaint document.

We expect to hear from you regarding the outcome please. We strongly consider we should receive a copy of the report regardless of the outcome.

Yours sincerely

Respondent: TAS-SFM1

Sent: Monday, 26 October 2015 3:36 PM

Subject: FSC Derogation Stakeholder Comment

Phoned TAS-SFM1.

TAS-SFM1 had made a submission regarding our FSC derogation on the 5/10/2015.

TAS-SFM1's concerns were around the spread of gorse on the West Coast within tree plantations.

I advised TAS-SFM1 that SFM does not manage plantations on the West Coast of Tasmania and that on properties we manage controlling the spread of weeds is important. She was happy with this response.

TAS-SFM1 thanked me for the phone call.

Cheers Dan

Respondent TAS-SFM2

Monday, 16 November 2015 3:10 PM

Hi TAS-SFM2,

Thanks for your call today. Not sure exactly what documents you couldn't access today.

Please let me know and I will try and source for you.

Regards Dan

Dan,

Your advice yesterday was sufficient for our meeting and I have since accessed the FSC website and completed the attached public comment form. I would appreciate any feedback on this submission and on the outcome of the derogation application.

As indicated in the form, if you need further detail on the contents of the [TAS-SFM2] comments please let me know

Thanks

Please select which FSC Highly Hazardous Pesticide Derogation(s) you are commenting on:

Pesticide	
------------------	--

1080	<input type="checkbox"/>
Amitrole	✓
Alpha cypermethrin	<input checked="" type="checkbox"/>
Fipronyl	✓
Cuprous oxide	✓
Copper sulphate	✓
Picloram	<input type="checkbox"/>
Glufosinate ammonium	<input type="checkbox"/>
Pindone	<input type="checkbox"/>

Please select the forest company(s) you are interested in providing comment to:

Forest Company	
Albany Plantations Fibre Limited (WA)	<input type="checkbox"/>
Hancock Queensland Plantations – HQP (QLD)	<input type="checkbox"/>
PF Olsen (Aus) Pty Ltd (VIC, SA, WA, QLD)	✓
Australian Bluegums Ltd (VIC, SA, WA)	✓
Forestry Tasmania	<input type="checkbox"/>
Hancock Victoria Plantations - HVP (VIC, SA)	✓
WAPRES(WA)	<input type="checkbox"/>
Bunbury Fibre (WA)	<input type="checkbox"/>
Forico (TAS)	<input type="checkbox"/>
SFM (TAS, VIC, SA)	✓

Provide comment here (please use as many pages as you require):

Thankyou for the opportunity to provide comment to this derogation application process.

Commercial beekeeping in Australia is highly dependent on access to a wide range of forest systems throughout the country for nectar and pollen resources. This access is managed through a system of licences issued for the intermittent occupation of 'bee sites' according to the sporadic availability of pollen and nectar. Bee Site licenses are administered through state land management departments.

The [TAS-SFM2] has commercial beekeeper members who manage bees on licensed public land bee sites throughout North Eastern and Central Victoria and some in Gippsland and the South coast of NSW.

Application of the identified chemicals above has the potential to significantly impact beekeeping operations where the forage range of apiaries located on bee sites overlaps with nearby plantations and application of those chemicals coincides with occupation of bee sites. The potential forage range of an apiary is around 6km radius.

Chemical applications can impact on honey bee colonies in a number of ways including;

- *Direct contact through spray application on flowering plants*
- *Residual contact through bees foraging on flowering plants sprayed some time recently [varies with chemical and weather conditions]*
- *Spray drift directly contacting apiaries*
- *Spray drift contacting bee foraging on nearby non target species*
- *Honey bees foraging on non flowering plants (ie: pines) for resin (propolis) or 'honey dew' secretions*

It is the view of the [TAS-SFM2] that with adequate notification and liaison between forest managers and apiarists conflict between the welfare of beekeeping operations and forest managers can be avoided.

As indicated above, use of any given bee site is discontinuous and dependent on adequate floral resources being available. Occupation of bee sites can often be planned some months ahead of time due to the budding and flowering habits of eucalypts. Therefore, with adequate notice and planning it should be possible to separate chemical applications and foraging honey bees through timing of forestry or apiary management actions.

With reference to the inclusion of Cuprous Oxide and Copper Sulphate in this comment I would like to stress that fungicides are a recognised stressor of honey bee colonies. This is because fungicides inhibit the conversion of raw pollen (the source of protein in a honey bee colony) to a substance that can be digested by honey bee larvae. This seriously impacts the long term health of hives resulting in colonies unfit for honey production or pollination services.

The [TAS-SFM2] requests that it be notified as a stakeholder to all or any of the above forest companies who manage forests adjacent to public land forests (including conserved forests) in Victoria and Southern New South Wales. Where notification of the intended application of the above chemicals can be given well in advance, the [TAS-SFM2] will be able to inform it's members with sufficient notice to minimise disruption or loss to its members.

Once again, thank you for the opportunity to make these comments. Should you wish to discuss any of this submission further please do not hesitate to contact me.

Sincerely

TAS-SFM2

Wednesday, 18 November 2015 1:47 PM

KO to TAS-SFM-2

Dear TSA-SFM2,

Thank you for your submission.

My preliminary comments follow but your submission will be considered as part of a review of submissions on 24th November.

Regards

KO

It is the view of the [TAS-SFM2] that with adequate notification and liaison between forest managers and apiarists conflict between the welfare of beekeeping operations and forest managers can be avoided.

This is a very important point. Forest managers already consider sensitive stakeholders in application plans. It could be possible to not spray within a 6 KM radius of active bee hives as long as they are aware.

As indicated above, use of any given bee site is discontinuous and dependent on adequate floral resources being available. Occupation of bee sites can often be planned some months ahead of time due to the budding and flowering habits of eucalypts. Therefore, with adequate notice and planning it should be possible to separate chemical applications and foraging honey bees through timing of forestry or apiary management actions.

Again, as long as companies realise this they can adapt their application plans to the planned placement of hives.

With reference to the inclusion of Cuprous Oxide and Copper Sulphate in this comment I would like to stress that fungicides are a recognised stressor of honey bee colonies. This is because fungicides inhibit the conversion of raw pollen (the source of protein in a honey bee colony) to a substance that can be digested by honey bee larvae. This seriously impacts the long term health of hives resulting in colonies unfit for honey production or pollination services.

This is important information. Once again companies should be able to work with bee keepers to avoid these impacts.

The [TAS-SFM2] requests that it be notified as a stakeholder to all or any of the above forest companies who manage forests adjacent to public land forests (including conserved forests) in Victoria and Southern New South Wales. Where notification of the intended application of the above chemicals can be given well in advance, the [TAS-SFM2] will be able to inform it's members with sufficient notice to minimise disruption or loss to its members.

This is eminently possible, in fact there is an obligation on the companies to keep full and inclusive stakeholder lists and have a strategy to communicate with stakeholders. I would anticipate, as part of this process, the companies will become aware of the apiarists and the need to work closely with them.

Respondent TAS-N7

Sent: Monday, 16 November 2015 8:53 PM

To: Kopinnacle@gmail.com

Dear Kevin,

My name is TAS-N7. I am a PhD Research candidate at UTAS and I am a resident in Lorinna, Kentish council and a father of two kids, drinking the water from the cathments where Forestry Tasmania planning to use chemicals.

Our friends [TAS-N8] digged in deeper in this topic, so I totally agree with their opinion below.

Dear Kevin, please help us to save our water and provide a healthy environment to our kids.

Regards

TAS-N7

[following from TAS-N8]

Firstly, if FSC is to maintain any credibility with respect to its claims of environmental responsibility and sustainability, then I fail to see how a system of 'rolling derogations' - which allows for the continued use of chemicals classified as 'Highly Hazardous', by forestry companies ostensibly engaging in a 'business as usual practice - can be justified. It would appear that the dictates of the market are, once again taking precedence over the negative social and environmental impacts of these practices.

For example, It is my understanding that FSC has been giving derogations for alpha-cypermethrin (ACM) since 2008, basically stating that the economic imperative for plantation tree survival supersedes environmental and health concerns. On what basis are such derogations decisions made? Are the grounds made publicly available? We believe that if a company is fairly confident that it can continue the same practice via obtaining a rolling derogation, then there is no real incentive for them to adopt best practice, either now or into the foreseeable future.

Fundamentally, it would seem that the intensive chemical inputs required by monoculture plantation are incompatible with the principles of best forestry practices described by FSC Guidelines. At some point, the old vanguard of 'short term gain' forestry practice will need to topple if the companies managing plantation forests are to have any credibility with respect to their claims of responsible environmental and social practices.

Further, any such derogations should only be granted under extenuating circumstances and for a prescribed (perhaps 5 years) maximum period. If a forestry company's continued existence is dependent on using toxic chemicals with a known risk to human and environmental health, then that company should not be entitled to any form of endorsement by FSC (including endorsement contingent on the prospect of best practice being adopted at some unspecified time in the future). To do otherwise is to mislead consumers - to engage in a sort of 'greenwash' - and will ultimately taint the market credibility of the FSC label.

We are Tasmanian residents living in a remote valley where the continued use of ACM (and other chemicals) poses a real threat to the integrity of our water catchment. As demonstrated by Dr Alison Bleaney, research is continuing to demonstrate the adverse effects of ACM - endocrine disrupting effects, neurotoxic effects as well as those of acute toxicity- and it is currently classified as a highly hazardous pesticide. No credence is given by FSC to modern toxicological research on mixture effects, endocrine disrupting effects, reproductive and developmental toxic effects, epigenetic effects and the adverse social and long term health effects when using pesticides.

The position currently held by FSC (International and Australia) regarding the cost/benefit risk of using hazardous pesticides without any consideration of the health and social costs/ consequences of their use on landscape/water catchments is no longer acceptable. The precautionary principle should be applied in such matters, and stringent rules should apply to ensure cessation of use of all chemicals which have been classified Highly Hazardous.

In conclusion, the current position held by FSC regarding 'environmentally friendly' plantation wood certification is simply untenable.

Thank you for taking the time to consider our submission.

Kind regards,
TAS-N8

Respondent TAS-N9

Sent: Sunday, 15 November 2015 10:40 PM
To: kopinnacle@gmail.com
Subject: FT Derogation Application

Dear Kevin,
Please find attached stakeholder comment on the FSC Highly Hazardous Pesticide Derogation applications.
I have included Forico and SFM because in addition to neighbouring Forestry Tasmania property, we also have adjoining Blue Gum plantations formerly belonging to Gunns whose future ownership is unclear.

Regards
TAS-N9

Please select which FSC Highly Hazardous Pesticide Derogation(s) you are commenting on:

Pesticide	
1080	<input type="checkbox"/>
Amitrole	<input type="checkbox"/>
Alpha cypermethrin	<input checked="" type="checkbox"/>
Fipronyl	<input checked="" type="checkbox"/>
Cuprous oxide	<input type="checkbox"/>
Copper sulphate	<input type="checkbox"/>
Picloram	<input type="checkbox"/>
Glufosinate ammonium	<input type="checkbox"/>
Pindone	<input type="checkbox"/>

Please select the forest company(s) you are interested in providing comment to:

Forest Company	
Albany Plantations Fibre Limited (WA)	<input type="checkbox"/>
Hancock Queensland Plantations – HQP (QLD)	<input type="checkbox"/>
PF Olsen (Aus) Pty Ltd (VIC, SA, WA, QLD)	<input type="checkbox"/>
Australian Bluegums Ltd (VIC, SA, WA)	<input type="checkbox"/>
Forestry Tasmania	<input checked="" type="checkbox"/>
Hancock Victoria Plantations - HVP (VIC, SA)	<input type="checkbox"/>
WAPRES(WA)	<input type="checkbox"/>
Bunbury Fibre (WA)	<input type="checkbox"/>
Forico (TAS)	<input checked="" type="checkbox"/>
SFM (TAS, VIC, SA)	<input checked="" type="checkbox"/>

Provide comment here (please use as many pages as you require):

Concern about adequacy of controls to prevent overspray on certified organic properties.

Our property in [location removed to protect anonymity] in southern Tasmania is certified organic in conversion by Tasmanian Organic-dynamic Producers (now a subsidiary of Australian Certified Organic) for timber and beef production.

The applicants propose to apply Alpha cypermethrin by aerial spraying. The Tasmanian **Code of Practice for Aerial Spraying** has not been significantly upgraded since 1998. There was a review process but due to resistance from agricultural and forestry industries, so far this has not resulted in a revision of the code. As it currently stands it does not provide adequate provisions to ensure that aerial spraying does not contaminate certified organic operations.

If our property is contaminated with a hazardous pesticide such as Alpha cypermethrin, we are likely to lose our organic certification. There have been instances of aerial spraying contaminating non-target properties both in Tasmania and on the mainland. In certain weather conditions this has occurred over significant distances, up to 25km, and is difficult to predict.

Fipronyl could be carried onto our certified organic property by targeted wasps.

Some years ago there was some dialogue initiated between members of the forestry industry and the organic industry with a view to developing protocols for ensuring the protection of organic properties, but these discussions fell by the wayside with the domination of the industry by Gunns, and to date have not been resumed.

Concern about impacts on natural predators of target species

Natural predators of these target species do exist, but usage of broad spectrum pesticides such as Alpha cypermethrin can also kill these predators. If populations of natural predators are reduced then further outbreaks of the targeted pests, or other pests, may occur, possibly outside the target areas.

The pests targeted by Alpha cypermethrin are native to Tasmania and in native forestry operations they are not normally a problem. The problems with them only seem to arise in monoculture plantations where the lack of biodiversity results in an imbalanced ecology where their natural controls are reduced or absent. Rather than further disrupt the ecology with the use of pesticides, it would make more sense to take measures to increase biodiversity and to create habitat for natural predators and other controls.

Concern about environmental impacts

Aerial application of pesticides results in widespread and indiscriminate impacts on non-target species, and can affect water quality. Alpha cypermethrin is highly toxic to fish and insects.

Concern about potential impacts on threatened species.

The statements by the applicants do not appear to consider potential impacts of the application of these pesticides on threatened species, particularly the Swift Parrot. The southern coastal forests of Tasmania, where our property is located, contain significant habitat for the Swift Parrot. Its dwindling numbers are a major concern, and in some years a large proportion of the birds can be concentrated in an area of good foraging. If a mishap with one of these highly hazardous pesticides affected this species it could be a disaster. Code of Practice for Aerial Spraying does not include any reference to threatened species.

Potential effect on honey producers

Our property is sometimes used by a commercial honey producer to place their hives. Bees can forage up to 10km, so any pesticides applied in this area could contaminate the honey, or even kill the bees.

Derogation of these hazardous pesticides would be a disincentive to the development of safer alternatives

Allowing the applicants to continue using these pesticides will simply entrench their use and encourage their reliance on these hazardous chemicals. If they are not allowed to use them then they will have a strong incentive to develop safer options.

Within the organic industry there are numerous examples of safe pest management options being developed as a result of operators not being permitted to use hazardous pesticides. For this reason we would be opposed to the derogation of these pesticides.

Respondent TAS-SFM3

Friday, 13 November 2015 12:48 PM

Hi TAS-SFM3,

Thank you for getting in contact with us in regards to our application to FSC for a derogation to use Alpha cypermethrin (ACM).

SFM are very conscious of the concern the public has around the use chemicals and its potential to have impacts on water quality. SFM has management policies and procedures designed to minimise the use of chemicals and where required that they be applied under suitable conditions.

SFM do not currently manage any forest upstream or within the catchment of your property at Targa.

SFM will look to use alternative chemicals whenever possible and will look to minimise the use of ACM.

Landowners such as yourself would be made aware of any planned spraying operations. Operational spray plans are completed that nominate buffers on water courses and establish the weather conditions (e.g. Low wind) under which the potential for any spray drift is minimised. These plans would be discussed with you as a stakeholder prior to the operation commencing. Within sensitive catchments water testing would be carried out pre and post operation.

I have included details below for an online/phone forum if you would like to participate.

If you have any further questions please don't hesitate to get in touch with me.

Regards Dan

Friday, 13 November 2015 1:57 PM

I rang [TAS-SFM3] this afternoon to follow up on email.

His primary concern is that he and his family are domestic users of water that flows down from Georges Plains (plantation managed by Forico).

He wants to know that chemical will not cause any adverse health impacts on his family.

I explained that SFM do not manage this plantation and gave him Simon Cook's name (Forico).

He was appreciative of the phone call

Respondent TAS-SFM4

Friday, 13 November 2015 9:27 AM

Hi Lain,

I called TAS-SFM4. [identifying details removed]

Water quality is paramount to his industry/business and as you know the Georges Bay catchment has been controversial in the past. Many of Oyster farmers believe forestry chemical use in the past were the cause of a extensive oyster fatalities after a large flood event.

TAS-SFM4 does not support the use of Alpha-cypermethrin, particularly how it has been applied in the past. He hopes that this process will lead to further research into alternatives for other chemicals and that if ACM is required its usage is minimised.

If FSC certified companies receive a derogation and can show that they are using chemical responsibly and not impacting upon water quality he is somewhat supportive of the process.

TAS-SFM4 is supportive of a sustainable forest industry and the benefits it provides to regional Tasmania. He just wants the forestry industry to ensure it doesn't impact on his business downstream.

I reminded him of the opportunity to participate in the forum.

Regards Dan

Respondent TAS-F8

Thank you for the opportunity to comment on Forestry Tasmania and Forico's applications for a derogation to use Alpha-cypermethrin insecticide. While Forico is to be commended on ceasing to apply the majority of pesticides on the FSC Highly Hazardous list [TAS-F8] holds concerns for the use of Alpha-cypermethrin for the following reasons -

- It is a broad spectrum insecticide that is highly toxic to fish, water insects, aquatic invertebrates and bees.
- A five year derogation time seems excessive
- The target plantations are monocultures of Eucalyptus nitens or Eucalyptus globulus planted as a result of clear felling. This species is not suitable for sawlog production and its short term crop rotation has the adverse effect of lowering water tables.
- The history of monocultures shows that increasing doses of insecticides are necessary and a long term successful outcome is not guaranteed
- Aerial spraying has great capacity to drift from target areas
- The water sampling technique, mid level/mid stream (relatively high flow) is not the habitat of most aquatic insects and may not be location of the highest concentrations of any contaminants present.

[TAS-F8] concern is for the maintenance of water quality in our rivers and lakes and we believe that in the past, sustainable long term forestry sawlog production has achieved this. It is hard to support short term rotation forestry for the production of woodchips with its inherent problems that this derogation is endeavouring to address.

[Tas-F8]

Respondent TAS-FT13

From: Lain.Dare [mailto:Lain.Dare@canberra.edu.au]

Sent: Monday, 28 September 2015 5:49 PM

Hi [TAS-FT13],

I do apologise for your problems with the survey, it has worked effectively for many other stakeholders but not for you which is most frustrating I am sure.

I have checked the data and yes your feedback has been recorded in the database.

I would like to thank you for your patience and diligence in this process and once again apologise for the issues you have faced.

Kind Regards,
Lain Dare

[email chain relating to technical issues with accessing the survey has been removed]

From: Lain.Dare [mailto:Lain.Dare@canberra.edu.au]
Sent: Friday, 9 October 2015 4:12 PM
To: [TAS-FT13]

Hi [TAS-FT13]

I did reply to this on Tuesday but it bounced as your inbox was full. Did you eventually get it?

I will give you a call this afternoon.

Sorry for the mix-up.

Lain Dare

From: Lain.Dare
Sent: Tuesday, 6 October 2015 3:46 PM

Hi [TAS-FT13]

I am independent and have been contracted to provide a plan for the engagement and the survey design and platform. I am a Senior Research Fellow at the Institute for Governance and Policy Analysis, University of Canberra.

I can talk to you about the complaint, or you can talk with Kevin O'Grady who is the National Coordinator for the derogation process, a consultant with Pinnacle Consulting. His details are kopinnacle@gmail.com or 03 9439 2314 (office) 0428 570 762 (mobile).

If you wish to talk to me I can arrange a time to call you at your convenience.

Kind Regards,
Lain Dare

From: [TAS-FT13]
Sent: Tuesday, 6 October 2015 8:50 AM
To: Lain.Dare

Hello Lain

Are you with FT or similar or are you independent and part of the survey process only... I wish to lodge a complaint about a phone call I received at 8am this morning from SFM?

Regards
[TAS-FT13]

Fri 9/10/2015 4:46 PM

Hello Lain and Kevin .. and thanks for your phone call Lain - I just got in..

I am not wanting to cause any issues here but I feel in your role you need to be aware:

I received a phone call 8.00am Tuesday morning.. just a little early for us retiree's.. so I was not fully awake.. guy was called [name withheld].

He simply said you filled in a form and said you wanted to know what was happening with the Forestry.. anyway.. what do you want to know... I was a bit put out by the approach and attitude.. but proceeded to explain I am concerned about the sprays being used on plantations near our house and Community river... and that SFM had contacted me in the past and I was kept advised by them.. I just want to be sure I am kept updated etc... something like that. And he said well we have you details...

I looked back at what I said in my survey - I did ask to be kept updated..but I also asked to be contacted on email NOT on phone.

So small complaint.. but I did not appreciate the tone of the call, the time of the call and the fact I received a phone call from a Forestry person who says he has all my details.. I have had enough of bully boy tactics in this area.

I hope this helps somehow and I do hope my details are just a little bit confidential and I am not labelled as another greenie against Forestry.. I just have genuine concerns about the use of these two poisons as I said in my survey.

Thanks and regards
[TAS-FT13]

Mon 23/11/2015 4:17 PM

Hello Kevin and Lain (and forgive me for copying in the original list of “inadvertently disclosed” stakeholders)

I am at a total loss over what just happened this afternoon...

By way of background I feel the need to advise that I consider myself to be a mere citizen and a “spectator” on the fringes of the Forestry issues (in Tasmania) and in this case the Derogation process to allow poisons be used whilst still maintaining or gaining FSC Approval.

I am a smallholder in Tasmania and my property borders the Russell River (already under threat from the local Huon Aquaculture hatchery discharging 26 million litres of sewage water from several thousand fish into our river every day of the year), and a former Gunn’s plantation, now Forico. Because I am concerned about the intended use of highly toxic poisons impacting our local habitat and fauna, our river and ultimately my property – I expressed an interest in taking part in this process and asked to be kept fully informed – of which I have been to date.

During this afternoon's teleconference/Webinar I fully expected to be a part of a broad ranging and engaging discussion on the issues facing the Forest industry and why there are concerns in the Community about the proposed use of these highly toxic poisons.

Unfortunately the first 20 minutes consisted of technical audio issues and then after another dial in number was provided we were underway.

When the first "poisons" slide came up on my computer screen (Webinar) about "1080"... and no one in the teleconference had any comments to make (I did not speak up since 1080 is not on the list of poisons being requested for use in Tasmania by Forestry and since Gunns blitzed our Forests a number of years ago with 1080)... I began to wonder what is happening ...

Then onto **Alpha-cypermethrin and Fipronyl** – both being proposed for use in Tasmania – and I spoke up. No one else had any comment to make – apart from Lachie Clark (ForestryTas) and Dan Ryan (Souther Forests Management), and then yourself as facilitator.

The process began to appear to be a fait accompli and it now appears to me that the Forestry companies are just going through the motions to get the Derogation process approved whilst still maintaining or seeking FSC approval. For the benefit of those who did not log on... showing the Powerpoint slides that are already available up on the web and then speaking to them **is not a true consultation process**. The slides simply show what poisons Forestry wish to use, why – because of cost, or number of doses etc, and how they will be dispersed and delivered into the forests. When I questioned why was expense a concern and another about application – you provided me with well-considered answers that supported the reason these poisons have been selected. There was no suggestion of discussion that life can go on without using these poisons... I feel we are simply being told this is what has to happen.

When Lain then asked who else is on line.. and we discovered **it was ONLY ME... for all of Australia...** apart from yourselves and others from the Forestry Companies – then I simply had to say let's not waste everyone's time.. this is not working, I am out of here.

Therefore, the only comment I can make from this afternoon's attempt at a Stakeholder meeting is this process appears to be severely flawed and I implore you to attempt another approach in order to ensure any credibility at all. A statistician would rule today's attempt as inconsequential, null and void, a totally farcical.

Can you please advise:

1. Who is paying Pinnacle Consulting to act as the mediator of the Derogation Process – is it FSC or are the Forestry Companies your employer or is it a Government department
2. Was today's seminar merely a "tick box" process so that the Forestry Companies can now state they have been through a process of involving the public
3. And where to from here with respect to this derogation – since we did not get to that part of the Agenda

Thank you for the personal seminar – I trust you too are frustrated and hopefully very concerned about this process failing. Surely it is now a matter of community meetings in town halls or similar – at whatever cost. FSC approval is vitally important to the Forest Industry – but so too is the health

and wellbeing of our Communities and we all have a right to be heard. I do remind you once again (and I have suffered an attack on this by another), but Tasmania is 53% functionally illiterate and informing our Communities takes a lot more than a couple of emails and links to a website.

I look forward to hearing from you.

[TAS-FT13]

Mon 11/23/2015 4:51 PM

Hi [TAS-FT13]

Yes the turnout was disappointing, we cannot control who chooses to participate in the opportunities provided and I was certainly hoping for more involvement to enable an engaged discussion. Only 4 stakeholders previously registered to participate so I was aware that stakeholder number were low.

I can however say that we have had some excellent feedback through the other opportunities provided, including the survey, public comment and forest company representative contacts with initial counts indicating that over 100 people have participated thus far. The quality of the feedback has been excellent with some valuable insights shared.

We did not mean to 'consult' using the previously provided information and I apologise for that. I am glad that you did get some information from the discussion - eventually. I can assure you the process is not a fait accompli - there is a lot of work happening to systematically analyse the stakeholder feedback received and incorporate this into the derogation applications. The online forum was meant to provide another opportunity for feedback - but as you saw there was insufficient interest. Similarly the survey indicated that there was very little interest from stakeholders to participate in a public forum - hence the online forum.

From a meeting earlier today we are going to reopen the consultation process after the revised derogation applications are developed - at this stage they will be complete applications but still able to be revised based on feedback. This will give stakeholders another opportunity to comment. Final details on that process will be advised once determined.

I thank you for your ongoing feedback and once again apologise for today's technical issues and poor response, it is certainly frustrating.

Regards,

Lain Dare

From: Kevin O'Grady [mailto:kopinacle@gmail.com]

Sent: Monday, 23 November 2015 4:36 PM

To: [TAS-FT13]

Hi [TAS-FT13]

I was also disappointed with the participation in today's meeting. A lot of preparation went into it and given that we have had over 100 responses in the consultation to date I cant understand why so few took part. My apologies for the technical failure especially for those on phones. Lain will be contacting each of those people soon.

I will give a full response to your questions when I get back to my office.

Kind regards

KO

From: [TAS-FT13]

Sent: Monday, 23 November 2015 4:40 PM

To: 'Kevin O'Grady' <kopinnacle@gmail.com>

Thanks Kevin.... I only put aside today for this... I am sure you have spent HOURS on this.

Personally sorry I have very little to contribute... just one small voice

[TAS-FT13]

Hi [TAS-F13]

Your questions refer.

1. Who is paying Pinnacle Consulting to act as the mediator of the Derogation Process – is it FSC or are the Forestry Companies your employer or is it a Government department

Pinnacle Quality is an independent consulting company specialising in ISEAL alliance standards like FSC, RSPO and MSC etc. see www.pinnaclebypinnacle.com

I tendered for the contract to develop the derogations collectively for all the companies (Note FSC is not paying anything for the process). FYI I also did this for derogations from South Africa.

2. Was today's seminar merely a "tick box" process so that the Forestry Companies can now state they have been through a process of involving the public.

I can see this point of view. The Stakeholder process IS part of the requirements of the FSC Procedure for derogation applications. Without it the derogation won't be considered. So, yes we have to do this but we also have to do it right. The FSC review team is the arbiter of this.

3. And where to from here with respect to this derogation – since we did not get to that part of the Agenda.

We have an independent group (Today) considering stakeholder responses and telling us what they think we should be doing about these. From there the derogations will be updated and re posted for a further consultation before the applications are submitted by each company to FSC International via their certification body.

Regards

KO

Respondent TAS-F9

Alpha-cypermethrin Derogation Application

*Simon Cook
Certification & Compliance Manager
Forico
PO Box 5316
LAUNCESTON
Tasmania 7250*

17 November 2015

To Whom It May Concern

Thank you for the opportunity to comment in respect of the use of this chemical.

Our opinion on the use of Alpha-cypermethrin remains unchanged from that held earlier this year, and on which this submission is significantly based.

We therefore continue to find Forico's application for a "temporary derogation" to allow the use of Alpha-cypermethrin completely unacceptable in any context, and for any reason, given its classification as a known 'highly hazardous' pesticide (*FSC-GUI-30-001a V1-0 EN*).

The earlier application came at a time when Tasmania's State Government claims it was seeking to reduce the level of pesticide and chemical testing the state's waterways, (*Forestry downturn reduces pesticide and chemical testing of Tasmanian waterways: ABC Rural 15 October 2014*), with the potential for serious public health concerns in respect of contaminated and poisoned water supplies.

These public health concerns remain valid.

Forest Stewardship Council previously considered the use of Alpha-cypermethrin to be unacceptable, and removed it from the list of acceptable pesticides to be used by forestry industries. Given the toxic nature of this pesticide we find it extraordinary that Forico is seeking to contravene an important regulation designed to safeguard public health.

According to Wikipedia the effects of exposure to Alpha-cypermethrin can cause:

“nausea, headache, muscle weakness, salivation, shortness of breath and seizures. In humans, cypermethrin is deactivated by enzymatic hydrolysis to several carboxylic acid metabolites, which are eliminated in the urine. Worker exposure to the chemical can be monitored by measurement of the urinary metabolites, while severe overdosage may be confirmed by quantitation of cypermethrin in blood or plasma.(R. Baselt, Disposition of Toxic Drugs and Chemicals in Man, 8th edition, Biomedical Publications, Foster City, CA, 2008, pp. 389-391.)

The chemical is also highly toxic to insects, bees and aquatic life, and therefore risks upsetting the balance of fragile ecosystems vital for the health of our soils, plants, wildlife, and the wider environment generally. Including humans.

Again from Wikipedia:

“A recent study at [Xuzhou Medical College](#) in China showed that, in male rats, cypermethrin can exhibit a toxic effect on the [reproductive system](#). After 15 days of continual dosing, both [androgen receptor](#) levels and serum [testosterone](#) levels were significantly reduced. These data suggested that cypermethrin can induce impairments of the structure of [seminiferous tubules](#) and [spermatogenesis](#) in male rats at high doses.^[2]

Long-term exposure to cypermethrin during adulthood is found to induce dopaminergic neurodegeneration in rats, and postnatal exposure enhances the susceptibility of animals to dopaminergic neurodegeneration if rechallenged during adulthood.^[3]

If exposed to cypermethrin during pregnancy, rats give birth to offspring with developmental delays. In male rats exposed to cypermethrin, the proportion of abnormal sperm increases. It causes genetic damage: chromosomal abnormalities increased in bone marrow and spleen cells when mice were exposed to cypermethrin.^[4] Cypermethrin is classified as a possible human carcinogen, because it causes an increase in the frequency of lung tumors in female mice. Cypermethrin has been linked to an increase in bone marrow [micronuclei](#) in both mice and humans.^[5]

One study showed that cypermethrin inhibits “gap junctional intercellular communication”, which plays an important role in cell growth and is inhibited by carcinogenic agents.^[6] Studies have shown that residue from cypermethrin can last for 84 days in the air, on walls, the floor and on furniture.^[7]

Any pesticide with this degree of toxicity and potential to cause harm should not be used anywhere, for any reason, and while we acknowledge and appreciate Forico’s consultative approach in the use of pest control on its plantation estate, we believe the use of Alpha-cypermethrin should not be considered for use given its highly toxic properties. These toxic concentrations will not only risk poisoning Tasmania’s unique flora, fauna, and a significant section of the state’s economy by threatening the ‘clean, green’ brand of our agricultural, horticultural, dairy, tourism and apiary businesses etc, but they will also threaten the health and wellbeing of all Tasmanian citizens.

In our opinion therefore the application for its use should be summarily and **permanently** rejected, and a more benign alternative sought.

Perhaps you could check out this alternative for a start:

<http://truthstreammedia.com/2015/10/21/the-patent-that-could-destroy-monsanto-and-change-the-world/>

Ref: <http://en.wikipedia.org/wiki/Cypermethrin>

[TAS-F9]

Respondent TAS-E3

Unfortunately I was otherwise engaged at an international conference.....What a deplorable process this has been.....simply a box ticking exercise to demonstrate you have gone through the process of community engagement...shame on you... guess you have met your obligation for good corporate citizenship.....NOT.

You may remove myself from this list I echo [other respondents] comments....absolutely deplorable

"The notice of the meeting was very short and I work today and have been unable to take time off for a very short meeting with really unclear outcomes. There is as yet no agenda (7am my time) and no terms of reference given for the group we are referring to (PAG) or even the current make up of the group.

FSC IPMs policy (Kevin was a co-author) states there can be no national IPM as factors vary region to region, so in the vast area that is Australia, how can there be national (supposedly temporary) derogations for HHP with some in fact ongoing for over 10 years?

And there has been no discussion in company IPMs on species of tree change rather than use a HH pesticide (the cost seems to be the imperative rather than the harm to the environment and communities) as per FSC policy.

The proposal goes against many of FSCs 10 guiding principles and is disingenuous.

Frankly the process so far is disappointing and discourteous to stakeholders."

[TAS-E3]

Respondent TAS-F10

Simon Cook
Certification and Compliance Manager,
PO Box 5316,
Launceston 7250
forico@forico.com.au

December 16, 2015

Re: Forico: Alpha-Cypermethrin Derogation Application to FSC - 2015

As a longstanding water catchment focussed community group in North East Tasmania, we wholeheartedly support the comments and statements by the Tasmanian Public & Environmental Health Network (TPEHN) in their submission (20 January, 2015) to the FSC community engagement process for the above derogation application.

We believe the TPEHN submission clearly articulates the outstanding technical and scientific issues concerning the temporary re-introduction of Alpha-Cypermethrin for use in the Forest Industries, and as such, we will restrict this submission to brief comments on our concerns regarding chemical management practices within the Forest Industry and its regulators, drawn from our own experience.

Tasmania is known for its abundance of surface water, making the aerial application of any chemical, especially one known to be toxic to aquatic life, problematic and risky. Over many years Department of Primary Industries, Parks, Water and the Environment (DPIPWE) conducted water monitoring for chemical residues in 55 waterways. The results continued to show levels of pesticides and other chemical residues from agriculture, forestry and urban sources, all presumably invoking industry "Best Practice", until the monitoring ceased in 2014. The results offers little certainty that adequate safeguards are in place under current Best Practice protocols to ensure a listed hazardous chemical such as Alpha-Cypermethrin would be safe to apply aerially in Tasmania's surface water rich environment.

Our group has participated in numerous Community Based Audits reported in the journal Upper Catchment Issues, Tasmania in conjunction with hydrologists, ecologists and other scientists. We were able to document the somewhat elusive nature of upper catchment headwater streams where flow continually shifted between surface water to sub-surface water and then back to the surface again, making watercourses hard to detect and map correctly. Some of our auditing revealed that due to the often unrecognised complex hydrology of upper catchment streams, at times timber harvesting and spraying activities have taken place without appropriate streamside buffers. Should an oversight of this nature take place with the application of Alpha-Cypermethrin on upper catchment plantations, the local and downstream offsite environmental damage could be great.

North East Tasmania has experienced a number of detrimental environmental incidents and activities in our water catchments that have impacted both on human health and wellbeing and rivers and streams. In 1994, one week after an inspection by DPIPWE officers gave the all clear to a Scottsdale based essential oil extraction plant on the banks of the Great Forester River, a Pyrethrum spill into the river from the plant saw aquatic life decimated from the site of the spill spreading some 45 kms to the ocean. As such, we are well aware of the potential for locally devastating impacts when pyrethroids are unintentionally introduced into the aquatic environment and that failure to adequately conduct risk assessment can deliver unexpected and unintended results.

In 2003 a helicopter carrying pesticides for plantation spraying crashed 250 mts from a stream feeding into Georges Bay in North East Tasmania. At that time it took 16 weeks for crash scene investigators to attend the crash site which they did only after an 80% mortality rate in the Georges Bay oyster farms following a heavy rain event. While no links to the discharge of pesticides at the crash site, including Alpha-Cypermethrin, were ever confirmed to have caused the deaths, it once again highlighted a lack of risk assessment and delayed incident response by Tasmanian authorities in relation to the potentially damaging accidental discharge of chemicals into the environment.

Through the years our group has recorded instances of chemical overspray by forest industry spray operators into areas of human habitation, inadequate application of streamside buffer zones and aerial overspray of rivers and streams that might have been avoided had adequate risk assessment been employed. Should this Apha-Cypermethrin derogation application be successful we can foresee, by looking to the past, an increased and unwarranted risk to Tasmanian waterways.

In closing, from a commonsense angle it bears mentioning that if regulators continue to grant exemptions to industries requesting the use of hazardous materials, there is no incentive for industry to invest in new technologies that deliver a good outcome for their bottom line and a better, safer deal for the environment and the public.

References:

Gschwendtner A., Eastman K., Tattersall P. and Mills D., 2000, 'Catchment issues in the North Eastern Highlands of Tasmania - a community based study', *Upper Catchment Issues Tasmania*, vol. 1, no. 1, Resource Publications, Beauty Point Tasmania.

Bleany A., 2004, 'Chemical Incident Preparedness and Response in Catchments Above St. Helens in North Eastern Tasmania', *Upper Catchment Issues Tasmania*, vol. 2, no. 3, Resource Publications, Beauty Point Tasmania.

Eastman K. and Jaehne K., 2005, 'Audit of Chemical Spraying Activities on Coupe SF165A, North Eastern Tasmania, Australia', *Upper Catchment Issues Tasmania*, vol. 3, no. 1, Resource Publications, Beauty Point Tasmania.

[see various public submissions as follows]

Forico

Mr Simon Cook

5/10/2015

P/O box 5316

Launceston ~~5316~~ 7250

Dear Sir.

In answer to the invitation to comment on the National Pesticide Derogation, I find it very hard to understand why gloves and hat nets can't be used by the workers to protect against wasp stings.

However if this Pesticide will eradicate the Gorse infestation that seems to be cultivating in the tree plantations then maybe it is worth a try.

The Gorse problem seems to be spreading further and further over our beautiful countryside and nothing is being done, apart from erecting signs to say Gorse eradication strip that you have to get out of the car to see it in amongst the fast growing yellow peril.

Forestry Tasmania Forico and SFM Forest Products should make a concerted effort to stem this destructive weed.

I remain



Re: FW: Map of Forico Managed Assets -

06/11/2015 02:04 PM

Bcc: Simon Cook

From:

To:

Bcc:

Afternoon

As per our other email exchanges, thank you for your patience in my response.

I'm pleased that we've established what land and plantations Forico is responsible for managing.

I think it may be best to provide my response in point form;

1. Forest Activities Updates - I'm pleased you will find this useful. It is something we developed to compliment our existing notification procedures which are generally defined (dependent on activity) as direct neighbours within 100m of an operation. Naturally there are some stakeholders with interest in our land and forest management outside this range, so the web based portal is an effective tool to address this. Please feel free to encourage your fellow neighbours to explore this portal also.

2. Huon Aquaculture - Forico took possession of the property in question, along with some other 170,000 ha of land, in September 2014. Since this period Forico has been working with Huon Aquaculture on an appropriate pathway moving forward. We were not aware of your concerns but will naturally take them into consideration. In addition, we offer full cooperation with the relevant authorities, including the EPA, to ensure Forico makes appropriate decisions regarding the use of the land moving forward. We do not currently have maps of the pipe network.

3. Spraying - Forico has not applied any chemicals to the property since taking control in September 2014. I'm afraid Forico can't make any warranties on behalf of the previous owner, except to say that any chemical use is most likely to have been confined to the first year of establishment. Most plantations in Tasmania do not require follow up use of pesticides during their mature years, with an exception for insecticides which are used in conjunction with an Integrated Pest Management process (IPM). To give you a perspective of scale, last summer Forico sprayed approximately 2% of managed plantations with insecticide.

4. Residential Dwelling - Forico is responsible for the management of this dwelling. It is currently tenanted. We are committed to compliance with all applicable regulations around the use of septic, and will naturally cooperate positively with any interest in the land from council.

As a more general observation from your email, I would like to put on record that the land in question is actually private property. I acknowledge that accessing the past owners of the land may have been challenging and hope that now Forico is clearly established as the new owner you will feel comfortable engaging with us in the first instance with any concerns? We also need to be careful with the use of the land for recreational purposes as there may be safety issues associated with this.

Please consider my response above and feel free contact me further as required.

Regards

Jim Wilson

Plantation Operations and Services Manager

Forico Pty Limited
10 Techno Park Drive
Kings Meadows Tas 7249
(PO Box 5316 Launceston TAS 7250)
Australia
jim.wilson@forico.com.au

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Hello Jim

27/10/2015 05:02:43 PM

From:
To: <Jim.Wilson@forico.com.au>
Date: 27/10/2015 05:02 PM
Subject: FW: Map of Forico Managed Assets

Hello Jim

Thank you for making contact... this is indeed the plantation (formerly Gunns) that is near our property which I note you have coloured in yellow.

As discussed on the phone and as per my survey form – we do indeed have an interest in any use of chemical sprays into this plantation area – something I discussed with SFM some years back and they never actually proceeded with any spraying. I will register my ongoing interest via your web link and definitely want to be kept advised please of any future Forestry plans in this area – especially spraying.

By copy of this email I am sending on to the various neighbours whose properties are also either adjoining this plantation, alongside or over the river from – and I will leave them to make contact with you respectively.

One question I do have is the irrigation system in place from the Huon Aquaculture Fish Farm... from walking through this plantation with our dog I have noted the pipes are quite extensive. Do you happen to have a plan showing how far the irrigation extends into your plantation please.. and how close it gets to the river. We have an ongoing issue with our river from the effluent from the Farm and the EPA are monitoring the outfall... but we have always wondered about any possible runoff from the spraying. There are suggestions from others that some of the issue is because of the Forestry activities in your plantation – but we have been living here for 8+ years now and I know for a fact there has been no Forestry activity – cutting or spraying.

Can you confirm that for me please..

And is the house that is rented now under Forico Management – I ask this because I have recently asked the Huon Valley Council to double check that all is OK with the Septic system on this property – once again because it has been suggested by Mr Peter Bender from Huon Aquaculture that there are likely to be leaking Septics going into the River..

Thanks and regards

From: Jim Wilson [mailto:Jim.Wilson@forico.com.au]
Sent: Tuesday, 27 October 2015 3:23 PM
To:
Subject: Map of Forico Managed Assets -

Thanks for opportunity to have a quick chat today. As discussed, attached is a map of our managed plantation in the Lonnvale area. I note there are some other plantations in the area also, managed by other entities.

Below are my contact details should you wish to further discuss our operations, or our current application for an FSC derogation to use alphacypermethrin. Additionally, you may be interested in registering for updates to our planned forest operations (inc spraying if applicable) in your area...
<http://forico.com.au/forest-activities>

Once again, please feel free to contact me as required.

Regards

Jim

Jim Wilson

Plantation Operations and Services Manager

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The logo for Forico, featuring the word "forico" in a lowercase, sans-serif font. A stylized leaf icon is positioned above the letter 'i'.

Note:

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Thank You.



ArcView Print Job.pdf

13 November 2015

Mr Simon Cook
Certification and Compliance Manager
Forico Pty Limited
PO Box 5316
LAUNCESTON TAS 7250

RE: Forico Pty Limited FSC Derogation for the use of Alpha cypermethrin

Dear Simon,

The [redacted] broadacre and intensive agriculture, fresh and processed food and non food producers, plantation forestry, and associated industries. [redacted] has represented member companies, and the broader sector, in a wide variety of issues, and specifically has a strong record of advocacy towards policy settings for pesticide use in agriculture. On this basis, [redacted] is well credentialed to provide support to Forico Pty Limited (Forico) as a modern leader in the plantation management sector of Tasmania.

[redacted] recognise the value in Integrated Pest Management, the use of science in agronomic decision making, and the need to enhance environmental and social outcomes. [redacted] also recognise the impact of limitations to management options, such as the availability of pesticides, particularly in expensive perennial crops such as plantations. Sub optimal outcomes agronomically represent sub optimal land use, and flow on to sub optimal social, environmental and economic outcomes for our community.

The Tasmanian agricultural industry operates within a mature and comprehensive regulatory environment. This is particularly the case regarding pesticide policy, with strong laws regulating pesticide registration, planning (such as management of stakeholders), and ultimately application. [redacted] also recognises the Good Neighbour Charter developed by plantation managers which acts as a voluntary standard to enhance environmental and social outcomes for stakeholders beyond the regulatory regime.

Following the background above, [redacted] strongly support Forico in their application for a derogation to use alpha cypermethrin. The pesticide is widely used in Tasmania's food and pasture crops, and currently represents the best available management tool for insect pests in plantations.

Kind regards

Mr Simon Cook
Certification and Compliance Manager
Forico Pty Limited
PO Box 5316
Launceston TAS 7250

Re: Forico Pty Limited FSC Derogation for the use of Alpha-cypermethrin

Dear Mr Cook

The _____ representing small and large agricultural enterprises. The _____ provides a single, strong voice to deal with governments at all levels, and with other industry bodies. The _____ prime aim is to ensure that the agricultural base of the state remains competitive and profitable. Further information on our group can be obtained from our website

The _____ recognise healthy plantation forests as a critical component of the Tasmanian agricultural landscape, and also recognise Forico Pty Limited (Forico) as a contemporary plantation manager. _____ represents many landowners whom are involved in growing plantation forests on their land with Forico as joint venture partners. On this basis, _____ encourages Forico to pursue a management model focused on the triple bottom line; low environmental footprint, high social responsibility, and strong economic return for landowners. In line with this position we support Forico to pursue the best Integrated Pest Management practices, which currently includes the use of alpha cypermethrin.

Yours sincerely

Re: Fw: National FSC Pesticide Derogation . 

Simon Cook to:

16/11/2015 03:06 PM

From: Simon Cook/Gunns

To:

Hello

Thank you very much for the information you sent through to me. Forico is submitting a FSC derogation with other Australian Forest Managers for the insecticide **alpha-cypermethrin** only.

As a Company, we wish to minimise the use of any pesticide. Forico implements an Integrated Pest Management approach that considers a number of preventative measures in a structured and scientific fashion - the overview is detailed in the Forico Forest Management Plan (Section 13.2).



Forest Management Plan_April 2015.pdf

Alpha cypermethrin is a pesticide registered through the Australian federal government - Australian Pesticide and Veterinary Medicines Authority (APVMA - <http://apvma.gov.au/>) for use on plantation forests as well as agricultural food and non food crops. Application of the insecticide must be in accordance with the approved Material Safety Data Sheet (MSDS). Forico implement Company protocols, procedures and site specific operational prescriptions to manage and mitigate the pesticide risk. These constraints may incorporate defined no-spray zones adjacent to watercourses and sensitive boundaries. Where identified and licenced water intakes are known, (i) increased exclusion zones are located adjacent to watercourses from an operational standpoint with (ii) water sampling included where appropriate.

Pesticide application in Tasmania is subject to very stringent regulations (DPIPWE Code of Practice for Ground and Aerial Spraying, and the Forest Practices Code 2015). In addition to the water sampling deployed by Forico, the State Government have until recently deployed a rigorous pesticide sampling regime across most catchments in Tasmania that regularly screened for alpha cypermethrin, further validating the safe use of this chemistry with the registration and use controls.

Forico remain committed to Integrated Pest Management principles which provide maximum opportunity for non chemical responses to pests, such as monitoring beneficial insects, weather forecasts, plantation health condition, insect pest life cycles etc. As an example, across Forico's approximately 100,000 hectares of plantation, the ongoing implementation of Integrated Pest Management principles meant that only 2% or 2,000 hectares required spraying for insects in the Summer of 2014 - 2015.

Part of Forico's tree improvement program is to grow and establish plantations that have good health and vigour - being less susceptible to insect infestations. Monitoring of plantations in the vulnerable late spring - summer period provides quantifiable evidence as to whether control measures are required. If tolerance thresholds are exceeded and the damage potential is likely to impact on site productivity, then insecticide treatment is considered.

I would be more than happy to discuss these issues with you in more detail at your convenience.

Regards

Simon

Simon Cook

Certification and Compliance
Manager

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The logo for Forico, featuring the word "forico" in a lowercase, sans-serif font. A stylized leaf icon is positioned above the letter 'i'.

Forico

----- Forwarded by Mieke E Macartney/Gunns...

13/11/2015 09:17:29 AM

From:
To: <stakeholder@forestrytas.com.au>
Cc: <forico@forico.com.au>
Date: 13/11/2015 09:08 AM
Subject: National FSC Pesticide Derogation.

TO WHOM IT MAY CONCERN.

It has come to my attention that Forestry Tasmania, Forico and SFM Forest Products are jointly seeking permission from the Forest Stewardship Council International to continue the use of **alpha-cypermethrin** and **fipronil** on their respective eucalypt plantations as an insect pest control measure.

It is reported that both of these chemicals are highly toxic to freshwater fish and invertebrates and according to the Material Data Safety Sheets covering both of these products they are "not to be directly applied to water surfaces as drift or runoff from treated areas maybe hazardous to aquatic organisms in adjacent sites".

have noted the considerable changes in forestry activities that have taken place in our area over this time, today we are virtually surrounded by either eucalypt or pine plantation.

Our property and all our domestic water has always been collected from small creeks and springs that flow down hill from Georges pains to the back of our property. My concern is that as the chemicals to be used are obviously highly mobile in water and that any runoff and or drift will be virtually impossible to prevent the contamination of the surface and subterranean water supply, what impact this will have on the quality of our drinking water if spraying were to go ahead in this area.

As it is reported that both these chemicals are highly toxic to life forms I am writing in order to secure an assurance from the responsible governing body that no detrimental health problems to myself or my family members will result from the use of these chemicals in close proximity of my home and water supply.

I look forward to your comments.

Western Australia

Respondent: WA 1

Please select which FSC Highly Hazardous Pesticide Derogation(s) you are commenting on:

Pesticide	
1080	<input checked="" type="checkbox"/> x
Amitrole	<input type="checkbox"/>
Alpha cypermethrin	<input type="checkbox"/>
Fipronyl	<input type="checkbox"/>
Cuprous oxide	<input type="checkbox"/>
Copper sulphate	<input type="checkbox"/>
Picloram	<input type="checkbox"/>
Glufosinate ammonium	<input type="checkbox"/>
Pindone	<input type="checkbox"/>

Please select the forest company(s) you are interested in providing comment to:

Forest Company	
Albany Plantations Fibre Limited (WA)	<input checked="" type="checkbox"/> x
Hancock Queensland Plantations – HQP (QLD)	<input type="checkbox"/>
PF Olsen (Aus) Pty Ltd (VIC, SA, WA, QLD)	<input checked="" type="checkbox"/> x
Australian Bluegums Ltd (VIC, SA, WA)	<input checked="" type="checkbox"/> x
Forestry Tasmania	<input type="checkbox"/>
Hancock Victoria Plantations - HVP (VIC, SA)	<input type="checkbox"/>
WAPRES(WA)	<input checked="" type="checkbox"/> x
Bunbury Fibre (WA)	<input checked="" type="checkbox"/> x
Forico (TAS)	<input type="checkbox"/>
SFM (TAS, VIC, SA)	<input type="checkbox"/>

Provide comment here (please use as many pages as you require):

In Western Australia 1080 baiting is a widely used and well researched method for controlling feral predators – particularly foxes and cats. Research has shown that 1080 baiting has no detrimental effect on native animals in Western Australia. It is a cheap and effective mechanism to successfully reduce predation on native animal species and is one of the most effective management tools for the protection of native animals in remnant bushland on plantation estate. The use of 1080 baits by the plantation companies also make the companies “good neighbours” as they are supporting the community wide baiting program and increasing the overall effectiveness. I wish to provide support for the use of 1080 by the plantation companies in Western Australia.

One of the issues I see with the FSC Highly Hazardous Pesticide Derogation guidelines is that they are nationwide – one size fits all. However for Western Australia 1080 does not have the issues that are pertinent to the other states. I feel that for WA 1080 should be removed from the FSC Highly Hazardous Pesticide list.

From <http://www.dpaw.wa.gov.au/management/pests-diseases/westernshield/189-managing-the-threats?showall=&limitstart=>

A toxin that occurs naturally in pea plants from the *Gastrolobium* genus provides a natural advantage in controlling introduced predators in Western Australia. These plants contain **sodium fluoroacetate**, which is synthetically produced under the name '1080' ('ten eighty'). Our native animals are tolerant of the poison, but it is lethal, even if tiny amounts are eaten, to introduced foxes and feral cats (as well as domestic cats and dogs).

1080 breaks down quickly in the soil without any environmental side effects. However, baits, and the flesh of animals that have died from 1080 poisoning, can remain toxic to dogs and cats for months. It is, therefore, important that neighbours are well informed of the baiting program to avoid the accidental death of pets or working dogs.

The Department of Parks and Wildlife in Western Australia are focusing on controlling introduced predators, foxes and feral cats, through baiting with the poison 1080 (ten-eighty) across nearly 3.9 million hectares of parks and other conservation reserves.

Respondent WA2

[see following public comment]

Submission from the on the importance of the ongoing derogation to use Sodium Fluoroacetate in south-west Western Australia

The

the State's national parks, marine parks, State forest and other reserves, which cover a total area of more than 27 million hectares.

Attachments: Western Shield Fact Sheet, Focus species and areas for current Western Shield program.

1. Scope

The substance 1080 has a number of applications including the baiting of foxes, cats, wild dogs, pigs and rabbits. Landholders including forest managers may bait their land as part of strategic control of introduced predators. To achieve strategic control it is important that baiting occurs across tenures through coordination of various landholders. There are economic, social and environmental reasons for the use of 1080 to control the populations of feral animals. Control of rabbits, wild dogs, pigs and foxes may be undertaken to protect the environment, reduce grazing pressure, protect stock and as part of a good neighbour policy. The Department of Parks and Wildlife undertakes baiting of foxes and cats with 1080 on its lands as a means of protecting or improving the populations of native fauna which are under threat from predation by introduced predators. The department also participates in baiting programs to reduce wild dog numbers as part of a good neighbour policy. This submission is only concerned with the use of 1080 to protect native wildlife from introduced predators.

2. Background to the use of 1080 in fauna recovery programs in Western Australia

The compound sodium monofluoroacetate (1080) is the sodium salt of Fluoroacetic acid (fluoroacetate). Fluoroacetate occurs naturally in five genera of plants, three of which occur in Australia (Twigg *et al.* 1991). Thirty nine of these species (all *Gastrolobiums*) occur in the south-west of Western Australia (see Figure 1) and contain higher levels of fluoroacetate than any other known fluoroacetate producing plant (Twigg *et al.* 1991). The amount of fluoroacetate varies between species and geographical locations (Peacock *et al.* 2007) with concentration of up to 2600 mg kg⁻¹ in air dried leaves and up to 6500 mg kg⁻¹ in seeds (Twigg *et al.* 1991). Where fluoroacetate containing vegetation occurs, native animals have developed a degree of tolerance to the toxin (King *et al.* 1978; Oliver *et al.* 1979; Mead *et al.* 1985). For example the LD₅₀¹ of 1080 for reptiles, seed eating birds, mammals and bandicoots which have coexisted with fluoroacetate bearing vegetation are between 200-800, 11.5-40, 6-17.5 and 9-20 mg (1080) kg⁻¹ bodyweight (Twigg *et al.* 1991). In comparison the LD50 for foxes and cats is 0.13 and 0.4 mg (1080) kg⁻¹ bodyweight respectively

¹ LD₅₀ values which represent the lethal dose for 50% of a population

(Twigg *et al.* 1991). For the south-west of Western Australia, 1080 is not acutely toxic to native mammals and birds, which is the reason for its inclusion on the FSC highly hazardous pesticides list.

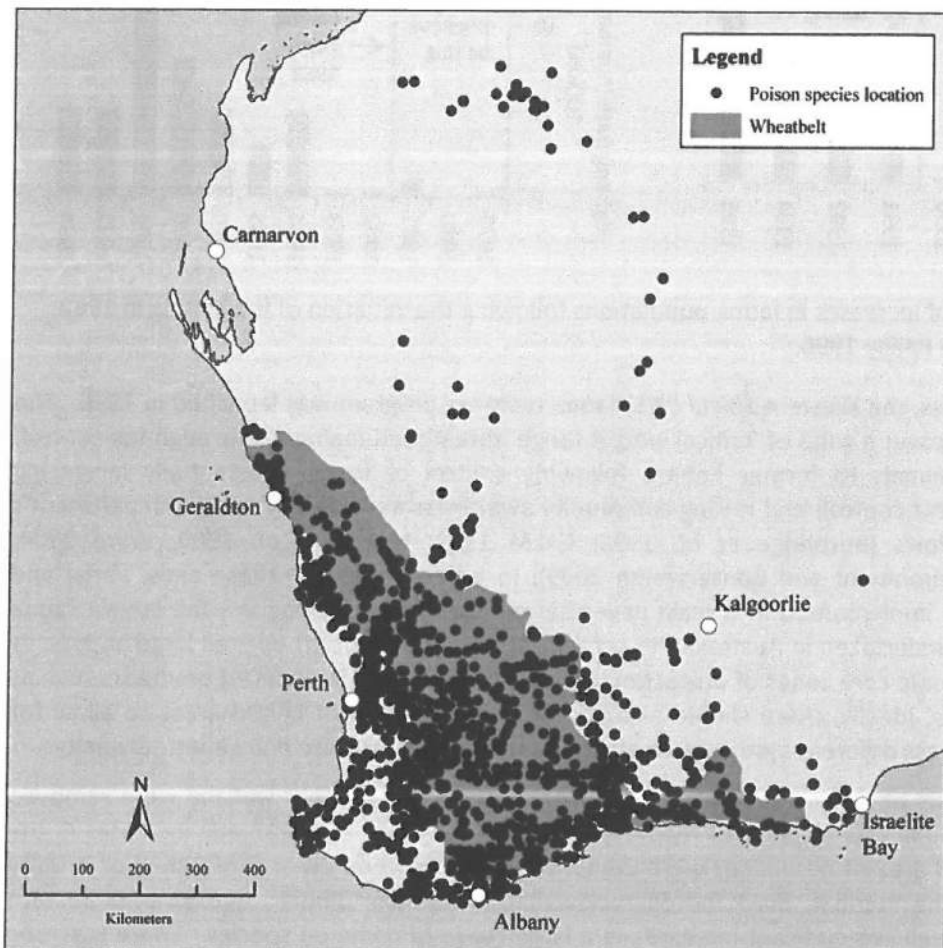
In Australia, 16 species of mammal are believed extinct and 26 species now occur as remnant populations, with these population declines predominantly in ground-dwelling mammals in the critical weight range 0.035-5.50 kg (Short *et al.* 1994). Traditional approaches to conservation such as reservation, protection from hunting and trade have not been successful in halting mammal declines in the south-west of Western Australia. The most successful programs to conserve endangered mammals have involved the effective control of exotic predators by establishment of populations on predator-free islands or the intensive use of 1080 poison to control exotic predators (Short *et al.* 1994). Predation by cats and foxes are key threatening processes listed under the *Environmental Protection and Biodiversity Act* (1999) and are responsible for the decline in other native fauna such as ground nesting birds, pythons and other reptiles.

The natural tolerance of native species to 1080 combined with the threat to native wildlife from feral cat and fox predation led to the development of the Western Shield program in Western Australia. The Western Shield Program is the Department of Parks and Wildlife's lead animal conservation program and one of the biggest wildlife conservation programs ever undertaken in Australia.

In Western Australia there are 30 mammal species which have declined significantly or are threatened with extinction with fox and cat predation listed as a significant threatening process (Department of Parks and Wildlife 2013).

The areas of focus for protecting native fauna through baiting with 1080 occur predominantly in the south-west of Western Australia (see attachment *Focus species and areas for current Western Shield program*), the focus for much of the plantation and production native forest estate.

Figure 1 (Taken from (Short *et al.* 2005) The distribution of poison peas of the genus *Gastrolobium* from records of the Western Australian Herbarium (c. 2500 records of 69 species) indicating a broad and apparently even spread through south-west Western Australia.



3. **Western Shield achievements** (see also attachment *Western Shield fact sheet*)

Fox baiting has been implemented by the Department of Parks and Wildlife (formerly Forests Department, Department of Conservation and Land Management and Department of Environment and Conservation) since 1982. In 1994 an aerial fox control and research program was initiated across almost 700,000 hectares in the northern jarrah forest and in some Wheatbelt reserves (Bailey 1996; Morris *et al.* 1999). This demonstrated that baiting for foxes resulted in dramatic increases in the population size and range of many species of native animals such as numbat, woylie, chuditch and rock-wallaby (Figure 2).

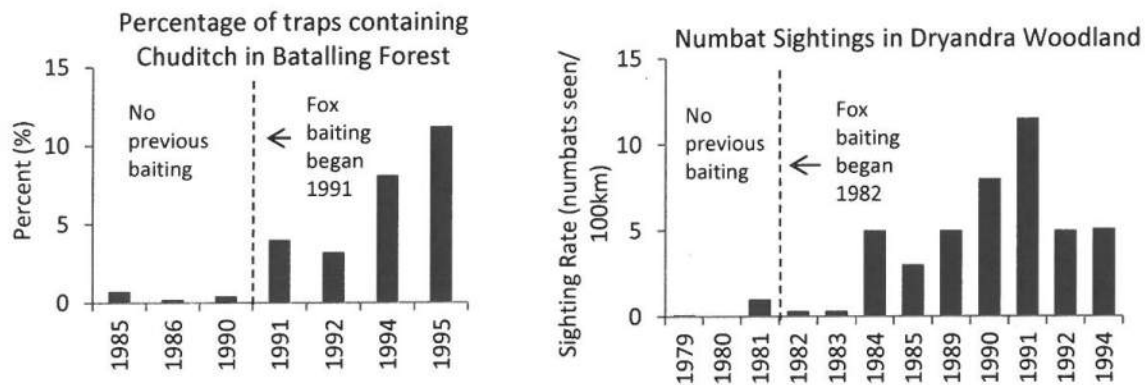


Figure 2 Examples of increases in fauna populations following the initiation of fox baiting in 1982. Data extracted from Bailey 1996.

Based on this success, the *Western Shield* (WS) fauna recovery program was launched in 1996. The program aims to recover a suite of ‘critical weight range’ threatened mammals through fox control; returning native animals to former habitat following control of foxes; substantially increasing research into feral cat control; and raising community awareness and support for the department’s fauna recovery efforts (Burbridge *et al.* 1995; CALM 1999; Morris *et al.* 1999; Wyre 2004; Department of Environment and Conservation 2009). In order to achieve these aims, aerial and ground baiting was implemented at a scale never before attempted, making WS the largest fauna recovery program undertaken in Australia. In general, baiting should occur over as large an area as possible so as to create core zones of protection for native fauna from introduced predators such as foxes and feral cats. Ideally, there should also be connectivity between baited areas to allow for fauna migration across different systems to maintain fauna populations size and genetic diversity.

In the first few years of the WS program, the woylie, quenda and tammar wallaby were removed from threatened fauna lists because of recovery in their populations and dramatic increases in the population size and area of occupancy were demonstrated for several other threatened or priority species including the numbat, black-footed rock-wallaby, chuditch, dibbler, quokka and western brush wallaby; as well as significant increases in a large range of common species. **There is strong evidence that the WS program has prevented extinctions since its commencement in 1996 and that without the program, further extinctions are inevitable.**

4. Alternatives to 1080 for fauna recovery programs (taken from (Department of Parks and Wildlife 2013))

Parks and Wildlife continually evaluates the range of control techniques available as part of its management programs for control of feral animals. Currently there is no other safe and effective alternative to 1080 to control foxes and feral cats across broadscale areas.

The small but inevitable number of non-target poisonings, particularly of domestic animals, continues to influence public perception and ongoing support for the use of 1080. In recent years, concerns regarding the humaneness of 1080 have also become more prominent and the welfare of target or non-target animals has been the subject of a number of publications (Gregory 1996; McIlroy 1996; Marks *et al.* 2000; Potter *et al.* 2006; Sherley 2007; Twigg *et al.* 2010). The humaneness concerns largely relate to the possible suffering of poisoned animals in baiting programs. In addition, targeted advertising for supposed alternative products such as PAPP promote the benefits of the toxin without providing the critical message that PAPP is toxic to native animals as well as introduced predators. PAPP-based fox and cat control products are not registered for operational use in Western Australia. Further research and development trials are still required to address the non-target concerns relevant to use of this toxin in Western Australia. Given there is no

other toxin available which can be used at a broadscale like 1080, the possibility of further restriction or prohibition of the use of 1080 is of significant concern. The consideration and development of further options, both lethal and non-lethal, for reducing fox and feral cat impacts has been a subject of close scrutiny for many years and the outcomes are summarised below.

The use of analgesic, sedative or anxiolytic agents combined with 1080 have been proposed as a means to reduce possible suffering associated with 1080 poisoning (Marks *et al.* 1996; Marks *et al.* 2000; Sherley 2007; Marks *et al.* 2009). These drugs can have adverse side-effects if used incorrectly or over a long period of time such as bone marrow damage, ulcers and the inability to thermoregulate (Twigg *et al.* 2010), which may have implications for non-target fauna exposed to repeated doses of 1080 products. In addition, interaction between the analgesic and the toxin may reduce the toxin's effectiveness (Twigg *et al.* 2010).

Fertility controls and virus vectored immune-contraception techniques may have some future potential, but are not likely to be of value in the short term given the lack of application to wild populations, the potential effect on domestic animals, and the slow population reduction expected (Marks *et al.* 1996; Courchamp *et al.* 2000; Hood *et al.* 2000; Saunders *et al.* 2007).

A range of audio, scent and visual attractants have been trialled for feral cats. On Kangaroo Island, devices that feature sounds and fluttering objects, designed to catch a feral cat's attention and entice it to enter an artificial tunnel, are undergoing field testing; internal sensors detect the animal's shape once inside the tunnel and, if recognized as a feral cat, spray a toxic substance on its belly (Miller 2010). As the feral cat licks itself clean, the toxin, para-aminopropiophenone (PAPP), humanely euthanizes the animal. There is some suggestion that the tunnel traps may be more effective than bait alone due to their target specificity and the preference that feral cats have for live prey (Miller 2010), however for general baiting the potential non target effects of PAPP are significant and for this reason this product is not considered a viable option in WA.

Shooting foxes during community fox drives is undertaken in the agricultural areas of the south-west (e.g. the red card for red fox program). Ground shooting of foxes and feral cats may reduce local numbers of problem animals; however the approach is labour intensive and is not as effective as broad scale baiting. Where private land adjoins or contains important wildlife habitat, assistance or encouragement to landholders and the development of incentives to promote fox control on private land may be appropriate, especially if the property forms part of a buffer zone to protect populations of threatened animals. The involvement of professional shooting organisations and groups in the control of introduced predators on Parks and Wildlife estate has some potential in conjunction with baiting activities. If professional shooting organisation were used, operators would need to have a high level of skill at tracking and shooting and operate under strict protocols. Issues associated with the use of professional shooting organisations are inadvertent spread of diseases such as dieback and chytrid, alteration of natural behaviour of foxes and feral cats such that baiting and other control programs become less effective, disturbance to native species and communities in areas that are high value and the risks associated with the use of firearms on public lands.

Trapping is time-consuming and labour intensive and is therefore an inefficient method for large scale fox or feral cat control in south-west Western Australia. The types of traps used include cage traps and padded leg hold traps e.g. Victor soft-catch traps, often used in conjunction with a lure. Trapping is effective in local situations where nuisance animals are directly threatening a critical population, but follow up work can be significant to deal with reinvasion.

Tracking dogs have been considered for the purpose of 'mopping up' feral cats following baiting programs, however while this has worked in some areas, the technique requires further development (Morris *et al.* 2004) and would only be useful in small areas in conjunction with baiting activities.

Fenced areas are becoming more commonly used to protect threatened fauna from introduced predators such as foxes and feral cats. Fences are particularly necessary for native animals that are highly susceptible to predation by very low population densities of introduced predators. In WA there are five Parks and Wildlife managed fenced areas including the Perup woylie enclosure, which is important for Woylie; Lorna Glen, which is important for Boodie, Shark Bay Mouse, Mala and Golden Bandicoot; Norman's Beach Enclosure in Waychinicup National Park, which is important for Gilbert's Potoroo and Dibbler; Peron Peninsular, which is important for Bilby and Malleefowl and a new fenced area that is being constructed around the Nangeen Hill Nature Reserve to protect significant population of Rock-wallaby (Pearson 2012). Frequent monitoring for the presence of foxes and feral cats inside the fence is an essential precaution as considerable damage can be caused by a single animal breaching the fence.

The high cost of establishing predator-proof fencing and the ongoing maintenance costs involved, including habitat manipulation for the range of species within the fence, mean that fences are likely to be useful only for small areas (Avis *et al.* 1994) or where activities such as baiting, trapping and natural barriers to predator movement (e.g. natural water barriers) can be effectively integrated with fencing to create large predator-free reserves on peninsulas, such as that on the Peron Peninsula in Shark Bay (Morris *et al.* 2004).

Careful consideration also needs to be given to the complex habitat requirements of species being protected within fenced areas and the barriers to natural dispersal. Genetic supplementation or the translocation of animals may be required if numbers increase beyond the sustainable capacity of the habitat and the habitat needs to be actively managed to ensure that optimal conditions are maintained (Pearson 2012). The construction of an exclusion fence is an expensive management option, and therefore needs to convincingly demonstrate a high expected return-on-investment (Bode *et al.* 2012).

Eradication of predators on islands and subsequent translocation of threatened species to these areas has also been an important strategy for wildlife conservation in WA and number of small islands off the coast of WA, such as Bernier, Dorre and Bald Islands are the primary refuges of mammal species that are extinct or very rare on the mainland (Burbidge *et al.* 1989). Given the threat that foxes and feral cats pose to wildlife, it is essential that they continue to be excluded from these significant areas.

Habitat manipulation using tools such as fire to encourage thicket development or higher quantities of *Gastrolobium* are techniques that have potential merit in the management of fox and feral cat impacts on fauna and are deserved of investigation. Foxes are thought to be excluded by dense vegetation and at certain population densities, foxes suppress feral cats while allowing fauna recovery; perhaps the two concepts can be combined to facilitate fauna recovery in some habitats that lend themselves to this level of manipulation and where innovative and patchy fire management is achievable. Similarly, active manipulation of the natural levels of *Gastrolobium* in the environment may increase secondary poisoning of foxes and feral cats following ingestion of live prey.

In the longer term, there is a need for an integrated approach to managing foxes and feral cats that considers multiple predators and provides multiple options so that we are not completely reliant on 1080 baiting; however, at this stage, the use of complementary control techniques for predator control can be applied only in targeted/localised scenarios and the methods need to be tailored to the environment in which control is sought. Other than broad scale baiting, all of these techniques can be labour intensive and have been effective only for small areas; habitat manipulation techniques have yet to be trialled. **Broad scale baiting with 1080 continues to be the most humane, cost effective and practical approach to control of introduced predators.**

5. Regulation of the use of 1080 in Western Australia

In 2004 the Australian Pesticide and Veterinary Medicine (APVMA) authority began reviewing the registration and label requirements of products containing sodium fluoroacetate (1080) ((Australian Pesticides and Veterinary Medicines Authority 2008). The APVMA is an independent authority with the responsibility for the regulation of agricultural and veterinary chemicals in Australia. The review considered whether the APVMA was satisfied that continued use of products containing 1080 would be likely to have an *unintended effect that is harmful to animals, plants or things or to the environment*. The review made recommendations that labels for 1080 containing products be amended and the imposition of new conditions on registration which included access to state and territory documents referred to on the label. With these changes the APVMA found that the continued use of products containing 1080 was *unlikely to cause significant harm to non-target animals or to the environment*.

All personnel from Parks and Wildlife and DAFWA, Licensed Pest Management Technicians and persons authorised by the Commissioner of Health using 1080 must have completed a training course in the safe use and handling of 1080, approved by the Commissioner of Health. This is a legislative requirement under the Poisons (Section 24) (Registered Pesticide 1080) Notice 2000.

Officers of the Department of Agriculture and Food Western Australia and the Parks and Wildlife who use 1080 in the course of their employment must be authorised for each 1080 product and its specific uses. This authorisation will only be given after completion of a formal training course, involving theory and practical assessment of competency.

Licensed Pest Management Technicians will undergo similar training to add specific 1080 products to their existing pest control licences. This training is managed by the Health Department of WA.

Landholders who want to use 1080 on their own property must receive instruction in the use, safety, security and first aid for the 1080 product they will be using.

The Department of Parks and Wildlife have developed a guideline for the safe use of 1080 (Department of Parks And Wildlife 2015) and in conjunction with the Department of Health and the Department of Agriculture and Food, developed a code of practice (Department of Health Agriculture and Food and Environment and Conservation 2012).

6. Implications of non-use

Foxes are considered one of the greatest predation threats to Australia's native fauna (Saunders *et al.* 2007). Foxes are mobile animals and actively fill any territory vacated by other foxes removed through control programs. The effect of fox control on small areas will be negated by the movement of foxes from unbaited areas to baited areas. Similarly if forest companies are unable to apply 1080 baits to their management areas, this can decrease the overall effectiveness of landscape scale efforts to reduce predator numbers with the aim to recover threatened native fauna populations.

The current WS program focuses on 18 mammal species, 10 bird species and 5 reptile species whose populations can benefit from introduced predator control. All of these species are Schedule 1 species under the *Wildlife Conservation Act 1950*, meaning they are rare or likely to become extinct. Many other native species which are not listed as threatened also benefit from fox and feral cat control. The implications for forest managers in the south-west of Western Australia not being able

to participate in baiting programs could result in the fragmentation, decline or even extinction of fauna susceptible to introduced predators.

7. References

- Australian Pesticides and Veterinary Medicines Authority 2008, *Sodium Fluoroacetate final review report and regulatory decision*, Kingston, ACT.
- Avis, M. & Roberts, A. 1994, *Pest fences: notes and comments*, Wellington, New Zealand.
- Bailey, C. 1996, 'Western Shield - bringing wildlife back from the brink of extinction', *Landscape*, vol. 11, pp. 41-48.
- Bode, M. B., Brennan, K. E., Morris, K. D., Burrows, N. D. & Hague, N. 2012, 'Choosing cost-effective locations for conservation fences in the local landscape', *Wildlife Research*, vol. 39, pp. 192-201.
- Burbidge, A. A., Start, A. N., Morris, K. D. & Armstrong, R. 1989, 'Patterns in the modern decline of WA's vertebrate fauna: causes and conservation implications', *Biological Conservation*, vol. 50, pp. 143-198.
- Burbidge, A. A., Start, A. N., Morris, K. D. & Armstrong, R. 1995, *Western Shield – Bringing Back our Wildlife*, Western Australia.
- CALM 1999, *Western Shield Fauna Recovery Program - Strategic Plan July 1999 to June 2004*, Western Australia.
- Courchamp, F. & Cornell, S. J. 2000, 'Virus-vectored immunocontraception to control feral cats on islands: a mathematical model.', *Journal of Applied Ecology*, vol. 37, no. 6, pp. 903-913.
- Department of Environment and Conservation 2009, *Western Shield Fauna Recovery Program – Interim Strategic Plan January 2009 to December 2010*, Western Australia.
- Department of Health Agriculture and Food and Environment and Conservation 2012, *Code of practice for the safe use and management of 1080 in Western Australia*, Western Australian Government, Western Australia.
- Department of Parks and Wildlife 2013, *Western Shield: Strategic Review*, Kensington, WA.
- Department of Parks and Wildlife 2015, *Safe use and management of Sodium Fluoroacetate (1080)*, 1.2, Kensington Western Australia, FEM064.
- Gregory, G. 1996, 'Perception of pain associated with 1080 poisoning', in CA Marks & PM Fisher (eds), *Humaneness of Vertebrate Pest Control* (Ropet Printing, North Australia, pp. 62-64.
- Hood, G. M., Chesson, P. & Pech, R. P. 2000, 'Biological control using sterilising viruses: host suppression and competition between viruses in non-spatial models', *Journal of Applied Ecology*, vol. 37, pp. 914-925.
- King, D. R., Oliver, A. J. & Mead, R. J. 1978, 'The adaptation of some Western Australian mammals to food plants containing fluoroacetate', *Australian Journal of Zoology*, vol. 26, pp. 699-712.
- Marks, C. A., Gigliotti, F. & Busana, F. 2009, 'Assuring that 1080 toxicosis in the red fox (*Vulpes vulpes*) is humane II. Analgesic drugs produce better welfare outcomes', *Wildlife Research*, vol. 36, pp. 98-105.
- Marks, C. A., Hackman, C., Busana, F. & Gigliotti, F. 2000, 'Assuring that 1080 toxicosis in the red fox (*Vulpes vulpes*) is humane: fluoracetic acid (1080) and drug combinations', *Wildlife Research*, vol. 27, pp. 483-494.
- Marks, C. A., Nijk, M., Gigliotti, F., Busana, F. & Short, R. V. 1996, 'Preliminary field assessment of a cabergoline baiting campaign for reproductive control of the red fox (*Vulpes vulpes*)', *Wildlife Research*, vol. 23, no. 2, pp. 161-168.
- McIlroy, J. C. 1996, 'Rationale for the use of 1080 to control vertebrate pests.', in PM Fisher & CA Marks (eds), *Humaneness of Vertebrate Pest Control* Ropet Printing, Tynong North, Australia, pp. 27-33.

- Mead, R. J., Oliver, A. J. & King, D. R. 1985, 'The co-evolutionary role of fluoroacetate in plant-animal interactions in Australia.', *Oikos*, vol. 44, pp. 55-60.
- Miller, C. 2010, 'Will curiosity kill the cat?', *Frontiers in Ecology and the Environment*, vol. 8, no. 3, p. 118.
- Morris, K., Orell, P. & Armstrong, R. 1999, 'Western Shield and Operation Foxglove', *Ranger*, vol. 46, pp. 4-6.
- Morris, K., Sims, C., Himbeck, K., Christensen, P., Sercombe, N., Ward, B. & Noakes, N. 2004, 'Project Eden – fauna recovery on Peron Peninsula, Shark Bay: Western Shield review-February', *Conservation Science W. Aust.*, vol. 5, no. 2, pp. 202-234.
- Oliver, A. J., King, D. R. & Mead, R. J. 1979, 'Fluoroacetate tolerance, a genetic marker in some Australian mammals', *Australian Journal of Zoology*, vol. 27, pp. 363-372.
- Peacock, D. E., Williams, B. D. & Christensen, P. 2007, '"Total Fluorine' analysis of seed of Australia *Gastrolobium* spp. showing temporal, spatial and morphological variation', *Journal of Fluorine Chemistry*, vol. 128, pp. 631-635.
- Pearson, R. G. 2012, *Recovery plan for five species of rock wallabies for five species of rock wallabies; Black-footed rock wallaby (*Petrogale lateralis*), Short-eared rock wallaby (*Petrogale brachyotis*), Monjon (*Petrogale burbidgei*), Nabarlek (*Petrogale concinna*), Rothschild rock wallaby (*Petrogale rothschildi*). Western Australia.*
- Potter, M. A., Barrett, D. P. & King, C. P. 2006, 'Acceptance by stoats (*Mustela erminea*) of 1080 (sodium monofluoroacetate) in small-volume baits and its effect on behaviour and time to death', *New Zealand Journal*, vol. 54, pp. 350-356.
- Saunders, G. & McLeod, L. 2007, *Improving Fox Management Strategies in Australia*, Canberra.
- Sherley, M. 2007, 'Is sodium fluoroacetate (1080) a humane poison?', *Animal Welfare*, vol. 16, pp. 449-458.
- Short, J., Atkins, L. & Turner, B. 2005, *Diagnosis of mammal decline in Western Australia, with particular emphasis on the possible role of feral cats and poison peas.*, CSIRO, Wembley Western Australia, Report to the National Geographic Society February 2005.
- Short, J. & Smith, A. 1994, 'Mammal decline and recovery in Australia', *Journal of Mammology*, vol. 75, no. 2, pp. 288-297.
- Twigg, L. E. & King, D. R. 1991, 'The Impact of Fluoroacetate-Bearing Vegetation on Native Australian Fauna: A Review', *Oikos*, vol. 61, no. 3, pp. 412-430.
- Twigg, L. E. & Parker, R. W. 2010, 'Is sodium fluoroacetate (1080) a humane poison? The influence of mode of action, physiological effects, and target specificity', *Animal Welfare*, vol. 19, pp. 249-263.
- Wyre, G. 2004, 'Management of the Western Shield program: Western Shield review—February 2003', *Conservation Science W. Aust.*, vol. 5, no. 2, pp. 20-30.

Respondent WA-3

I just want to add [to email chain] from Western Australia that the increasing applications of Glyphosate to kill mature marri and karri trees in our southwest forests (ironically used to justify increasing Jarrah species) is serious cause for concern in WA.

These applications are also in groundwater catchments and with dramatically increased departmental controlled burn offs in these areas on top off the increasing incidence of out of control fires dues to arson and climate change, I am concerned about the toxic effects Glyphosate and other pesticides, fungicides, insecticides and biocides that are used in our forests may cause to human health through combustion.

Has there ever been any analysis or studies into potential long term health and environmental impacts?

It is certainly alarming to see our forests sprayed for weeds and pests one week and then set alight another! Surely this can't be good for our environment or the many species that rely on our forest ecosystems for survival.

Best regards

[WA-3]

Victoria

HVP Contact responses

No.	Stakeholder Comment	Company Response
HVP-1	OK with proposed uses assuming they are well managed. Thanked us for the opportunity to comment	Thanked him for comments
HVP-2	No problems with them as they are registered for use	Thanked him for comments
HVP-3	Not happy with the use of any insecticide or 1080. In particular against any aerial application.	Thanked her for her comments
HVP-4	Considers 1080 a highly cruel poison and has lost 2 dogs to it in the past (not from forestry application). Other techniques such as shooting etc better. Even a more specific and faster acting poison would be better	Talked through the issues and thanked him for his comments
HVP-5	Concerns over aerial application and potential contamination. Acknowledged that we did a good job of working with the community and that he had observed our aerial application and felt it was accurate. Concerns over drinking water contamination off his roof. Also concerned over potential 1080 poisoning of locals dogs and wildlife. Concerned that fipronil and copper oxide was toxic to fish.	Talked for some time. I explained that we had no plans to use fipronil and it was extremely unlikely to be used in his area. Explained that his area was not prone to copper deficiency or dothistroma so extremely unlikely that copper would ever be used. He was happy with that and our controls but would be concerned if copper of Fipronil were used.

National

Respondent: NAT-1

Kevin, I believe the Final Solution to toxic pesticides may come in the form of a variety of Diatomaceous Earth (DE) preparations. The fine "mist" or powder preps could be used for European Wasp nests.

Even chopper mist/powders or DE solutions could likely be used as a complete, non-toxic (and yet residual) substitute for aerial pesticide spraying of plantations.

In the face of this approach's vast potential, I believe only inappropriate industry pressures could see toxic pesticides continue to be used on a large scale.

I do not as yet have any info on what the effect of DE would be on non-target insects.

Cheers,

Reply

Thanks [NAT-1]

Do you have any references for this alternative? We are obliged to look at all possibilities. FSC also run a database of such alternatives (I put it together myself) although this is currently not being managed as an on going resource. <http://pesticides.fsc.org/strategy-database> They are always looking for candidate strategies.

Regards

Respondent: NAT-3

Reply – another STAKEHOLDER NAT-3

Subject: Re: Pesticides: The Solution

Hi NAT-2,

My wife successfully used DE to control ants around the veranda of the house.

[It dries out the exoskeleton of insects.](#)

I recon it would effect any insect the same way target or not.

DE was not really that expensive either.

I'm wondering if Tasmania has deposits of DE?

It maybe able to compete with the toxic chemical industry on price alone.

(no point appealing to people's intelligence is there?)

Cheers

Response from KO

Dear all

A reply from our expert follows. A mixed bag but certainly worth keeping on the agenda. We will run this by the independent ecotoxicologist who is doing the peer review but any return comments welcome.

DE (Diatomaceous Earth) preparations are a very useful and safe option for pest control (subject to product used, some DE products may have crystalline silica which has been shown to be carcinogenic if inhaled).

There are currently several registered pesticide products that contain DE, some of which also contain other insecticides. Most of these are registered as insecticides for grain storage for which the product is particularly useful as it can be produced in food grade quality, lasts well in silos and has no or little non target impact – although there is some impact on grain storage as DE reduces bulk density (the weight of grain that can be stored in a given volume of space) and increases wear on equipment as it is abrasive. There are also a number of products registered for the home garden use, for pet insecticides and also as feed additives for a range of animals (in this use case the product is not registered as a pesticide). In other countries it is also registered for some relatively novel use situations such as for control of bed bugs and carpet lice.

For the uses listed the product is ideal, silos, pets and home gardens are all relatively small contained areas where it is preferable to not use more toxic products. They also do not demand that a lot of product is used, which means that the cost impacts are minimal.

Currently DE is not registered in any pesticide product for forestry or any other large scale agricultural or horticultural production system in Australia. The reasoning behind this is that there a number of limitations of the product;

- DE is a contact pesticide, in that it is necessary for contact to occur between the insect pest and the DE. For example, many insect pests may inhabit the undersides of leaves and hence application needs to be made to the underside. In the home and garden this is not a problem as pests are generally relatively isolated on perhaps a couple of plants only, for which it is easy enough to achieve full coverage. In forestry and agriculture this is more difficult to achieve as we are dealing with very large canopies. It is not clear how much product would be required to achieve full coverage. Based on a similar use case scenario (in pine) using ultra low volumes (liquid application) for full canopy coverage, the amount required may be as little as 2-8kg, but may also be much more. In eucalypts where application would more than likely need to occur aurally, it may be impossible to safely achieve full coverage of both the upper and lower sides of leaf.
- Based on a use case of the median point of 5kg, the cost would be approximately \$50/Ha (based on an approximate cost of \$10/kg). This compares with alphacypermethrin products for example that cost as little as \$2/Ha (based on \$130 for a 20L drum used at 300ml/Ha). Clearly when scaled up to 100's or 1000's of hectares the cost difference has a significant impact.
- DE is not a selective pesticide and hence the impact on non-target pests is essentially equivalent to a broad spectrum synthetic or natural pyrethroid
- Due to DE being a contact pesticide only, it will not be efficacious against any pests that either live inside the leaves or stems.
- Being a contact insecticide, DE will have minimal or no lasting impact on pests that arrive after the initial application. For example, at any given time generally multiple life stages of a pest are present. If DE is applied and a week later, new eggs hatch, another application would be required.

- DE is sensitive to moisture (as it's principle method of efficacy is to dehydrate insects) and therefore, where rainfall occurs or even dew, fog or mist, the efficacy is likely to reduced substantially.
- Given DE is not systemic (does not enter or have efficacy inside plants) and is essence a dust, after any rain events or possibly strong wind events, DE would need to be re-applied.
- DE does take some time to control pests. There are varying reports on timing, but some reports suggest several days. For certain forestry pests of young eucalypts such as wingless grasshoppers and spring beetles, complete destruction of small trees (under 6 months old) can occur in this period.

In short, DE is not likely to be economical in a forestry environment and has few advantages (it will impact non-target insects and also has some toxicity to humans if inhaled) over other more reliable alternatives for which strong risk control mechanisms are in place.

Respondent: NAT-2

Hi,

As you may be aware, I am in the middle of the CW systems disaster, there is a lot of correspondence after the failure of the Working Group to get a grip on the Economic members.

At the same time, I am in the "Complaint" procedure. FPC WA received a CW certificate to supply WAPRES/Marubeni with karri timber from HCV.

It is no wonder that NGOs are leaving FSC, now the Economic Chamber is gaining more and more influence.

The same will happen with the chemicals. In Western Australia, the "good" plantation managers hardly used chemicals.

We (NGOs) had contact about the chemical abuse of Midway Plantations and Hancock. In other words, there is a lot to do.

Greetings

Respondent NAT-4

Thanks NAT-4.

All good questions

My preliminary response below

[deleted communication re online forum details]

Sent: Monday, 9 November 2015 1:56 PM

Subject: Re: EDCs and further comments to Australian applications for pesticide derogations from FSC

Why don't FSC certified companies release public information pertaining to pesticide testing and results of such testing?

Testing is often a derogation condition and the certifiers need to monitor that testing as part of the audit where HH chemicals are used. Making the results available is not part of the conditions BUT it's a suggestion that I think could be made to the applicants in this process.

What systems are in place for FSC companies that use pesticides regarding monitoring of off-site pollution e.g. pesticides?

Testing is normally soil or water testing. Typically samples in waterways are at entry to the property, in the middle and on exit of the property. Personally I think that sampling waterways is a bit pointless. If there is a contamination event it would be short-lived and result in a spike of detectable readings. If you miss that period you may miss the problem.

air pollution and water pollution, sediment etc

I raised this issue with smartwood and they said in terms of their standard monitoring is not included!!!

True but it is often part of the derogation conditions.

I submitted something into the national standard regarding monitoring and nothing more has occurred.

I can't comment on that but I see that Tim Anderson is on this list and is on the standards committee.

If a company uses pesticides, there should be conditions attached that mean that a monitoring regime is implemented and not just for a couple of days. hexazinone was still being detected 4 years after it was used by hancock in the moorabool catchment.

the results of the testing need to be made public so that if pollution occurs people are aware that the pollution has occurred. this in turn will mean that companies using these products will not act like cowboys.

This is a fair comment. Can we take this forward to the reviewers?

simazine was still being detected in 2012 in middle creek (strzelecki ranges) 9 years after it was last used and forestry is the only activity upstream of where the EPA took their tests.

why doesn't fsc support the precautionary principle in terms of pesticide use. they seem to base their ongoing need for pesticide on a risk based system.

This is complex and part of FSC Policy.

The intention has always been to avoid the use of chemicals and there has been dramatic reductions in use as a direct result of FSC, I think in the first round 19 out of 35 derogated chemicals have been retired. Also Forestry remains only 0.7% of total agrichemical (both in Australia and Globally) use BUT that's no reason not to keep the eye on the ball. However FSC quickly realised that a blanket ban was not a well thought out policy since there were no alternatives in many cases and the replacement of HH Chemicals was a logically longer term aim. Thus derogations arose. There is a review of all of this under the FSC IC governance structure with a working party being called soon.

Monday, 9 November 2015 3:54 PM

Hancock "only" used 132 tonnes of hexazinone in Victoria over 2011/12.

No testing has ever been made available to the public.

Hancock stopped using Simazine in their plantations in the Strzeleckis in 2001, because it was being detected in waterways.

Then FSC comes along and allows derogations for simazine for other companies.

Aerial spraying of Glyphosate is on the nose with many on the community in the north east

FSC have now certified this company Midway who hold the Victorian record for Simazine pollution!!!! Tens of thousands of tonnes of sediment has also run off the site. If this is world's best practice, please show me the worst.

Midways are also spraying in the Warrnambool water supply. No monitoring for their operations has ever been made public <https://www.youtube.com/watch?v=gwyJx0wjuP8>

Tuesday, 10 November 2015 2:35 PM

I don't think Midway have a forest management certificate, just controlled wood which does not cover chemicals.

KO

[from discussion thread]

Sunday, 15 November 2015 11:40 AM

FSC has been on the skids in Australia since 2006.

I want no part in it. It is beyond reform and fast losing credibility. Why are forestry consultants steering the derogation reviews? What happened to objectivity? Could information revealed in stakeholder processes be used against those giving the information.

Simazine not a HH pesticide, what recourse do we have with FSC International? None.

Even the Tasmanian Government stopped spraying simazine in plantations only 20 years ago!!! But it can now be applied by FSC companies. Hancock stopped using Simazine in 2001, prior to their FSC certificate, because it kept on being detected in Gippsland waterways.

This explains why I lost faith in FSC in 2006,

<http://www.foe.org.au/sites/default/files/Forest%20Stewardship%20Council%20and%20Rainforest%20Management.pdf>

<http://www.foe.org.au/sites/default/files/Strzelecki%20Koala%20Issues%20and%20Forest%20Stewardship%20Council%20Certification.pdf>

Respondent: NAT-5

> Sent: Wednesday, 7 October 2015 3:27 PM

> Subject: Deregation Applications

> Dear Kevin,

> I am really surprised that it seems you only have forest managers on
> the Pesticide Derogation Group that deals with derogations for FSC
Australia.

> Have I read this wrongly? If not, can you explain why there has been
> no invitation to other groups who deal with human and environmental
> health such as PAN, NTN, FoE to be on the panel? Might not the
> forestry group be perceived by the general community as biased if they
> are applying for derogations for HH pesticides to be used in water
> catchments by the forestry industry?

> I await your reply.

> Regards

NAT-5

> On 7 Oct 2015, at 9:59 pm, Kevin OGrady <kopinncle@gmail.com> wrote:

>

> Hi NAT-5

>> Plenty of other groups have been circulated but any suggestions from
> you welcome. We would be interested in any contact you can suggest
> (that I don't have) such as PAN (Ros McKendry?). NTE, FoE - I have
> circulated though Anthony Amis and Leonie van Der Maesen but I don't
> thing Anthony is still with FoE so would appreciate a steer on this.

>

> Keen on as wide a debate as possible so any help would be appreciated.

>

> My current list follows.

>

> Sent

- >
- > Friends of the earth
- > Chris Taylor
- > ACF
- > Wilderness soc
- > My Env
- > APVMA
- > APFA
- > Greenpeace
- > FSC IC
- > Other forestry companies
- > FSC BoD
- > Aboriginal land councils
- > FoE international
- > WWF
- > National Toxics network
- > FWPA
- > State regulators
- > Rabbit free Australia
- > Uni Tasmania
- > Pest smart
- > Tas weed management committee
- > Bee Keepers
- > Landcare (National)
- >
- >
- > Seeking contacts for
- >
- > Australian Koala Foundation
- > Australian Network of Environmental Defenders Offices Australian
- > Student Environment Network Australian Youth Climate Coalition
- > Australian Wildlife Conservancy Banksia Environmental Foundation Birds
- > Australia Blue Wedges Clean Ocean Foundation Environment Victoria
- > Foundation for National Parks & Wildlife Greening Australia Keep
- > Australia Beautiful Wildlife Watch Australia

Sent: Wednesday, 7 October 2015 11:16 PM

Subject: Re: Deregation Applications

Dear Kevin,

But are any of the groups below part of the Pesticide Derogation Group or is it made up only of forest managers?

My list below details those who have knowledge about adverse effects from pesticide use in Australia and surely need to be included in the 'expert' group?

Jo Immig from NTN

Meriel Watts from PAN

Anthony Amis from FoE (and he has contacts for koala foundation) And I would include the beekeepers, ornithologists, aquaculturalists and recreational fishermen.

Regards

NAT-5

Thanks [NAT5]

Sorry for the late reply.

I think I am at cross purposes with you on the 'expert group'.

There are 2 groups involved in the process and none of them are the forest managers or derogation applicants since that would be a conflict of interests.

We have set up a peer review group whose job is to advise the FSC Australia Board on the validity of the stakeholder process especially the responses to stakeholder comments and how we took into account their comments. They will also review the derogation applications against the criteria set by FSC and advise the FSC Australia Board of their opinion on the process. Note that the FSC Australia Board has no standing in the decision making that is done by FSC International in Bonn. This exercise is an additional step, if you will, to keep the process under scrutiny. FSC Australia will at their discretion advise FSC IC (or not) that the process met the requirements of the FSC IC procedures.

The review panel is:

Social perspective

Margaret Alston OAM

Professor of Social Work and Head of Department Director of the Gender, Leadership and Social Sustainability (GLASS) research unit Caulfield Campus Monash University

Environmental perspective

Dayanthi Nugegoda B.Sc.(Hons), Ph.D., Professor of Ecotoxicology, School of Applied Sciences, RMIT University,

Engagement specialist

Dr Lain Dare

Senior Research Fellow

Institute for Governance and Policy Analysis University of Canberra

The ACTUAL decisions are made by a group convened by FSC International. I am not aware of the makeup of that group but in the past it has been led by a technical adviser Lars Neumeister who also led the review of the Thresholds and believe me is no apologist to the agricultural use.

http://www.pan-germany.org/download/proceedings/03_Neumeister_Myth_of_Safe_Fruit_and_Veg.pdf

See also Review of the Forest Stewardship Indicators and Thresholds for identifying "highly hazardous pesticides"

Coordinated by Lars Neumeister. Expert Panel: Prof. Gerhard Verdoorn Prof.

(emeritus) Steven Radosevich,

, Kern, Lars Neumeister and Prof. Carlos Wilcken Dr. Stephanie Williamson, Stefan Gous, Maren Kern For Forest Stewardship Council Final Report (April 2013).

[NAT5] I very much hope you will continue to be involved in this discussion.

It looks like at least a webinar or two will be held on the applications.

Thanks also for your recommendations of participants.

I note that Anthony Amis has a new e mail so my invitation to him as been lost in the ether. Thanks for getting us back in touch. Leonie is a valued contact and has already been circulated. I welcome all comments and referrals to people who will comment on the applications BUT remember the criteria (and no other) that FSC will judge the applications on are:

Does the application demonstrate that the applicant has not alternative chemical or non chemical alternative to the active ingredient in question to control the pest issue. Note economic arguments (cost vs alternatives) are considered valid.

Does the application demonstrate safe use of the chemical in the forestry context.

Does the application demonstrate that there are efforts being made to find alternatives to the HH Chemical in question.

Kind regards

KO

To:'Kevin OGrady' Subject:EDCs and further comments to Australian applications for pesticide derogations from FSC

Hullo All,

I think it important for all groups interested in 'sustainable catchment activities' to consider the findings contained in the Executive Summary of the Endocrine Society's 2nd Scientific Statement on EDCs (EDC-2), just published this month. The full report will be released soon and includes a review of over 1300 articles, most from the peer-reviewed literature. The overall conclusion is that EDCs are a real and relevant health concern.

In consideration of the derogations applied for by companies managing forestry in Australia for pesticides to FSC, it must be pointed out that the established EDCs are amitrole, alpha-cypermethrin, fipronil, copper, picloram, glufosinate with no full knowledge regarding 1080 and pindone (the full science is not yet in and so they cannot be considered 'safe' chemicals).

The summary's concluding remarks include the following statements:

☐ *There are other points that several of the authors of this statement would like to raise with respect to precaution. It simply is not reasonable to assume a chemical is safe until proven otherwise.*

☐ *Educate the public, the media, politicians, and governmental agencies on ways to keep EDCs out of food, water, and air and to protect developing children in particular.*

FSC projects itself as a 'green and sustainable certification'.

It needs to be at the forefront of current knowledge on chemicals and practices which are known to damage environmental and human health – it needs to divest itself from such current activities.

FSC needs to consider this when giving out derogations for hazardous pesticides.

Regards

[Nat-5]

From: Kevin OGrady [mailto:kopinacle@gmail.com]

Sent: Monday, 9 November 2015 12:39 PM

To: NAT-5

Subject: RE: EDCs and further comments to Australian applications for pesticide derogations from FSC

Thank you [Nat-5]

FSC recognise EDC as a risk and some chemicals require us to apply for derogations for just that reason.

I guess the question for us is the relationship between dose and risk. In otherworld's can there be safe use.

Hope you will be able to take part in web based consultation events scheduled (I think) for 24th Nov.

Regards

KO

From: Nat-5

Sent: Tuesday, 10 November 2015 12:53 AM

To: 'Kevin OGrady'

The question you ask re dose and risk is – can there be safe use?

Perhaps the real question is – are the chemicals safe to use in the first place? The Endocrine Society really spells the issue out – EDCs work in minute doses (biological impacts at exposure dosages of up to concentrations of 10 to the minus 12) in non-monotonic ways and their effects have to be regarded as mixtures- not as individual chemicals used concomitantly in the environment, and there is no safe threshold dose. If there is no safe threshold dose, a case for 'safe use' in ecosystems and drinking water catchments does not hold; especially if the gain is private industry profits.

Regards

Nat-5

On Tue, Nov 10, 2015 at 10:26 AM, Kevin OGrady <kopinacle@gmail.com> wrote:

Comment from our experts

I agree, it highlights the issue of EDC's. It particularly focuses on and target's the non-disclosed chemicals we come in contact with everyday, such as those used in food packaging etc. Most people don't think twice about the cleaning products they use, they adhesive they use around the home, the colouring, UV stabilisers, biocides etc. in paint, toys plastics, baby's pacifiers etc.

Fortunately, in Australia for pesticides the risks are well assessed. For Amitrole, there is a body of work indicating that it is toxic, but in Australia we assess both hazard and risk, much like the FSC derogation process. So, while Amitrole is deemed an EDC, the levels at which workers are exposed to is below acceptable thresholds (professional applicators are in sealed cabins with air filtering systems). There are examples of workers exposed through hand application where excessive levels have not been reached and no impact has been observed on the thyroid compared with before exposure (see PubChem). The risk to aquatic areas is minimised through buffers and good practice (avoiding excessive wind) and more generally, through the high level of canopy present when the herbicide is applied. Amitrole is not particularly residual, in that it has a short half life, being actively broken down through metabolism in plants, metabolism in soil by microbes and by photolysis, meaning that the greatest risk posed is to applicators.

I agree with both the report and [Nat-5], that EDC's are a real and relevant health concern, as I am sure all the forest managers do. That is why forest managers have so many risk mitigation strategies in place.

My [KO] Comment

I think this raises concerns for all of us. Especially the minute levels at which impact may be felt.

We need to look closer at this. FSC does review its indicators and thresholds regularly. This is the proper place for this debate. (note Kim and Achim from FSC copied in here)

<p>5.1 A pesticide is considered 'highly hazardous', if it contains any active ingredient that is classified as:</p> <p>a) Category 1 (Substances for which endocrine activity have been documented in at least one study of a living organism), or Category 2 (Substances without sufficient evidence of endocrine activity, but with evidence of biological activity relating to endocrine disruption) according to the EU7 list of potential endocrine disruptors, OR</p> <p>b) Category 2 (Suspected human carcinogens) of the classification for carcinogens of the GHS6, AND</p> <p>c) Category 2 (Suspected human reproductive toxicant) of the classification for reproductive</p>	<p>Sources</p> <p>EC (2000): Towards the establishment of a priority list of substances for further evaluation of their role in endocrine disruption – preparation of a candidate list of substances as a basis for priority setting, European Commission, Delft EC (2004): Commission Staff Working Document SEC (2004) 1372 on implementation of the Community Strategy for Endocrine Disrupters – a range of substances suspected of interfering with the hormone systems of humans and wildlife (COM (1999) 706), Europäische Kommission, Brüssel EC (2007): Commission staff working document on the implementation of the "Community Strategy for Endocrine Disrupters" – a range of substances suspected of interfering with the hormone systems of humans and wildlife (COM (1999) 706), (COM (2001) 262) and (SEC (2004)</p>
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toxicants of the GHS6	1372), SEC(2007) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of Substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and
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On Tue, Dec 1, 2015 at 5:58 PM, [NAT5] wrote:

Please also include this latest research from Dr Hasenbein; another set of reasons why EDCs, HHPs and many other pesticides should not be used in water catchments, in particular when various pesticides have been used in them historically and this information is not taken into consideration when forest management plans are drawn up and pesticide use decided upon.

Derogations for HHPs are no longer environmentally and socially acceptable.

Regards

[NAT5]

http://www.sciencecodex.com/waters_are_more_polluted_than_tests_say-170702

"Bodies of water are "sinks", and thereby bind contaminants particularly well. If even slightly toxic concentrations in water are to be detected, the growth and swimming behavior of small crustaceans, mini-snails and copepods should be used for ecotoxicological assessments.

In scientific research, these effects are referred to as "sublethal effects". However, worldwide standard methods of pesticide analysis and the risk assessments associated with them only consider the lethal (deadly) effects. For the first time, three studies published in "Ecotoxicology", "Environmental Science and Pollution Research" and "Environmental Toxicology and Chemistry" demonstrate the sublethal effects on swimming behavior and growth, caused by widely used pesticides on the animals being studied. Moreover, the results indicate that the substances influence the underwater world for weeks, even if they are no longer detectable using standard methods.

Therefore, study author Dr. Hasenbein is advocating this approach in particular: "Sublethal endpoints need to be integrated into the methods used in ambient water monitoring, to allow long-term negative effects on aquatic ecosystems to be detected reliably, even when the pesticide concentrations in the water are low", says the scientist. "A crustacean population which is exposed to low-level contaminant pollution could be more susceptible to invasive species, changes in water temperature or different salt concentrations, because the permanent, low-level pesticide contamination increases stress on the animals." This is an important aspect, especially in the light of

climate change, and should therefore be taken into consideration in future ecotoxicologic assessments.”

From: [NAT5]
Sent: Sunday, 22 November 2015 6:21 PM
To: Lain.Dare
Subject: RE: Revised informal email discussion list

Hi Lain,

As yet we have no agenda and only an hour for a meeting with an unknown number of attendees, so could you please send out ASAP.

Before the meeting tomorrow, could you please send the terms of reference for the Pesticides Advisory Group Aus, with details of how members are chosen and a current list of who is on this group.

Incidentally who pays Kevin O'Grady of Pinnacle to act as a facilitator for national derogations for Australia? Is that FSC and/or the timber companies he represents for derogations?

BTW I don't think BCC get replies so please pass onto the others on your new email list please.

Regards

NAT5

From: Lain.Dare [mailto:Lain.Dare@canberra.edu.au]
Sent: Sunday, 22 November 2015 6:32 PM
To: [NAT5]

Cc: kopinnacle@gmail.com
Subject: RE: Revised informal email discussion list

Hi [NAT5],

I will send the agenda out tonight, I agree the timing is tight. I apologise I should have done this earlier.

I am not aware of the registration numbers for the forum as Kevin is handling that, Kevin can you advise this ASAP please.

I will leave it to Kevin to provide the other details you have requested.

Regards,
Lain Dare

On 25 Nov 2015, at 12:53 AM, [NAT5] wrote:

This was the initial email articulating my strong objections to the way FSC engages with stakeholders.

As it turned out only 1 (one) stakeholder attended for a brief period of this important meeting on setting derogations for HHP in Aus as a national programme with the 'independent facilitator' being employed by business to

support a national derogation process. These are governance issues for FSC Int. and I would appreciate your response.

Regards
[NAT5]

Mon 23/11/2015 8:23 AM

Hi Lain and Kevin,

This is to inform you that I will not be attending this meeting today, due to poor process.

The notice of the meeting was very short and I work today and have been unable to take time off for a very short meeting with really unclear outcomes. There is as yet no agenda (7am my time) and no terms of reference given for the group we are referring to (PAG) or even the current make up of the group.

FSC IPMs policy (Kevin was a co-author) states there can be no national IPM as factors vary region to region, so in the vast area that is Australia, how can there be national (supposedly temporary) derogations for HHP with some in fact ongoing for over 10 years?

And there has been no discussion in company IPMs on species of tree change rather than use a HH pesticide (the cost seems to be the imperative rather than the harm to the environment and communities) as per FSC policy.

The proposal goes against many of FSC's 10 guiding principles and is disingenuous.

Frankly the process so far is disappointing and discourteous to stakeholders.

Yours

[NAT5]

Wed 12/9/2015 1:39 PM

If FSC is to remain credible within environmental and social circles and uphold its guiding principles, it has to actually ban the use of HHP now..there is no doubt about this anymore.

Please add this email and article below to my previous comments to FSC Int and FSC Aus re use of using derogations for HHPs to allow their use in forests+/-plantations with FSC certification.

Regards

[NAT5]

From: [external organisation]

Sent: Tuesday, December 8, 2015 11:36 PM

Subject: UN human rights expert calls for a phase out of highly hazardous pesticides

Dear all,

From 30 November to 7 December 2015 the United Nations Special Rapporteur on human rights and hazardous substances and wastes, Mr. Tuncak, undertook an official country visit to Germany, at the invitation of the Government. During this week he met Governmental representatives, NGOs (including PAN Germany) and also pesticide industry representatives.

Among other issues related to chemicals and waste management he focussed on highly hazardous pesticides. His statements are really encouraging as they support the global Appeal for a ban of highly hazardous pesticides and not just focus on national responsibilities – which is of high importance - but in addition address the international trade in hazardous pesticides.

During his end of visit

statement (<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16847&LangID=E>) he said: „For example, certain hazardous pesticides are banned from use in the EU, but still exported or manufactured by German companies in countries without adequate systems in place to manage these dangerous pesticides. A similar situation exists for industrial chemicals as well. Companies are seriously challenged in tracing the use of chemicals throughout the supply chain, despite the reporting requirements of REACH.

Under a global policy framework, the global community has called for heightened efforts on highly hazardous pesticides (HHPs). The Special Rapporteur on the right to food and myself are calling for the phase out of HHPs, which can be substituted with safer alternatives, according to the FAO. Although many are banned in the EU, European businesses continue to produce HHPs for use in countries where the risks cannot be managed.“

And at a news conference

(<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16848&LangID=E>) where he presented his preliminary findings and conclusions at the end of an eight-day visit to Germany, Mr. Tucak reiterated a call made earlier this year by himself and the Special Rapporteur on the Right to Food to set an ambitious target for the phasing out of highly hazardous pesticides, or HHPs. (Source/ 8.12.2015: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16848&LangID=E>)

Kind regards,

[External Organisation]

Respondent NAT-4

Tue 1/12/2015 6:34 PM

This research [see NAT5] also applies to the host of FSC non-HHP's as well. Simazine a non-HHP? Even Forestry Tas stopped using it in the mid 1990's due to pollution concerns. Hancock in Gippsland stopped using it in 2001. Still being detected in 2013 downstream of Hancock plantations.

[NAT4]

From:[Nat-4]

Sent: Tuesday, 10 November 2015 11:44 AM

To: Kevin OGrady <kopinacle@gmail.com>

Subject: Re: EDCs and further comments to Australian applications for pesticide derogations from FSC

Sorry i don't buy into the statement that for pesticides the risks are well assessed.

a case in point is amitrole. its current drinking water guideline level was been reduced from 10ug/L to 0.9ug/L in 2011. the supposed safe level was set at 10ug/L for at least a quarter of a century and then miraculously the supposed safe level is reduced by 91% in 2011. Why? If pesticides risks are well assessed, then how does one explain to a person who may have been exposed at the once safe level, that that level wasn't safe at all. It was wrong by 91%!

Another problem is the ADI set by regulators. Can someone please explain to me why Glyphosate has not had its ADI changed since 1985 and why was that level adopted in the first place? What peer reviewed studies were used to determine Glyphosate's ADI? From what I understand the ADI for Glyphosate was adopted from one study done by Monsanto.

Atrazine is another case in point. What is the methodology used be regulators to determine weight of evidence? If 20 studies show Atrazine impacting on endocrine function at extremely low levels, and others studies don't, how does the regulator adopt a safe guideline?

FSC should be based on the precautionary principle, not economic rationalism.

[Nat-4]

On 10 Nov 2015, at 12:26 pm, Kevin OGrady <kopinacle@gmail.com> wrote:

Thanks

We will take these comments forward.

Glyphosate is not on the HH list and Atrazine is not used by certified companies so will have to pass on that.

Respondent NAT-6

Comments on the Highly Hazardous Pesticide Derogation Applications.

16/11/2015

I am very concerned at the method and content of the HHPD process.

The FSC Australia Board was given an undertaking that stakeholders would be given all the requisite technical information on which to comment: “full derogation applications”.

What has been provided is a cut and paste application that has none of the detail that should accompany each individual application.

All except one of the applicants have large FMUs.

They are meant to provide:

1. The conclusions of the environmental and social impact assessment related to the use of HHP occurred during the previous derogation period.
2. The conclusions of the comparative Cost/Benefit Analysis of using the requested pesticide versus other non highly hazardous control alternatives, The cost benefit analysis shall include, at minimum, the following scenarios:
 - no action vs. remedial control (short-term)
 - no action vs. preventive practices (long-term)
3. A review carried out by independent experts of the Cost/Benefit Analysis.
4. A report on the implementation of the IPM system during the previous derogation period, covering at minimum:
 - Brief description of the silvicultural system in the MU(s) included in the scope of the requested derogation.
 - A list of the monitored pest organisms.
 - The results of the annual monitoring of the target species in relation to the defined thresholds.
 - Quantitative data of the use of ‘highly hazardous’ pesticides per year for the full period of the existing derogation, areas of application and application method.
 - A description of the programs that have been implemented to investigate, research, identify and test alternatives to the ‘highly hazardous’ pesticide, and the results.

Report size and level of detail, shall reflect the scale, intensity and risk of the operation and their pesticides use.

Conservation stakeholders are keenly interested in how large companies are working towards the phase out of highly hazardous chemicals. How IPM has been implemented during the previous derogation is critical. The cost/benefit analysis on which decisions about pesticide use have been based is also important. Maps of where the FMUs are and which chemicals are to be used where is also of fundamental interest to the communities in those catchments. Expert review of the company's material is needed to have confidence in the material presented by the company.

Instead NONE of that has been provided. It is like asked stakeholders to comment on a proposal for a mine without being told exactly where it is, what will be removed, how it will be transported etc.

This process is shoddy and a great disappointment. The above material should be provided by each of the companies seeking the derogation, as required, and then there should be a consultation. No wonder there is consultation fatigue, when our time is wasted being asked to review seriously incomplete documentation.

The documentation states: "There are certain parts of the applications will not be completed until we receive feedback from this stakeholder engagement process." To suggest that all of the components of the applications, listed above are subject to the stakeholder engagement process and will change as a result of it is ridiculous. The information sought is about the previous derogation period, the actions of the company during that period etc. None of this changes as a result of anything a stakeholder has to say.

None of the individual companies provide this information on their websites. Two of the companies don't appear to have any information about the pesticide derogation process, and have no search button, which is the only way the information could be found on two of the other sites.

I am of the view that insufficient information has been provided to allow these derogations to be given. They are meant to be temporary, and based on the efforts that the companies have made in the previous derogation period, to seek alternatives to their use. There appears to have been no social or environmental impact assessment, a great oversight, when in the previous derogation period there have been several examples where the drinking water of a number of towns has been contaminated by chemical run-off from plantations.

Tuesday, 17 November 2015 2:48 PM

Thanks NAT-6

Your correct that we have said that : "There are certain parts of the applications will not be completed until we receive feedback from this stakeholder engagement process."

The intention is to publish the final applications once the SH comments are collated.

The missing bits are mostly about demonstrating to the committee who make decisions aspects that will help with their deliberations.

However I take your point that stakeholders would be interested in these aspects as well

Thanks and regards

KO

Wednesday, 18 November 2015 10:29 AM

Kevin,

How could 'the conclusions of the environmental and social impact assessment related to the use of HHP during the previous derogation period' be something other than fundamental, to stakeholders wishing to understand and comment. Ditto for the other key information that has not been provided.

NAT-7

Wednesday, 18 November 2015 11:33 AM

Noted.

The idea was that the CB is the first point of submission for the derogations and they need to check from their audits during the derogation period for these assessments.

The point is taken that this information is also useful to stakeholders.

Wednesday, 18 November 2015 10:34 AM

I understand that this is applicable to alpha-cypermethrin. This is one reason why environmental and social impact assessment is important.

Long-Term Effects of Common Pesticides on Aquatic Species

16 November 2015 [Wiley](#)

New research indicates that commonly-used insecticide mixtures continue to impact aquatic invertebrate species over multiple weeks, even when the chemicals are no longer detectable in water.

Through experiments meant to generally reflect runoff from a multiple-homeowner watershed, investigators found that pesticide mixtures had negative effects on the abundance of certain snails, water fleas, and crustaceans.

“The effects we observed indicate that many species were affected at a sublethal level,” said Dr. Simone Hasenbein, lead author of the Environmental Toxicology & Chemistry study. “Thus, populations exposed to low concentrations of pesticides could be even more sensitive to other abiotic or biotic factors such as invasive species, or changes in salinity or temperature leading to a magnification of multi-stressor situations.”

Access the press release:

<http://eu.wiley.com/WileyCDA/PressRelease/pressReleaseId-121982.html?dmmsmid=95490&dmmspid=22624498&dmmsuid=2485549>

· **Full bibliographic information** Hasenbein, S., Lawler, S. P., Geist, J. and Connon, R. E. (2015), A long-term assessment of pesticide mixture effects on aquatic invertebrate communities. *Environ Toxicol Chem.* doi:10.1002/etc.3187

<http://onlinelibrary.wiley.com/doi/10.1002/etc.3187/abstract>

Abstract

To understand the potential effects of pesticide mixtures on aquatic ecosystems, studies that incorporate increased ecological relevance are crucial. Using outdoor mesocosms, the authors examined long-term effects on aquatic invertebrate communities of tertiary mixtures of commonly used pesticides: 2 pyrethroids (permethrin, λ -cyhalothrin) and an organophosphate (chlorpyrifos). Application scenarios were based on environmentally relevant concentrations and stepwise increases of lethal concentrations from 10% (LC10) to 50% (LC50) based on laboratory tests on *Hyalella azteca* and *Chironomus dilutus*; repeated applications were meant to generally reflect runoff events in a multiple-grower or homeowner watershed. Pyrethroids rapidly dissipated from the water column, whereas chlorpyrifos was detectable even 6 wk after application. Twelve of 15 macroinvertebrate and 10 of 16 zooplankton taxa responded to contaminant exposures. The most sensitive taxa were the snail *Radix* sp., the amphipod *H. azteca*, the water flea *Daphnia magna*, and copepods. Environmentally relevant concentrations had acute effects on *D. magna* and *H. azteca* (occurring 24 h after application), whereas lag times were more pronounced in *Radix* sp. snails and copepods, indicating chronic sublethal responses. Greatest effects on zooplankton communities were observed in environmentally relevant concentration treatments. The results indicate that insecticide mixtures continue to impact natural systems over multiple weeks, even when no longer detectable in water and bound to particles. Combinations of indirect and direct effects caused consequences across multiple trophic levels. *Environ Toxicol Chem* 2015;9999:1–15. © 2015 SETAC

Wednesday, 18 November 2015 11:32 AM

Thanks NAT-6

Aquatic toxicity is already an FSC threshold.

Noted about need to Env and Soc impact assessment.

KO

Respondent NAT-7

Sent: Monday, 16 November 2015 11:41 PM

To: kopinnacle@gmail.com

Subject: Cmmnts on Application for Highly Haardous Pesticide Derogation

Dear Kevin,

Please see my comments regarding the Pesticide derogation Applications below,

Regards

16 November, 2015

Kevin O'Grady

kopinnacle@gmail.com

Dear Kevin,

Please accept my comments on the Highly Hazardous Pesticide Derogation Applications and also consider my request for an extended consultation process of at least a week to allow people who have struggled over the last few days to find information on the process through the FSC website. It has been obscure to say the least.

I am also concerned that (as far as I am aware) there has been no information about public forums and/or consultations through the FSC website to encourage greater involvement from stakeholders in the overall process.

There has also been no clarity about the expert group – how were they selected, have they been engaged, what work are they undertaking and will they be interacting with stakeholders?

I am writing as a Board member (for most of the last 5 years) and as a purchaser of FSC timber and active supporter for nearly 20 years. I initially became involved with FSC because I understood from the Standard that FSC guaranteed timber that was from sustainably managed natural forests or from mixed species, mixed age plantations that used no pesticides. These two factors were grounded in the FSC Standard yet they seem to bear no relationship to the reality of FSC plantations in Australia. Plantations here continue to be mono-cultures and we are now being asked to support a 3rd round of highly hazardous pesticide use.

In agriculture in Australia there are major steps toward “integrated pest management” (that is what I thought FSC was about) which creates environments of plant communities in a way to avoid pesticides altogether. This eventually saves money for farmers in reducing pesticide use – a

consideration which should interest plantation owners. However, this concept does not even seem to be considered by FSC plantation companies in Australia.

In order to receive a derogation companies are required to commit to seeking alternatives to the use of the specified pesticides. Continued use of pesticides is allowable only as a “Temporary’ measure. However, there does not appear to have been any serious attempt to find alternatives and the only proposed alternatives for the next round of derogations is to seek less hazardous pesticides (which incidentally the companies claim will take them another 7 years to source). This is unacceptable in my view.

I therefore oppose the Continuing derogations applications on the grounds that the companies have had ample time (10 years) to find alternatives including developing alternative environmental solutions (which would not incidentally require registration approvals) and could include measures which diversify plant *species* and *ages* (as required by the Standard) which would eventually also mean a solid FSC wood supply in Australia of interesting species rather than just a financially unrewarding supply of pulp.

I oppose the New Derogation applications on precautionary grounds. Recognised and authoritative scientific organisations consider that there is currently insufficient knowledge about Pindone and 1080 to consider these safe.

If FSC cannot raise the benchmark of forestry in Australia then there is no point in FSC. Pesticides must be phased out and creative environmental solutions adopted. This is not a utopian dream – such solutions are already being used in organic and other agricultural enterprises.

Regards

NAT-7

Tuesday, 17 November 2015 4:39 PM

Thanks NAT-7

My initial comments are.

We will certainly table and extended period ASAP, However the idea was “a minimum of 45 days” so we welcome applications up to the point where we submit the applications.

There has been an attempt to create a wide and inclusive process. We have used the companies own stakeholder database for local consultations, and a more general list for the national consultation. This has grown as people have become involved. The use of the FSC Australia news pages and web site was a given although I do agree that the documents have been hard to find.

By the expert group I assume you mean the group that will make the final decisions on the derogations. None of us know who they will be. This group is being convened by FSC International. Pasi Miettinen p.miettinen@fsc.org may be able to offer comment on who these people will be.

I note your comments about the nature of plantation and their use of chemicals. This is a much longer discussion. The Pesticides policy has had a rocky development indeed. The goal of P 6.6 was essentially unachievable in the short term (my opinion) but the longer term aim is to reduce remove or replace chemicals of concern is having an impact. For example in the last round of derogations 19 out of 35 chemicals were retired world wide.

I have to disagree about the use of IPM in forestry. It has been an industry standard for years. No company can afford to use chemicals ad hoc and would be mad not to use IPM. That is partly why Forestry is only 0.7% of total agrichemical use in Australia. I myself co-authored the FSC Guide on IPM largely based on my experience of its use in Australia

FSC Guide To integrated pest, disease and weed management in FSC certified forests and plantations, Ian Willoughby, Carlos Wilcken, Philip Ivey, Kevin O'Grady and Frank Katto – April 2009

The time taken to find alternatives is indeed a barrier. In fact its more than 7 years, That is the regulatory approvals process. Before that there needs to be a body of research and efficacy data built up over several years of trials, normally more than 5 years. Given the derogation period is no more than 5 years a promising alternative would not be around until at least 2 derogation cycles. Note that is for any substance making a crop protection claim. For example if I claimed an organic oil solution could be used commercially I would be faced with the same timeframe to get it to market. Added to that some of the alternatives have been withdrawn from research by the companies producing them precisely because we are a market of 0.7% and the expenditure is not justified. Finally the review of the HH list happens often and in too many cases the alternatives we are looking at end up on the list so are no longer available to us.

Have a look at the presentation from the last derogations round. The situation has not changed much since then. You are right that companies generally don't do independent research to find alternatives. None of the companies can afford the R and D required. That's why they take part in joint industry initiatives or contribute to Government led initiatives, although in the last derogation period the Government has would up many of these. However they do refine their IPM approach. The slides show a re evaluation of economic harm levels that did reduce chemical use.

No easy answers I'm afraid but we remain committed to the goal of Principle 6.6 since for us reduction or removal of chemicals makes economic sense.

Regards

KO

Respondent NAT-8

There is little point in commenting on each pesticide on an individual basis.

The problems with the FSC approach to the regulation of pesticide use in plantation forestry are inherent, and have been pointed out by me many times before. Until such time as the plantation organizations in Australia and probably NZ are prepared to take a stand on the issues, the farce of the FSC derogations process will continue.

I will once again summarize:

The FSC process as set up by the various committees, headed by Stephen Radosevich over a decade and a half, remains an arm-chair exercise, based on describing a number of parameters cobbled together from various sources which are used to ‘determine’ the acceptability or otherwise for use of pesticides in plantation forestry.

These determinations do not take into account many factors that are scientifically, technologically and legally valid and therefore part of the total picture. These include such basic matters as use rates, type of product, methods of application, application equipment, pattern of application (eg spot, strip, broadcast), buffers, and national regulation, to name some of the more important considerations.

If the FSC is so confident that their approach is valid, why do they not submit papers describing the approach to relevant peer reviewed journals? Why also have they totally ignored outside peer reviewed criticism, such as my 2004 paper? Why do they not acknowledge national regulatory systems or lobby them with their approach to regulation?

The answer is simple – they would be ridiculed by peer review.

Stephen Radsoevich was not a pesticide ‘expert’ when he first penned the 2001 paper with Lappe and Addlestone, which set this whole process going. His expertise was in plant competition studies. His lack of expertise was demonstrated by the failure to initially consider such a basic factor as soil fastness of chemicals in pesticides. Since then, there have been a number of reviews headed by him, with the addition of more parameters, and no doubt he and his committee now see themselves as experts in the field. They are not, for the reasons touched on in my second summary paragraph above.

The chemicals listed for derogations are all legally registered for use in Australia.

I note again that in the latest determinations of the latest Radosevich panel, the triazine group chemicals simazine, terbuthylazine and hexazinone have been removed from the FSC Highly Hazardous Pesticide listings. I pointed out the problems with the triazine determinations in the 2004 paper and it has taken a decade for this to be corrected. How many other mistakes remain in the FSC listings, based on the pseudo-scientific determinations of the FSC?

Respondent NAT-9

To: Kevin OGrady

Subject: Re: EDCs and further comments to Australian applications for pesticide derogations from FSC

Hello

Glyphosate is not currently on the FSC HHP list but it meets the criteria since the WHO/IARC finding of 2A Carcinogen.

I have written to FSC international to ask what the process is for their consideration of it and getting it on their list ASAP. I'm awaiting their reply.

I have also raised my concerns about the transparency and process used by FSC to assess the derogation applications. How do they judge how genuine the attempts were to find alternatives? In some cases alternatives exist but the applicant states 'it's too expensive'. This is unsatisfactory. Some look like they really haven't tried to find an alternative at all. What's the incentive if they keep getting derogations? This is damaging the FSC process and brand.

Derogation applications, in Australia at least, seem to be on the increase. How does Australia compare to other countries? Do we have more or less derogations?

I've also raised these concerns with Tim Cronin from WWF-Australia who has undertaken to ask these questions of the international office.

Best wishes

[NAT-9]

Mon 11/23/2015 5:42 PM

This is a copy of the email I sent Lain this morning to explain my non-attendance..

Hello,

This is an unsatisfactory meeting process sending an agenda out the night before a meeting.

We won't be attending this meeting as it clearly isn't respecting stakeholders and valuing the time and effort people are making to contribute.

For guidelines on appropriate community engagement please read our information here: <http://www.ntn.org.au/community/what-is-community-engagement>

[NAT9]

Respondent NAT11

Endocrine Society Disregards State of Science Around Chemical Exposures

Brussels - 29 September – *[NAT11] issued the following statement challenging the Endocrine Society's views on Diabetes and Obesity risks associated with endocrine disrupting chemicals.*

The recent Endocrine Society's statement, organized and produced by a limited group of Society members, disregards the state of the science associated with the effects of chemicals on the endocrine system and makes broad, unsupported claims about the relationship between certain

chemicals and disease. Furthermore, the report fails to differentiate between chemicals that are “endocrine-active,” meaning they interact with the endocrine system, and those that are “endocrine disruptors,” meaning that the levels of exposure associated with that interaction cause scientifically-proven adverse health effects.

The statement incorrectly characterizes as settled the still-unproven hypothesis regarding risks of low levels of exposure to particular chemicals. In doing so, the Society discounts the extensive review by experts at the U.S. Environmental Protection Agency (EPA) and the European Food Safety Authority (EFSA) that were unable to substantiate the health significance of the so called low-dose effects, and questioned the validity of the non-monotonic hypothesis.

[NAT11] has [recently published](#) its *Policy Perspective on Endocrine Disruptors*. In this publication the industry points to well-conducted epidemiological studies that examine crop protection products and human health, with most focusing on farmers and agricultural workers – the individuals that use these products. The weight of this significant body of scientific literature does not show that crop protection products are associated with human disease – this includes studies on endocrine-related cancers.

The crop protection industry is supporting continued research to advance the scientific understanding of the way chemicals interact with the endocrine system using validated screening tools, tests and methods. Industry has been an active participant in the US EPA program and has contributed, actively to test guideline development with the OECD. Industry has submitted extensive dossiers for evaluation and use by regulators to determine whether chemicals activate the endocrine system and if so, whether they cause adverse health effects due to that interaction. The regulatory authorities only approve pesticides if they meet these stringent safety requirements. Public and environmental safety is a constant priority.

Finally, there should also be broad consensus on critical areas requiring further research, including testing methods. The industry welcomes constructive dialogue to assess any gaps in scientific knowledge and to promote a better understanding of all scientific views on endocrine disruption.

[NAT11]

Respondent NAT12

From: [NAT12]

Date: 25 November 2015 at 8:38:45 AM AEDT

To: [NAT5]

Subject: Re: Initial email to HHP coordinator re meeting on 23/11/15 re national HHP derogations Revised informal email discussion list

Hi NAT5,

Thanks for your email.

The derogation process that is running in Australia follows the same process being used in other countries around the world.

The process requires FSC certified forest managers to submit a derogation through their certification body to FSC international who make the final approval.

In Australia, a group of FSC certified forest managers and members have elected to run a national process whereby all derogations are submitted collectively. This means around 9 derogations being open for comment and submitted as opposed to around 50 individually. The group engaged a consultant and FSC member, Kevin O'Grady, to coordinate this process on their behalf.

As part of the FSC process an option exists for the FSC National Office to run a large part of the derogation process at the local level with a recommendation sent to FSC International. FSC Australia elected not to do this as we are concentrating our efforts on the development of the National FSC Standard here in Australia.

The FSC Australia board was however keen to ensure that the engagement process used by certificate holders has oversight by a community engagement expert and has Independent reviewers nominated by the board to provide advice to FSC International as part of their decision.

Lain Dare, a social researcher from Canberra University, developed a engagement plan which was reviewed and after minor changes, endorsed by FSC Australia. She has overseen the engagement process which has seen coordinated engagement across all states and territories across all forest managers. I understand around 100 written comments have been received.

As part of the engagement process a survey was put out to the almost 5,000 people across the combined stakeholder list asking people what level and type of engagement they would like to have. The key request was for face to face, phone and written correspondence. Less than 5 asked for a public meeting. Webinars were required as part of the engagement plan and supported by stakeholders in the survey. I understand that only 3 community stakeholders were recorded at the webinar on Monday with only one person identifying themselves.

The other requirement asked by the FSC Australia board of certificate holders was the inclusion of Independent experts to review derogations and stakeholder feedback. Part of their role is to ensure forest managers have taken reasonable steps to review and respond to stakeholder feedback and minimise pesticide use (this later role is also a requirement of certification bodies and FSC auditors as part of regular audits).

The board elected two Independent experts - Dr Dayanthi Nugegoda an Eco-toxicologist from RMIT and Prof Margaret Alston the head of the Faculty of Medicine, Nursing and Health Science.

FSC Australia have sought to ensure the process is robust and transparent. We've played a role in communicating the process through our website and newsletter. Whilst the first round of engagement was longer than required under FSC International requirements, Lain Dare has recommended that a second round of engagement be done to ensure all stakeholders have a chance to review the updated derogations post refinement from consultation.

I encourage you to further contribute to the process but appreciate that you may be frustrated by it.

FSC Australia is not the decision maker for derogations but play a strong ensuring the engagement process is robust. I'm happy to talk more about this and also encourage you to talk with Lain Dare.

I'm in an all day forum and board meeting today and tomorrow but am available Friday morning if you would like to discuss.

Cheers

[NAT12]

Emails chains

The following provides email chain discussions, some of which is not related to the derogation applications.

Email Chain 1

E4

I am so glad Kevin made the mistake of openly sharing the email addresses. Thankyou everyone for your comments – it is so good to know you are not alone is fighting for our environment and learning about vested interests and I really appreciated [email respondent's] exposure of [email respondent].

For what it is worth, completely different subject, I am in an 8 year battle against Huon Aquaculture who discharge 26 million litres of high nutrient fish faeces effluent (sewage) from their antiquated Flow Through pond system into our Community River – the Russell River – every day of the year. And I face the same issues of perceived conflict of interest, vested interests by our State and Local authorities and of course ongoing denial by the perpetrator. And the EPA advise me that since Roman times man has been using rivers to dispose of waste! Downstream of the discharge our river is year round slime and filamentous green algae – that is not upstream of their discharge.

[E4]

From: [E5]

Sent: Saturday, 14 November 2015 8:05 AM

To: E1

Hi [E1]

You seem to have missed a point.

Could you please confirm whether you are a consultant who profits from services to the forestry industry?

Transparency is vital in process.

You can't complain if people feel they might be entering a process that is stacked against them from the outset.

It's important for the organisers of the engagement to ensure fair meeting process is put in place.

Thanks Kevin for organising a phone in number for those who can't participate in online webinars.

With such appalling internet services in rural areas I'd suggest you always offer that option.

So often community and environment representatives are disadvantaged when they participate in processes where conflicts of interest exist and there's an imbalance of information.

And it's understandable many would think - why bother?

So, in order to help them bother, because I presume you would like to hear their opinions, it's best if everyone discloses potential conflicts of interest and is honest about where they're coming from.

For my part, I'm very concerned about HHPs and their use and impacts on communities and environments in Australia. [Nat9 Organisation] has played a part in trying to have systems put in place in legislation to ensure the phase out of HHPs over time as safer alternatives become available.

We continue in this work.

For more information of meaningful community engagement -
<http://www.ntn.org.au/community/effective-community-engagement>

Thank you

[E5]

On 13 Nov 2015, at 9:10 pm, TAS-E1> wrote:

Hey

Glad you can find a quote and a definition. Your energy would be beneficial by contributing to the process, otherwise don't complain at the outcome.

I choose to be involved

E1

From: E2

Sent: Friday, 13 November 2015 8:00 PM

To: E1

Hey E1,

No conflict of interest?

conflict of interest

noun

1. a situation in which the concerns or aims of two different parties are incompatible.

"the conflict of interest between elected officials and corporate lobbyists"

2. a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

"Watson quit his job after questions about a possible conflict of interest"

Process is something that requires honesty.

Regards,

E2

From: [E1]

Sent: Friday, 13 November 2015 8:39 PM

Hey [E2],

No affiliation. Search as you want. I choose to be involved in the process.

[E1]

From: E2

Sent: Friday, 13 November 2015 7:30 PM

Hey [E1], Sounds like you have not disclosed your affiliations with FSC. Do you gave a conflict of interest? Please note if you are not honest it will be researched

Regards [E2]

On 13 Nov 2015 8:02 pm, [E1] wrote:

Hi [E6]

It's a choice to make a submission or complete the survey or mail off a submission to FSC. If you choose not to, that is your choice and you should take responsibility for it. FSC and PEFC are recognised as the world's best for environmental outcomes and certification. I choose to be involved and take responsibility. Don't blame others for your inertia. I would encourage you to participate.

[E1]

From: [E6]

Sent: Friday, 13 November 2015 6:47 PM

Kevin OGrady

This is all a bit of a farce.

Just so that you can tick the box on the FSC requirements that requires "Stakeholder consultation"

So many derogations have been issued under FSC certification here and overseas that the very brand is a farce.

You are engaging ordinary people for your own commercial purposes, and not because you have any intention of taking heed, and acting upon their real concerns.

It all gets down to the intent for wanting FSC certification - a brand to give consumer confidence - while behind the badge, breaking the spirit of what it is believed to imply to the uninformed consumer.

The trees and corporate profits win again.

The health of the people, and all other life forms that are collateral damage, are the losers.

Great stuff!!!

[E6]

On 13/11/2015, at 12:22 PM, Kevin OGrady wrote:

I have organised a dial in number

For Australia 02 8417 2487

Participants pin 461 982 537#

For those not in Aus when a user joins the meeting they can click More then Switch to Phone they have the option to view the full international numbers list

[KO]

From: [E7]

Sent: Friday, 13 November 2015 8:48 AM

Hi,
Same situation for me as well.

[E7]

From: E8

Sent: Thursday, 12 November 2015 9:57 PM EST.

Hullo

I am also in the same situation..no IT connection for Webinars and so I am therefore excluded from this discussion re FSC derogations for Australia.

E8

Hello

I'm in the same situation as I have satellite internet connection which doesn't work for webinars.

E5

On 12/11/2015, at 1:57 PM, [TAS-F1] wrote:

Dear [E4],

Your sentiments put in writing my own thoughts, just expressed to a friend as your e-mail came in. This whole charade really can be summed up:

Do you sacrifice the health of the trees, for the people? or

Do you sacrifice the health of the people, for the trees (and corporate profits)?

I choose for the health of the people.

Regards

[E6]

On 12/11/2015, at 1:18 PM, [TAS-FT13]

Hello Kevin

I am indeed very interested in this online Forum. however I am on a Satellite Internet connection and I am concerned I will not have the streaming speed and/or capacity; and if I understand correctly from reading your comments below I have no other options in order to participate?

Also I feel I need to point out that all along anonymity has been assured (I am not personally concerned), but in sending this email you have openly disclosed the above email addresses - which

is indeed a breach of privacy given the "delicacy" of matters concerning Forestry operations in Tasmania.

I also again point out that in my survey I specifically requested follow up by email and NOT phone contact - and yet on three occasions now, from three different Forestry Groups, I received phone calls in the first instance - one as early as 8am in the morning about which I advised Lain.

And very disappointing you have only received 58 responses from the public about such an important matter as poisons being used in our Forests - I do hope the poor Community interest is not a reason to accept that Pesticide spraying is acceptable. As consultants I would hope you are mindful of the fact that 53% of Tasmanian's are illiterate - cannot read and write, and some 70% of all households receive Commonwealth benefits in some form. I think therefore there must be importance placed on other methods of surveying the Tasmanian community so as not to have such skewed data.

Regards

[E4]

From: Lain.Dare [mailto:Lain.Dare@canberra.edu.au]
Sent: Friday, 13 November 2015 12:49 AM
To: [E4]
Subject: RE: Comments on the realities of our Tasmanian situation and culture and education

Hi [E4],

I am sorry I have not replied earlier to your comment, I am in China on business and hence not regularly on my email.

I apologise for the email addresses being open. Please note that individuals actual responses will remain confidential as no one other than myself has access to those. Additionally, I have deliberately not responded to all as people have being so as not to continue this breach of privacy.

In regards to your concerns on the community survey approach to engagement given the supposed high illiteracy rates in Tasmania - the survey is only 1 approach being used in the engagement process, with interested stakeholders also able to contact their representative by phone or face-to-face which helps to address such issues. Many people have used these alternative opportunities.

I understand your dismay at the level of response we have received thus far, I too thought we would have had more feedback from stakeholders. In speaking with colleagues this response is actually good in comparison to other engagement processes and we are experiencing a late rush in feedback from stakeholders.

With regards to the online forum - my colleagues are attempting to find a service that enables phone-in options as well as online to overcome this issue. I do not return from China until November 21 but will keep in touch as much as I can on that. I apologise for the current plan and can assure you we are trying to find a solution to enable those of you with poor internet connectivity an opportunity to participate.

Once again sorry for my delay in responding.

Kind Regards,

Lain Dare

Fri 13/11/2015 10:44 AM

Hello Lain

Thanks for your contact.... from China.

I appreciate your comments.. and you will have noted there are a number of other stakeholders now coming forward with internet issues.

And as I said .. I am actually not concerned about my privacy. I am already in the gunsights over my questions to Forestry and the Aquaculture Industry here in Tasmania... I was not a "greenie" until I moved to Tasmania 8+ years ago... but when I see what is happening around here, and believe me, the stats are correct about the 50% plus illiteracy.. it is a real concern.

Best wishes for your Chinese experiences

[E4]

From: Kevin OGrady [<mailto:kopinnacle@gmail.com>]

Sent: Thursday, 12 November 2015 12:27 PM

Subject: Webinar on FSC Derogations for Australia Monday 23rd Nov 3.00 EST.

You are receiving this e mail because, in a recent on line survey, you expressed interest in being kept up to date on the issues of FSC Pesticide derogations. Please note the following.

FSC Highly Hazardous Pesticide Derogation Update

This update provides a brief overview on the ongoing FSC-HH Pesticide Derogation Application process.

With one week to go on stakeholder engagement period, we have received feedback from over 58 people on the survey and many more through direct contact with forest company representatives and the National Coordinator Kevin O'Grady. The feedback provides a detailed account of various forest stakeholder perspectives regarding the use of these pesticides and we thank participating stakeholders for their time in providing this feedback.

At the completion of the stakeholder period a full report will be prepared for the Pesticide Derogation Advisory Group. This report will synthesise all of the feedback received from stakeholders across the survey, public comments, and phone/email discussions with forest managers and the National Coordinator. Please note that all information provided in the public report will be de-identified to ensure the anonymity of stakeholder participants.

Following the preliminary meeting of the Pesticide Derogation Advisory Group on Tuesday November 24, the derogation applications will be amended in response to the stakeholder feedback. The amended derogations and stakeholder feedback report will be made available for comment prior to the final Pesticide Derogation Advisory Group meeting on December 16 2015. Those stakeholders who have indicated their interest in the derogation process will be sent the amended derogations and stakeholder feedback report directly, and the derogations and report will also be made available on the FSC Australia website at <https://au.fsc.org/fsc-highly-hazardous-pesticide-derogation-2015.397.htm>.

While every effort will be undertaken to reach an agreement on the derogation applications and the conditions they entail, if an agreement within the Pesticide Derogation Advisory Group cannot be reached the matter will be referred to the FSC International Pesticides Review Group for consideration. A copy of the stakeholder report will be provided to the review group as well.

Invitation to Attend Online Forum

Following the feedback provided in the Stakeholder Survey we are offering an online forum to all interested stakeholders. The online forum is designed to enable participating stakeholders to learn more about the derogation applications. The format of the forum will enable participants to share their feedback on the FSC Highly Hazardous Pesticide Derogation Applications in an open and respectful manner. The forum will be led by Kevin O'Grady (National Coordinator, Pinnacle Consulting) and facilitated by Dr Lain Dare (University of Canberra).

The forum will be held from 2.00pm to 3.00pm on Monday 23 November.

Stakeholders will need to register to participate in the forum which can be completed at <https://www.anymeeting.com/AccountManager/RegEv.aspx?PIID=EC52DD8587493E> Once registered, forum attendees can join on the day at <https://www.anymeeting.com/073-076-247>

There are no options available to phone into the forum, we apologise for any inconvenience.

Unfortunately only a small number of stakeholders were interested in a public forum which makes such a forum unviable. We therefore invite these stakeholders to participate in the online forum, or to contact Kevin O'Grady directly to discuss their feedback. Kevin can be contacted on 03 9439 2314 or 0428 570 762 or at kopinacle@gmail.com.

Please note that this forum is with regards to the FSC Highly Hazardous Pesticide Derogation Application only, comments regarding non FSC-HH pesticides or broader forest operations are not able to be duly considered in this consultation process and stakeholders should direct these comments to FSC International.

If you have any questions regarding the online forum please do not hesitate to contact Kevin O'Grady on 03 9439 2314 or 0428 570 762 or [at kopinacle@gmail.com](mailto:kopinacle@gmail.com).

From: E4

Sent: Thursday, 12 November 2015 10:28 PM

Subject: Comments on the realities of our Tasmanian situation and culture and education

And copies into everyone on the Forestry Derogation email..

Greetings [Stakeholder Respondent]. I am very surprised at your attack on me. however, "ain't" communication and sharing of ideas wonderful. if only more Tasmanian folk could enjoy the "luxury of being able to read". I cannot let you get away with your comments copied into the "masses".

I attended a seminar last week at which Professor Jonathon West from UTAS presented. It was a seminar on Innovation in the Huon Valley. He commenced his seminar by saying he is rarely invited to speak because his subject matter is considered so negative.. or words to that affect.

Through my reading and research I was already aware that the ABS are on record stating 50+% of Tasmanian's cannot read or write - a fact. It is also a fact that 70% of Tasmanian households have a direct link with our convict past, and of that some 60% of those were convicted felons. I am also reliably advised that Vanessa Goodwin did her doctorate on Tasmanian criminal families, and that the majority of prisoners today can be traced back to the original three of four criminal families in the state.

Professor West also spoke of the reliance on Commonwealth support with respect to families in Tasmania.

These are unfortunately hard core facts and I agree they are very difficult to accept.. and it is very hard to imagine how many generations it is going to take to make meaningful change in Tasmania.

The point I am attempting to make to the Consultants employed by the Forestry Sector is (and they have not as yet responded): In undertaking a "community survey" do not take it for granted that the majority of your audience can read and write. This is not a slight on our people around us, it is a fact that this State continues to have a very poor education record.

Just last week the Government advised that of those who "decide" to go onto Year 12, 40% are dropping out. It is also anecdotal that many Tasmanian households do not want their children to educate.. because they will then move to mainland Australia and not stay at home with their parents.

Thanks [Stakeholder Respondent] for your thoughts.. it is indeed a fascinating subject and we need more exposure to bring about change. We have a fantastic opportunity to be a very special State. "country" in the world. we just need to accept that it is going to take some hard work, education, realisation that Tasmania is more than Hydro, Forestry and the latest Boom and Bust phenomenon - Aquaculture.

Here are just two pages from the Griffith Review # 39.. a little dated - published 2013. but a wonderful edition all about Tasmania. essential reading.. along with Professor Quentin Beresford's book "The Rise and Fall of Gunns"..

I do welcome any comment .. it is wonderful to have comment and discussion.

Kind regards

E4

From: TAS-
Sent: Thursday, 12 November 2015 9:35 PM
To:
Subject: Re: Webinar on FSC Derogations for Australia Monday 23rd Nov 3.00 EST.

Well E4

I am appalled by your comment "you are mindful of the fact that 53% of Tasmanian's are illiterate - cannot read and write, and some 70% of all households receive Commonwealth benefits in some form. I think therefore there must be importance placed on other methods of surveying the Tasmanian community so as not to have such skewed data." You Sir have just displayed your own lack of integrity.

[E3]

Email Chain 2

I agree absolutely with your statement [E9].

[E8]

From: [E9]
Sent: Friday, 27 November 2015 8:39 AM
Subject: RE: Objections to process for open discussions re giving FSC derogations in Aus: Revised informal email discussion list

I agree and it is good to hear the FSC is driving change, thanks Kevin for that information I think FSC needs to inform us in better details of these alternatives but in the mean time I stand by my comment that very very soon FSC needs to tell industry that time is up on the HHP's and time to commit to alternatives or give up their FSC certificates.

[E9]

From E8

Sent:Thu, 26 Nov 2015 18:47:18 +1100

Subject:RE: Objections to process for open discussions re giving FSC derogations in Aus: Revised informal email discussion list

I agree [E5].

It's great to hear that alternative non toxic chemical models are being discussed by business.

FSC has led the public to believe in an environmentally sustainable model of certification and using HHP does not meet these expectations.

FSC needs to be at the forefront of new models and scientific developments if it is to meet its obligations to be environmentally appropriate and socially beneficial as well as economically viable.

Thank you [E9] for articulating the issues so clearly.

Cheers

[E8]

From: [E5]

Sent: Thursday, 26 November 2015 12:44 PM

To: Kevin OGrady

Hi Kevin

I appreciate the practical realities you've pointed out here. My understanding is the APVMA have recently undergone a reform process to address the exact issues you raise and it is now supposed to be easier, cheaper and faster to get safer products into the market. Have you checked recently? Please let me know if the reality hasn't changed there because that was the intention of the reforms.

It's great to hear that non-chemical and biological controls are the new business models. This has to be the way forward so we can get off this HHP merry-go-round and make genuine progress away from fossil fuel based pesticides and fundamentally unsustainable practices.

I think we've opened up an important conversation here and the realities you've shared need to be transparent within the FSC process. I presume it's not the same in all parts of the world though?

Thank you

[E5]

On 26/11/2015, at 12:28 PM, Kevin OGrady <kopinacle@gmail.com> wrote:

Thanks [E5] and [E9]

I agree that the whole idea is to not use the HHP but we face some serious challenges.

The registration process involves a process that typically takes 7 years. Remembering that even if a substance is used here already in agriculture it needs to go through a separate process for forestry. But prior to that the potential non HHP replacement needs to develop efficacy data which can take up to 5 years. That's 2 derogation periods right there. Note that even if we were looking at a totally

benign ingredient like a vegetable oil it still has to follow that process if it wants to make claims about effectiveness in forestry use. We are trying to get the registration process to speed up but this is a challenge.

The crop protection companies developing and offering replacements are now not interested in putting any new product through that process for forestry use because we are only 0.7 – 2% of the total agrichemical use in Australia.

Then there is the FSC review of the HHP list. This is a logical step, the list should be reviewed. But in more than a few cases the alternatives we are looking at are themselves put on the list when we are some way through the process of testing and registration which brings us back to square one. A very promising non-spray replacement for Alpha Cypermethrin that was in development is a case in point. Then, equally frustrating, the actives that we were looking at replacing come off the list such as Simazine.

In summary it's almost impossible to run a process of replacement within the 5 year derogation cycle under these circumstances.

I would comment that the crop protection industry is listening. They realise that bringing an HHP to market is not a viable business model. There are examples of them retiring some prospective replacements on this basis. They are also now commonly running non-chemical and biological control business models as well as looking at new actives. I think FSC IC and the pesticides policy deserves credit for this shift in thinking.

Thanks again for the comments

From: [E5]

Sent: Thursday, 26 November 2015 10:38 AM

Hello

I support the view [E9] has elucidated in his email.

Not enough is being done to limit the continued use of HHPs in FSC forests and the 'brand' and ecological gains are suffering as a result.

Thank you

[E5]

On 26 Nov 2015, at 10:08 am [E9] wrote:

What a lot of us are saying is that 2 derogation rounds is enough. It turns FSC into a farce when FSC lowers the bar to keep industry in at the expense of the environment and community. These listed chemicals are Highly Hazardous and FSC has rightly banned them with a phase out process via derogations. As I have mentioned in a previous email I have been a long long time proponent and participant of FSC and involved in one way or another since 1998, ex Director and Chair of FSC Au. But in this area FSC is letting me down as a father and a resident of an area with FSC plantations that have spilled these HHP's off their estates and into our environment.

I, like [E8] and quite a number of other people across 4 States of Australia think the rolling derogations are a black mark against FSC and will be taking this to the general public in Australia via the media. This will be out of frustration that in the end it is the economic outcomes that FSC has decided to rank ahead of social and environmental impacts. This is not an ethical green label as it is sold to the public.

We have people who have lost their business due to these chemicals spilling into their property, documented examples of testing finding these HH substances well downstream and in a water catchment for Victoria's second largest city and a number of other examples including Alison's work in documenting impacts. The media will jump at this story because it has so many angles and what the media and the public will see as credible spokespeople. I think the public have a right to know that FSC certificate holders are being given the right to continue using banned substances forever under the FSC system.

Lets be realistic here, all around the FSC world we have the same HHP's being derogated, that right around the world industry has not been able or willing to find alternatives, anywhere? Does this mean that there are and will be no alternatives found and committed too globally? That FSC will just keep granting derogations and never make industry get rid of them because FSC prefers to lower the bar to keep industry in? In some cases industry argue that there are alternatives but they are 4 times more expensive. Are these really viable plantations when one input to their production being replaced by another safer one would make them uneconomic, or so they say. So what does the drop in the Australian dollar this year do to their viability? It must have had a bigger impact on viability than one HHP alternative costing 4 time more. If plantations are that marginal that a fourfold increase by using a safer alternative makes them uneconomic then sorry FSC needs to cut their ties and any economic input from these companies because the already apparent and predicated impacts from climate change must render them a complete waste of time and money.

Returning to the same HHP's being derogated right around the FSC plantation world. If it is a matter of economic competitiveness then FSC IC should ban the use of these HHP's at the end of the current derogations. All companies competing for buyers specifying FSC certified products around the world will have to all use the more expensive alternatives and so have the same incremental production costs and so all FSC certificate holders will be on an level playing field facing the same post-FSC banned HHP's.

[E9]

So if FSC is serious in removing these HH substances or it is not. The way the system is being used by industry now is not acceptable to us outside of the economic arena.

On 11/25/2015 12:40 AM, [E8] wrote:

I pass this to you as they are indeed matters of FSC governance.

I believe my statement: *“Costs borne by industry are also at the cost (social and environmental) to the ecosystem and the community, and need to be environmentally appropriate, socially beneficial as well as economically viable.”* is consistent with FSC principles and the overriding imperative of making a profit regardless of social and environmental harm goes against all FSC stands for. A company should have to change its business model to allow economic viability while it meets its obligations to be environmentally appropriate, socially beneficial if it is to comply with FSC certification.

What is your considered response especially in regard to the giving of derogations for HHPs?

Regards

[E8]

From: Kevin OGrady

Sent: Tuesday, 24 November 2015 12:10 PM

Subject: KOG IPM: Revised informal email discussion list

Hi [E8].

Got the gist now

You are correct we do need to prove evidence of IPM and this is a matter that the CB looks at in each annual audit. In the applications you will see that indeed tree breeding is seen as a major area where we can move to non-use of chemical intervention. In addition we have made some advances in estimating economic harm levels, that is the IPM limits where we need to apply treatment have been reconsidered and now recognise that for some trees there can be up to 40% defoliation without economic loss. Finally, its common practice to arrange planting in a Mosaic using different Provenances (Genotypes) to reduce the impact of using a single genotype. That can include alternative species but that is largely a commercial matter and depends on the fibre qualities the end user is seeking.

On the issue of economics of using or not using certain chemicals or more expensive alternatives. . FSC has a governance structure involves equal involvement from Environmental, Social and Economic chambers. All Policy making involves this structure and the voting structure e.g. at the FSC General assembly reflects this structure, that is nothing passes unless it gets 50% of the total vote

and 50% in each chamber. For statutory issues like changes to the principles and Criteria it's a 75% majority and 50% in each chamber. The FSC Principles and criteria (Criterion 5.1) reflect that the certificate holder should do everything they can to meet the social and environmental standards but should not go broke doing it. Since this is a matter of FSC Governance these issues need to be directed at them.

Regards

From: Kevin O'Grady [mailto:kopinacle@gmail.com]
Sent: Monday, 23 November 2015 4:50 PM
Subject: Re: Revised informal email discussion list

Sorry [E8] my brain is fried and I can't really follow what you are saying. Let me look at it again and respond. Lain is collating the responses so this one is certainly in the mix.

Regards

On Mon, Nov 23, 2015 at 4:36 PM, [E8] wrote:

Hi Kevin/Lain,

Am I wrong then in considering the essence of the IPM (FSC Int) policy as the company required to produce evidence of a current IPM to provide the need for a derogation? The IPM policy with which you will be intimately au fait Kevin, does in fact point to looking at alternative species etc etc etc prior to the concept of using HHP derogations...to remove the negative effects to the environment and human health.

Costs borne by industry are also at the cost (social and environmental) to the ecosystem and the community, and need to be environmentally appropriate, socially beneficial as well as economically viable.

We should agree on definitions of these terms prior to any meetings.

Please include both my emails of today as submissions to the use of HHP as derogations by FSC Aus.

Yours

[E8]

From: Kevin OGrady [mailto:kopinacle@gmail.com]
Sent: Monday, 23 November 2015 8:33 AM

Hi [E8]

10 or so registered but that does not preclude people just calling in or using the phone in number.

For the advisory group

The 3 experts named here came out of an attempt to create a centralised process. The members are all recommended by members of the Board of FSC Australia, the industry made only 1 selection independently, Prof Dayanthi Nugegoda since she was involved in the same exercise 5 years ago when she was selected by the Environment chamber.

The Role of the Pesticide Derogation Advisory Group At the completion of the stakeholder period a full report will be prepared for the Pesticide Derogation Advisory Group. This report will synthesise all of the feedback received from stakeholders across the survey, public comments, and phone/email discussions with forest managers and the National Coordinator. Please note that all information provided in the public report will be de-identified to ensure the anonymity of stakeholder participants. Following the preliminary meeting of the Pesticide Derogation Advisory Group on Tuesday November 24, the derogation applications will be amended in response to the stakeholder feedback. The amended derogations and stakeholder feedback report will be made available for comment prior to the final Pesticide Derogation Advisory Group meeting on December 16 2015. Those stakeholders who have indicated their interest in the derogation process will be sent the amended derogations and stakeholder feedback report directly, and the derogations and report will also be made available on the FSC Australia website at <https://au.fsc.org/fsc-highly-hazardous-pesticide-derogation-2015.397.htm>. While every effort will be undertaken to reach an agreement on the derogation applications and the conditions they entail, if an agreement within the Pesticide Derogation Advisory Group cannot be reached the matter will be referred to the FSC International Pesticides Review Group for consideration. A copy of the stakeholder report will be provided to the review group as well.

Margaret Alston OAM
Professor of Social Work and Head of Department Director of the Gender, Leadership and Social Sustainability (GLASS) research unit Caulfield Campus Monash University

Environmental perspective
Dayanthi Nugegoda B.Sc.(Hons), Ph.D., Professor of Ecotoxicology, School of Applied Sciences, RMIT University,

Engagement specialist (Lain Dare will chair the group).
Dr Lain Dare
Senior Research Fellow
Institute for Governance and Policy Analysis University of Canberra

2 company people will be there to answer technical questions on behalf of

the industry. I think these are from HVP and PF Olsen in which case they will be the people in the public contacts list for the derogations.

Finally Pinnacle Quality is a consulting company specialising in ISEAL Allinace standards like FSC, RSPO, MSC etc. The industry sought a proposal to coordinate a centralised process and Pinnacle was given the task. The derogation applicants meet the costs

An extract from the proposal follows although things have changed since then with Lain coordinating the stakeholder engagement (as an expert) and the addition of the advisory group.

Introduction

The members of the FSC certified forest cluster group for Australia all have derogations for use of Pesticides on the FSC Highly hazardous list. These are temporary derogations and in cases where alternatives are not available and need to be renewed.

This proposal is to manage a derogation process that combines all the derogations and to offer a consistent approach to renewal in order to maximize the chances of success.

This process must take into account new additions to the list recently published in FSC-STD-30-001 Indicators and thresholds for the identification of 'highly hazardous' pesticides (HHP)

At the 2011 General assembly a motion was passed to allow national initiatives to allow national initiatives to manage the process collectively and this was approved in March 2015 in a new procedure <http://ic.fsc.org/download.fsc-pro-30-001-v1-0-en-pesticides-derogation-procedure.2187.htm>.

FSC Australia declined to form a national group due to lack of resources to manage it. However the procedure still allows for (in fact encouraged) joint applications.

2. The Issues

The FSC derogation process is currently under the existing standard FSC PROCEDURE PROCESSING PESTICIDE DEROGATION APPLICATIONS FSC-PRO-01-004 (Version 2-0) EN.

Although this is imminently going to be replaced by Pesticide Derogation Procedure - FSC-PRO-30-001 V1-0 (currently a draft) it is expected that the

preparation and criteria for derogations will be unchanged.

FSC have said that derogations are temporary and that there is no expectation renewal automatically. Therefore all derogations have to go back through the approval process. There are three key criteria to be met for the renewal of these derogations

- . There is no available alternative for the delegated chemical
- . The delegated can be used safely
- . There is an active programme looking to replace a chemical with a non-chemical or alternative non highly hazardous chemical approach

For most of the current derogations no alternatives have been developed or registered. Therefore the case has to be put to FSC that the derogation should continue.

This will require an updated literature search on alternatives to the chemical in question and will require information to be presented on the actions by the certificate holders to find a replacement for the chemical.

Finally there will need to be a stakeholder engagement process that demonstrates substantial support for the use of the chemical.

3. Proposal and investment costs.

In this project some of the work will be done by companies since technically derogations are on the company by company basis. For example the company will be expected to run their own local stakeholder consultation for their own affected stakeholders.

However some of this work can be done collectively and it shared cost.
