



**Australian Government**  
**Australian Pesticides and  
Veterinary Medicines Authority**



## **Malathion proposed regulatory decision**

Submissions received

May 2024



***SUBMISSION TO THE AUSTRALIAN PESTICIDE AND VETERINARY  
MEDICINES AUTHORITY***

***MALATHION PROPOSED REGULATORY DECISION***

***PREPARED BY***

***SUMMERFRUIT AUSTRALIA LTD***

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**TO:**

Chemical Review  
Australian Pesticides and Veterinary Medicines Authority  
GPO BOX 3262  
Sydney NSW 2001

**RE:** Malathion proposed regulatory decision**PREPARED AND SUBMITTED BY:**

[REDACTED]  
[REDACTED]  
Summerfruit Australia Ltd

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**INDUSTRY OVERVIEW:**

The following is an overview of Australian Stonefruit Industry and the importance of Summerfruit Australia Limited and the valuable role it plays within Australian agriculture.

Summerfruit Australia Limited (SAL) is the industry voice for the betterment of Stonefruit (fresh apricots, nectarines, peaches and plums). It represents the interests of the Stonefruit industry on a national and international basis. It is the body recognised by government as the peak industry body for growers of Stonefruit and has responsibility for the management of the industry marketing and R&D levy expenditure.

SAL is a communications channel, a lobby group, a provider of technical information and a promoter of stonefruit as a safe and healthy nutritious fruit.

Australian Stonefruit is produced in approximately 26 regions in all states across the country. Victoria and New South Wales dominate however South Australia, Queensland, Tasmania and Western Australia are also important production states.

The Australian Stonefruit Industry is now producing around 130,000 tonnes of fresh peaches, nectarines, plums and apricots from November to April each year. Production is spread across each state although 75 per cent of production is in Victoria. Normally in excess of 15,000 tonnes are exported to over 35 countries including protocol markets like China, Vietnam, Thailand and Taiwan. The management of Fruit Flies, in particular, is important for those markets so the access to chemicals like Malathion are essential in ensuring 'clean' fruit is available for both these international markets and the domestic market.

## **SUBMISSION:**

Overall Summerfruit Australia Ltd accepts the information and recommendations within the report and supports the proposed changes and congratulates APVMA on a comprehensive report.

In saying that we would offer the following comments/inputs: -

### **1. Applications.**

- Overall, there appears to be no change to the cover spray numbers per season - 4 cover sprays. This is acceptable provide that this does not include bait spraying which is carried out for fruit fly.
  - It would be valuable if this is clearly articulated on the label(s) as the points in the following sections offer no clarity.

Section 33) a. i states that: -

*“The current instructions for use of malathion on agricultural products can be varied to include to limit the maximum number of applications to 4 per season (if the number of applications is not already specified on the label), except for use patterns which are unlikely to result in residues in food (use for the control of fruit flies, and on ornamental plants).”*

Section 46) b. i states that: -

*“DO NOT apply more than 4 applications per season” can be added to the instructions for all crop uses which do not have a limit on the number of applications with the exception of fruit fly baits where exposure to the actual crop is not expected due to the use pattern and therefore the number of applications does not need to be limited.”*

- The relevant 3-day WHP is acceptable.
- The retention of the use in fruit lures is supported.

### **2. Mandatory Buffer Zones**

Section 23) a. iv states that: -

- *The APVMA is not satisfied that the current labels include appropriate no-spray buffer zones for spray applications, to protect natural aquatic areas, pollinators, livestock and human health as outlined in the Malathion Review Technical Report.*

Section 43) b. ii states that: -

- *The APVMA is not satisfied that the product can be used safely without mandatory no-spray buffer zones to prevent exceedance of the relevant RALs in sensitive areas.*

Within the document APVMA indicates a wide range of buffer distance for different chemicals, different rates and different equipment.

- What is the science that has been used by APVMA to establish the buffer distances for the various chemicals and/or equipment?
- What is the justification of the various differences within the document?

In addition, the presentation of the buffer zone material is extremely complex and growers will find it difficult to interpret.

**Summerfruit Australia Ltd would request that APVMA look to simplify the buffer zone information.**

Also there appear to be no indication as to how growers may take actions to reduce these buffers.

### 3. Label information

In the sample label for Malathion 440 g/L oil-in-water emulsion – 51150 the following is detailed: -

Stone fruit	Black peach aphid, Green peach aphid, European red mite, Oriental fruit moth	140 mL/100 L	Apply at first sign of pest and repeat as necessary. Do not apply more than 4 applications per season. Warning: Some Green Peach Aphid populations may be resistant to organophosphate insecticides, and therefore WILL NOT be controlled by Fyfanon® 440 EW
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On what basis does APVMA make the following statement *“Some Green Peach Aphid populations may be resistant to organophosphate insecticides, and therefore WILL NOT be controlled by Fyfanon® 440 EW”*.

***Is there sound science that supports this statement and if not, then the statement needs to be deleted or amended to ‘may not’.***

Summerfruit Australia Ltd is available to discuss any of these points if required.

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Chief Executive Officer  
Summerfruit Australia Ltd



To:

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Australian Pesticides and Veterinary Medicines Authority  
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Sydney NSW 2001  
Via email: [chemical\\_review@apvma.gov.au](mailto:chemical_review@apvma.gov.au)

Date: 19 January 2023

To whom it may concern

I write in response to a request for comments on the reconsideration of malathion and the proposed changes as listed in the Malathion Draft Statement of Reasons.

This submission is presented on behalf of the National Working Party on Grain Protection (NWPGP) and deals with the use of malathion on cereals, pulses and oilseeds only.

A. The NWPGP:

- Is the industry body responsible for providing management and leadership to industry in the areas of post-harvest storage, chemical use, market requirements and chemical regulations.
- Is facilitated by Grain Trade Australia and the Chair is funded by Grains Australia.
- Has members across the entire grain supply chain.
- Hosts an annual conference providing participants with the latest research and developments, in the area of post-harvest storage and hygiene, chemical usage and outturn tolerances, international and domestic market requirements, and regulations.
- Co-ordinates and provides government with industry views on chemicals in use on grain and associated products.
- For further details, refer to <http://www.graintrade.org.au/nwpgp>

B. Industry Comment

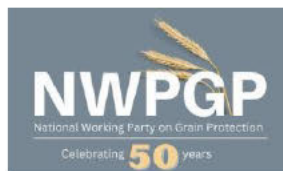
Based on the information provided by the Australian Pesticides and Veterinary Medicines Authority (APVMA) in the Draft Statement of Reasons, the NWPGP provides the following comments on particular sections.

- a. Consideration of whether the registered agricultural chemical products can be varied in such a way as to meet the safety criteria.

**Section**

26 vi - The current instructions for use for malathion on broadacre crops can be varied to include the harvest withholding periods outlined in the Malathion Review Technical Reports:

- a 1-day harvest withholding period should apply to cereal crops (maize, rice and sorghum, grain legumes and linseed)
- a 3-day withholding period should apply for both harvest and grazing for canola (rapeseed), safflower and sunflower crops.



**Industry Comment**

The NWPGP supports the proposed label changes relating to withholding periods. This change will not significantly impact industry use of this chemical nor of the treated product.

**Section**

26vii - The residues definition and the entries in the MRL standard can be amended to reflect the change of the accepted common name from maldison to malathion.

**Industry Comment**

Supported. That is the common name referred to by industry.

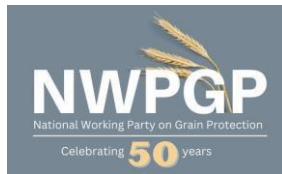
**Section**

29ai - The APVMA has considered information submitted for the registration and variation of these products previously and remains satisfied that these continue to support the efficacy of the products.

**Industry Comment**

It is noted that for the use of malathion for “Stored Cereal Grain protection”, there are two products containing malathion that industry comments refer to that fall under this review as follows:

APVMA Approval Number	Product	Registered	Crop / Situation	Pest
50110	David Grays Malathion Grain dust Insecticide (WA only)	First in 1997. Current Label 2008	To protect wheat, oats, rice, corn barley and all stored grain from weevil attack, apply 600g of David Grays Malathion Grain Dust to each 1000kg of grain and mix thoroughly and with grain.	To control pests of stored grain
Withholding Period – DO NOT use treated grain for human consumption or for stock food within 14 days of treatment.				
51150	Fyfanon 440 EW Insecticide	First in 1999.	Stored Cereal Grain, Grain Storage Facilities and Equipment – WA only	Stored grain insect pests (except Lesser Grain Borer), including: Indian Meal Moth, Rice Weevil, Rust-Red Flour Beetle, Saw-Toothed Grain Beetle, Tropical Warehouse Moth
Withholding Period - Stored cereal grain – 12ppm: hold grain in store and do not use for processing into human consumption or stock food until the maldison level has declined to 8ppm or within 90 days after treatment.				



**i) Efficacy**

Industry would question how recent the data on the efficacy of these two products that the APVMA refers to was produced. Malathion resistance in stored grain insects has been significant for many years resulting in little if any product being used by the Bulk Handling Companies since significantly earlier than 1990.

For these products, if the data seen by APVMA is current and relevant, industry would support the continued registration of malathion for the above use based on its efficacy.

Reference should also be made to the response by the NWPGP dated 15 July 2022 to the “Trade Advice Notice - On deltamethrin and piperonyl butoxide in K-Obiol EC Combi Synergised Grain Protectant for on-farm use in stored grains in Western Australia, APVMA product number 66921, June 2022”. That response also provides comment on the efficacy and use of malathion (including trade advice).

**ii) Label Directions**

As can be seen from the above table, there are many conflicting statements on both product labels relating to:

- Commodities for use;
- Insects to be controlled;
- Withholding periods

As noted previously, while usage is limited, the above indicates there may be confusion within industry if these two products are to be used “in the same scenario” and are thus alternatives to each other. In that case, the above differences have the potential to inadvertently cause errors in usage because of those different label directions.

- b. Consideration of whether the registered agricultural chemical products meet the trade criteria / Consideration of whether the registered agricultural chemical products can be varied in such a way as to meet the trade criteria.

It is noted the label directions (page 73, 50110) do not have any TRADE ADVICE. Not all markets for WA grain commodities have an MRL for malathion, and for many markets including Codex, MRLs may be significantly lower than the Australian MRL for some grain commodities. A statement to the effect as per 51150 should be inserted:

*“EXPORT OF TREATED PROUDCE (note incorrect spelling): Treated crop commodities destined for export may require extra time between application and harvest to be accepted in some export markets. Before you use this product, you are advised to contact [FMC Australasia Pty Ltd] and/or your industry body about any potential trade issues and their management.*

It may be worthwhile to require this to be updated while the label is to be revised as per the recommendations from this review.





Should you have any questions on this submission please do not hesitate to contact me.

Regards

A handwritten signature in black ink, appearing to be 'G. M.', is written below the word 'Regards'.

A solid black rectangular box redacting the name of the signatory.

Chair

National Working Party on Grain Protection

Address : 

Mobile: 

Email:  | [www.graintrade.org.au/nwpgp](http://www.graintrade.org.au/nwpgp)

*Produced through Grains Australia Limited funding of this activity*





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Additional comments

Horticulture Innovation Australia Limited (Hort Innovation) is a not-for-profit, grower-owned Research and Development (R&D) and marketing company for Australia's \$14.4 billion horticulture Industry. In this capacity Hort Innovation works towards meeting both the current and strategic needs of individual horticultural industries across a number of issues including chemical access.

Horticulture is one of the most diverse sectors in agriculture with a wide range of crops and crop types grown to meet the needs of the Australian community. However, with that diversity arises a wide array of needs and problems, the most significant of which is ensuring growers can access the tools required to enable them to be both productive and profitable. Agvet chemicals are one such tool, where at times grower access can be problematic.

Hort Innovation therefore welcomes this opportunity to comment on the APVMA's proposed regulatory decision for the reconsideration of malathion. Having sought advice from industry groups, Hort Innovation offers the following comments on the proposed regulatory decisions and use of malathion.

It is understood that malathion is still relied upon for the management of certain insect pests in a number of horticultural crops, e.g., cherry slug (*Caliroa cerasi*) in cherries, Plague thrips (*Thrips imaginis*) in pome fruit or used for bait spraying and lures for fruit flies across a range of crops. On that basis it is still seen to have an important role in pest management in Australian horticulture. The retention of uses is seen as a positive outcome of the reconsideration.

Also, the need to update product labels and use patterns is also acknowledged, given the age of the compound. Feedback received indicates that such changes should not negatively impact its value in targeting key pests. On that basis Hort Innovation understands that the proposed regulatory decisions will allow malathion to continue to play an important role in Australian horticultural pest management.