## Submission form: The regulation of inhibitors used in agriculture

Once you have completed this form you can send your submission to us in any of the following ways:

**Email** Please email your feedback to: Food.Policy@mpi.govt.nz

**Letters** While we prefer email or online submissions, you can send your response by post to:

Inhibitor regulation

Food Safety Regulations Policy

Ministry for Primary Industries

PO Box 2526

Wellington 6140

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| **Submissions must be received no later than 5pm on 27 March 2020** |

**Your feedback is public information**

Any submission you make becomes public information. Anyone can ask for copies of all submissions under the Official Information Act 1982. The Official Information Act says we must make the information available unless there is a good reason for withholding it. You can find those grounds in sections 6 and 9 of the Official Information Act.

Tell us if you think there are grounds to withhold specific information in your submission. Reasons might include that it is commercially sensitive or personal information. Any decision MPI makes to withhold information can, however, be reviewed by the Ombudsman, who may require the information be released.

**Submitter details**

* Name of submitter and title:
* Contact details (your phone number, address, and email):
* Organisation’s name (if you are submitting on behalf of an organisation)

**Questions on problem definition**

1. Do you agree with this characterisation of the problem? If not, why not?
2. In your view, what are the problems or advantages with the current regulatory settings in respect to inhibitors?
3. How significant are these problems?
4. What evidence do we need to examine to inform further analysis of the problems? Is this evidence readily available?

**Questions on definition of an inhibitor**

1. Which of the definitions above do you prefer, and why?
2. Is ‘inhibitor’ the best term to use to describe these types of substances? Why or why not – and if not, what alternative do you suggest?
3. Are you aware of any definition used internationally that could be relevant to New Zealand?
4. Should the definition for an inhibitor be outcomes based? Why or why not?
5. What, in your view, should be in scope of the inhibitor definition? Are there any substances, mixture of substances, or biological compounds that should be specifically excluded?
6. How would you define an inhibitor?
7. What else should be considered in relation to how an inhibitor should be defined?

**Questions on transitional period**

Should a transitional period be required, how long should the transitional period last for those products already available? For example, the Agricultural Compounds and Veterinary Medicines (Transitional Provisions) Regulations 2002 provided for a transitional period of two years. This may also be appropriate for inhibitors.

We seek your views on an appropriate transitional period:

1. Do you agree that a transitional period for products exempt from registration is unlikely to be required? Why or why not?
2. Are you supportive of a transitional period for products requiring registration? Why or why not?
3. Are you supportive of the transitional period covering products that are already in the market, only? If not, why not? What alternative would you propose?
4. If you are a producer and or exporter, do you consider you are capable of managing any risks to trade from inhibitors in the interim, during the transitional period?
5. Is two years an appropriate period of time for a transitional period? Why or why not? Please provide rationale for an alternative period of time.
6. Do you currently import, manufacture, or sell inhibitors? What would the impact of a two year transitional period be on your business? How much product would be affected?
7. Would you like to suggest another option to a transitional period? If so, please provide a description of that option, reasons for supporting that option and its advantages and disadvantages.

**Questions on criteria**

1. Do you agree with the proposed criteria? Why or why not?
2. Would you propose any other criteria not covered?

**Questions on the proposed options**

1. Which of the proposed options do you prefer and why? If you have an alternative option that has not been considered above, please describe this option, including its rationale, and how it would perform relative to the five criteria.
2. Do you currently import, manufacture, or sell inhibitors? Do you consider that you are sufficiently managing risks to trade, plant and animal health, and food safety? Please explain and provide evidence to support your answer.
3. Under option 3, would you support registration of some or all inhibitors, or some or all inhibitors being exempt from registration? Please advise your rationale for your choice.
4. Do you currently import, manufacture, or sell inhibitors? Please describe what impact implementing option 2 would have on your business or the market you operate in. How much product would be affected? What do you estimate would be the cost?
5. Do you currently import, manufacture, or sell inhibitors? What would the impact of implementing option 3 but exempting inhibitors from registration have on your business? How much product would be affected? What do you estimate would be the cost?
6. Do you currently import, manufacture, or sell inhibitors? What would the impact of implementing option 3 and requiring registration have on your business? How much product would be affected? What do you estimate would be the cost?

**Questions on efficacy**

Exact data requirements are outside of the scope of this discussion document. However, your feedback is sought on whether:

1. A minimum level of efficacy should be required for all inhibitor products, and if so, what this should be;
2. No minimum level of efficacy should be required, but the specific effect being claimed must have sufficient scientific evidence to support it;
3. Only specific claims should be approved (as determined by trial data, e.g. ‘reduces methane by X% on average [in XYZ conditions]);
4. Only general claims should be approved (e.g. ‘reduces methane’, rather than a specific quantitative claim);
5. Only graduated levels of general efficacy claim should be allowed on the label (e.g. reduces X by an average of 0-10%; reduces X by an average of 10-20%. Which ‘level’ a product could claim would be determined by the trial data);
6. There are alternative options that should be considered for efficacy requirements, or other matters that should be taken into consideration? If so, please provide a description of that option, reasons for supporting that option and its advantages and disadvantages.

**Question on summary of options**

1. Do you agree with the evaluation of options against criteria as presented in Table 1? If not, why not? Please provide detail to support your answer.

*Please feel free to submit other relevant information.*