

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Monday, 13 December 2010 11:52 AM
To: O'Hara, Donna
Subject: Standards Officer

Donna,

Re Labels -

Current as 1 Nov 2010, Standards Officer (for Chem (Ag & Vet) Use Control Act is: Sandra BAXENDALL; delegated to Russell SCHOLL.

Cheers,

Mick Richardson

A/Principal Investigations Officer

**Investigations Unit
Biosecurity Queensland**

Mob (6) Personal info Fax (07) 4936 0390

Call Centre

A Division of DEEDI

RTI DL RELEASE - DAF

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Tuesday, 9 November 2010 10:47 AM
To: O'Hara, Donna
Subject: RE: ABR_R-Mach
Attachments: asic_ce_13247347.pdf

HINDMAN is director - for Rockhampton franchise/branch

From: O'Hara, Donna
Sent: Tuesday, 9 November 2010 10:41 AM
To: Richardson, Michael
Subject: RE: ABR_R-Mach

thanks Mick, I have this one. Brian Sims sent it through with Penna Grazing and Purcell Family Partnerships. I don't have anything for GOFARM Agribusiness though.

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile (6) Personal info **Email** donna.o'hara@deedi.qld.gov.au
Customer Service Centre 13 25 23
www.deedi.qld.gov.au

From: Richardson, Michael
Sent: Tuesday, 9 November 2010 10:36 AM
To: O'Hara, Donna
Subject: ABR_R-Mach

Mick Richardson
Senior Investigations Officer

Investigations Unit
Biosecurity Queensland
Mob **Fax** (07) 4936 0390
Call Centre 3
Department of Employment, Economic Development and Innovation

RTI/DL RELEASE - DAF

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Tuesday, 9 November 2010 10:36 AM
To: O'Hara, Donna
Subject: ABR_R-Mach
Attachments: asic_ce_13247302.pdf

Mick Richardson

Senior Investigations Officer

Investigations Unit
Biosecurity Queensland

Mobile (6) Personal info (07) 4936 0390

Call Centre 3

Department of Employment, Economic Development and Innovation

RTI DL RELEASE - DAF

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Tuesday, 9 November 2010 9:09 AM
To: O'Hara, Donna
Subject: RE: ROI R-MACH Aviation

All good, Donna - will catch up with you at the office tomorrow or Thursday AM to discuss any final issues re ERI. Re chem results - no probs there. Still does not prevent you exploring with POIs re chems you suspect may have been used, anyway.

From: O'Hara, Donna
Sent: Tuesday, 9 November 2010 9:05 AM
To: Richardson, Michael
Subject: ROI R-MACH Aviation

Mick,

Richard McDonald has contacted me this morning to change the ROI time to 3pm on Thursday. How does that sit with you?

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
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Mobile (6) Personal info **Email** donna.o'hara@deedi.qld.gov.au
Customer Service Centre 13 25 23
www.deedi.qld.gov.au

RTI/DL RELEASE - DAF

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Monday, 8 November 2010 3:35 PM
To: O'Hara, Donna
Subject: food for thought...R-Mach ERI

Donna - some of the items I would consider covering off on with Richard are:



Not an exhaustive list, but hope it helps.

Mick Richardson
Senior Investigations Officer

Investigations Unit

Biosecurity Queensland

Mob (6) Personal info Fax (07) 4936 0390

Call Centre

Department of Employment, Economic Development and Innovation

RTI DL RELEASE - DAF

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Tuesday, 2 November 2010 9:48 AM
To: Walker, Ian
Subject: FW: Standards Officer - certified copies

G'day Ian,

FYI, as I noticed you weren't in on this one: have spoken with Donna this morning - recommended she ascertain who is the Standards Officer and get the ball rolling here re certificates (suspect Sandra Baxendall may be the SO?).

I have to come down to BNE later in the month - will try and call by your office at Nambour to catch up, if time permits.

Cheers,
MickR

From: Richardson, Michael
Sent: Tuesday, 2 November 2010 8:11 AM
To: O'Hara, Donna
Cc: Rawson, Gavin; Elliott, Craig
Subject: RE: Standards Officer - certified copies

Donna,

I have not yet received advice from Ian concerning the direction he wishes this investigation to proceed following my conversation with him last week, so I will limit my comment:

s78B(2) - Substantial Harm to Entity

Regards,

Mick Richardson
Senior Investigations Officer

Investigations Unit
Biosecurity Queensland
Mob (6) Personal info Fax (07) 4936 0390
Call Centre 13 25 23

Department of Employment, Economic Development and Innovation

From: O'Hara, Donna
Sent: Monday, 1 November 2010 1:12 PM
To: Scholl, Russel
Cc: Richardson, Michael
Subject: RE: Standards Officer - certified copies

Thanks Russel,

Will do,

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile (4/6) Personal info Email donna.o'hara@deedi.qld.gov.au
Customer Service Centre 13 25 23
www.deedi.qld.gov.au

From: Scholl, Russel
Sent: Monday, 1 November 2010 1:10 PM
To: O'Hara, Donna
Cc: Richardson, Michael
Subject: RE: Standards Officer - certified copies

What I used to do for progressing a submission was to simply obtain labels from Infopest and include comments that the evidentiary certificates will be obtained via the Standards Officer is a decision to proceed is made.

I consider there is no need to jump through hoops unless required.

s78B(2) - Publication Prevented by Law

s78B(2) - Substantial Harm to Entity

Russel

From: O'Hara, Donna

Sent: Monday, 1 November 2010 11:25 AM
To: Scholl, Russel
Subject: Standards Officer - certified copies

Russel,

How long will I need to factor in obtaining certified copies of labels for chemical products from the Standards Officer?
Should I start chasing these now?

regards

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity

Biosecurity Queensland

Department of Employment, Economic Development & Innovation

Yeppoon Road, Rockhampton

PO Box 6014, Rockhampton Qld 4701, Australia

Telephone 07 4936 0221 **Facsimile** 07 4936 0390

Mobile (6) Personal info **Email** donna.o'hara@deedi.qld.gov.au

Customer Service Centre 13 25 23

www.deedi.qld.gov.au

RTI DL RELEASE - DAF

From: O'Hara, Donna [Donna.O'Hara@daff.qld.gov.au]
Sent: Monday, 1 November 2010 1:11 PM
To: Scholl, Russel
CC: Richardson, Michael
Subject: RE: Standards Officer - certified copies

Thanks Russel,

Will do,

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
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PO Box 6014, Rockhampton Qld 4701, Australia
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Department of Employment, Economic Development & Innovation

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PO Box 6014, Rockhampton Qld 4701, Australia

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Mobile 4(6) Personal info **Email** donna.o'hara@deedi.qld.gov.au

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RTI DL RELEASE - DAF

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Mobile (4 6) Personal info **Email** donna.o'hara@deedi.qld.gov.au

Customer Service Centre 13 25 23

www.deedi.qld.gov.au

From: Scholl, Russel [Russel.Scholl@daff.qld.gov.au]
Sent: Friday, 29 October 2010 1:04 PM
To: Elliott, Craig
CC: Walker, Ian; O'Hara, Donna; Richardson, Michael
Subject: Recommendations on Chemical Use

Craig

In relation to control of use incidents currently under investigation by operations staff please note that s 84 of the Agvet Code applies to incidents which involve allegations that chemical products are recommended for use contrary to label instructions. These types of incidents should also be referred to the APVMA Compliance Unit who bear responsibility for investigation of offences under the Agvet Code.

(Please note the Agvet Code has been amended in recent months and the amendments do have some impacts on aspects of the 'approved label' and the relevant particulars which now make up the instructions on the approved label.)

The formal arrangement between APVMA and DEEDI provides for contact on agvet chemical issues to be through the position of the State Coordinator (currently my role and or delegated to the National Registration Scheme project leader - Colin Beavis is relieving in this position). Capacity exists for BQ staff who have the relevant appointments to conduct limited investigations on behalf of APVMA under work orders.

s78B(2) - Substantial Harm to Entity

84 Claims inconsistent with labels

(1) A person must not make any claim, or cause or permit any claim to be made, in respect of:

- (a) a registered chemical product or registered listed chemical product; or
- (b) a chemical product that contains a registered chemical product or registered listed chemical product;

that is inconsistent with any of the instructions on any approved label for containers for the registered chemical product or inconsistent with any instruction required by an established standard for the registered listed chemical product to be included on a label for a container for the registered listed chemical product, as the case may be.

Penalty: 300 penalty units.

(2) Subsection (1) does not apply to:

- (a) a claim that is exempted by the APVMA from the operation of this section; or
- (b) a claim made in a notice published under section 55; or
- (c) a claim that is permitted to be made under any other law of this jurisdiction.

(3) Subsection (1) does not apply to the extent that the person is authorised by a permit to engage in the conduct concerned.

Note: The defendant bears an evidential burden in relation to the matter in subsection (3). See subsection 13.3(3) of the *Criminal Code*.

(4) Subsection (1) does not apply if the person has a reasonable excuse.

Note: The defendant bears an evidential burden in relation to the matter in

subsection (4). See subsection 13.3(3) of the *Criminal Code*.

Russel Scholl

Principal Policy Officer

Plant Biosecurity and Product Integrity

Biosecurity Queensland

Department of Employment, Economic Development & Innovation

Level 3, Primary Industries Building, 80 Ann Street

GPO Box 46, Brisbane 4001.

Telephone 07 3239 3944

Mobile [redacted] (6) Personal information

Facsimile 07 3211 3293

Email russel.scholl@deedi.qld.gov.au

Business Information Centre 13 25 23

www.deedi.qld.gov.au

RTI DL RELEASE - DAF

From: Rawson, Gavin [Gavin.Rawson@daff.qld.gov.au]
Sent: Thursday, 28 October 2010 10:13 AM
To: Richardson, Michael
Subject: RE: Connors Junction (O'HARA/WALKER)

Mate could you please tell me the job number for this

gav

Gavin Rawson
Investigations Unit
Biosecurity Queensland
Department of Employment, Economic Development & Innovation

sch4(6) Personal information

Fax 0746881470

e: Gavin.Rawson@deedi.qld.gov.au

Client Service Centre: 13 25 23

www.deedi.qld.gov.au

From: Richardson, Michael
Sent: Thursday, 28 October 2010 9:17 AM
To: Walker, Ian
Cc: Rawson, Gavin
Subject: Connors Junction (O'HARA/WALKER)

Good morning Ian,

I refer to the Connor's Junction investigation that Donna and yourself currently have carriage of:

I have given consideration to the recent email traffic between Donna, Russell SCHOLL and yourself. I note particularly, that there still appears to be an issue within PB&PI regarding the testing of the samples that were taken in accordance with best practice from the affected crop. Of course, you are aware of my position on the probative value of the analysis of this sampling following our telephone discussion on 13 October.

I understand there are also concerns regarding the provision of 'matrices' to yourself by Donna concerning potential s.13 CUA offences.

At this stage, Donna as three primary persons of interest with whom to conduct records of interviews, namely:

[redacted] pilot

[redacted] - owner/client

[redacted] - agronomist to the client

[redacted] mixer (unable to be located at this time)

FYI, in discussion with the complainant on 26 October, I was advised that damage/loss of production has thus far been quantified to some \$230,000, with potential to extend to about \$400,000 (assessment is still being conducted).

PROBATIVE RELEASE - DAF

Once resolution of the aforementioned issues is made within PB&PI, then the Investigations Unit will again be in a position to assist further. I would be pleased to receive the brief for assessment prior to forwarding to Legal, however time is quickly becoming of the essence, given that this complaint was received in February 2010.

In the interim, perhaps you could liaise with Donna in order to formulate a clear direction in which you wish the investigation to proceed.

Regards,

Mick Richardson

Senior Investigations Officer

Investigations Unit

Biosecurity Queensland

Mobile (6) Personal information (07) 4936 0390

Call Centre 3

Department of Employment, Economic Development and Innovation

RTI DL RELEASE - DAF

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Thursday, 28 October 2010 9:17 AM
To: Walker, Ian
CC: Rawson, Gavin
Subject: Connors Junction (O'HARA/WALKER)

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s78B(2) - Personal Information pilot
sch4p4(6) Personal information owner/client
s78B(2) - Personal Information agronomist to the client
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Regards,

Mick Richardson
Senior Investigations Officer

Investigations Unit
Biosecurity Queensland
Mob [redacted] **Fax** (07) 4936 0390
Call Centre
Department of Employment, Economic Development and Innovation

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Thursday, 28 October 2010 8:23 AM
To: Elliott, Craig
Subject: RE: Chemical analysis

s.73

No problems - have fired an email at RS re sending emails and the importance of picking up a phone and getting a full picture... you or I might get a call from him (but I doubt it)

From: Richardson, Michael
Sent: Thursday, 28 October 2010 8:17 AM
To: Elliott, Craig
Subject: RE: Chemical analysis

s78B(2) - Substantial Harm to Entity

From: Elliott, Craig
Sent: Thursday, 28 October 2010 7:50 AM
To: Richardson, Michael; Rawson, Gavin
Subject: RE: Chemical analysis

Aside from the long winded dribble out of PIB - is the issue that Walker and Scholl want a 'matrix' (which I presume they mean an investigation plan)?

Is there any reason why I can't approve / sign the form? If so, send it to me and we'll bypass the bystanders. I'll speak with Scholl separately.

From: Richardson, Michael
Sent: Wednesday, 27 October 2010 4:14 PM
To: Rawson, Gavin; Elliott, Craig
Subject: FW: Chemical analysis

Gents,

FYI -

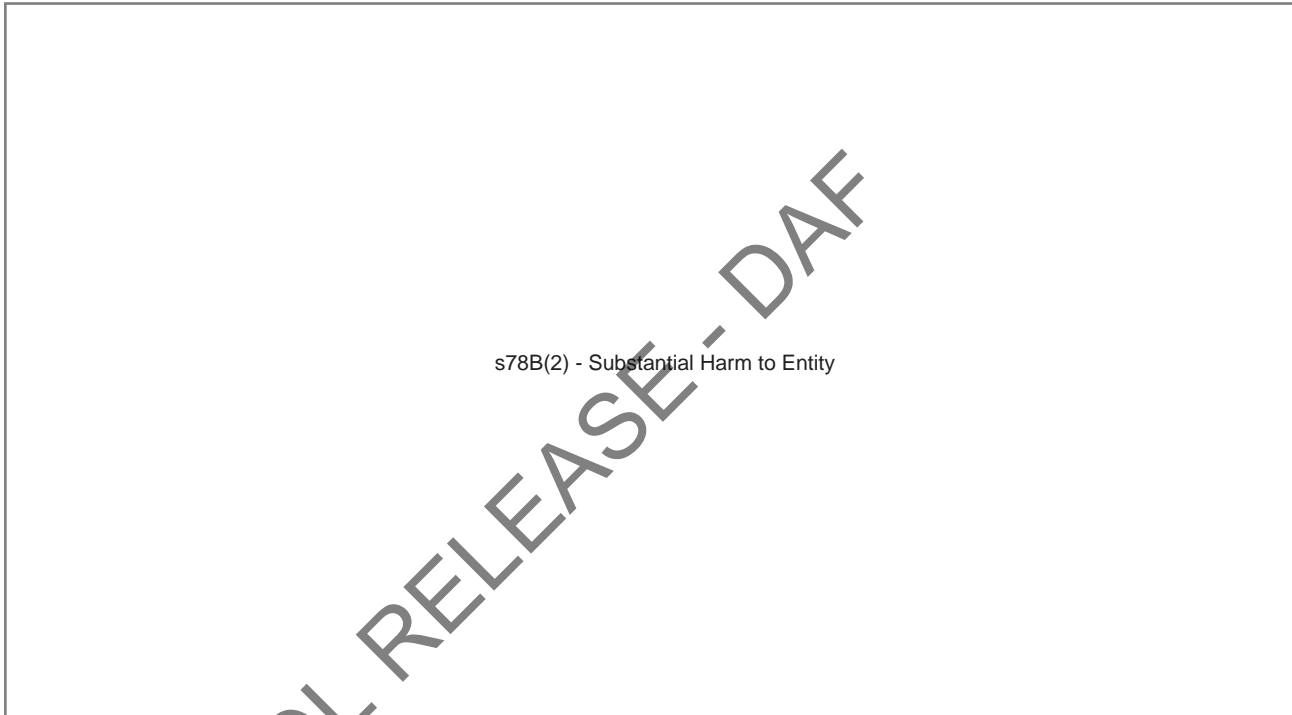
In light of the email from Russell SCHOLL and Ian WALKER below, consideration regarding our continuing

involvement in this matter may have to be reviewed.

On 13th Oct 2010, I contacted Ian WALKER by telephone, on behalf of Donna O'HARA, regarding the proposed analysis of vegetation samples from the affected crop on Connors Junction. WALKER was advised of the purpose of analysing this sample and approval was given, and was provided with a SITREP concerning the current status of the investigation, as provided to me by O'HARA.

It appears this approval has since been recinded.

In the interests of thoroughness and the significant likelihood of criticism of tardiness should the matter come before the court, the samples need to be analysed:



I will address this matter with Ian WALKER tomorrow.

Cheers,

Mick Richardson
Senior Investigations Officer

Investigations Unit
Biosecurity Queensland
scholl (6) Personal information 4936 0390
Call Centre
Department of Employment, Economic Development and Innovation

From: Scholl, Russel
Sent: Wednesday, 27 October 2010 3:35 PM
To: Walker, Ian; O'Hara, Donna
Cc: Watts, Richard J; Richardson, Michael
Subject: RE: Chemical analysis

I note the analysis requested is as follows

- Glyphosate, AMPA, Glufosinate
- Herbicides - phenoxy acidic - Includes 2,4-D, MCPA, Dicamba, Fluroxypyr, Picloram, Triclopyr
- Residue - Metsulfuron

I also note the a previous sample result has been made available to BQ.

The considerations which need to be taken into account are



However the actual investigation process details are best determined between Operations and the Compliance unit staff advising on the case.

Russel

From: Walker, Ian
Sent: Monday, 25 October 2010 5:32 PM
To: O'Hara, Donna
Cc: Watts, Richard J; Scholl, Russel
Subject: FW: Chemical analysis

Donna
Donna

I've had a talk to Dick Watts about getting these analyses done.He suggested you document your reasons for wanting them done, what offences are you considering(ACDC or Chem Use)?

I thought you were working an a matrix to give this investigation more clarity, I think we need more information before committing to the analyses.From your last email I gather you are conducting interviews regardless of the requested analyses.

Regards

Ian Walker

Zone Leader, Capricornia

Plant Biosecurity and Product Integrity

Biosecurity Queensland

Department of **Employment, Economic Development & Innovation**

Maroochy Research Station, Mayers Road, Nambour Q4560

P O Box 5083, S.C.M.C., Nambour Q4560

t 07 54 535976

m

f 54 762855

e Ian.Walker@deedi.qld.gov.au

Business Information Centre 13 25 23 www.deedi.qld.gov.au

From: O'Hara, Donna
Sent: Monday, 25 October 2010 3:15 PM
To: Walker, Ian
Subject: FW: Chemical analysis

Ian,

can you please sign the attached approval to test Leucaena sample. I have it ready to go.

regards

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity

Biosecurity Queensland

Department of Employment, Economic Development & Innovation

Yeppoon Road, Rockhampton

PO Box 6014, Rockhampton Qld 4701, Australia

Telephone 07 4936 0221 **Facsimile** 07 4936 0390

Mobile **Email** donna.o'hara@deedi.qld.gov.au

Business Information Centre 13 25 23

www.deedi.qld.gov.au

From: Elizabeth Owens [<mailto:EOwens@symbioalliance.com.au>]
Sent: Monday, 25 October 2010 3:06 PM
To: O'Hara, Donna
Subject: RE: Chemical analysis

Hi Donna,
Amended quotation attached.
Regards,

Elizabeth Owens B. Sc. Ag (Hons)

Sales and Marketing Manager, Symbio Alliance



07 33405703 (6) Personal information 07 32190333



<http://www.symbioalliance.com.au>



PO Box 4312 Eight Mile Plains Qld 4113



52 Brandl St Eight Mile Plains Qld 4113

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From: O'Hara, Donna [mailto:Donna.O'Hara@deedi.qld.gov.au]
Sent: Monday, 25 October 2010 2:34 PM
To: Elizabeth Owens
Subject: RE: Chemical analysis

Elizabeth,

can you please resubmit this quotation to me with my managers details on the quotation and Analysis Request. My manager will be the approving officer. His details are as follows:

Ian Walker

Zone Leader, Capricornia

Plant Biosecurity and Product Integrity

Biosecurity Queensland

Department of **Employment, Economic Development & Innovation**

Maroochy Research Station, Mayers Road, Nambour Q4560

P O Box 5083, S.C.M.C., Nambour Q4560

t 07 54 535976

some (6) Personal information

f 54 762855

e Ian.Walker@deedi.qld.gov.au

Business Information Centre 13 25 23 www.deedi.qld.gov.au

I will then forward the forms to him for signature.

regards

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity

Biosecurity Queensland

Department of Employment, Economic Development & Innovation

Yeppoon Road, Rockhampton

PO Box 6014, Rockhampton Qld 4701, Australia

Telephone 07 4936 0221 **Facsimile** 07 4936 0390

Mobile 0427 841 201 **Email** donna.o'hara@deedi.qld.gov.au

Business Information Centre 13 25 23

www.deedi.qld.gov.au

From: Elizabeth Owens [mailto:EOwens@symbioalliance.com.au]
Sent: Wednesday, 20 October 2010 4:49 PM
To: O'Hara, Donna
Subject: FW: Chemical analysis

Hi Donna,

Daryl passed your enquiry on to me and I am pleased to be able to attach a quotation for the tests of interest. We are not able to detect wetting agents but can detect to low levels, the other compounds you require. If you would like to accept this quotation, please sign where indicated on the base of the quotation form and fax back to me on 07 32190333. An analysis request form is attached with this paperwork. Please ensure that your company contact details are correct and that you place a tick in the column to identify the tests required on your samples. This analysis request form must accompany the samples when submitted for analysis.

Regards,

Elizabeth Owens B. Sc. Ag (Hons)

Sales and Marketing Manager, Symbio Alliance



07 33405702 sch4 (6) Personal information 0732190333



<http://www.symbioalliance.com.au>



PO Box 4312 Eight Mile Plains Qld 4113



52 Brandl St Eight Mile Plains Qld 4113

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From: O'Hara, Donna [mailto:Donna.O'Hara@deedi.qld.gov.au]
Sent: Wednesday, 20 October 2010 10:49 AM
To: Daryl Surkitt
Subject: Chemical analysis

Darryl,

Two questions as discussed.

1/ can you test for the following chemicals on a Leucaena leaf and stem sample?

- 2,4-D (product AW Anguish and Starane)
- Metsulfuron (Metsun 600)
- Picloram & Triclopyr (Grazon)
- Glyphosate and
- Wetters, LI 700 or Surfactant

2/ What is an estimate of the total cost?

regards

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity

Biosecurity Queensland

Department of Employment, Economic Development & Innovation

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PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile (6) Personal in Email Donna.o'hara@deedi.qld.gov.au
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RTI DELETED - DATA

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Wednesday, 27 October 2010 4:14 PM
To: Rawson, Gavin; 'craig.elliott@dpi.qld.gov.au'
Subject: FW: Chemical analysis

Gents,

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RTI DL RELEASE - DAF

s78B(2) - Substantial Harm to Entity

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Cheers,

Mick Richardson
Senior Investigations Officer

Investigations Unit
Biosecurity Queensland

4(6) Personal information (07) 4936 0390

Call Centre 3

Department of Employment, Economic Development and Innovation

From: Scholl, Russel
Sent: Wednesday, 27 October 2010 3:35 PM
To: Walker, Ian; O'Hara, Donna
Cc: Watts, Richard J; Richardson, Michael
Subject: RE: Chemical analysis

I note the analysis requested is as follows

- Glyphosate, AMPA, Glufosinate
- Herbicides - phenoxy acidic - Includes 2,4-D, MCPA, Dicamba, Fluroxypyr, Picloram, Triclopyr
- Residue - Metsulfuron

I also note the a previous sample result has been made available to BQ.

RTI DL RELEASE - DAF

s78B(2) - Substantial Harm to Entity

Given the complexities associated with this type of investigation where multiple chemicals are involved I would support the need to develop a matrix to assist in determining how elements of offences would be proven.

However the actual investigation process details are best determined between Operations and the Compliance unit staff advising on the case.

Russel

From: Walker, Ian
Sent: Monday, 25 October 2010 5:32 PM
To: O'Hara, Donna
Cc: Watts, Richard J; Scholl, Russel
Subject: FW: Chemical analysis

Donna
Donna

I've had a talk to Dick Watts about getting these analyses done. He suggested you document your reasons for wanting them done, what offences are you considering (ACDC or Chem Use)?

I thought you were working on a matrix to give this investigation more clarity, I think we need more information before committing to the analyses. From your last email I gather you are conducting interviews regardless of the requested analyses.

Regards

Ian Walker

Zone Leader, Capricornia
Plant Biosecurity and Product Integrity
Biosecurity Queensland
Department of **Employment, Economic Development & Innovation**
Maroochy Research Station, Mayers Road, Nambour Q4560
P O Box 5083, S.C.M.C., Nambour Q4560

t 07 54 535976

sch4(6) Personal information

f 54 762855

e Ian.Walker@deedi.qld.gov.au

Business Information Centre 13 25 23 www.deedi.qld.gov.au

From: O'Hara, Donna
Sent: Monday, 25 October 2010 3:15 PM
To: Walker, Ian
Subject: FW: Chemical analysis

Ian,

can you please sign the attached approval to test Leucaena sample. I have it ready to go.

regards

Donna O'Hara







Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland

Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile (6) Personal info Email donna.o'hara@deedi.qld.gov.au
Business Information Centre 13 25 23
www.deedi.qld.gov.au

From: Elizabeth Owens [mailto:EOwens@symbioalliance.com.au]
Sent: Monday, 25 October 2010 3:06 PM
To: O'Hara, Donna
Subject: RE: Chemical analysis

Hi Donna,
Amended quotation attached.
Regards,

Elizabeth Owens B. Sc. Ag (Hons)
Sales and Marketing Manager, Symbio Alliance

 07 33405702   07 32190333
: <http://www.symbioalliance.com.au>
 PO Box 4312 Eight Mile Plains Qld 4113
 52 Brandl St Eight Mile Plains Qld 4113

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From: O'Hara, Donna [mailto:Donna.O'Hara@deedi.qld.gov.au]
Sent: Monday, 25 October 2010 2:34 PM
To: Elizabeth Owens
Subject: RE: Chemical analysis

Elizabeth,

can you please resubmit this quotation to me with my managers details on the quotation and Analysis Request. My manager will be the approving officer. His details are as follows:

Ian Walker

Zone Leader, Capricornia

Plant Biosecurity and Product Integrity

Biosecurity Queensland

Department of **Employment, Economic Development & Innovation**

Maroochy Research Station, Mayers Road, Nambour Q4560

P O Box 5083, S.C.M.C., Nambour Q4560

t 07 54 535976

schmp4(6) Personal information

f 54 762855

e Ian.Walker@deedi.qld.gov.au

Business Information Centre 13 25 23 www.deedi.qld.gov.au

I will then forward the forms to him for signature.

regards

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity

Biosecurity Queensland

Department of Employment, Economic Development & Innovation

Yeppoon Road, Rockhampton

PO Box 6014, Rockhampton Qld 4701, Australia

Telephone 07 4936 0221 **Facsimile** 07 4936 0390

Mobile **Email** donna.o'hara@deedi.qld.gov.au

Business Information Centre 13 25 23

www.deedi.qld.gov.au

From: Elizabeth Owens [mailto:EOwens@symbioalliance.com.au]

Sent: Wednesday, 20 October 2010 4:49 PM

To: O'Hara, Donna

Subject: FW: Chemical analysis

Hi Donna,

Daryl passed your enquiry on to me and I am pleased to be able to attach a quotation for the tests of interest. We are not able to detect wetting agents but can detect to low levels, the other compounds you require. If you would like to accept this quotation, please sign where indicated on the base of the quotation form and fax back to me on 07 32190333. An analysis request form is attached with this paperwork. Please ensure that your company contact details are correct and that you place a tick in the column to identify the tests required on your samples. This analysis request form must accompany the samples when submitted for analysis.

Regards,

Elizabeth Owens B. Sc. Ag (Hons)

Sales and Marketing Manager, Symbio Alliance



07 33405702sch4p4(6) Personal information 07 32190333



<http://www.symbioalliance.com.au>



PO Box 4312 Eight Mile Plains Qld 4113



52 Brandl St Eight Mile Plains Qld 4113

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From: O'Hara, Donna [mailto:Donna.O'Hara@deedi.qld.gov.au]
Sent: Wednesday, 20 October 2010 10:49 AM
To: Daryl Surkitt
Subject: Chemical analysis

Darryl,

Two questions as discussed.

1/ can you test for the following chemicals on a Leucaena leaf and stem sample?

- 2,4-D (product AW Anguish and Starane)
- Metsulfuron (Metsun 600)
- Picloram & Triclopyr (Grazon)
- Glyphosate and
- Wetters, LI 700 or Surfactant

2/ What is an estimate of the total cost?

regards

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity

Biosecurity Queensland

Department of Employment, Economic Development & Innovation

Yeppoon Road, Rockhampton

PO Box 6014, Rockhampton Qld 4701, Australia

Telephone 07 4936 0221 **Facsimile** 07 4936 0390

Mobile [redacted] **Email** donna.o'hara@deedi.qld.gov.au

Business Information Centre 13 25 23

www.deedi.qld.gov.au

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RTI DL RELEASE - DAF

From: O'Hara, Donna [Donna.O'Hara@daff.qld.gov.au]
Sent: Wednesday, 27 October 2010 1:19 PM
To: Richardson, Michael
Subject: FW: Aerials

Mick,

Ian Rankine has the images. It might be worth trying to source one from him.

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile [redacted] **Email** donna.o'hara@deedi.qld.gov.au
Business Information Centre 13 25 23
www.deedi.qld.gov.au

From: O'Hara, Donna
Sent: Wednesday, 27 October 2010 1:10 PM
To: Richardson, Michael
Subject: RE: Aerials

Mick,

spoke with Terry,

he does not have the air photo/mapping at the resolution that I need. It is not worth purchasing images for \$2000. The Agronomist is due in shortly, hopefully he can provide what we need.

PIC number for Connors Junction is QGBS0322 (14 ROP89)
and QDBS0167 for Yatton (land parcel 12 RP843017 and 3 RP843017)

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile [redacted] **Email** donna.o'hara@deedi.qld.gov.au
Business Information Centre 13 25 23
www.deedi.qld.gov.au

RTI/DL RELEASE - DAF

From: Richardson, Michael
Sent: Wednesday, 27 October 2010 12:22 PM
To: O'Hara, Donna
Subject: Aerials

Donna,

Re Sat/aerial images -

Cost will be in the order of \$2,000 - \$3,000;
Resolution will be dependent on whether image is sourced from Landsat or other source;
High quality images MAY not exist for the period request - given the level of cloud usually encountered during the Wet, images are generally taken over the Dry season months (worth a look, though);
Discuss with Terry BEUTEL ability to overlay images with DCDB data;

If you can provide me with Lot on Plan info for "Yatton" and "Connors Junction", and GPS data (NOT lat/long) for leucena, I can get inquiries made as to when images exist for that location. As discussed, will the corroborative value will be adduced from agronomist for the complainant.

Re MachAir -

Will draft a requisition document for flight recorder information (including "shape" files, etc) - I'd consider it unlikely that this operator would not utilise this tracking tool.

Re 2nd samples analysis -

It will be instructive to have the analysis of these samples completed prior to formally interviewing and putting allegations to the other POIs.

Cheers,
Mick

Mick Richardson

Senior Investigations Officer

Investigations Unit

Biosecurity Queensland

Mobile (6) Personal information (07) 4936 0390

Call Centre

3

Department of Employment, Economic Development and Innovation

RTI DL RELEASE - DAF

From: O'Hara, Donna [Donna.O'Hara@daff.qld.gov.au]
Sent: Wednesday, 27 October 2010 1:09 PM
To: Richardson, Michael
Subject: RE: Aerials

Mick,

spoke with Terry,

he does not have the air photo/mapping at the resolution that I need. It is not worth purchasing images for \$2000. The Agronomist is due in shortly, hopefully he can provide what we need.

PIC number for Connors Junction is QGBS0322 (14 ROP89)
and QDBS0167 for Yatton (land parcel 12 RP843017 and 3 RP843017)

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile (6) Personal info Email donna.o'hara@deedi.qld.gov.au
Business Information Centre 13 25 23
www.deedi.qld.gov.au

From: Richardson, Michael
Sent: Wednesday, 27 October 2010 12:22 PM
To: O'Hara, Donna
Subject: Aerials

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RTI DL RELEASE - DAF

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Cheers,
Mick

Mick Richardson

Senior Investigations Officer

Investigations Unit

Biosecurity Queensland

Mob (6) Personal info (07) 4936 0390

Call Centre 3

Department of Employment, Economic Development and Innovation

RTI DL RELEASE - DAF

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Wednesday, 27 October 2010 12:21 PM
To: O'Hara, Donna
Subject: Aerials

Donna,

Re Sat/aerial images -

Cost will be in the order of \$2,000 - \$3,000;
Resolution will be dependent on whether image is sourced from Landsat or other source;
High quality images MAY not exist for the period request - given the level of cloud usually encountered during the Wet, images are generally taken over the Dry season months (worth a look, though);
Discuss with Terry BEUTEL ability to overlay images with DCDB data;

If you can provide me with Lot on Plan info for "Yatton" and "Connors Junction", and GPS data (NOT lat/long) for leucena, I can get inquiries made as to when images exist for that location. As discussed, will the corroborative value will be adduced from agronomist for the complainant.

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Re 2nd samples analysis -

It will be instructive to have the analysis of these samples completed prior to formally interviewing and putting allegations to the other POIs.

Cheers,
Mick

Mick Richardson
Senior Investigations Officer

Investigations Unit
Biosecurity Queensland
Mob 4 (6) Personal info Fax (07) 4936 0390
Call Centre 3
Department of Employment, Economic Development and Innovation

RTI DL RELEASE - DATA

From: O'Hara, Donna [Donna.O'Hara@daff.qld.gov.au]
Sent: Monday, 18 October 2010 8:46 AM
To: Richardson, Michael
Subject: FW: response from Symbio

Mick,

see below

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile (6) Personal info **Email** donna.o'hara@deedi.qld.gov.au
Business Information Centre 13 25 23
www.deedi.qld.gov.au

From: Watts, Richard J
Sent: Friday, 15 October 2010 3:34 PM
To: Scholl, Russel; Walker, Ian; O'Hara, Donna
Subject: response from Symbio

Colleagues

I received the following response from Symbio in regards to the leucaena damage.

regards

Dick Watts

Principal Scientific Advisor

Telephone 07 3239 3409 **Facsimile** 07 3211 3293

Mobile

From: Andy Huang [mailto:ahuang@symbioalliance.com.au]
Sent: Wednesday, 13 October 2010 5:28 PM
To: Watts, Richard J
Cc: Bruce Chen
Subject:

Dear Richard

As to your question raised, here is the answer as following:

RTI DI RELEASE - DAF

1. 4 analytes were required to test by the submitter which are : Triclopyr, Picloram, 2, 4 D and Metsulfuron-methyl
2. We did not test other analytes except the required.
3. We are confident of the identity of triclopyr residue since we monitoring 3 transition using HPLC/MS/MS.
4. it is a typo for "Metosulfuron-methyl", the correct one will be "Metsulfuron-methyl".

Regards

Andy Huang

Dear Symbio

We have been provided with the attached analytical report by the sample submitter as part of a regulatory investigation. We have chemical use information from another party that does not match the residues you have reported. We are following up a number of enquiries in attempt to clarify this matter including seeking further details of the analytical results.

I would be grateful if you would provide some advice on the following matters:

What analytes were requested by the submitter?

Were other analytes tested but not reported? I am particularly interested in other aryloxy acid herbicides such as fluroxypyr

Can you please confirm that your laboratory is confident of the identity of triclopyr residue?

The report includes the residue 'Metosulfuron-methyl'. Could you please clarify if this was intended to be metsulfuron-methyl?

regards

Dick Watts

Principal Scientific Advisor

Biosecurity Queensland

Department of **Employment, Economic Development and Innovation**

Level 3, 80 Ann Street, Brisbane Qld 4000

GPO Box 46, Brisbane QLD 4001

T: 07 3239 3409

F: 07 3211 3293

scM4(6) Personal information

E: richard.watts@deedi.qld.gov.au

Business Information Centre 13 25 23

RTI DL RELEASE DAF

From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Thursday, 14 October 2010 8:49 AM
To: O'Hara, Donna
Subject: RE: brushhoff

Donna,

A thought... I have to be in Brisbane on the 10-11-12th of next month. If it assists you and time permits, I may be able to secure a statement from the folks at Symbio re your first samples (and the second, if they are finalised by then).

Something for discussion next week.

Cheers,
MickR

From: O'Hara, Donna
Sent: Wednesday, 13 October 2010 3:56 PM
To: Richardson, Michael
Subject: FW: brushhoff

Mick,

see below email.

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile (6) Personal info **Email** donna.o'hara@deedi.qld.gov.au
Business Information Centre 13 25 23
www.deedi.qld.gov.au

From: Mary Hodge [mailto:Mary_Hodge@health.qld.gov.au]
Sent: Thursday, 18 February 2010 2:44 PM
To: O'Hara, Donna
Subject: brushhoff

Dear Donna
Unfortunately, we have the standard but do not have a validated method at the moment for plant material. You may like to try Symbio Labs
ph:33405700

or NSW National Measurements Lab(NMI)
ph 02-94490111

regards
mary hodge

Mary Hodge
Team Leader
Organic Chemistry
Queensland Health Scientific Services

ph 07-32749087
fax 0732749186
email:Mary_Hodge@health.qld.gov.au

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From: O'Hara, Donna [Donna.O'Hara@daff.qld.gov.au]
Sent: Wednesday, 13 October 2010 3:56 PM
To: Richardson, Michael
Subject: FW: brushhoff

Mick,

see below email.

cheers

Donna O'Hara

Senior Biosecurity Inspector Plant and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation
Yeppoon Road, Rockhampton
PO Box 6014, Rockhampton Qld 4701, Australia
Telephone 07 4936 0221 **Facsimile** 07 4936 0390
Mobile (6) Personal info Email donna.o'hara@deedi.qld.gov.au
Business Information Centre 13 25 23
www.deedi.qld.gov.au

From: Mary Hodge [mailto:Mary_Hodge@health.qld.gov.au]
Sent: Thursday, 18 February 2010 2:44 PM
To: O'Hara, Donna
Subject: brushhoff

Dear Donna
Unfortunately, we have the standard but do not have a validated method at the moment for plant material. You may like to try Symbio Labs
ph:33405700

or NSW National Measurements Lab(NMI)
ph 02-94490111

regards
mary hodge

Mary Hodge
Team Leader
Organic Chemistry
Queensland Health Scientific Services
ph 07-32749087
fax 0732749186
email:Mary_Hodge@health.qld.gov.au

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RTI DL RELEASE - DAF

From: Scholl, Russel [Russel.Scholl@daff.qld.gov.au]
Sent: Tuesday, 12 October 2010 5:04 PM
To: O'Hara, Donna; Walker, Ian; Sapuppo, Rebecca; Cahill, Geoffrey
CC: Haffenden, Jason; Richardson, Michael; Elliott, Craig
Subject: RE: Emailing: op_notice_spray_drift.pdf

Please note for access to the nozzle calculator as mentioned in the "Compliance Instruction" part of this notice officers should seek advice through myself or Dick Watts on contact with the APVMA rather than the 4A's as indicated for industry in this notice.

http://www.apvma.gov.au/registration/morag/notices/docs/op_notice_spray_drift.pdf

Russel

From: Scholl, Russel
Sent: Tuesday, 12 October 2010 4:53 PM
To: O'Hara, Donna; Walker, Ian; Sapuppo, Rebecca; Cahill, Geoffrey
Cc: Haffenden, Jason; Richardson, Michael; Elliott, Craig
Subject: Emailing: op_notice_spray_drift.pdf

<< File: op_notice_spray_drift.pdf >>

Information in this notice may assist officers in determination of appropriate equipment specifications and setup associated with aerial and other spray applications when investigating situations where it is suspected chemical product may not have been applied in accordance with label instructions.

A classic example of a label instruction is

DO NOT apply with smaller than coarse to very coarse spray droplets according to the ASAE S572 definition of standard nozzles.

Russel Scholl

**Principal Policy Officer
Plant Biosecurity and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation**

Level 3, Primary Industries Building, 80 Ann Street
GPO Box 46, Brisbane 4001.

Telephone 07 3239 3944

Mobile (6) Personal information

Facsimile 07 3211 3293

Email russel.scholl@deedi.qld.gov.au

Business Information Centre 13 25 23

www.deedi.qld.gov.au

RTI DL RELEASE - DAF

From: Scholl, Russel [Russel.Scholl@daff.qld.gov.au]
Sent: Tuesday, 12 October 2010 4:53 PM
To: O'Hara, Donna; Walker, Ian; Sapuppo, Rebecca; Cahill, Geoffrey
CC: Haffenden, Jason; Richardson, Michael; Elliott, Craig
Subject: Emailing: op_notice_spray_drift.pdf
Attachments: op_notice_spray_drift.pdf

<<...>>

Information in this notice may assist officers in determination of appropriate equipment specifications and setup associated with aerial and other spray applications when investigating situations where it is suspected chemical product may not have been applied in accordance with label instructions.

A classic example of a label instruction is

DO NOT apply with smaller than coarse to very coarse spray droplets according to the ASAE S572 definition of standard nozzles.

Russel Scholl

Principal Policy Officer
Plant Biosecurity and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation

Level 3, Primary Industries Building, 80 Ann Street
GPO Box 46, Brisbane 4001.

Telephone 07 3239 3944

Mobile [REDACTED] (6) Personal information

Facsimile 07 3211 3293

Email russel.scholl@deedi.qld.gov.au

Business Information Centre 13 25 23

www.deedi.qld.gov.au

RTI DL RELEASE - DAF



Operational Notice

New registration application and label requirements in relation to spray drift management

Purpose

This notice is issued to announce changes to previous label conventions for statements related to spray drift management and to explain how those changes should be implemented. These changes are an extension of the APVMA's spray drift policy framework *APVMA Operating Principles In Relation To Spray Drift Risk*¹ published in July 2008, its linked regulatory impact statement² and further supporting technical information published in September 2008³.

The broad changes explained in this notice came into use by the APVMA with the publication of its spray drift policy framework in July 2008. This notice sets out in greater detail how registrants and applicants should comply with those changes.

Note that the APVMA may require additional changes in future notices as new scientific information becomes available.

Date of Effect of this Operational Notice: 1 March 2010

Part A. New spray drift related application requirements

1. New requirement for registration applications to nominate a specific spray droplet size category that must appear on product labels

All registration applications for agricultural products that are subject to spray drift regulation (see APVMA OPERATING PRINCIPLES IN RELATION TO SPRAY DRIFT RISK, section 3.2, page 3) must include a nominated spray droplet size category for product application. The applicant must nominate the largest droplet size category that is still consistent with efficacy for the product.

(APVMA spray drift risk assessments are done on the basis of the nominated spray droplet size category. Applicants should be aware that when protective no-spray zones are found to be required for a product, smaller droplet size categories result in larger no-spray zones than do larger droplet size categories. Therefore it is in the applicant's interest to nominate the largest possible droplet size category that is consistent with product efficacy.)

Droplet size categories must be selected from the following set of standard categories found in the ASAE S572 Standard and in most nozzle manufacturer specifications.

VERY FINE • FINE • MEDIUM • COARSE • VERY COARSE • EXTREMELY COARSE

Only one category must be nominated. Terminology such as Fine to Medium or Medium to Coarse will not be accepted.

¹ http://www.apvma.gov.au/use_safely/spray_drift/op_principles.php

² http://www.apvma.gov.au/use_safely/docs/spraydrift_ris.pdf

³ http://www.apvma.gov.au/use_safely/spray_drift/scenarios.php



Stating droplet sizes or size ranges in microns will not be accepted for use on labels. (There is one exception that is contained in this document Part B, section 6 in the compliance instructions for COARSE. Option 2 in Section 3 for helicopter application necessarily refers to a micron value in the Micronair Droplet Size Prediction Model.)

2. How the nominated droplet size category will be used

The specified droplet size category will be used by the APVMA to complete its spray drift risk assessment. The same category will then be placed on the product label in a spray drift restraint statement that prohibits chemical users from using any smaller droplet size category in spray applications. (See Part B, sections 2 and 3 for how the statements must be worded.)

3. Exceptional Cases

In almost all cases there should be only one droplet size category on the label for both ground and aerial application. However, in exceptional cases supported by satisfactory scientific data or argument, the APVMA may allow aerial application to have a different droplet size category than ground application.

In such cases, the normal single label restraint statement for droplet size will need to be modified to be two statements – one version for aerial and another for ground application. The wording of the two statements should begin as follows.

DO NOT apply with AIRCRAFT with smaller than.....
DO NOT apply with GROUND sprayers with smaller than.....

Refer to Part B, section 3 below for the correct wording to complete the statements.

4. New requirement for registration applications to inform the APVMA about use of aerial application

All registration applications for agricultural products that are subject to spray drift regulation (see APVMA OPERATING PRINCIPLES IN RELATION TO SPRAY DRIFT RISK, section 3.2, page 3) must inform the APVMA whether or not aerial application of the product is intended and if so, whether it is to be with fixed-wing aircraft or with helicopter or both. The APVMA will then undertake the appropriate spray drift risk assessments.

If the applicant informs the APVMA that it does not support application of the product by air or that it does not support application with fixed-wing aircraft or with helicopter, then the APVMA will require one of the following restraint statements on the label as appropriate.

DO NOT apply with aircraft
DO NOT apply with fixed-wing aircraft
DO NOT apply with helicopter

Each of these is a global restraint statement and when needed must be located at the beginning of the general RESTRAINTS section of the label.



Part B. Required label format and wording for spray drift restraint statements and no-spray zones

1. Label placement of spray drift restraints and no-spray zones

Spray drift restraint statements must be placed near the beginning of the DIRECTIONS FOR USE section of the label immediately following any existing general RESTRAINTS. They shall be placed under the title – SPRAY DRIFT RESTRAINTS.

When a product requires no-spray zones, restraint statements and tables for no-spray zones must be placed immediately following the Spray Drift Restraints section and under the title – MANDATORY NO-SPRAY ZONES.

Refer to the general example label under Part B, section 5 below.

2. Wording for Spray Drift Restraints and No-Spray Zones

Specific wording for spray drift restraints and no-spray zone restraint statements is presented in this notice and must be followed on all relevant labels. These statements have been developed in consultation with State and Territory enforcement authorities and their wording must be maintained exactly to ensure they can be enforced.

All products that require one or more no-spray zones will also require at least four spray drift restraint statements that specify the required droplet size for application, specify wind speed limits, prohibit spraying during temperature inversion conditions and specify how required application records must be kept. Refer to the example label under Part B, section 5 for the exact wording of these four statements.

Note that the wind speed restraint statement in the example in section 5 specifies 3 to 20 km/hr. Most products will use this restraint, but some such as products in the 2,4-D family and other phenoxy herbicides will have an upper wind speed limit of 15 km/hr.

Note further that the APVMA may require additional spray drift restraints for higher risk products or products with special properties. These will be dealt with on a case-by-case basis.

Products that do not require any no-spray zones may have a reduced set of spray drift restraints depending on the risk assessment. Such products will be considered on a case-by-case basis.

3. Additional information for the droplet size restraint statement

- (a) The label spray drift restraint statement that requires a specific droplet size category exists in two versions. One version of the wording is for COARSE, VERY COARSE and EXTREMELY COARSE droplet size categories. An example of this version is included in the example label in section 5 and also below in this section under (c). In addition, this version **always** requires a separate instruction module to accompany it on the label but the module must be located elsewhere under the GENERAL INSTRUCTIONS section of the label. This separate instruction module explains to users how they must comply with the COARSE or larger droplet size requirement. This instruction module is presented in section 6 below, and its wording must be exactly preserved on product labels.
- (b) The second version of the droplet size restraint statement is for products that require a MEDIUM, FINE or VERY FINE droplet size category. This version of the statement is simpler and **does not** require an additional set of instructions to accompany it elsewhere on the label.
- (c) An example of each version is presented below. For both examples, wording must be preserved exactly as shown apart from variation of the category itself.



Example of wording for COARSE or larger droplet size categories - this example for COARSE

DO NOT apply with spray droplets smaller than a **COARSE** spray droplet size category according to “APVMA Compliance Instructions for Mandatory COARSE or Larger Droplet Size Categories” located under this title in the GENERAL INSTRUCTIONS section of this label.

Example of wording for MEDIUM or smaller droplet size categories – this example for MEDIUM

DO NOT apply with spray droplets smaller than a **MEDIUM** spray droplet size category according to nozzle manufacturer specifications that refer to the ASAE S572 Standard or the BCPC Guideline.

4. Additional information for mandatory no-spray zones

Whether a product requires a no-spray zone at all, or one, or several depends on its individual risk assessment. A no-spray zone might be required to protect human health, the aquatic environment, the terrestrial environment or Australia’s international trade (residue issues). The wording of no-spray zone restraint statements must exactly follow the wording in the example label in section 5 below.

Each of the no-spray zone restraint statements exists in two versions – one for labels that allow aerial application and the other for labels that only allow ground application. Both versions for each are presented in the example label in section 5 below.

The example label in section 5 also illustrates how the no-spray zone distances are to be presented both for aerial and non-aerial labels. The wording in the tables for aerial applications must be followed exactly apart from the various no-spray zone distances that will be different from product to product.

DO NOT apply if there are aquatic and wetland areas including aquacultural ponds, surface streams and rivers downwind from the application area and within the **mandatory no-spray zones** shown in Table 2 below.

Table 2 – No-Spray Zones for Protection of the Aquatic Environment		
FOR AERIAL APPLICATION		
Wind Speed Range at Time of Application	Downwind Mandatory No-Spray Zone	
	Fixed-Wing	Helicopter
from 3 to 8 kilometres per hour	XXX metres	MMM metres
from 8 to 14 kilometres per hour	YYY metres	PPP metres
from 14 to 20 kilometres per hour	ZZZ metres	QQQ metres
FOR GROUND APPLICATION		
from 3 to 20 kilometres per hour	WWW metres	

DO NOT apply if there are sensitive crops, gardens, landscaping vegetation, protected native vegetation or protected animal habitat downwind from the application area and within the **mandatory no-spray zones** shown in Table 3 below.

Table 3 – No-Spray Zones for Protection of the Terrestrial Environment		
FOR AERIAL APPLICATION		
Wind Speed Range at Time of Application	Downwind Mandatory No-Spray Zone	
	Fixed-Wing	Helicopter
from 3 to 8 kilometres per hour	XXX metres	MMM metres
from 8 to 14 kilometres per hour	YYY metres	PPP metres
from 14 to 20 kilometres per hour	ZZZ metres	QQQ metres
FOR GROUND APPLICATION		
from 3 to 20 kilometres per hour	WWW metres	

DO NOT apply if there are livestock, pasture or any land that is producing feed for livestock downwind from the application area and within the **mandatory no-spray zones** shown in Table 4 below.

Table 4 – No-Spray Zones for Protection of International Trade		
FOR AERIAL APPLICATION		
Wind Speed Range at Time of Application	Downwind Mandatory No-Spray Zone	
	Fixed-Wing	Helicopter
from 3 to 8 kilometres per hour	XXX metres	MMM metres
from 8 to 14 kilometres per hour	YYY metres	PPP metres
from 14 to 20 kilometres per hour	ZZZ metres	QQQ metres
FOR GROUND APPLICATION		
from 3 to 20 kilometres per hour	WWW metres	

NOTE: if there is no aerial application allowed for a product, that product's mandatory no-spray zone statements are simpler as shown in the examples below.

MANDATORY NO-SPRAY ZONES

DO NOT apply if there are people, structures that people occupy or parks and recreation areas within **xxx metres** downwind from the application area.

DO NOT apply if there are aquatic and wetland areas including aquacultural ponds, surface streams and rivers within **yyy metres** downwind from the application area.

DO NOT apply if there are sensitive crops, gardens, landscaping vegetation, protected native vegetation or protected animal habitat within **zzz metres** downwind from the application area.

DO NOT apply if there are livestock, pasture or any land that is producing feed for livestock within **uuu metres** downwind from the application area.

NOTE: following the Mandatory No-Spray Zone section, the normal crop directions begin.

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Example label excerpt showing formatting and wording of restraint statements



6. Additional module of instructions that must appear on all labels that also carry a spray drift restraint that requires a COARSE or larger droplet size category

This set of instructions must be located under the GENERAL INSTRUCTIONS section of the label as indicated by the spray drift restraint for COARSE or larger droplet size categories that also appears on the label. It must appear with its full title as shown below to be consistent with the wording in its linked spray drift restraint statement.

The entire set of instructions with title is set out on the following pages. The wording of the instructions must be preserved on the label exactly as shown.

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APVMA Compliance Instructions for Mandatory COARSE or Larger Droplet Size Categories

Important Information

These instructions inform users of this chemical product how to lawfully comply with the requirement of a COARSE or larger spray droplet size category for spray application.

Spray droplet size categories are defined in the ASAE S572 Standard (newer name may also be shown as ASABE) or the BCPC guideline. Nozzle manufacturers may refer to one or both to identify droplet size categories, but for a nozzle to comply with this requirement, the manufacturer must refer to at least one.

In the following instructions, Section 1 is for ground application and Sections 2 and 3 are for aerial application.

Complying with the label requirement to use a specific droplet size category means using the correct nozzle that will deliver that droplet size category under the spray operation conditions being used. The APVMA has approved only the following specific methods for choosing the correct nozzle. Use one of the methods specified in these instructions to select a correct nozzle to deliver a COARSE or larger droplet size category.

SECTION 1 Instructions for **Ground Application – for COARSE droplet size or larger categories**

Mandatory Instructions for Ground Applications

USE ONLY nozzles that the nozzles' manufacturer has rated to deliver a COARSE, a VERY COARSE or an EXTREMELY COARSE droplet size category as referenced to ASAE S572 or BCPC. Choose a nozzle specified to provide the droplet size category required in the label Spray Drift Restraints.

DO NOT use a higher spray system pressure than the maximum the manufacturer specifies for the selected nozzle to deliver the droplet size category required in the label Spray Drift Restraint.

SECTION 2 Instructions for **Fixed-Wing Aerial Application – for COARSE droplet size or larger categories**

Instructions in this section apply to fixed-wing aerial application of products for which the label Spray Drift Restraint requires a COARSE or a VERY COARSE spray droplet category.

Nozzle choices must be made using Option 1, 2 or 3 below. Option 1 nozzles are limited to a maximum aircraft speed of 110 knots and are for COARSE droplets only. Option 2 nozzles are limited to a maximum aircraft speed of 120 knots and are also for COARSE droplets only. Option 3 nozzles have their use conditions (maximum airspeed, nozzle spray angle, product used, orifice size, spray system pressure) specified in the APVMA Approved AAAA Nozzle Calculator (described in Option 3). Depending on those use conditions, the calculator can identify a correct nozzle for either a COARSE or a VERY COARSE spray droplet category. (Note that to use Option 3, aerial applicators must contact the Aerial Agricultural Association of Australia for access to their approved nozzle calculator.)

Mandatory Instructions for Fixed-Wing Aerial Applications

Option 1

For up to a maximum aircraft speed of 110 knots and a COARSE droplet size category, USE ONLY solid stream 0° nozzles with orifice diameter greater than or equal to 1.5 mm and oriented straight back to the flight direction. USE ONLY a spray system pressure greater than or equal to 3 bar.

OR

Mandatory Instructions for Fixed-Wing Aerial Applications (continued)

Option 2

For up to a maximum aircraft speed of 120 knots and a COARSE droplet size category, USE ONLY narrow angle flat fan nozzles with spray angle less than or equal to 40° and oriented straight back to the flight direction. USE ONLY a spray system pressure greater than or equal to 4 bar.

OR

Mandatory Instructions for Fixed-Wing Aerial Applications (continued)

Option 3

USE ONLY nozzles rated by the APVMA Approved AAAA Nozzle Calculator as COARSE or VERY COARSE to comply with a product label's requirement for a COARSE or a VERY COARSE spray droplet size category. When using the AAAA Nozzle Calculator, aerial applicators must also follow the additional instructions below in (a), (b) and (c).

- (a) Aerial applicators must only use the droplet size category given in the nozzle calculator at the $D_{V(0.1)}$ position to identify a nozzle to comply with the required spray droplet category. The categories shown at the $D_{V(0.5)}$ and the $D_{V(0.9)}$ positions in the calculator must not be used for making a nozzle selection.
- (b) Aerial applicators must not apply at airspeeds greater than that speed used to select the nozzle. If an application airspeed slower than 100 knots (the minimum speed specified in the nozzle calculator) is planned, a nozzle identified as COARSE or VERY COARSE at 100 knots can also be used at slower airspeeds provided that the nozzle angle and system pressure are kept the same.
- (c) When a particular pesticide product is chosen within the nozzle calculator as one of the conditions set to select a nozzle, then aerial applicators must use that specific pesticide product with that nozzle. When a pesticide product is planned for use and is not available as a choice within the nozzle calculator, aerial applicators must use the category "Other Product" in the calculator to set the condition for selecting a nozzle.

Note – contact the Aerial Agricultural Association of Australia for information on how to obtain access to the APVMA Approved AAAA Nozzle Calculator –

<http://www.aerialag.com.au/site/default.asp>

SECTION 3 Instructions for Helicopter Aerial Application – for COARSE droplet size or larger categories

Instructions in this section apply to helicopter application of products where the label Spray Drift Restraint requires a **COARSE**, a **VERY COARSE** or an **EXTREMELY COARSE** spray droplet category.

Nozzle choices must be made using Option 1, 2 or 3 below.

Mandatory Instructions for Helicopter Aerial Application

Option 1

For helicopter applications requiring a COARSE or a VERY COARSE spray droplet size category, **USE ONLY** nozzles selected with the methods previously specified for fixed-wing aircraft in Section 2.

OR

Mandatory Instructions for Helicopter Aerial Application (continued)

Option 2

When using Micronair controlled droplet applicators (Micron Sprayers Ltd), **USE ONLY** nozzles selected with the Micronair Droplet Size Prediction Models designed for Micronair products (and located on the company website) to choose a nozzle to satisfy the label requirement for a COARSE droplet size category. **Important – to qualify for the COARSE category, the $D_{V(0.1)}$ value must be greater than 156 microns.** Adjust parameters as necessary such as lowering the atomizer rotation rate in order to achieve a $D_{V(0.1)}$ value greater than 156 microns.

OR

Mandatory Instructions for Helicopter Aerial Application (continued)

Option 3

When using Accu-Flo nozzles (Bishop Equipment Mfg Inc), **USE ONLY** nozzles rated according to the manufacturer's instructions to select the correct nozzle to apply a COARSE, a VERY COARSE or an EXTREMELY COARSE droplet size category to satisfy the label requirement for one of those specific droplet size categories.

From: Scholl, Russel [Russel.Scholl@daff.qld.gov.au]
Sent: Tuesday, 12 October 2010 4:29 PM
To: Walker, Ian; Sapuppo, Rebecca; Cahill, Geoffrey; O'Hara, Donna
CC: Elliott, Craig; Richardson, Michael; Haffenden, Jason
Subject: Standard Spray Drift Risk Assessment Scenarios
Attachments: scenarios.url

<<...>>

The APVMA uses a series of standard spray drift risk assessment scenarios to tailor its risk assessments to the most common situations.

These standard scenarios have been used to create standard model output data sets that are intended to help in understanding how the APVMA assesses spray drift risk. Each standard scenario model output data set is provided as an Excel file that can be downloaded individually and all are available in the 'Spray Drift' section of the APVMA website.

Shortcut to: http://www.apvma.gov.au/use_safely/spray_drift/scenarios.php

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

RTI DL RELEASE - DAF

From: Scholl, Russel [Russel.Scholl@daff.qld.gov.au]
Sent: Tuesday, 12 October 2010 9:20 AM
To: Richardson, Michael
Subject: RE: Chemical Spay Incident investigations issues

Thanks Mick

s78B(2) - Substantial Harm to Entity

Look forward to catching up on the issues.

Russel Scholl

Principal Policy Officer
Plant Biosecurity and Product Integrity
Biosecurity Queensland
Department of Employment, Economic Development & Innovation

Level 3, Primary Industries Building, 80 Ann Street
GPO Box 46, Brisbane 4001.

Telephone 07 3239 3944

Mobile (6) Personal information

Facsimile 07 3211 3293

Email russel.scholl@deedi.qld.gov.au

Business Information Centre 13 25 23

www.deedi.qld.gov.au

From: Richardson, Michael
Sent: Tuesday, 12 October 2010 7:16 AM
To: Scholl, Russel
Cc: Rawson, Gavin
Subject: Declined: Chemical Spay Incident investigations issues
When: Tuesday, 12 October 2010 3:00 PM-4:00 PM (GMT+10:00) Brisbane.
Where: Teleconference

Good morning Russell,

I won't be in attendance at your teleconference today. Had a brief discussion with Ian Walker yesterday concerning the Connor's Junction matter. It may be that I will require to discuss one of Donna O'HARA's jobs (Connor's Junction) with you at which stage I'll give you a bell.

Cheers,

Mick Richardson

Senior Investigations Officer

Investigations Unit
Biosecurity Queensland

Call Centre 13 25 23

Department of Employment, Economic Development and Innovation

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From: Richardson, Michael [Michael.Richardson@daff.qld.gov.au]
Sent: Wednesday, 16 June 2010 8:58 AM
To: O'Hara, Donna
Subject: RE: spraydrift

Can do that by all means, Donna - change of arrangements today as I won't be into office, but will catch up.

I've found that the level of documentation is more often reflective of the complexity of the investigation - clearly, good notes/diary entries are a staple. Depending on the complexity of your investigation (and how protracted it is), I can see no good reason for not using the first four dot points in your list (particularly, if you have multiple exhibits, witnesses, POIs etc). Remember, this is also reflective of your level of investigative experience - as opposed to an Inspector who has little investigative experience. So, you might be satisfied to ditch the Evidence matrix and Event Log and rely on diary entries, etc, provided the the elements and continuity of eshibits etc can be demonstrated.

With regard to your last two dot points - not required. Reason being is that it is largely repetitive and the Mention Court Brief should encapsulate the elements of the offence in the "Facts of the Matter" anyway. If it were an investigation that were not to be recommended for prosecution for lack of evidence or other reason, then a Memo-style report is appropriate.

From: O'Hara, Donna
Sent: Tuesday, 15 June 2010 4:26 PM
To: Richardson, Michael
Subject: RE: spraydrift

thanks Mick,

Brief Handling Manager, is pretty well what I thought. I am fine with statements, fact sheets and ROI.

I am not sure of any differences between NSW and Qld Police briefs. It would be good to check this with you as we go along. I am also not sure of the current templates for brief documents that BQ is still using. I would like your advice on this. i.e. Are we using

- Evidence Matrix
- Event logs
- Exhibit logs
- Interview Plans
- Investigation Plans
- Investigation Reports and
- Recommendation document on Ournet etc.

Perhaps we can go through these documents. I want to avoid doing these type of documents twice if I can or not wasting time on them if they are not needed.

regards

Donna

From: Richardson, Michael
Sent: Tuesday, 15 June 2010 2:43 PM
To: O'Hara, Donna
Subject: spraydrift

Donna,

A couple of attachments to assist with your current spraydrift job:

I have attached a copy of jamie's statement to give you an overview of how he handled his investigation

s78B(2) - Personal Information

Attached also is a copy of the Mention Court Brief - all facts of the matter in third person (as below for example) - I had to give jamie a leg-up with this, but once again, will be old hat for you;

I am happy to assist with compiling your ERI (...and will corroborate, if you don't have one and availability) - but, you will have your own style from previous experience (...if you require a template, I can send one on).

Once you have your ERI, if you can provide me with an ecopy, I will arrange for a transcript for your brief (if it look's good for pros).

A v. quick run-down on how it works, by way of example:

Ian Walker has an Endosulfan job at Bundaberg at the moment - he has samples which have been tested, he has conducted the record of interview with the POI and conducted other inquiries, and will compile the brief and forward to me for assessment prior to it going to Legal.

Short answer to your question this AM about where BQIU fit in: essentially the provision of advice and brief checker to the Inspectorate, in addition to our own case load.

Cheers,

Mick Richardson

Senior Investigations Officer

Investigations Unit

Biosecurity Queensland

Mobile (6) Personal information (07) 4936 0390

Call Centre 3

Department of Employment, Economic Development and Innovation

sch3(7) Information subject to legal professional privilege