



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



MANUAL FOR EFFICACY AND SAFETY REVIEWERS

Version 9

JULY 2011

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This document is published by the APVMA. In referencing this document the APVMA should be cited as both author and publisher.

Website: This publication is available from the APVMA website: <http://www.apvma.gov.au>

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1 GENERAL INFORMATION

1.1 Introduction

The APVMA evaluates applications for product registration and label approval for pesticides and veterinary medicines under the criteria of human safety, environmental safety, trade, efficacy and target animal/crop safety.

Many efficacy and target animal/crop safety assessments are outsourced to State department and external reviewers. The APVMA relies on these reviewers to provide it with a scientific assessment of the data presented with an application, and to make informed recommendations regarding the efficacy and target animal/ crop safety of a product. This manual is designed to assist reviewers in providing such assessments and recommendations.

This manual applies to State department reviewers and to private individuals or reviewers from other organisations (known as external reviewers).

Figure 1 on page 4 shows the process of efficacy and target animal/crop safety assessment from the time the APVMA receives an application that requires efficacy and target animal/crop safety assessment.

1.2 The legislative basis for APVMA decisions regarding efficacy and target animal/crop safety

The APVMA must comply with its governing legislation (primarily the Agvet Code, see <http://www.apvma.gov.au/legislation>) when it makes decisions regarding product registration and label approval.

In order to grant an application for product registration section 14 of the Agvet Code stipulates:

14 *Grant or refusal of application*

- (1) The APVMA must grant an application made under section 10 if it is satisfied of all the matters referred to in subsection (3).

...

- (3) The matters referred to in subsection (1) are the following:

...

- (3)(e) if the application is for approval of an active constituent or registration of a chemical product—that the use of the constituent or product in accordance with the instructions for its use that the APVMA has approved or approves:
 - (i) would not be an undue hazard to the safety of people exposed to it during its handling or people using anything containing its residues; and

- (ii) would not be likely to have an effect that is harmful to human beings; and
 - (iii) would not be likely to have an unintended effect that is harmful to animals, plants or things or to the environment; and
 - (iv) would not unduly prejudice trade or commerce between Australia and places outside Australia;
- (3)(f) if the application is for registration of a chemical product—that the use of the product in accordance with the instructions for its use that the APVMA has approved or approves would be effective according to criteria determined by the APVMA for the product;
- (3)(g) if the application is for approval of a label for containers for a chemical product—that the label will contain adequate instructions relating to such of the following as are appropriate:
- (i) the circumstances in which the product should be used;
 - (ii) how the product should be used;
 - (iii) the times when the product should be used;
 - (iv) the frequency of the use of the product;
 - (v) the withholding period after the use of the product;
 - (vi) the re entry period after the use of the product;
 - (vii) the disposal of the product when it is no longer required;
 - (viii) the disposal of containers of the product;
 - (ix) the safe handling of the product and first aid in the event of an accident caused by the handling of the product;
 - (x) any other matters prescribed by the Regulations.

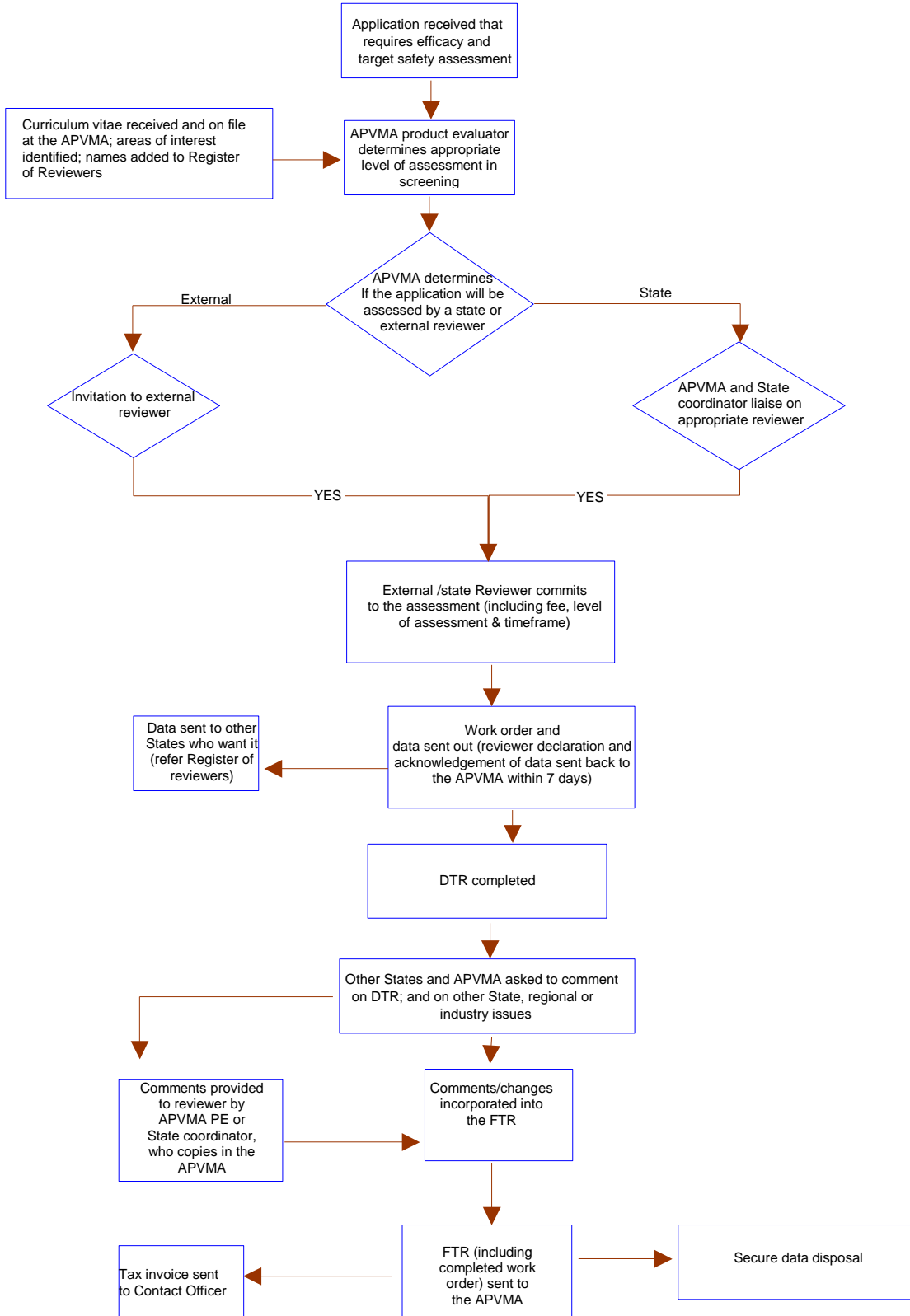
The same criteria apply to applications for variation of registration (section 29 of the Agvet Code). Sections 3(f) and 3(e)(iii) above are the relevant sections for efficacy and target animal/crop safety assessments. Product registration and label approval are closely linked and are assessed together. As such, consideration of the label instruction as it relates to efficacy and target animal/crop safety is a crucial component of an efficacy assessment.

1.3 The assessment process

Once an application is accepted, the APVMA allocates the application to a product evaluator who is the APVMA scientific officer who manages the application. The APVMA also has contact officers (see Section 1.4 below) who are responsible for managing the administrative aspects of applications.

There are differences in the efficacy and target animal/crop safety assessment process for State and external reviewers. The two processes are outlined below and in Figure 1. Note that reviewers are sometimes referred to as the 'primary reviewer', or as a secondary reviewer. A primary reviewer is the principal reviewer responsible for the conduct of the assessment and the preparation of the Draft and Final Technical Reports. A secondary reviewer is one who may consider the information provided (or a summary of it) and provide comment on the application and/or comment on the Draft Technical Report, assisting the primary reviewer's assessment.

Figure 1: The efficacy and target animal/crop safety assessment process



State reviewer

State reviewers are employed in the State departments of agriculture.

The APVMA negotiates with the State Coordinators as to whom the primary reviewer will be. In deciding which State to appoint the primary reviewer from, the APVMA considers which States may have the required and available expertise. The State Coordinator confirms availability and willingness to undertake the assessment. After agreement is reached, the APVMA sends a full copy of the data, a covering letter and a work order (including a reviewer declaration) to the State Coordinator. The State Coordinator passes the documents on to the primary reviewer. The reviewer signs the reviewer declaration within 7 days of receipt and sends it to the State coordinator to return to the APVMA.

The APVMA sends to other States the following:

- Level 1 reviews – overview and efficacy, applicant's letter and the draft label;
- Level 2 reviews – overview only, applicant's letter and the draft label; and
- Level 3 reviews – only the primary reviewer receives the data.

External reviewer

The APVMA approaches one or more reviewers from its register of reviewers to enquire whether they are prepared to undertake an assessment. The APVMA has introduced long-term Deeds where the APVMA sees benefit in a longer-term arrangement:

Long-term Deeds of Standing Offer

Two long-term Deeds are sent to the external reviewer, the external reviewer signs and returns both long-term Deeds. The APVMA signs the two Deeds and one Deed is returned to the external reviewer. Currently long-term Deeds are for a five-year period.

An invitation to conduct a review is sent to the reviewer. In the invitation the contact officer will state if the data is an electronic or a hard copy version. If the reviewer does not want to receive an electronic version of the data but rather a hard copy the reviewer must specify this in the return e-mail to the contact officer (Please note this is only an option if the efficacy assessment has a large number of data volumes). If the reviewer agrees to conduct the review they will receive a work order, reviewer declaration and the data. If the reviewer does not specify they want a hard copy version of the data an electronic version will be sent. The reviewer signs and returns the reviewer declaration and confirmation of receipt of data within 7 days of receipt.

The APVMA sends to other States the following:

- Level 1 reviews – overview and efficacy, applicant's letter and the draft label;
- Level 2 reviews – overview only, applicant's letter and the draft label; and
- Level 3 reviews – only the primary reviewer receives the data.

Consistent report terminology

Under the terms of the service level agreement (SLA) with each State, the APVMA now uses consistent terminology for safety/efficacy, toxicology, OH&S and environmental safety reports from Australian Government agencies:

- what was called the Reviewer's Initial Report is now called the Draft Technical Report
- comments for inclusion in what was the Reviewer's Initial Report are now comments for inclusion in the Draft Technical Report
- what was the Consolidated Reviewer's Report is now called the Final Technical Report.

1.4 Payment of fees

State reviewer

Payment for efficacy assessments will be at the end of the March, June, September and December quarters. The State Coordinator will provide details of the services completed during the preceding quarter to the Scientific Services Manager to enable the reconciliation of the work orders as agreed in the SLA. For services to be included in a particular quarter a FTR and completed work order must have been received by the APVMA.

The APVMA will complete reconciliation and notify the State Coordinator of the results of that reconciliation within 16 days. The State Coordinator will then raise a tax invoice for agreed services, which is to be sent to the APVMA's contact officer; any disputed services will be dealt with in accordance with the SLA.

The APVMA is to pay within 30 days of receipt of a valid tax invoice.

External reviewer

The APVMA will pay for external efficacy assessments after the efficacy assessment is finalised and the APVMA has received and accepted the Final Technical Report and a completed work order.

The external reviewer should send a valid tax invoice to the contact officer (refer below list), who will reconcile the tax invoice against the agreed work order.

Contact details:

Pesticides:	Dino Martiniello 02 6210 4748 dino.martiniello@apvma.gov.au
Veterinary medicines:	Thea Reiman 02 6210 4726 thea.reiman@apvma.gov.au
Director, Scientific Assessment:	Sue Wurcker 02 6210 4809 susan.wurcker@apvma.gov.au

1.5 Data submissions

The APVMA requires applicants to include certain data in an application and to present data in a certain way. These requirements are set out in MORAG, the APVMA's Manual of Requirements and Guidelines, available at www.apvma.gov.au.

- **Part 1** is the application overview, in which the applicant must summarise all data submitted, including public health, residues etc
- **Part 8** is the efficacy and safety data package.

Reviewers must familiarise themselves with the data requirements and criteria specified in Part 8 of MORAG (and any associated published guideline documents) prior to commencing a review.

Applicants will usually present both Parts 1 and 8. For some smaller applications, applicants may combine the application overview and the data package.

Reviewers will note that Part 8 data are presented in a certain way as described in MORAG. Reviewers should be aware that for certain product categories (eg veterinary immunobiologicals) data might be submitted in slightly different ways. In addition, reviewers of applications for agricultural chemical products should also be aware that data addressing the effect of the product on non-target plants, animals and organisms that may be relevant to the assessment of efficacy and safety may be located in the environment data part, Part 7. Where this occurs the APVMA will also provide the reviewer with a copy of the Part 7 submission.

1.6 New data

Any new data submitted during an efficacy assessment (except for minor clarifying information the reviewer has requested) will be processed as a new assessment, with new timeframes and additional fees. The fee

level will be negotiated on a case-by-case basis between the State Coordinator/external reviewer and the APVMA.

1.7 Confidentiality

Reviewers should be aware that applications are confidential and contain commercially sensitive material. This means that the information pertaining to an application being considered by the APVMA is to be treated as Confidential Commercial Information (CCI), unless it has been published by the APVMA in an application summary on the APVMA website (see http://www.apvma.gov.au/data_protection/appl_summaries.shtml).

Reviewers must declare that they are aware of the CCI provisions at section 162 of the Agvet Code (see http://www.apvma.gov.au/about_us/AgrVetChemCode94.rft). A Reviewer Declaration is attached to the work order for this purpose. The state / external reviewer must sign the Reviewer Declaration and return it to the APVMA within 7 days of receipt and prior to commencing the data assessment (Note for State department reviewers: the Reviewer Declaration should be submitted via the State Coordinator, not directly to the APVMA).

While a state reviewer may need to confer with departmental colleagues or other State Coordinators on specific aspects of the assessment, it is expected the state reviewer will require the same conditions of confidentiality from these colleagues as from themselves. It is important that reviewers turn their minds to this each time they receive and assess data.

Previously the State Efficacy Reviewer's Declaration provided space for reviewers to note down the people from within the department with whom they have discussed the assessment. Due to the reviewers declaration now being signed prior to the commencement of the data assessment the State coordinator will need to provide this information with the Final Technical Report (refer Attachment E – Additional Information from State Department Employees).

From the efficacy reviewer's perspective the following should generally be considered CCI unless published in an application summary:

- active constituent or product name/s
- application details
- formulation details
- number and types of studies that accompanied the application
- applicant details
- manufacturing sites
- manufacturing process.

Due to the requirement to publish application summaries on the APVMA website, the existence of the majority of applications being considered by the APVMA is no longer CCI. Nevertheless, if a reviewer is asked about an application they should reply in terms of: 'I am unable to discuss the details of any application for any product that might be with the APVMA'.

The application should be discussed only with persons who may be able to assist with the assessment under the same strict conditions of confidentiality. Under no circumstances should it be discussed with outside parties such as competing chemical companies, primary producer groups or the media. Applications and reviewer's notes and electronic records must be kept in a secure manner.

Certain CCI must not be provided in the body of the Draft/Final Technical Report and must only be included in an appendix (see Section 2.7 for details) with each page clearly labelled:

CONFIDENTIAL COMMERCIAL INFORMATION

If a reviewer is unsure whether certain information may be considered CCI (or where it should be placed in the Draft/Final Technical Report) they should contact the APVMA product evaluator who is managing the relevant application. *(Note for State department reviewers: please direct all questions via the State Coordinator, not directly to the APVMA).*

1.8 Conflict of interest

Reviewers must declare to the APVMA any potential conflict of interest between the material being assessed and any other review or research work that they have carried out in the past, are currently working on or have made a commitment to work on in the future that could impact on an objective assessment of the material. Highlighting a possible conflict of interest may not disqualify a reviewer from continuing the assessment. However, that determination must be made by the APVMA.

When a State Coordinator, or APVMA contact officer for external reviewers, asks a reviewer to conduct an assessment it is essential the reviewer considers a variety of questions to ascertain whether there could be a potential conflict of interest prior to commencing the review, including:

- Have I been involved in trials or other research and development sponsored by the registrant or applicant?
- Have I been involved in trials or other research and development in relation to the product being assessed?
- Do I hold shares in the registrants or applicants company, or have any other personal financial involvement with the registrant or applicant?
- Am I involved in trials or other research and development work with another registrant or applicant who has a chemical product that is in direct competition with the Chemical Product that will be assessed?
- Am I aware of a conflict of interest between the application, including the material being assessed and any other review or research work that could adversely impact on an objective review of the material?

The above list is not exhaustive, but is a guide to alert the reviewer to what types of conflicts may occur.

Prior to the data assessment

If a state or external reviewer answers yes to any of the above questions, or has any other concerns relating to a potential conflict of interest, the state reviewer should contact the State Coordinator or the external

reviewer should contact the APVMA product evaluator or the Scientific Services Manager immediately to discuss the situation. The State Coordinator will contact the APVMA and discuss the situation. The APVMA will determine either that:

- the conflict of interest is negligible and the reviewer may still conduct the assessment

or

- there is a conflict of interest that would necessitate the data being returned and another reviewer appointed.

While an external reviewer or State Coordinator is in discussions with the APVMA, the efficacy clock will be stopped. The APVMA will make a decision relating to the potential conflict of interest and the Scientific Services Manager will contact the State Coordinator or external reviewer with the decision. Depending on the decision either the current state / external reviewer may commence the assessment or another external or state reviewer will be sought.

Attached to the work order is a Reviewer's Declaration form, all state / external reviewers must sign and return the form to the APVMA (via the State Coordinator for State reviewers or directly for external reviewers). The state / external reviewers must return the signed Reviewer's Declaration within 7 days of receipt and prior to commencement of the data assessment.

During the data assessment

If at any time during the assessment of data the state / external reviewer realises that there may be a conflict of interest (as stated in the Reviewer's Declaration), the APVMA must immediately be contacted (via the State Coordinator for State reviewers or directly for external reviewers). In these cases, the APVMA will determine whether:

- the conflict of interest is negligible and the reviewer may continue the assessment

or

- there is a conflict of interest that would necessitate the data being returned and another state / external reviewer appointed.

1.9 Liability of reviewers

The reviewer's Final Technical Report on the efficacy of an agricultural or veterinary chemical product will be considered by the APVMA when determining whether it is satisfied on efficacy and safety grounds that it should register (or vary as the case may be) the product and approve a label.

Reviewers often raise questions about liability. A reviewer is a consultant to the APVMA and as such enjoys the benefit of the 'immunity from suit' provisions contained in section 69H of the *Agricultural and Veterinary Chemicals (Administration) Act 1992* (refer to Attachment H - Exemption from Liability for Damages - Guidance for External and State Efficacy Reviewers). The immunity from suit provisions are intended to

ensure that a consultant is not liable to an action from a chemical user where the chemical causes loss because it is unsafe or ineffective.

Some recent court decisions have struck down immunity from suit provisions where persons intending to rely on them have acted beyond their statutory powers. The APVMA therefore expects that reviewers will provide their Draft and Final Technical Reports strictly in accordance with the terms of the agreement between the reviewer and the APVMA. The Final Technical Report is not considered confidential and is normally released to the applicant.

Reviewers are at all times accountable to the APVMA for the recommendations they propose.

1.10 Insurance for external reviewers

Clause 12 of the long-term Deed for external reviewers outlines the APVMA's insurance requirements. External reviewers are only required to obtain insurance if the APVMA requests they do so. If the APVMA does not request insurance, the external reviewer is not obligated to obtain insurance.

1.11 Handling of deficient data or data deemed not to be of sufficient quality to warrant assessment

State reviewers should inform the State Coordinator, and external reviewers should inform the APVMA, as soon as possible if the data are deficient (i.e. missing pages, absence of raw data etc.) or are not of sufficient quality to warrant assessment. The APVMA will then liaise with the applicant before further assessment is conducted.

If the reviewer has identified there is missing data or there are anomalies with the data list it is important to notify the contact officer or the product evaluator early in the assessment. The efficacy clock will be turned off while the applicant is notified, and revised due dates for the DTR and FTR will be given once the relevant missing parts are produced.

Where the reviewer has identified more serious deficiencies in the submission, such as significant and / or critical data gaps, the product evaluator should also be notified as soon as possible.

Once an application has been accepted by the APVMA, the APVMA must have very good reasons to refuse the application. Data of insufficient and/or poor quality may be a good reason to refuse the application, but the refusal of the application must be justified in detail. Where the reviewer considers that the data provided are insufficient, the APVMA will generally require the reviewer to compile a Draft Technical Report and then a Final Technical Report supporting the reviewer's negative recommendation. Minor deficiencies that could be rectified by the applicant should be outlined in the Draft and Final Technical Reports.

1.12 Quality performance standards

The APVMA requires that state and external reviewers will:

- ensure that a signed reviewer declaration has been sent to the APVMA within 7 days of receipt and prior to commencing the assessment;
- be aware of and meet timeframes as specified in the work order;
- be aware of and meet the quality criteria that is included in the work order;
- ensure their data assessment is appropriate for regulatory purposes;
- present a Draft Technical Report and Final Technical Report in the appropriate format (using the templates provided by the APVMA) and ensure that the Draft and Final Technical Reports have direct relevance to the proposed product registration and / or label approval; and
- clearly highlight any major issues of concern in the covering letter.

1.13 What the APVMA requires in assessments

Completed assessments must include:

- initially a Draft and later a Final Technical Report on efficacy and safety (see Section 2, Assessing Data and Attachment A)
- completed data list (see Section 2.8)
- covering letter (see Attachment B) including:
- recommendations on the suitability of label claims, label instructions for use and label advisory statements
- advice on issues other than efficacy and safety that reviewers may wish to provide.

2 ASSESSING DATA

Data or scientific argument provided by the applicant on efficacy and target animal/crop safety should support proposed label claims, directions for use and advisory statements. Assessment of these data should focus on providing the APVMA with sufficient advice so that the APVMA can determine whether it is satisfied that the product will be effective and safe (in relation to target species animals, crops or situations), if used according to label instructions.

When assessing data, the reviewer must focus on the appropriateness of the data to the proposed label claims and instructions, with consideration of any specific requirements or criteria detailed in MORAG Volume 3, Part 8 - Efficacy and Target Animal / Crop Safety. The data presented must be assessed objectively on their merits. Considerations such as the need for a new treatment for a pest are irrelevant, although a reviewer may make such comments in the covering letter if the reviewer so wishes. In rare instances the APVMA may take account of these factors in its regulatory decision.

Reviewers should feel free to contact the APVMA product evaluator (through the State Coordinator, for State reviewers and directly for external reviewers) to discuss any technical matters of concern during the assessment.

2.1 Technical reports on efficacy and target animal / crop safety

The reviewer's assessment of the data is first presented to the APVMA as a Draft Technical Report and subsequently as a Final Technical Report.

The Draft Technical Report is submitted to the APVMA and interested States for comment (for external reviewers the APVMA will forward the Draft Technical Report to the States). The timeframe for comments to be submitted to the primary reviewer is clearly set out in the covering letter and work order.

All secondary comments submitted by the States to the primary reviewer should be sent to the APVMA as well (or where the primary reviewer is an external reviewer, directly to the APVMA for forwarding to the reviewer).

The Final Technical Report is submitted to the APVMA and interested States (for external reviewers the APVMA will forward the Final Technical Report to the States). When preparing the Final Technical Report the primary reviewer must consider the comments of other States and the APVMA. Where the primary reviewer does not agree with comments provided by the secondary State reviewer/s the reasons for not including those comments in the assessment must be included in the covering letter. Comments should not be attributed to a specific State or person in either the Final Technical Report or the covering letter.

The timeframe for the Final Technical Report to be submitted to the APVMA is clearly set out in the covering letter and work order.

The reviewer's report must clearly advise the APVMA:

- what studies have been undertaken
- what other relevant information has been provided
- whether studies/other relevant information are pertinent to the application

- which studies/data contributed to the recommendations and which studies/data did not (ie what data were 'relied on'—see below for further guidance) what the studies/other relevant information demonstrated
- whether:
 - the trial data and other information support the proposed label claim, instructions for use and the uses of the product
 - the trial data and other information can satisfy the APVMA that the product, when used according to label instructions, would be safe for the target crop or animal
 - the directions for use and other instructions and information on the label are consistent with good agricultural or veterinary practice.

Reviewers must limit their assessment to a dispassionate review of the data presented to them. Care should be taken in preparing the Draft / Final Technical Report to confine comments and observations to those clearly justifiable on the data presented. 'Throw away' comments or general observations not supported by the data must not be included. If the trial design is inadequate or the data are inadequate or the wrong tests were used etc, the reviewer should say so, but the reviewer should also include a statement in the Draft / Final Technical Report setting out the reasons that give rise to the inadequacy. Statements in the Draft / Final Technical Report should not be prefaced by words such as 'unfortunately' or 'this could have been done better'. This devalues the Draft / Final Technical Report and can potentially lead to adverse outcomes of the assessment itself. If the reviewer makes negative comments, they should be clear, concise, to the point and justification for the comment must be included in the Draft / Final Technical Report.

2.2 When are data 'relied on'?

The APVMA will provide data protection for information provided with an application when the data are of a type required by the APVMA and the APVMA relied on the data to grant the application¹. Additionally the APVMA is required to publish a summary of the advice it relied on in granting an application, including a list of the relied on information for the purpose of transparency (this applies irrespective of data protection). For the purpose of data protection and transparency, the APVMA considers 'data' (information) to include:

- A report describing one or more tests, analyses, trials or studies
- A report summarising information necessary to meet APVMA data requirements
- A description of a method of analysis
- Expert opinion on a data requirement provided by someone other than the applicant

The APVMA requires a data list to be submitted with each application that is accompanied by data. The data list must list each item of submitted information meeting the above description.

¹ Certain data are not eligible for protection (eg publicly available data, unprotected data already held by the APVMA and data for companion animal products based on active constituents already present in registered products).

Reviewers should use the following guidance when determining whether or not they relied on data to provide a positive recommendation (ie a recommendation for registration):

- (i) Where a piece of information has been used in any way to allow the reviewer to be satisfied that the application has met the legislative criteria and without it the reviewer would not be satisfied, the information must be considered to have been relied on (ie the 'but for' test—but for this information I would not be satisfied about the full application proposal).
- (ii) Where a piece of information fails to:
 - include the necessary information to allow the reviewer to be confident of the results
 or
 - produce results enabling the reviewer to be satisfied the use of the product is efficacious and safe to the animal, crop etc (see iii below for an exception)
 or
 - use appropriate methodology etc
 so that the reviewer has no confidence in the trial or the product's efficacy, the data should not be considered to have been relied on.
- (iii) A situation may occur where one or more trial reports failed to demonstrate adequate efficacy, but the reviewer was able to identify certain issues from the reports. As a result, the reviewer provides a positive recommendation on the application on the condition certain label statements are included (ie further instructions to ensure efficacious use). In such circumstances the information can still be considered relied on, as it gave a complete picture of the product's efficacy in relation to the label instructions.
- (iv) If a single report contains the results of a number of trials, the reviewer rejects the conclusions of one or more of the trials, but nevertheless relies on at least one of the trials to make a decision; the entire report will be considered to be relied-on. It is the report itself that is considered to be the distinguishable and identifiable piece of information.

Please note: In an effort to encourage competition in the market, the Australian Government's policy is that the APVMA will not protect any more information than is necessary for the APVMA to be satisfied. This stance may appear contradictory to the 'weight of evidence' approach previously applied. As a guide to how to apply this policy the following examples are provided:

- If the reviewer is able to be satisfied with the full application proposal, without using all of the information provided (ie the application included a number of very similar studies that did not add any additional value), the reviewer should advise the APVMA of this in the covering letter (at the Draft Technical Report² and Final Technical Report stages). If any particular studies were of greater relevance/importance than others to the reviewer's recommendations (were better conducted etc) the

² A reviewer may seek comment to confirm their views as to about the relied-on studies at the Draft Technical Report stage as the perspective of different States may influence the importance of different studies (locations/conditions etc) to national registration

reviewer should advise the APVMA which studies these were, in addition to providing advice as to the total number of studies considered necessary to support the proposal.

If no specific studies are recommended, the product evaluator will ask the applicant to choose the information to be protected. Please note: if the reviewer is unsure whether all the studies should be relied on or how many supporting studies should be relied on, the reviewer should simply consider all the studies to be relied on.

- Similarly, if there is critical information (eg a local trial) and a number of supporting studies (eg from overseas) that the reviewer has NOT relied on the reviewer should advise the APVMA which is the critical information and how many or which of the supporting studies are necessary in order to be satisfied legislative criteria are met.

If there are no guidelines on how much of the information is required and the reviewer is undecided on how many studies are sufficient, then the reviewer should consider them all to have been relied on and advise the APVMA accordingly.

If a reviewer is unsure of how to apply the above principles they should contact the APVMA product evaluator managing the application.

The Final Technical Report should be submitted to the APVMA in hard copy and electronically via e-mail (using Sigaba) or CD.

2.3 Technical report components/templates

The reviewer's Final Technical Report and recommendations to the APVMA essentially consist of three components, the:

- technical report
- covering letter
- data list (if data were provided with the application).

The APVMA has created templates to assist reviewers in providing their assessment reports and recommendations to the APVMA. Reviewers should use the templates provided.

- The template for the Draft and Final Technical Reports is provided in Attachment A. Explanatory notes for completing the Draft and Final Technical Reports are provided in Section 2.7.
- The template for providing recommendations in the covering letter is provided in Attachment B. Explanatory notes for using the template are provided in Section 2.9 and the Attachment B template specifies preferred wording.
- A data list will accompany each application where data are provided. Instructions to the reviewer for completing the data list (by noting which data were relied on) are provided in Section 2.2.

The Draft and Final Technical Reports may need to include a separate CCI appendix so that the efficacy and safety assessment can be released to the public without any confidential material being included (see Section 2.7).

As the APVMA provides the reviewer with a hard copy data list that is subsequently returned to the APVMA, it is unlikely that a reference list (bibliography) will need to be included in the Draft or Final Technical Report.

However, if required the APVMA can provide the State Coordinator or external reviewer with an electronic data list (in Microsoft Word format) for use as a bibliography/reference list.

2.4 Levels of assessment

The type and complexity of an application will determine what level of efficacy and target safety assessment will be conducted. The level of assessment will determine the timeframe and the fee payable by the APVMA. However, all Draft and Final Technical Reports must be in a similar format, irrespective of the level of assessment. The required format for the Draft and Final Technical Reports is set out in Attachment A of this manual.

Level 1 efficacy and safety assessment and reports

Level 1 is for applications that require an efficacy and safety assessment of:

- an agricultural chemical product containing:
 - a new active constituent; or
 - a new combination of active constituents; or
 - existing active constituent/s to be extended to a new use in a major crop or situation; or
 - a significant new formulation not included in level 2
- a veterinary chemical product for use in/on a major food-producing animal containing:
 - a new active constituent; or
 - a new combination of existing active constituents; or
 - existing active constituent/s for use in/on a new food animal.

Level 2 efficacy and safety assessment and reports

Level 2 is for applications that require an efficacy and safety assessment of:

- an agricultural chemical product containing :
 - an existing active constituent to be extended to a new use in a new minor crop or situation; or
 - an existing active constituent to be used to control a significant new pest or for a significant new purpose; or
 - an existing active constituent with a significant change to use pattern (eg lower or higher rate, more or less frequent applications, significant change to application methods such as aerial application); or
 - with a formulation change that requires evaluation of bioequivalence data
- a veterinary chemical product:
 - where the extension of use is in/on the same major food-producing animal; or
 - where a new formulation for a product for use in/on a major food-producing animal is not identical or closely similar to a reference product; or
 - to be used in/on a minor food-producing or companion animal (dog, cat or horse) where the product is not identical, closely similar or similar to a reference product.

Level 3 efficacy and safety assessment and reports

Level 3 is for any other application requiring an efficacy and/or safety assessment (eg label and formulation changes that may have a minor impact on efficacy or safety, trial protocol assessments).

2.5 Timeliness of assessments

The APVMA must keep within the timeframes prescribed in the Regulations to the Agvet Code. To do this, the APVMA provides reviewers with a timeframe, **which is a maximum**.

If the Draft Technical Report is sent to the APVMA/secondary State reviewers after the due date, the available time for comments is reduced. This may leave the APVMA/secondary State reviewers with insufficient time to provide comments.

The APVMA strongly encourages reviewers to provide the Draft and Final Technical Reports as quickly as possible and within the set timeframe. *(Note for State department reviewers; please direct all Draft and Final Technical Reports via your State Coordinator, not directly to the APVMA.)*

A schedule according to the level of assessment and the type of Deed is provided in Table 1.

Table 1: Schedule for submitting efficacy or safety reports - state and external reviewer

EVENT	LEVEL OF ASSESSMENT		
	LEVEL 1	LEVEL 2	LEVEL 3
1. Receive invitation and agree to conduct assessment	Within 5 working days	Within 5 working days	Within 5 working days
2. Receive data and work order (including the reviewer declaration)	Week 0	Week 0	Week 0
3. Acknowledge receipt of data and work order within 24 hours of receipt	24 hours after receipt	24 hours after receipt	24 hours after receipt
4. Accept work order (including timeframe and fee) and return signed reviewer declaration within 7 days of receipt	7 days after receipt	7 days after receipt	7 days after receipt
5. Submit DTR to the APVMA (and interested States for comment)	Week 13 <i>(and States for comments)</i>	Week 9 <i>(and States for comments)</i>	Week 7 <i>(usually no distribution to States)</i>
6. APVMA and interested States supply comments on DTR to primary reviewer	Week 17	Week 13	Not usually required
7. Submit FTR to the APVMA, including the signed work order	Week 21 <i>(and distribute to interested States)</i>	Week 15 <i>(and distribute to interested States)</i>	Week 9 <i>(usually no distribution to States)</i>
8. The APVMA finalises work order and completes quality assessment	Within 16 days of receiving the FTR	Within 16 days of receiving the FTR	Within 16 days of receiving the FTR
9. Tax invoice received by the APVMA	Payment of tax invoice within 30 days	Payment of tax invoice within 30 days	Payment of tax invoice within 30 days

2.6 Disposal of data

APVMA C-I-C information / materials (data, information, studies, research or trial work) that the APVMA has sent to reviewers may be disposed of in different ways:

State reviewer

- retain all APVMA C-I-C information / materials in a secure archival quality location; or
- arrange for secure destruction of all APVMA C-I-C information / materials; or
- return all APVMA C-I-C information / materials to the APVMA.

External reviewer

- arrange for secure destruction of all APVMA C-I-C information / materials; or
- return all APVMA C-I-C information / materials to the APVMA.

Do not put APVMA C-I-C information into a normal garbage disposal service, unless it has been shredded. If you are using a shredder to securely dispose of APVMA C-I-C information use only a B Class crosscut shredder, which reduces waste to a particle size of 2.3mm x 25mm or less.

If unsure of the most appropriate and cost-effective method for destruction of APVMA C-I-C information / materials the State or external reviewers should liaise with the relevant contact officer at the completion of the assessment.

2.7 Using the template for the Draft and Final Technical Reports for assessment of efficacy and safety

A copy of the template is at Attachment A. The template is the same for both the Draft and Final Technical Reports. The template contains five key sections:

Introduction

1. Application details
2. Executive summary

Report body

3. Assessment of information:
 - a. Summary of published supporting information
 - b. Assessment of trial data
4. General conclusions on the proposed label claims

Appendix

5. Confidential Commercial Information appendix.

Explanatory notes for each of these sections are provided below:

1 APPLICATION DETAILS

This section should briefly outline the purpose of the application and any other relevant background information provided by the applicant such as the proposed role of the product (where it fits in the proposed area of use) and its mode of action. This information should be in the application overview provided by the applicant.

2 EXECUTIVE SUMMARY

When the APVMA grants an application for a new product or variation to a registered product, it is required by law under Regulation 22C (2) of the Agricultural and Veterinary Chemicals Code Regulations 1995 to publish a summary of the advice that it relied on to grant the application. The published summary of advice includes:

- a list of the data that the reviewer considered relevant to providing a positive recommendation (i.e. the data list. See Section 2.2 for details)
- an executive summary (or abstract) of the advice provided:
 - kind of information given;
 - advice given on trials and related matters;
 - summary of results; and
 - conclusions.

Reviewers will be required to provide an executive summary when making a positive recommendation on an application (ie a recommendation to register). Only the use patterns that are supported in the Final Technical Report should be discussed in the executive summary (ie all proposed label claims/changes or only some of the label claims/changes if not all are supported). Only information relied on³ to make the positive recommendation should be referred to in an executive summary.

The executive summary should not be a detailed account of the assessment but a brief summary of approximately two (2) pages maximum. In most applications it will be much less. It should only be an overview of the type of information provided and relied on and its suitability or relevance to the making of a positive recommendation. As such it need only provide a brief overview of the following:

- any supporting information, such as any important supporting published references or scientific argument - (see 3a below)
- types of trials/studies provided including matters such as the type, scale, the design and methodologies used (see 3b below)

³ See Section 2.2 of this manual for instructions on determining which data were relied on.

- suitability of trials, including matters such as the design, location, timing, relevance of formulations tested, to the use proposed for registration
- a summary of the results from trials relied on
- the resulting conclusions as to whether the data provided justify the label claims, directions for use and other label instructions relevant to product efficacy and safety.

The executive summary is similar to an abstract for a scientific paper. A simple application (eg proposing only one new use) may only need a few paragraphs covering all the points above. Only applications proposing many new and different use patterns, or using unusual technology requiring lengthy explanation, should require an executive summary longer than two pages.

For multiple new uses (e.g. several new pest/crop or disease/target animal situations) it is important to group the trial results used to justify each extension of use.

Examples of executive summaries can be seen in the advice summaries published by the APVMA on its website.

It is essential that only the data relied on in making a positive recommendation are referred to in the executive summary. Any information not relied on to make a positive recommendation, or related to use patterns that are not supported, should not be included in the executive summary and should only appear in the CCI appendix of the report (see 3b and 5 below). The reasons for this are explained in 5 below.

The executive summary should not be prepared until all the relevant information has been considered and a position or recommendation reached (i.e. it should be the last section completed by the reviewer).

3 ASSESSMENT OF INFORMATION

In this section the reviewer is required to present their assessment of each piece of information provided in the application. The information provided with the application may be in the form of trial reports, published papers and/or scientific argument.

Where an application involves the assessment of multiple product uses reviewers should repeat 3a and 3b for each product use that is being assessed.

3a Assessment of published supporting information or scientific argument

For applications that include supporting information from the public domain or scientific argument presented by the applicant, reviewers are requested to provide a brief summary of the information that is relevant to the application purpose. Where published information and/or scientific argument are critical to demonstrating efficacy or target safety, a more detailed critique of the information will be required.

In this section it is not necessary to provide a summary of each document provided (as is the case in 3b below), only a discussion of the important matters in relation to the application.

3b Assessment of study/trial data

For applications that include study/trial data, reviewers are required to provide a summary (and assessment) of each study provided. Each summary must identify the study or piece of information and describe the content of the study, the parameters of the assessment, what was demonstrated (ie the conclusion of the study) and include the reviewer's critical comment or interpretation of the information. To assist in providing this information a series of headings are suggested in the report template. The type of information sought under each heading is described and explained below. Reviewers may provide their comments in dot point or narrative form.

The following requirements are a minimum and will vary between applications. Reviewers should feel free to add information as appropriate for individual cases.

Identification of the study/trial

- An appropriate identifier that links the summary to the study and data list should head each study summary. This should include, as a minimum, the APVMA data number (obtained from the data list), but may include other identifiers such as the applicant's reference number (identified on the study/trial report and the data list eg Study 1506-2), the study title, authors⁴.

Brief description of the study/trial design and experimental conditions

- Identify the animal/crop, disease/pest dose/rate, application method, etc.
- Identify the experimental design, controls used, treatment size, replicates etc.
- Indicate whether the actual formulation of the chemical product proposed for registration was or was not used.

Appropriateness of the study/trial design and experimental conditions

- Comment on the appropriateness of controls; treatment group size; number of replicates; sex, age and type of animal; plant varieties and stage of growth.
- Comment on the appropriateness of dose/application rate, method of application/administration.
- Comment on the appropriateness of experimental conditions such as pest/disease pressure, weather conditions, soil types.

Analysis of data and interpretation

- Provide a summary of the statistical analysis (if used) and interpretation of its validity.
- Provide a summary of the results as appropriate to the product use/s being assessed.

⁴ Note comment in Section 2.3 regarding availability of an electronic data list (in Microsoft Word format).

Validation

- Where possible reviewers are requested to indicate whether they consider the persons responsible for trials, the location of trials, the date and duration of trials to be acceptable.

Conclusions from each trial

- Comment on the general applicability to the product's claims, and its use under normal conditions (ie the clinical, environmental or agronomic conditions that may be experienced during the product's use if registered).

NOTE: Each study/trial must be individually assessed / documented according to the above principles.

Where multiple uses (claims) are being proposed the summaries should be presented in a logical format with respect to the main claims (ie species, crop, disease) to assist the reviewer and the APVMA product evaluator to assess the application.

Reviewers may present their assessment of the studies in tabular form (see example in Attachment F). This is acceptable provided all of the matters outlined above are addressed and presented in a clear and logical format.

It is suggested that reviewers consider and document each study as described above before proceeding to the next section. Even studies which ultimately are not relied on to provide a positive recommendation must be documented as it must be clear to the APVMA why the report recommendations have been reached. It may also be necessary for the APVMA to explain to the applicant why certain studies have not been relied on (it is expected that for each study not relied on, reasons will be provided eg 'The study was not relied on because...'). Where a positive recommendation is made all assessments and discussion of data that did not contribute to the reviewer making that recommendation (ie the data were not relied on as described in Section 2.2) must be moved to a CCI appendix (see 5 below).

4 GENERAL CONCLUSIONS ON THE APPROPRIATENESS OF PROPOSED LABEL CLAIMS

Up to this point, the reviewer has focused on summarising and assessing published information and individual studies. In this section the reviewer must bring together all the information provided, to consider the weight of evidence presented in support of the product's efficacy and target safety and interpret the information in relation to the proposed label claims and instructions. From a regulatory perspective it is essential that these considerations be documented in the Draft and Final Technical Reports to demonstrate the decision pathway leading to the recommendations.

Recommendations provided in the Draft and Final Technical Reports should be based only on the data and other information provided with respect to the label claims and instructions (eg 'The data demonstrate that the product, when applied in accordance with the label directions, is effective in controlling the pest across the range of conditions that would be expected during commercial use'). This section should **not** include any comments the reviewer may wish to make about the suitability of the product for registration (eg 'I recommend that the product be registered'). These comments should only be included in the covering letter.

The reviewer may wish to comment on issues apart from efficacy and target safety. These comments must be made in the covering letter, and must not be included in the Draft and Final Technical Reports.

Where the reviewer intends to make a positive recommendation, any discussion of studies that were not relied on to make the recommendation must not be included in this section, but rather should appear in a CCI appendix (see 5 below).

In order to provide the APVMA with the information it requires, the following issues should be addressed in this section where relevant:

Do trial data and other information support the specific label claim/s and the directions for use?

- Discuss results in respect to label claims and instructions for use.
- If trial data or other information do not support the proposed claims, do you have suggestions for reduced or other claims that are supported by data? If so, these suggestions will help APVMA product evaluators to negotiate more suitable claims, where this may be possible and appropriate.
- If trial data or other information do not support the directions for use, do you have suggestions for alternative directions for use that are supported by data?

Are restraints and other label statements relating to efficacy and safety appropriate?

- Please comment. If you do not support the proposed statements, if possible please suggest alternatives, which are supported by the data or other information as well as having regard to the current agriculture and veterinary labelling codes.

Comments on the presentation of data

- The APVMA and applicants appreciate feedback on the presentation of data. You may choose to comment on such issues as cross-referencing, clarity of photocopies, and ease in reading and understanding complex, tabulated data or graphs.

Summary of overall conclusions that can be drawn from the submission

- Comment on the overall conclusions that can be drawn from the body of information supplied.

5 CONFIDENTIAL COMMERCIAL INFORMATION (CCI) APPENDIX

When a reviewer is providing a positive recommendation on an application and one or more studies/trial data were not relied on to make the positive recommendation, all assessment and discussion of those studies must be considered CCI and located only in the CCI appendix (ie removed from the report body and the executive summary etc).

The reason that references to information not relied on to make a positive recommendation must be moved to the CCI appendix is that it ensures that the APVMA does not publicly release details of information that will not be protected. Only information relied on to **grant** an application (ie register a use) is eligible for

protection. Furthermore the APVMA is only authorised (by section 34G of the Agvet Code) to publish a summary of the advice that was used to grant an application. The content of the executive summary is published as the 'summary of advice' and the report content (minus the CCI appendix) may be released to members of the public on request.

The following example illustrates the use of the CCI appendix:

- An application seeks the registration of two use patterns (A and B).
- Ten studies are supplied to support each use pattern.
- The 10 studies supplied to support use pattern A all demonstrate that the product is efficacious and all of the studies are relied on to support the recommendation that the product should be registered for use pattern A.
- Of the 10 studies supplied to support use pattern B, four indicate that the product should be efficacious for the use, but six of the studies do not support the product's efficacy. The different results cannot be explained and due to this the reviewer's recommendation is that the registration of use pattern B should not be supported.
- The assessment and discussion of all studies related to use pattern B must be moved to the CCI appendix of the report (which should also include discussion as to why the studies did not support registration of use pattern B). These studies should also not be discussed/mentioned in the executive summary.
- Only the assessment and discussion of the studies related to use pattern A (and relied on to make the recommendation to register) should be included in the body of the Draft/Final Technical Report (and discussed in the executive summary).

If a reviewer needs to include CCI in a Final Technical Report (ie assessment of studies not relied on or other CCI information), it must be provided as an appendix to the main report and must not be e-mailed to anyone (e-mail is not a secure means of information delivery). Each page of the appendix must be clearly labelled (in bold capital letters as shown) in the header or footer:

CONFIDENTIAL COMMERCIAL INFORMATION

See Section 1.7 for details of the type of information that is considered CCI. If a reviewer is unsure whether certain information may be considered to be CCI (or where it should be placed in a Draft or Final Technical Report) they should contact the APVMA product evaluator managing the application for clarification. (*Note for State department reviewers; please direct all questions concerning CCI via your State Coordinator, not directly to the APVMA*).

2.8 Completing the data list

It is essential the reviewer complete the data list by marking in the 'relied on' column (last column to the right of the data list) which of the data supplied (public domain, published information and study/trial data) they relied on to make a positive recommendation. This allows the APVMA to quickly update information systems relating to data protection and transparency requirements. No action is required when the recommendation is negative.

Data relevant to the efficacy and safety assessment may typically be located in the data list by the data type 'Efficacy and Safety'. However it is important to note that on occasion some of the relevant information may be listed in the data list with an alternate data type identifier. For example as discussed in section 1.5, data addressing the effect of the product on non-target plants, animals and organisms that may be relevant to the assessment of efficacy and safety may be located in the environment data part (Part 7) and could therefore potentially be listed against the 'Environment Toxicology' data type identifier.

With respect to published information included in the data list, reviewers are required to advise whether or not they relied on the information to give a positive recommendation. Although publicly available information is not eligible for protection the APVMA is required to publish a full list of the information that was relied on to grant an application.

2.9 Using the covering letter template

It is essential that the reviewer's recommendations comply with the APVMA's legislative framework (see Section 1.2). The recommendations the reviewer provides to the APVMA will form the basis on which decisions on efficacy and target safety will be made. The wording provided in the covering letter template (see Attachment B in this manual) ensures compliance with the APVMA's legislative framework.

For both the Draft Technical Report and the Final Technical Report:

- Clearly state position (there are 5 options in the templates);
- What is supported v What is not supported v Any caveats;
- Elaborate on recommendations, if relevant;
- Advice on future applications, if relevant; and
- Comment on policy or other issues, if appropriate.

The covering letter is not treated as confidential by the APVMA, but it is not normally released to the applicant. A covering letter must be included at both the Draft and Final Technical Report stages and must clearly state a position (ie it must state clearly what is and what is not supported and indicate any caveats). This is as important at the Draft Technical Report stage as it is at the Final Technical Report stage. At the draft stage it provides the secondary reviewers commenting on the report a position to either agree or disagree with (or to suggest modifications to).

Reviewers may choose to elaborate on their recommendations in the covering letter, to provide advice regarding future applications or include comments not related to efficacy and safety. At the Draft Technical Report stage a reviewer may use the covering letter to solicit comment from other States or reviewers on specific issues arising from their assessment that could, for example, affect various States in different ways.

External reviewers may be contacted by the APVMA product evaluator (through the State Coordinator for State reviewers) to clarify issues in their Draft or Final Technical Reports.



ATTACHMENTS

ATTACHMENT A: TECHNICAL REPORT TEMPLATE

(See Section 2.7 of the manual for explanatory notes.)

Draft

Final

1. Application details

APPLICANT:	
PRODUCT NAME:	
APPLICATION NUMBER:	

Purpose of application

Include a brief description of the application purpose and any other relevant background information.

2. Executive summary

Provide an overview (abstract) of the type of information provided (and relied on) and its suitability/relevance to the making of a positive recommendation. As a guide the executive summary should address:

- supporting information or argument
- types of studies/trials provided
- suitability of studies/trials provided
- summary of the results from studies/trials relied on
- the conclusions resulting from the assessment of the information provided.

3. Assessment of information

Proposed product use/extension of use (eg citrus, sheep)

Where multiple uses are being assessed provide suitable headings relating to the use being assessed. Sections **a** and **b** below must be repeated for each product use that is being assessed.

3a: Assessment of published supporting information or scientific argument

Provide a summary of supporting information from the public domain or scientific argument presented by the applicant, as relevant to the application purpose.

3b: Assessment of study/trial data

Provide a summary/assessment for each study/trial submitted. Comments may be provided in dot point or narrative form and may be presented in tabular form if more convenient. It is essential that the following matters be addressed for each study as detailed in Section 2.7.

Identification of the study/trial

This should clearly link the summary/assessment to the study and data list.

- Brief description of the study/trial design and experimental conditions

- Appropriateness of the study/trial design and experimental conditions
- Analysis of data and interpretation
- Validation
- Conclusions from each trial

This should be repeated for each study. Reviewers need not feel restricted to the above headings, but the information required by the APVMA as described in Section 2.7 of this manual must be provided in a clear and logical format. An example of a tabular presentation is in Attachment F.

4. General conclusions on the appropriateness of proposed label claims

Provide a consolidated discussion that brings together all the information provided and interpret it in relation to the proposed claims and label instructions. It should include the following matters:

- Do trial data and other information support the specific label claim/s and the directions for use?
- Are restraints and other label statements relating to efficacy and safety appropriate?
- Comments on the presentation of data
- Comments On the overall conclusions that can be drawn from the submission

5. Confidential Commercial Information appendix

All assessment and discussion of the studies not relied on must be considered CCI and placed in this appendix (see Section 2.7). Each page of the appendix must be clearly labelled in the header or footer in bold capital letters: **CONFIDENTIAL COMMERCIAL INFORMATION.**

ATTACHMENT B: COVERING LETTER TEMPLATE

Please choose between the standard statements provided in the template when writing your recommendations. These types of statements help APVMA evaluators in determining the efficacy and target crop or animal safety of a product.

1. Positive recommendation with no caveats

It is my opinion that use of [*product name and application number*] according to the label instructions:

- would not be likely to have an unintended effect that is harmful to the target animals (ie for vet products)/target crop/things [*choose relevant terms and delete others*]
- would be effective as claimed on the label.

2. Positive recommendation with suggested APVMA action

It is my opinion that use of [*product name and application number*] according to the label instructions:

- would not be likely to have an unintended effect that is harmful to the target animals (ie for vet products)/target crop/things [*choose relevant terms and delete others*]
- would be effective as claimed on the label.

I further advise that the APVMA consider the following:

- i)
- ii)

3. Positive recommendation with caveats

It is my opinion that use of [*product name and application number*] according to the label instructions:

- would not be likely to have an unintended effect that is harmful to the target animals (ie for vet products)/target crop/things [*choose relevant terms and delete others*]
- would be effective as claimed on the label

if the following label modifications or restrictions are applied:

- i)
- ii)

4. Negative recommendation with further information required

It is my opinion, based on the data provided with the application, that the APVMA can NOT be satisfied that the use of [*product name and application number*] according to the label instructions:

- would not be likely to have an unintended effect that is harmful to the target animals (ie for vet products)/target crop/things [*choose relevant terms and delete others*]
- would be effective as claimed on the label.

(You may need to edit or delete one of the above statements.)

In order for the APVMA to further consider this submission, the applicant must provide the following information or answer the following questions:

i)

ii)

5. Negative recommendation

It is my opinion based on the data provided with the application that the APVMA can NOT be satisfied that use of [*product name and application number*] according to the label instructions:

- would not be likely to have an unintended effect that is harmful to the target animals (ie for vet products)/target crop/things [*choose relevant terms and delete others*]
- would be effective as claimed on the label.

(You may need to edit or delete one of the above statements.)

The basis of this recommendation is detailed below:

(A description of reasons must be given.)

In future applications, the applicant is advised to:

i)

ii)

ATTACHMENT C: APVMA WORK ORDER

TO: State Department /ASP: ...**State** Efficacy / Safety Reviewer: **Name**

APVMA	1. PRODUCT NAME: Name
	2. APPLICANT: Company
	3. APVMA EVALUATOR: Name. , Tel 02 6210 Extension ..or Name @apvma.gov.au
	4. APPLICATION CATEGORY :
	5. EFFICACY LEVEL: Efficacy Level 1 <input type="checkbox"/> Special Efficacy Level 1 expected >48 hours <input type="checkbox"/> Efficacy Level 2 <input type="checkbox"/> Special Efficacy Level 2 expected >21 hours <input type="checkbox"/> Efficacy Level 3 <input type="checkbox"/> Special Efficacy Level 3 expected >11 hours <input type="checkbox"/> Timeframe FTR: Weeks Fee: \$ Delegates signature:..... Date:...../...../..... Print delegate's name:
AGENCY / ASP	6. STATE DEPARTMENT / ASP – TO COMPLETE AT DIFFERENT TIMES [A-C]
	A. Please acknowledge receipt of the data and work order by fax within 24 hours of receipt (as specified in section 8). Fax this page to the APVMA - Vet Meds (02) 6210 4741 or Pesticides (02) 6210 4776. Signed :..... Organisation: Print name: Date:..... /..... /.....
	B. Within 7 days of receipt of the data, please acknowledge acceptance of the work order (including timeframe and fee) and return the completed and signed reviewer declaration. Fax this page to the APVMA - Vet Meds (02) 6210 4741 or Pesticides (02) 6210 4776. Signed :..... Organisation: Print name: Date:..... /..... /.....
	C. At completion of DRT, please send the draft report to: <input type="checkbox"/> APVMA <input type="checkbox"/> Others: [APVMA to specify]

AGENCY / ASP	7. STATE DEPARTMENT / ASP TO COMPLETE ON FINALISATION OF JOB			
	<p>When required service is finalised, please complete the following details and attach a signed copy of the work order to the FTR.</p> <p>A: State reviewer / ASP signature</p> <p>B: Finalisation Date: / / C. Efficacy level: D. Service Fee: \$</p> <p>When required service is finalised, please complete the following details and attach a signed copy of this page to the final technical report.</p>			

APVMA	8. DATA PACKAGE	Overview – Part 1	Efficacy – Part 8	Other
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APVMA	9. SERVICE PERFORMANCE STANDARDS - TIMEFRAMES:			
	<i>State / ASP</i>	Date Data Sent	Date Due	Timeframe
		DTR --		
		FTR -		

APVMA	10. SERVICE PERFORMANCE STANDARDS - PAYMENT FOR SERVICE:					
	State / ASP	Date of Receipt	Days to Complete Service	Level of Service	Signed reviewer declaration received	Service Charge
			I agree I disagree	I agree I disagree	I agree I disagree	\$

1) The work associated with this work order complies with the following quality criteria:

- a. Key scientific issues identified;
- b. Clear linkages between data, risk assessment and risk management proposals;
- c. Overall risk assessment based on analysis and well-reasoned scientific argument (such as discussing the validity and relevance of the information considered, including the source, the appropriateness of any experimental methodology, and relevance to the regulatory proposal);
- d. Risk management proposals are appropriate to the risk assessment.
- e. The work / report must contain the following elements:
 - Appropriate use of the technical report format / template (including the data list where appropriate) and summarising of the study results (such as discussing the case that the information or body of evidence makes in relation to the proposal – results, consistency of results and that the facts are proven etc.);
 - Readability - good use of headings, clear style with no ambiguous or inconclusive arguments or tautologies;
 - The use of correct grammar, spelling, and punctuation;
 - Clearly set out table formats and pagination (where appropriate); and
 - Clear and accurate referencing throughout.
- f. The absence of personal philosophies or unpublished organisational policies by the external service provider, such as:
 - rejecting data on the basis of disagreement concerning the APVMA data requirements; and
 - accepting data that does not comply with the APVMA data requirements.

2) When finalising this work order I had issue/s with the following quality criteria:

.....
.....
.....
.....
.....

Product evaluator signature: _____ **Date:** ____/____/____

3. Print product evaluator name: _____

ATTACHMENT D: STATE EFFICACY REVIEWER DECLARATION

Product (NCRIS) **Number** Application (ATS) number **Number**:

Product name: **Name**

Applicants name: **Name**

[All relevant boxes must be ticked]

Confidential Commercial Information

1. I am aware of the confidentiality obligations under the Agvet Codes, in particular that the existence of the applications to the APVMA to which this work order relates is not a matter I can disclose to any other person outside the State department or other State Coordinators.

Conflict of Interest

2. In relation to the Chemical Product or Active Constituent, which is the subject of this work order:

	Yes	No
(a) Have I been involved in trials or other research and development sponsored by the registrant or applicant?		
(b) Have I been involved in trials or other research and development in relation to the product being assessed?		
(c) Do I hold shares in the registrant's or applicant's company, or have any other personal financial involvement with the registrant or applicant?		
(d) Am I involved in trials or other research and development work with another registrant or applicant who has a chemical product that is in direct competition with the Chemical Product that will be assessed?		
(e) Am I aware of a conflict of interest between the application, including the material being assessed and any other review or research work that could adversely impact on an objective review of the material?		

I certify that the above is true and correct and that I will exercise my own independent judgement and professional expertise regarding the above mentioned application.

Print reviewer name

Sign

Date

Additional information from State department employees

Product (NCRIS) number: [Number](#)

Application (ATS) number: [Number](#)

Applicants name: [Name](#)

- 1) In relation to the Chemical Product or Active Constituent, which is the subject of Work Order [\[insert work order number\]](#), I consulted with the following persons in relation to the service certification:

I certify that in making the recommendations in the Final Technical Report that I submitted to the State coordinator I exercised my own independent judgement and professional expertise.

Print reviewer name Sign Date

I certify that the Final Technical Report sent by [\[insert state name\]](#) has no major changes that affect the final recommendations.

Print reviewer name Sign Date

Please note this document must be returned with the acknowledgement of receipt of data prior to the commencement of the data assessment (refer to sections 1.7 – Confidentiality and 1.8 Conflict of Interest in the reviewers' manual).

ATTACHMENT E: EXTERNAL EFFICACY REVIEWER DECLARATION

Product (NCRIS) [Number](#) and Application (ATS) number [Number](#)

Product name: [Name](#)

Applicants name: [Name](#)

[All relevant boxes must be ticked]

Confidential Commercial Information

3. I am aware of the confidentiality obligations under the Agvet Codes, in particular that the existence of this application to the APVMA to which this work order relates is not a matter I can disclose to any person outside the APVMA.

Conflict of Interest

4. In relation to the Chemical Product or Active Constituent, which is the subject of this work order:

	Yes	No
(a) Have I been involved in trials or other research and development sponsored by the registrant or applicant?		
(b) Have I been involved in trials or other research and development in relation to the product being assessed?		
(c) Do I hold shares in the registrant's or applicant's company, or have any other personal financial involvement with the registrant or applicant?		
(d) Am I involved in trials or other research and development work with another registrant or applicant who has a chemical product that is in direct competition with the Chemical Product that will be assessed?		
(e) Am I aware of a conflict of interest between the application, including the material being assessed and any other review or research work that could adversely impact on an objective review of the material?		

I certify that the above is true and correct and that I will exercise my own independent judgement and professional expertise regarding the above mentioned application.

Print reviewer name

Sign

Date

Please note this document must be returned with the acknowledgement of receipt of data prior to the commencement of the data assessment. (refer to sections 1.7 – Confidentiality and 1.8 Conflict of Interest in the reviewers' manual)

ATTACHMENT F: EXAMPLE OF TABULAR FORMAT FOR PRESENTING STUDY ASSESSMENTS IN SECTION 3B OF THE TECHNICAL REPORT (FOR PRODUCT Y)

USE PATTERN: Antarctic wheat aphid in wheat

STUDY APVMA data #: Applicant ref:	HOST/ PEST	APPLICATION METHOD/RATE/ TIMING	LOCATION	EXPERIMENTAL DESIGN / CONTROLS	PLOT SIZE / REPS	ASSESSMENT PARAMETERS	ANALYSIS	PEST PRESSURE	RESULTS	CONCLUSIONS AND REVIEWER COMMENTS
0012 SOV95	Dollarbird Wheat / Antarctic wheat aphid	Boom on Quad bike using flat fan nozzles. Spray quality medium (approx 175-250 □m VMD) Subject formulation applied at 3L/ha (equiv to 100g ai/ha) in 100L/ha water. Application occurred at visual signs of damage	Tamworth, NSW (2002)	Randomised Block Untreated control, Product X (Industry standard applied at label rates) and Product Y (same formulation as proposed for registration)	15m X 4 rows 5 reps	Aphid damage (score data) and Crop Yield	ANOVA All score type data was appropriatel y transformed before analysis	The control treatment demonstrate d that the pest pressure was high. High numbers of aphids were observed.	Application of Product Y at 3L/ha significantly decreased aphid damage and increased crop yield (by 30%) when compared to the untreated control. This was equivalent to the industry standard.	The control treatment demonstrated that heavy aphid pressure existed. The pest was appropriately identified and the trial location and conduct were acceptable. The assessment parameters were appropriate. The subject product was applied in accordance with the proposed label directions. No phytotoxicity of the chemical was observed during the trial. Supportive of efficacy
0013 DYR56	Janz Wheat Antarctic wheat aphid	Boom on tractor using flat fan nozzles. Spray quality medium (approx 175-250 □m VMD) Subject formulation applied at 3L/ha (equiv to 100g ai/ha) in 100L/ha water at visual signs of damage	Wagga Wagga, NSW 2003	Randomised Block Untreated control and Product Y (same formulation as proposed for registration)	4m X 6 rows 10 reps	Crop yield	ANOVA	Pest pressure was sufficient to cause a commerciall y unacceptabl e level of damage	Application of product Y increase crop yield by 20% when compared to the untreated control	The pest was appropriately identified and no other insect pests were present. All facets of the trials conduct were acceptable. Pest pressure was at a level that commercially would have required control to maintain economic viability of the crop and this is reflected by the higher yield obtained in the treated plots. The product was applied in accordance with the proposed label directions. No comments were provided on phytotoxicity. Supportive of efficacy

ATTACHMENT G: EXEMPTION FROM LIABILITY FOR DAMAGES - GUIDANCE FOR EXTERNAL AND STATE EFFICACY REVIEWERS

The APVMA is unable to provide legal advice to external parties this must be obtained independently. External and state efficacy reviewers are covered by section 69H of the *Agricultural and Veterinary Chemicals (Administration) Act 1992* (the Admin Act) (exemption from liability for damages). Any concerns about liability and indemnity can be answered with a careful reading of section 69H of the Admin Act which is as follows:

69H EXEMPTIONS FROM LIABILITY FOR DAMAGES

- (1) Subject to subsection (3), no action, suit or other proceeding for damages lies against the Commonwealth, the APVMA, or any other Commonwealth authority, or a person who is or has been an officer or employee of the Commonwealth, of the APVMA or of any other Commonwealth authority, or is or has been a delegate of the APVMA, a director of the APVMA, a consultant to the APVMA, an inspector, or a mediator or arbitrator appointed by the APVMA under any of the Agvet Codes, for any loss or injury directly or indirectly suffered as a result of:
- (a) the handling of an approved active constituent for a proposed or existing chemical product; or
 - (b) the handling of a registered chemical product, a registered listed chemical product or a reserved chemical product; or
 - (c) the handling of an active constituent for a proposed or existing chemical product, or of a chemical product, in respect of which a permit or exemption has been issued or given by the APVMA; or
 - (d) an inability to use, or to use in a particular manner, an active constituent for a proposed or existing chemical product:
 - (i) because an approval, permit or exemption permitting its use, or permitting its use in that manner, has been refused by the APVMA or such an approval, permit or exemption that was previously granted by the APVMA has been suspended or cancelled; or
 - (ii) because its use, or its use in that manner, is precluded by the conditions of an approval, permit or exemption; or
 - (e) an inability to use, or to use in a particular manner, a chemical product:
 - (i) because a registration, listed registration, permit or exemption permitting its use, or permitting its use in that manner, has been refused by the APVMA or such a registration, listed registration, permit or exemption that was previously granted by the APVMA has been suspended or cancelled; or
 - (ii) because its use, or its use in that manner, is precluded by the conditions of a registration, listed registration, permit or exemption; or
 - (f) the carrying out of a step in the manufacture of a chemical product in respect of which a licence has been issued by the APVMA; or
 - (g) an inability to carry out, or to carry out in a particular manner or at particular premises, a step in the manufacture of a chemical product:
 - (i) because a licence to carry out that step, or to carry out that step in that manner or at those premises, has been refused by the APVMA or such a licence that was previously granted by the APVMA has been suspended or cancelled; or
 - (ii) because the carrying out of that step, or the carrying out of that step in that manner or at those premises, is precluded by the conditions of a licence.

As you will notice section 69H of the Admin Act provides a very broad indemnity for external and state reviewers in relation to actions arising in the circumstances set out above

GLOSSARY

Agvet Code	Agricultural and Veterinary Chemicals Code
APVMA	Australian Pesticides and Veterinary Medicines Authority
ASP	Alternate Service Provider
CCI	Confidential Commercial Information
DTR	Draft Technical Report
FTR	Final Technical Report
MORAG	Manual of Requirements and Guidelines
OH&S	Occupational health and safety
SLA	Service level agreement

REVISION HISTORY

Revision date	Description of revision
01/10/05	First edition
01/04/06	Second edition: <ul style="list-style-type: none"> • Updates to sections 1.1, 1.2, 1.3, 1.5, 1.6, 1.7, 1.8, 1.9, 1.11, 1.13, 2.1, 2.2, 2.3, 2.5, 2.6, 2.7, 2.8, glossary, Attachment A, Attachment B and Attachment D; and • Additions to the manual – Attachment E and Attachment F
01/10/06	Third edition – no updates
01/04/07	Fourth edition: <ul style="list-style-type: none"> • Updates to - sections 1.1, figure 1 – The efficacy and safety assessment process, 1.3, 1.4, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 2, 2.1, 2.2, 2.5, Table 1: Schedule for submitting efficacy or safety reports – state reviewer and external reviewer (long-term contract), 2.7, 2.9, Attachment C – Work Order, Attachment D – State Efficacy Reviewers Declaration, Attachment F – External Efficacy Reviewers Declaration, Glossary; and • Additions to the manual - Table 2: Schedule for submitting efficacy or safety reports – external reviewer (short-term contract), Attachment H – Exemption from Liability for Damages - Guidance for External and State Efficacy Reviewers and Attachment E – Additional Information from State Department Employees
01/10/07	Fifth edition: <ul style="list-style-type: none"> • Update to section 1.4, 1.5 and 2.8
01/05/08	Sixth edition: <ul style="list-style-type: none"> • Updates to section 1.3, 1.3 - Figure 1 The efficacy and target animal/crop safety assessment process, 1.4 and 2.6
01/07/09	Seventh edition: <ul style="list-style-type: none"> • Updates to section 1.3, 1.3 - Figure 1 The efficacy and target animal/crop safety assessment process, 1.4, 2.6, Attachment C – Work Order, Attachment D – State Efficacy Reviewers Declaration and Attachment E – External Efficacy Reviewers Declaration
01/07/10	Eighth edition: <ul style="list-style-type: none"> • Updates to section 1.3, 1.3 - Figure 1 The efficacy and target animal/crop safety assessment process, 1.4, 1.7, 1.8, 2.5 – Table 1: Schedule for submitting efficacy or safety reports – state and external reviewer
01/07/11	Ninth edition: <ul style="list-style-type: none"> • Updates to section 1.3 and Attachment 3 - APVMA work order