



growcom
together we grow



Submission to the
Quarantine and Biosecurity Review Panel
on the
**Quarantine and Biosecurity Review
Issues Paper**

April 2008

Contents	Page No.
Introduction	3
1. About Growcom	4
2. About the Queensland horticulture industry	4
3. Growcom's policy on biosecurity	5
4. Risk across the quarantine and biosecurity continuum	6
4.1 Overall biosecurity and quarantine system in Australia	6
4.2 Appropriate level of protection and acceptable risk	7
4.3 Import Risk Analysis	9
4.4 In the event of an incursion	10
4.5 On-farm biosecurity systems	11
4.6 Multi-peril crop insurance	12
4.7 Other issues	13
5. The legislative framework	14
6. Jurisdictional and institutional arrangements	15
6.1 State government biosecurity services	15
6.2 Interstate certification assurance arrangements	15
6.3 Australian Quarantine and Inspection Service	17
6.4 Plant Health Australia	17
6.5 Industry Outpost Officers	18
7. Culture, efficiency and resourcing	19
7.1 Importance placed on plant biosecurity	19
7.2 State government biosecurity resources and response capacity	19
7.3 Market access	20
8. Communication and consultation	21
8.1 Meaningful engagement and consultation with industry	21
8.2 Public awareness of biosecurity risks	22
9. Research	22
10. Review	24
11. Conclusion	24

Growcom submission on the Quarantine and Biosecurity Review

Growcom welcomes this opportunity to provide a submission to the Quarantine and Biosecurity Review Panel on the Quarantine and Biosecurity Review Issues Paper. We understand the review panel will investigate all relevant biosecurity and quarantine concerns raised by interested stakeholders. As the peak body in Queensland, Growcom will provide feedback on behalf of the state's horticulture industry.

Growcom will provide feedback based on the issues paper and will cover:

- Growcom's policy on biosecurity;
- Risk across the quarantine and biosecurity continuum;
- The legislative framework;
- Jurisdictional and institutional arrangements;
- Culture, efficiency and resourcing;
- Communication and consultation;
- Research; and
- Review.

Due to the timeframes and limited resources available, Growcom has been unable to provide a detailed outline of all the concerns of the Queensland horticulture industry in our submission. However, we have been working with other organisations to ensure all the concerns of the Queensland horticulture industry are adequately canvassed with the Quarantine and Biosecurity Review Panel.

In addition to our comments, Growcom supports the submissions provided by:

- Plant Health Australia (PHA);
- Horticulture Australia Council (HAC);
- Horticulture Australia Ltd (HAL);
- Queensland Farmers Federation (QFF); and
- Queensland Department of Primary Industries and Fisheries (QDPI&F).

1. ABOUT GROWCOM

Growcom is the peak representative body for the fruit and vegetable growing industry in Queensland, providing a range of advocacy, research and industry development services to the sector. We are the only organisation in Australia to deliver services across the entire horticulture industry to businesses and organisations of all commodities, sizes and regions, as well as to associated industries in the supply chain. We are constantly in contact with growers and other horticultural business operators. As a result, we are well aware of the outlook, expectations and practical needs of our industry.

The organisation was established in 1923 as a statutory body to represent and provide services to the fruit and vegetable growing industry. As a voluntary organisation since 2003, Growcom now has grower members throughout the state and works alongside other industry organisations, regional producer associations and corporate members. To provide services and networks to growers, Growcom has approximately fifty staff located in offices in Brisbane, Bundaberg, Ayr, Toowoomba and Tully. Growcom is a member of a number of state and national industry organisations and uses these networks to promote our members' interests and to work with other industry bodies on issues of common interest.

2. ABOUT THE QUEENSLAND HORTICULTURE INDUSTRY

Queensland is Australia's premier state for fruit and vegetable production, growing one-third of the nation's produce. Horticulture is Queensland's second largest primary industry, worth more than \$1.8 billion per annum and employing around 25,000 people. Queensland's 2,800 farms produce more than 120 types of fruit and vegetables and are located from Stanthorpe in the south to the Atherton Tablelands in the far north. The state is responsible for the majority of Australia's banana, pineapple, mandarin, avocado, beetroot and fresh tomato production. There are 16 defined horticultural regions with a total area under fruit and vegetable production of approximately 100,000 hectares.

The Queensland horticulture industry is:

- A major contributor to regional economies and the mainstay of many regional communities;
- The largest high quality supplier of fresh fruit and vegetables to Australian consumers;
- A diverse industry utilising a range of production methods in different locations and climates;
- A resource base for significant value adding throughout the food, transport, wholesale and retail industries;
- The most labour intensive of all agricultural industries, with labour representing as much as 50% of the overall operating costs;
- An industry with significant links to the tourism industry, providing income for thousands of backpackers and "grey nomads" each year;
- A high value and efficient user of water resources in terms of agricultural production;

- A primary and secondary source of income for many families in regional Queensland e.g. through seasonal work in packing sheds; and
- The site for a number of emerging agricultural industries including olives, Asian exotic tropical fruits, culinary herbs, bush foods, functional foods and nutraceuticals.

3. GROWCOM'S POLICY ON BIOSECURITY

The avoidance of pest and disease incursions is of paramount importance to the viability of all rural industries. Australia's unique biodiversity and relatively disease free status, along with our reputation as a supplier of fresh, high quality, clean produce must be maintained. Freedom from many of the world's major pests and diseases is a clear advantage in both domestic and global markets.

The majority of horticultural trade occurs interstate resulting in the biosecurity and quarantine systems between states being significantly important. International trade is also important, with the horticulture industry requiring a system which maintains high import quarantine standards to protect Australia's horticultural production base as well as the environment and biodiversity.

Industry seeks to maintain a rigorous, science based quarantine system, the elements of which cover a combination of pre-border, border and post border management of quarantine threats with responsibilities shared between governments, industry and the community generally.

It must be clear that these systems are developed and operated independently and based on sound scientific principles and analyses to defend the integrity of our environment and production areas, rather than as a barrier to trade. Effective sanitary and phytosanitary (SPS) controls also contribute towards preventing the importation and spread of exotic pests and diseases that lead to crop losses as well as a loss of market access.

Resources must be effectively managed to assess import applications, prevent and combat pest and disease incursions as well as fund and coordinate eradication procedures. In addition, resources need to be applied to the protection of our borders from the natural spread of pests through continued support of programs such as the Northern Australia Quarantine Strategy.

Growcom is committed to working with its partners, government and other stakeholders to ensure that biosecurity standards are maintained at the highest level, that quarantine risk assessments are based on sound science and transparent decision making processes and that there is a high level of co-ordination, preparedness and planning to manage any pest or disease incursion. Growcom is committed to membership of PHA and the benefits it brings to preparedness and response capacity on biosecurity issues.

Growcom expects government and industry to have a high level of preparedness and capacity to apply to biosecurity measures across the quarantine and biosecurity continuum (which includes pre-border, border and post-border). Industry has very high expectations of Australia's quarantine system, and believes that proper consideration should be given to industry's views as quarantine decisions directly impact on their

livelihoods. Industry does understand that a zero risk policy is both impractical and unachievable. However, we still believe there is room for improvement.

4. RISK ACROSS THE QUARANTINE AND BIOSECURITY CONTINUUM

Australia's reputation as a clean and green producer, with a relatively pest and disease free environment, is a significant competitive and marketing advantage which must be protected. Effective biosecurity and quarantine policies, systems and procedures are crucial in maintaining this status, and must appropriately manage all risks across the quarantine and biosecurity continuum.

Growcom has concerns with biosecurity and quarantine policies, systems and procedures that currently exist to manage risk across the continuum. These concerns are explored in more detail below.

4.1 Overall biosecurity and quarantine system in Australia

Growcom supports the findings of the Agriculture and Food Policy Reference Group (2006) that long term management of Australia's biosecurity would be enhanced by a more co-ordinated approach. There is a need to define roles and responsibilities more clearly and to develop decision making processes for existing strategies, legislation and operational procedures.

A framework for a coordinated approach would include activities being undertaken by federal and state governments, as well as industry and landholders. This could facilitate adequate surveillance, leading to agreements between governments and participating industries on eradication and/or management strategies, resourcing and cost sharing.

Enhanced preparedness and impact mitigation greatly increase the chance of eradication and limit the ability of pest and diseases to become established.

The benefits of a national approach would include:

- Increased efficiency of surveillance and testing procedures and improved prospects of early detection of an incursion;
- Improved timeliness and effectiveness of responses to outbreaks, with ultimate benefits to industry and the community;
- Faster responses to pest and disease incursions once detection has been confirmed;
- Enhanced communication strategies, which are critical in dealing with trading partners, domestic industries and the Australian public in the event of an outbreak;
- The ability to draw quickly on resources from unaffected regions, to deploy and combat the incursion in affected regions;
- Significant cost savings from realigning existing overlapping administrative and jurisdictional functions; and
- A national information base facilitating information gathering and sharing, helping to guide strategic planning through consolidated, focused research and development.

There have been many suggestions raised by industry as to what government can do to improve our nation's biosecurity and quarantine systems. Horticultural industries must be well protected by a strong quarantine system and be well prepared for invasive pests and diseases via proactive development and implementation of ongoing industry biosecurity plans. Growcom encourages horticultural industries to become members of PHA to develop national biosecurity plans and to implement various strategies to minimise threats from plant pests. There is also opportunity to instigate a levy for biosecurity programs. These programs would be beneficial in avoiding or delaying urgent control and eradication programs.

Other industry comments and suggested improvements for Australia's biosecurity and quarantine systems are included throughout this submission. Further to this, Growcom would make the following points:

- There needs to be a clear operating principle of reducing industry compliance costs for biosecurity and quarantine matters. This could be achieved through the recognition of appropriate industry assurance programs (such as FMS or Farm Management Systems) as an alternative to fee for service inspections. Growcom would welcome the opportunity for further discussion on industry FMS programs;
- Governments need to promote a better understanding and confidence in the quarantine system (including Australia's appropriate level of protection);
- Ensure that hobby farmers and growers in peri-urban areas fully understand biosecurity risks and their responsibilities. This needs to include further analysis and targeted R&D extension activities regarding the heightened biosecurity risks posed by increased levels of peri-urban agriculture;
- Free trade agreements must not in any way diminish the principle that quarantine matters be based on pure scientific assessment;
- Governments must remain ever vigilant in opposing the application or use of non-tariff barriers by other nations to restrict trade in horticulture products; and
- The need for increasing capacity building and engagement for biosecurity issues and response involving industry organisations. This will build awareness, preparedness and response capacity including the need for on-farm biosecurity plans.

4.2 *Appropriate Level of Protection (ALOP) and acceptable risk*

The horticulture industry expects government to take a very conservative approach to managing quarantine risks, based on high quality science, which gives the industry confidence and the level of protection from pest and disease incursions that they deserve. The ALOP aims to achieve this by setting a level of protection deemed appropriate by the Australian government to protect human, animal or plant life or health.

However, there appears to be a lack of understanding, by both industry and government, on what the ALOP is and how to express/explain it.

Industry requires clear and meaningful interaction with government to ensure they are involved in determining the ALOP as activities around this can affect their livelihoods, and to gain a further understanding of how the ALOP is determined.

The ALOP is used in the import risk analysis (IRA) process. The IRA identifies the pests and diseases relevant to an import proposal, assesses the risks posed by them and, if

those risks are unacceptable, specifies what measures should be taken to reduce those risks to an acceptable level within Australia's ALOP.

Growcom is supportive of this approach. However, we believe further consultation and analysis must be undertaken with industry to determine what the acceptable level of risk should be. We recognise there can not be a zero-risk environment. However, we also recognise that the level of acceptable risk identified by government can have significant impacts on both individual growers and the horticulture industry.

As growers are the ones most likely to be severely impacted upon in the event of a pest or disease incursion, they should be more involved in determining what the level of acceptable risk should be, with more consideration given on who is responsible for bearing the costs of an outbreak.

The Emergency Plant Pest Response Deed (EPPRD) deals with the actual costs of the response; but nowhere is the broader cost to individual growers, an industry, or a local community dealt with. For example, in relation to the proposal to import apples from New Zealand, the Australian Government has decided that the risk of introducing fire blight is 'acceptable'. The scientific data on which that risk assessment is based shows the risk is not uniform - Stanthorpe is most at risk because it is a warmer growing area and provides more suitable conditions for establishment of the disease. So, essentially, the government has agreed that the fact that the Stanthorpe apple industry will most likely disappear in the event of an outbreak of fire blight is an acceptable risk. Whether an apple grower in the Stanthorpe production area – or even members of the wider Stanthorpe community - would consider this an acceptable risk is questionable.

The issue then arises of who should bear the costs in the event of an outbreak.

A grower will contribute to (and benefit from) the cost of the eradication if it is decided that the pest or disease is eradicable under the EPPRD. They may also be eligible for some owner reimbursement payments under the EPPRD. However, these are minimal and relate only to the actual costs of an emergency plant pest response (EPPR). There is no provision for recoupment of costs not directly related to the EPPR including produce harvested but not yet sold which must be destroyed, loss of income as a result of destruction of trees, wages for staff during non-production periods and so on. An affected grower would therefore suffer serious financial and operational impacts if they were to be caught up in an EPPR, even if they were eligible for owner reimbursement payments. If it is decided that the disease is not eradicable, there are no avenues for recoupment of any costs and an affected grower will face financial disaster.

In this instance, it would be the federal government who made the decision that the risk was acceptable and so they should bear the costs faced by individual businesses and any industry adjustment activities.

Furthermore, where it is applicable, the federal government should also bear the cost of structural adjustment in the local community. In many communities, horticulture is the mainstay of the economy; without it, there may not be much left. In the instance outlined above, the destruction of the apple industry in Stanthorpe would have wide ranging community impacts.

The issue of acceptable risk needs to be explored further by the Review Panel.

4.3 Import Risk Analysis (IRA)

Growcom would like to provide further feedback on the IRA process. Queensland horticulture producers have a substantial interest in relevant IRA processes and outcomes, as import activities could ultimately threaten Australia's relatively pest and disease free status, and the livelihoods of individual producers.

In the past, there have been concerns that Biosecurity Australia has been compromising the scientific basis of IRAs to further Australia's trade agenda. Recent and past controversies concerning the IRAs for apples and bananas have led many producers to become very concerned about the future of Australia's biosecurity system.

Growcom acknowledges that IRA reforms were announced in October 2007 and are currently being implemented. Although these reforms will address some of the issues raised by industry in the past, such as undefined time frames, there are still some concerns that are not being addressed that need to be considered in this review. These concerns include:

- It is important to recognise the enormous cost and effort undertaken by industry in responding to IRAs, some of which can be underway for many years, requiring several submissions from industry to complete policy, technical and scientific responses. This has a substantial cost, which to some degree is unfair to impose on industry.
- The capacity of industry representatives to deliver a substantial industry response to government varies significantly. In some cases, industry groups may have the capacity to deliver a substantial industry response to government; however, in other cases, the ability to respond is fairly limited.

The capacity of industry to provide a response to government could disadvantage them throughout the process. As a result, smaller industries may well be vulnerable to imported pests and diseases.

- This leads to the issue of equity within the IRA process. There are examples which demonstrate that government may only complete a thorough IRA when it is pushed into this position through significant industry agitation and investment. This is simply unacceptable.

This issue is demonstrated in the following example. The pineapple IRA was conducted and concluded in 2002. Since then, the pineapple industry observed with interest activities around the apple and banana IRAs, which after significant industry investment by both industries, uncovered major errors in the IRA processes and content of the reports.

With this in the public domain, the pineapple industry seriously questioned the way in which the pineapple IRA was conducted and whether the outcome sufficiently provided an adequate level of protection to prevent the incursion of pests and diseases in the Australian pineapple industry.

As a result, the pineapple industry engaged a number of experts to review the pineapple IRA. The summary finding was that in comparison to the apple and

banana IRAs, the pineapple IRA was far less rigorous with limited analysis applied to its development and consideration. Growcom can expand further on the findings if requested.

The broader implication of the way in which the pineapple IRA was conducted is the issue of equity. Major investments by large industries, such as bananas and apples, have led to the identification of flaws in draft IRAs, with changes and amendments made following this significant industry investment.

On this basis, it is not be unreasonable to conclude that the Australian government will only complete a thorough IRA when it is pushed into this position through significant industry agitation and investment.

This is unacceptable, as the process must be driven by science and risk assessments, rather than significant industry investments in submissions that scrutinize the IRAs and government's analysis. All industries and the Australian community deserve an exceptional level of service and professionalism in biosecurity and quarantine matters involving all IRAs. If this is not provided, we will be in a situation where those industries with larger capacity for investments in these issues will have a greater chance of maintaining relatively pest and diseases free industries whilst smaller industries will be vulnerable.

- There needs to be mechanisms that allow for ongoing engagement with stakeholders in order to enable amendments and improvements to the processes and systems put in place. This should also include clear and transparent systems and procedures that allow for industry consultation and input prior to any alterations to import conditions that are in the final IRA.
- Social and economic factors also need some consideration during the IRA process. Further discussion around this issue is included around the issue of acceptable risk.
- Set timeframes must not result in quick decisions being made by government to finalise a process just because the timeframe is approaching. It is absolutely vital that government maintains our high biosecurity and quarantine standards to ensure our country remains relatively pest and disease free.
- There are a number of products coming into Australia that have not gone through an IRA process. As we understand it, no assessment has ever been made as to whether these products and import standards comply with Australia's ALOP. Government needs to develop a program of reviewing such arrangements to ensure that up-to-date standards and protocols are being observed.

4.4 In the event of an incursion

Growcom would like to raise the issue of the potential for government to undermine the documented procedures and systems as set out in the plant and animal health deeds (such as the EPPRD and owner reimbursement costs). In the event of an outbreak, government has the tendency to disperse funds outside the set procedures and systems to which they are signatories.

This could clearly be seen in the response to the recent outbreak of equine influenza, where compensation payments were made to many people and enterprises well outside the scope of the animal health deed arrangements.

This has many implications, including undermining the commitment of both government and industry representatives who are active participants in a number of committees who negotiate, analyse and establish the appropriate systems and procedures. Government actions and decisions made in heated political environments surrounding emergency situations can threaten the validity and meaningfulness of the deed when the associated activities and consequences fall outside the stipulated guidelines.

Growcom also believes there need to be:

- Closer engagement with the Department of Foreign Affairs and Trade during an emergency to ensure trade and foreign policy consideration are fully addressed; and
- A review of the penalties around breaches of quarantine, with a view to significantly increasing these. There is also an issue around penalties not being consistently applied.

After an incursion incident has been concluded (such as eradication achievement) there should be an opportunity for all stakeholders involved in that event to evaluate the process and suggest recommendations for improvement.

4.5 On-farm biosecurity systems

A high level of awareness, preparedness and capacity is required by government and industry at pre border, border and post border levels to manage biosecurity risks. Many projects and initiatives have demonstrated the importance of on-farm biosecurity activities. However, it appears that biosecurity is not something that growers generally see as a prime consideration in how they operate their businesses.

One the main difficulties in getting wide-scale improvements in risk mitigation on the ground is that growers lack a meaningful and immediate incentive to improve on-farm biosecurity practices. Certainly the market is not providing strong signals to growers to lift standards at this point in time. Plans to integrate biosecurity into existing enterprise management and quality assurance systems will provide a driver. However, if these are found to be too costly or onerous, they will fail.

Solving this problem is of fundamental importance. Without near to universal grower participation, monitoring and surveillance systems will provide an incomplete picture of Australia's pest and disease status and expenditures on communications and behavioural change programs may be wasted.

Growcom believes that for risk mitigation activities to be managed effectively across the quarantine and biosecurity continuum, on-farm biosecurity systems must be implemented as an integral component of farm management practices.

It is important for growers to recognise the biosecurity risks that threaten their livelihoods and the need to implement on-farm biosecurity processes to identify, manage and respond to any biosecurity risk.

In recognition of this need, Growcom has developed a project proposal with the aim to develop an on-farm biosecurity model which when implemented will increase awareness, preparedness and response capacity of individual enterprises in relation to biosecurity issues and threats. This will assist the industry in maintaining its competitive domestic/export market advantage of being relatively pest and disease free for endemic and exotic pests.

Key project objectives include:

- Significantly increasing the horticulture industry's awareness of the importance of on-farm biosecurity activities and the potential impact of biosecurity incursions;
- Analyse the current awareness, preparedness and response capacity of individual enterprises in relation to biosecurity threats and challenges;
- Developing an on-farm biosecurity model to be used by any horticulture producer;
- Increasing the uptake of on-farm biosecurity activities by individual enterprises, increasing industry's capacity to identify and manage biosecurity risks and challenges;
- Increasing the capacity of individual horticulture producers to identify and manage the biosecurity risks facing their businesses;
- Building on the Industry Biosecurity Plans developed in conjunction with PHA to enhance the industry's capacity to manage biosecurity risks;
- Implementing on-farm biosecurity systems in three horticultural industries to validate the effectiveness of the model;
- Identifying the best strategies for encouraging the implementation of on-farm biosecurity plans by producers and by specific industries (eg bananas);
- Maintaining the integrity of horticulture produce produced in Queensland with respect to clean and green products.

Growcom can supply more information on this project proposal if requested.

4.6 Multi-peril crop insurance

It is important to understand that, while there are some provisions for owner reimbursement costs in the EPPRD, these are minimal and relate only to the actual costs of an EPPR. There is no provision for recoupment of costs not directly related to the EPPR including produce harvested but not yet sold which must be destroyed, loss of income as a result of destruction of trees, wages for staff during non-production periods and so on. An affected grower would therefore suffer serious financial and operational impact if they were to be caught up in an EPPR, even if they were eligible for owner reimbursement payments. More importantly, there is no provision for recoupment of costs at all if an incursion or outbreak is deemed not to be eradicable, and so no EPPR is instigated. In past events, some affected growers have been driven out of business as a result of costs incurred.

It is all very well for government to say our quarantine system must be based on an acceptable level of protection and risk. However, growers have no effective say in what is deemed an acceptable level of risk – even though they ultimately bear much of the cost burden in the event of an EPPR.

Presently, growers are unable to access insurance that provides them with any protection from the impacts of events outside their control, such as pest or disease incursions.

We believe that if governments make decisions that affect the livelihoods of growers (such as determining an acceptable level of risk), then these affected producers should be able to access some sort of insurance that covers them for risks which are beyond their control. The fact that insurance of this type is not available is a clear case of market failure.

Growcom believes that government should be directing some of the resources already invested in the farming sector to underwriting this type of insurance scheme. For example, consideration could be given to diverting some funding currently allocated to the Exceptional Circumstances assistance program. The insurance scheme could provide the incentive for improved on-farm biosecurity management by making access by growers to government assistance contingent upon implementing risk management strategies and achieving threshold biosecurity standards.

This is consistent with the philosophy of shared responsibility, and would ensure available assistance targets enterprises which have endeavoured to manage risks.

Growcom seeks an investigation into innovative Government-supported insurance programs that would allow growers to access affordable insurance to protect themselves against events outside their control such as natural disasters and pest and disease incursions.

4.7 Other issues

Other issues that Growcom would like to raise with the review panel are:

- The capacity of governments and industry to manage risks across the biosecurity and quarantine continuum will increasingly be impacted upon by skill shortages and general labour availability;
- Limited diagnostic capacity to categorise all the plant pests and diseases recognised by PHA;
- Interception data collected by AQIS should be made available to PHA and state biosecurity agencies to ensure the resources and effort placed on risk mitigation activities are appropriately directed;
- Additional support is required to develop and appropriately implement and incorporate industry biosecurity plans;
- Importance of governments and industry to recognise and manage their responsibilities as signatories to the EPPRD;
- Support from governments to implement the National Fruit Fly Strategy;
- Biosecurity challenges arising from the implications of climate change;
- Improvements in pre-border inspection rates, for example increasing the number of shipping containers that are inspected;
- Equivalence in food safety standards for imported product compared to domestic products; and
- The need for contingency plans in case of an outbreak, such as pandemic influenza that can threaten food security.

5. THE LEGISLATIVE FRAMEWORK

Under the Australian Constitution, legal frameworks co-exist at a national and state and territory level. This arrangement, whilst recognising the sovereign rights of both federal and state and territory governments, increases complexity when dealing with issues of concern to all governments. Biosecurity and quarantine is a sector legislated at both a national and state/territory level.

In theory, these legal and regulatory frameworks at the national and state/territory levels provide the mechanisms through which consistent plant health management programs are delivered.

The importance of inter-connectedness between these levels is increased by the 'whole-of-systems' approach, recommended in the Nairn Review, and the basis of Australia's plant health system. It is therefore important that Australia's legislation and regulation is developed on principles of consistency and equivalency, and meets both national and international obligations.

However, in practice, consistency is often lacking across jurisdictions. This causes difficulties for industry in negotiating the system, and in ensuring a level playing field for all growers. It also increases risks of systems breakdown and the likelihood of pest and disease incursions.

AusBIOSEC recognises the need for a complementary high level legislative and regulatory framework. It aims to integrate the existing elements of Australia's biosecurity system under an overarching framework of common principles and guidelines, so that biosecurity arrangements can be implemented consistently across sectors and jurisdictions.

Clarity and transparency are necessary in the legislative framework to establish the roles and responsibilities of the various stakeholders working to maintain and enhance Australia's plant health status.

This will become increasingly important as there is an emerging role for local government in EPPRs and biosecurity activities. This role will need to be carefully considered as there is greater focus on peri-urban areas, weeds and biosecurity concerns in native vegetation.

Appropriate resourcing is also essential to ensure legislative frameworks deliver optimal outcomes for all involved in Australia's biosecurity system.

It is important to ensure there is no cost-shifting between jurisdictions. Many biosecurity activities are the responsibility of the federal government. However, these responsibilities are often delegated to state jurisdictions. Whilst this makes sense in terms of implementation, it leaves open the potential for blurring of lines and for things to slip through the cracks.

It is our understanding that the federal government does not always provide sufficient funding to state jurisdictions to enable them to deliver in accordance with service level agreements and expectations. There needs to be open and transparent accounting for resource allocation and service deliverables.

6. JURISDICTIONAL AND INSTITUTIONAL ARRANGEMENTS

The roles and responsibilities of government departments, such as Biosecurity Australia, AQIS, Foreign Affairs and Trade, and Biosecurity Queensland, need to be clearly identified and transparent to ensure there are no gaps that threaten Australia's relatively pest and disease free status. This would be a positive step towards enhancing Australia's decision making processes for existing strategies, legislation and operational procedures.

Growcom has a few concerns around jurisdictional and institutional arrangements which are explored in more detail below.

6.1 *State government biosecurity services*

Growcom believes there needs to be a comprehensive review of state biosecurity services to ensure capacity to respond, and that new and emerging threats are recognised and planned for. Currently, state biosecurity agencies (particularly in Queensland) are under-resourced. Furthermore, each state's biosecurity response is different, with no national drivers or systems in place for consistency. There needs to be uniformity between states, with timeframes for discussion making which are risk based for interstate trade.

There are also issues around conflicting responsibilities, with the state government being the negotiator, rule maker and paid service provider.

At a state government level, there needs to be a biosecurity policy unit with a clear brief to consider the broader policy implications (eg impact on industry, facilitation of interstate and overseas trade, environmental and community considerations and development of long term approached to biosecurity) in recommending appropriate courses of action. A strong policy unit will also help identify priorities, funding and resources issues and industry engagement processes.

Improved industry consultation on declaration areas is also required to avoid areas being bigger than needed and hence adding to compliance costs.

6.2 *Interstate Certification Assurance (ICA) arrangements*

Growcom would like to raise some issues around the state's ICA process. Around 50-70% of Queensland produce is traded interstate. The ICA process is seen as a significant impediment to free interstate trade to allow access to markets on a reasonable basis. This certification provides assurance that produce is free from pest and disease. While the introduction of this system has been of great assistance to growers trading interstate, there are several major flaws in the operation of the system that must be rectified.

The issues that growers have identified with the ICA system include:

- The lack of uniformity in requirements between state jurisdictions;
- The lack of training options for accreditation of auditors and inspectors;

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- The large number of commodity classifications, for example separate ICAs required for Kaffir, Tahitian and finger limes;
 - The high number and lack of co-ordination of inspections and audits required - eg. Freshcare, ISO 9000, QA, ICAs all require audits and inspections – there should be some way of coordinating this process to remove cost, duplication and business interruption;
 - All negotiations are one state government to another state government, with minimal opportunity for industry input, and no timeframes or uniformity;
 - Changing products and procedures, for example Queensland apples bound for Victoria currently need to be dipped in dimethoate, but this product is to be withdrawn; and
 - Inflexibility of enforcement procedures, for example consignments of bananas will be declared as yellow sigatoka if detected on 5% *per leaf*, but this really should be *per plant*.

Overall, there needs to be support from government for uniformity between state jurisdictions.

Growcom conducted an industry forum on this issue in 2006 in order to scope some possible solutions to these flaws in the ICA system. The forum agreed on a series of recommendations, including the following suggested enhancements to the current system:

- On-farm inspections and audits for certification purposes should be restructured into a single cohesive set of procedures, able to be incorporated into a structured Farm Management System that includes ICAs, Freshcare, QA, ISO 9000, etc;
- Within this restructure, there is scope for broadening the roles and responsibilities of inspectors and auditors so they are credentialed to perform the full range of certifications;
- Inspections and audits to be performed during a single on-site visit, decreasing the frequency of inspections and audits, reducing the burden on growers;
- Entities other than the Department of Primary Industries & Fisheries should be accredited to offer this service, with the same expectations as the current standard;
- Those Queensland commodities currently without ICAs should be provided with them if appropriate;
- The extremely prescriptive technical thresholds that are the legacy of the pre-ICA testing regime (eg. 5% detection per leaf for Yellow sigatoka) should be re-visited; and
- Higher level of government scrutiny and performance standards put in place for negotiations.

The Productivity Commission recently stated that “a review of the Interstate Certification Assurance Scheme to develop national standards and procedures is planned and will address some concerns”. Growcom is supportive of a review of this nature. However, no detail has been provided to industry as to the terms of reference or timeframe for this review. This review must incorporate a meaningful stakeholder consultation process to ensure all the issues and concerns of industry are taken into consideration.

Growcom has given some consideration to a review of the ICA scheme, and believe that such a review should examine the overarching process and guidelines around interstate

plant quarantine matters. This would include ICAs and other interstate processes to allow trade between states and quarantine restrictions.

Growcom suggests the following aspects should be covered in the terms of reference:

- A national review of interstate quarantine structures and process should examine the system in terms of:
 - Efficiency and effectiveness;
 - Protocol development and review processes;
 - Consistency between jurisdictions;
 - Performance standards and reporting structures;
 - Transparency and accountability;
 - Membership and terms of reference of committees;
 - Dispute resolution processes;
 - Linking with international protocols;
 - Assessment of science and risk; and
 - Communication channels and engagement between governments and with industry.
- Recommendations on how to reform the system to improve interstate quarantine processes and market access should also be sought.

6.3 Australian Quarantine and Inspection Service (AQIS)

Industry needs to be more engaged in AQIS consultative processes to ensure their interests are represented and that they have sound understanding of how AQIS is handling key issues. However, recognising resource demands this will place on industry organisations, any engagement needs to be meaningful rather than perfunctory.

Growcom believes that interception data collected by AQIS should be made available to PHA and state biosecurity agencies to ensure the resources and effort placed on risk mitigation activities are appropriately directed.

Growcom is keen to see a strengthening of the relationship (communication and consultation) between BA and AQIS. Industry appreciates the reasons for the current 'arms'-length' relationship. However, we believe it is critical to maintain integration between quarantine policy and operational functions, which currently appears to be absent or poor.

6.4 Plant Health Australia

Growcom believes that since the development of PHA in 2000, plant industries have taken a huge step forward in achieving a partnership approach to plant health with both federal and state governments.

However, there are a number of issues that need to be addressed to enhance this partnership and deliver improved biosecurity outcomes.

At the insistence of the federal government, the plant health EPPRD was modelled on the animal health deed. Whilst this provides a degree of consistency across the two sectors, it has proved limiting in many respects. There are many differences between

plants and animals, with provisions in the animal deed not necessarily working smoothly for the plant deed.

The major differences relate to the number of Australian plant industries and the scope of possible pests and diseases which can affect these industries.

Inclusion of schedules listing these pests and diseases in the body of the Deed poses serious challenges. Under the terms of the Deed, schedules can only be amended through a complex process which requires agreement by all Deed signatories. This is an unnecessarily complex and legalistic process. The Deed should be a living document which has provisions for amendment and updating of the schedules as new information becomes available.

Growcom also believes that PHA should have a more explicit role in managing processes required under the Deed. As it stands, the federal government has a lot of control over committee processes stipulated in the Deed. It provides the secretariat, takes minutes and so on. As an active participant in EPP responses, this poses the risk of a perceived (or actual) conflict of interest. In our view, PHA should act as the independent facilitator of processes required under the Deed.

On behalf of all members, PHA has legal responsibility for ensuring the Deed is regularly updated and is implemented in the event of EPP responses. This is an onerous legal responsibility, especially when PHA is not actually in control of the legislative framework which supports the Deed. It is important to ensure that PHA is adequately resourced to fulfil these requirements.

6.5 Industry Outpost Officers

Growcom believes it is important to increase engagement on biosecurity issues and response between industry organisations and government in an effort to build awareness, preparedness and response capacity in relation to biosecurity and quarantine issues and activities.

To help achieve this, Growcom believes there should be Industry Outpost Officers (IOOs) from a state government level placed within industry organisations, using a model similar to that of the Department of Immigration and Citizenship (DIAC). This system would also be of benefit by allowing officers of industry organisations to be seconded into relevant government agencies. This would enhance engagement and awareness of biosecurity and quarantine issues, as well benefit the industry through the completion of specific activities such as developing biosecurity programs to build into FMS to increase industry's response capacity to biosecurity issues.

Growcom believes this approach would be extremely beneficial in generating better understanding of biosecurity and quarantine issues.

7. CULTURE, EFFICIENCY AND RESOURCING

According to the Department of Agriculture, Fisheries and Forestry's latest IRA handbook, the objective of Australia's biosecurity policies and risk management

measures is the prevention or control of the entry, establishment or spread of pests and diseases that could cause significant harm to people, animals, plants and other aspects of the environment.

To ensure this objective is reached, there needs to be sufficient resources and systems in place that deliver the requisite services across the biosecurity and quarantine continuum to ensure maintenance of Australia's relatively pest and disease free status. This needs to include the application of well researched risk management as a basis for allocation of resources for pre border, border and post border quarantine activities.

7.1 Importance placed on plant biosecurity

There is significant evidence that biosecurity and quarantine activities at all levels of government are still skewed in favour of animals. Growcom recognises that there is now a greater focus on plant biosecurity than in the past, particularly with the establishment of PHA. However, it is important to give greater attention to plant biosecurity issues across the continuum of quarantine.

The importance of plant pest incursions should not be underestimated. Anecdotal evidence suggests entry and establishment of exotic plant pests and diseases is still a greater national threat than exotic animal pests and diseases. Certainly the number and diversity of plant pests and diseases is far greater than that for animal industries. In addition, little is known about many of potential plant pest and disease risks and consequently there is less capacity and fewer resources available to deal with any outbreak or incursion.

However, there is a greater public and political perception of a greater importance of animal disease incursion threats, which is enhanced by extensive and emotional media reports. It is important that government and industry does not lose sight of the very considerable economic implications of entry and establishment of pests and diseases for agriculture and the environment.

7.2 State government biosecurity resources and response capacity

There is significant concern around the issue of capacity of the states to deliver on biosecurity outcomes.

The outbreak of equine influenza (EI) in Queensland highlighted:

- The costs associated with controlling a major outbreak;
- The limited resources available to adequately deal with major threats; and
- Limited capacity and resources to continue progressing on core agency functions when dealing with a major threat.

During the major response period, Biosecurity Queensland was unable to respond meaningfully to many core issues relating to plant health security.

All available departmental resources had to be directed to the EI response. As a result, plant inspections for ICAs were delayed, placing Queensland exporters at a disadvantage. This does not even consider what would happen if there was more than

one serious outbreak at a time, for example, if there had been a serious plant pest incursion during the EI response.

Resource and capacity issues were clearly highlighted in the EI response example. However, it seems little has been learnt from this example and the threat profile moving forward is of grave concern. The Queensland government seems unwilling to allocate increased (appropriate) resources to Biosecurity Queensland, even in light of repeated serious EPPR outbreaks and incursions, the increased trade in and out of the state, and the threats associated with climate change.

The situation outlined with respect to Queensland is undoubtedly not unique across other state jurisdictions. In fact, it could be argued that Queensland is perhaps better equipped than some states to deal with incursions and outbreaks because of the high incidence of events in that state as a result of specific risk factors. There must be serious consideration given to how state agencies will be equipped to deal with future emergency responses.

Growcom believes Biosecurity Queensland (and other state agencies) needs additional resource allocations for:

- Core capacity-building priorities necessary to reduce the risk of future biosecurity risks, including supporting the development and recognition of industry biosecurity plans and systems; early warning surveillance; public awareness; community assisted surveillance programs and so on;
- Working with industry to develop training and on-farm support tools that support a greater participation in pest and disease surveillance by growers and up-skill industry in all aspects of biosecurity from pest identification and monitoring to record keeping and on-farm capacity building to address biosecurity risks;
- Additional resources to specifically prioritise interstate trade and ICA delivery, including increased availability of plant health inspectors, drafting and coordinating ICA development for plant pests, linking of ICAs to FMS programs, auditor training and industry program auditing;
- Linking interstate biosecurity protocols to the FMS programs including promoting acceptable of industry programs as the equivalent for meeting specific state pest protocols;
- Developing an the electronic plant health system and driving it through to acceptance at a national level;
- Strategic level research to identify and meet future needs including risk analysis and epidemiology, and diagnostic systems; and
- Web-based biosecurity information accessible by industry covering the national up to date interstate quarantine information relevant to plant health.

7.3 Market access

Along with responsibilities for quarantine access to Australia, BA has responsibility for negotiating quarantine market access for Australian exports. This potentially poses difficulties in prioritisation of outcomes within the agency. There is a perception within industry that BA focuses too much attention on requests for quarantine access to Australia and not enough on ensuring market access for Australian exports.

It is important to ensure adequate resourcing is directed at the requirements and priorities of market access as determined by the horticulture sector.

Consideration should be given to developing clear and transparent organisational structures that ensure there is no perception of conflicting priorities, and that outcomes on both counts are optimal.

8. COMMUNICATION AND CONSULTATION

Communication and consultation within government and industry is vitally important in relation to biosecurity and quarantine matters across the continuum. This is especially important in building awareness of biosecurity issues, as well as to increase government and industry capacity to manage and respond to biosecurity risks and incursions. Growcom would like to provide further feedback on the industry and general awareness aspects of communication and consultation.

8.1 Meaningful engagement and consultation with industry

There needs to be stakeholder dialogue to ensure interests of industry are taken into consideration. However, this dialogue must be meaningful, which brings clear benefits to all involved.

Growcom would like to emphasise our concerns about the increasing burdens on industry organisations and individual members of an industry resulting from government activities.

In particular, we would like to raise the issue of resourcing industry representation.

In a number of areas of government activity, whether direct or indirect, 'industry representatives' are appointed to channel industry views to government and/or government views to industry (eg NRM regional groups). Often, these 'representatives' are selected by the agency staff involved with no reference to industry groups. This effectively means the people appointed are there as individuals without the support of their industry group.

It is a near impossible task for one individual to accurately represent industry views without the opportunity to have input from their peak bodies; inevitably, their comments are based on their own personal perspectives and experiences. This means that, no matter what their skills or experiences, the input is not from industry, and the people appointed are not 'industry representatives' per se. More importantly, it is unrealistic to expect one individual to relay messages back to hundreds or even thousands of people.

We believe that there should be an established industry engagement strategy where there is a clear understanding of all roles and responsibilities. If there is a requirement for or expectation of industry representation or involvement, then this must be channelled through recognised industry peak bodies.

There also needs to be recognition by government of the resource commitments such representation involves. Often, producer representatives are the only ones participating

in a consultative process at their own cost – and this cost is not insignificant. Not only are they contributing their time and expertise, but they often have to pay for backfilling of their duties on farm.

Industry organisations too have extensive calls on their resources to participate in consultation processes – the cost in human resources is significant, especially in smaller organisations, let alone taking into account travel and other expenses. While this may well be seen as being part of our job, it is often resented when the process appears perfunctory or it seems as though input is not valued.

One regularly occurring example of this is when a complex IRA is released and industry needs to develop a detailed response in a very short period of time. If industry bodies are to truly represent their stakeholders' views, then they need time to research issues, obtain expert advice and consult appropriately. This is resource-intensive and difficult to fund.

8.2 Public awareness of biosecurity risks

There is a lack of knowledge and understanding of Australia's biosecurity policies and processes, and the associated biosecurity risks and challenges that they set out to manage. Governments, in partnership with industry organisations, must communicate Australia's quarantine and biosecurity policy settings more effectively in order to improve understanding of these complex issues.

9. RESEARCH

Maintenance of the high level science and technology capability of Australian research and development institutions and individuals is vital as a key driver of international competitiveness. Scientific capacity across the biosecurity continuum is also critical in ensuring Australia is protected from the establishment of EPPs.

The areas that require capacity include preparedness and prevention activities (risk mitigation), surveillance, diagnostics and response.

Australia needs to maintain an R&D sector which is able to inform the science based, precautionary approach to quarantine, and the development and, in particular, implementation of threat-specific contingency plans. It is also important to ensure that R&D is adequately directed at the requirements and priorities of market access as determined by the horticulture sector.

There is simply not sufficient funding for each jurisdiction to be able to supply all of the scientific capacity required to maintain and improve Australia's biosecurity system, and duplication of capacity and capability may ultimately lead to more gaps in the system. Rationalisation and consolidation of resources on a national scale will be necessary if we are going to maintain and build scientific capacity in Australia. Industry needs to be involved at all stages of these discussions.

Through involvement in PHA, the federal, state and territory governments and plant industries have identified critical gaps in the scientific capacity available to Australia's plant health system.

Development of effective national diagnostic protocols to identify emergency plant pests is critical in detecting and managing the biosecurity threats to Australian agriculture and the environment. In recognition of this fact the Subcommittee for Plant Health Diagnostic Standards (SPHDS) was formed in 2006, to establish a framework for the development and approval of diagnostic protocols.

SPHDS was assigned the task of developing a national framework for the development and approval of Australian plant pest diagnostic protocols and this has now been completed. SPHDS has also identified several key recommendations to be addressed if their work is to continue to progress in a timely manner, including approaches to funding and resourcing diagnostic laboratories and a Protocol Validation Coordinator. Further work is required to address and overcome policy issues restricting the provision of permits for the importation and secure containment and distribution of positive controls crucial to the development and use of EPP diagnostic protocols.

Of the 230 high priority pests identified, only 64 are covered by a diagnostic protocol and even fewer have been validated or converted to the SPHDS format. Investing the time and resources necessary to fill this gap will not have immediately visible pay-offs and will require a commitment to ongoing maintenance. However, it is an essential part of Australia's preparedness and response capabilities and provides essential recognition of the validity of Australia's plant health system and plant health status internationally.

Other challenges also need to be addressed, including:

- Developing a network to connect public and private diagnostic providers into a national system;
- Developing linkages to other diagnostic providers e.g. human and animal health - these links could enhance uptake of new diagnostic techniques or provide capacity for high throughput testing;
- Determining national approaches to professional development and training; and
- Exploring innovations in technology to supplement technical capacity and provide more accurate field diagnostics.

Diagnostic services also provide support to plant production through the identification of pests and diseases on a day to day basis, ensuring pest control measures are appropriate and helping define and support Australia's plant health status. An ability to document Australia's plant health status is critical as it is the basis on which the import and export of plants and plant products are regulated in relation to the entry of pests and diseases of economic importance.

Cross-sectoral cooperation in policy settings such as has been seen with AusBIOSEC is just as important in the research sector.

Growcom supports the development of the Australian Biosecurity Intelligence Network (ABIN) project, which will provide a workspace (both physical and virtual) where data and information can be shared across organisations, jurisdictions and sectors to support the delivery of improved biosecurity outcomes in Australia. Data and expertise held by

AQIS and BA would be invaluable to this project and contribute directly to many of the proof-of-concept projects.

There are two other areas which require specific attention in the area of R&D. Increased resources need to be assigned to:

- The protection of our northern coastline through the Northern Australian Quarantine Strategy (NAQS). This includes a strong focus on research into ways to minimise the threats of incursion of exotic pests and diseases across our northern borders; and
- Ensuring that hobby farmers, and growers in peri-urban areas fully understand biosecurity risks and their responsibilities. This includes further analysis and targeted R&D extension activities regarding the heightened biosecurity risks posed by increased levels of peri-urban agriculture.

10. REVIEW

An important objective of Australia's quarantine and biosecurity system should be to continually learn from experiences and to share these both within and across other parts of the continuum.

Post-incursion reviews have been conducted after some recent incidents and these have successfully identified areas for improvement in quarantine, border biosecurity and preparedness and response arrangements.

However, typically there is inadequate support provided to act on these findings.

Growcom believes governments and industries should commit funding for post-review implementation activities after each EPPR. This will ensure lessons learnt lead to improved operational outcomes.

11. CONCLUSION

Growcom welcomes this opportunity to provide feedback to the Quarantine and Biosecurity Review Panel. We are supportive of the submissions provided by PHA, HAC, HAL, QFF and QDPI&F.

Australia's reputation as a clean and green producer, with a relatively pest and disease free environment, is a significant competitive and marketing advantage which must be protected. Effective biosecurity and quarantine policies, systems and procedures are crucial in maintaining this status, and must appropriately manage all risks across the quarantine and biosecurity continuum. To ensure this objective is reached, there needs to be sufficient resources and systems in place that deliver the requisite services, and appropriate capacity building and engagement processes to ensure adequate involvement and understanding by both government and industry.

Growcom has canvassed many of the concerns of the Queensland horticulture industry relating to Australia's biosecurity and quarantine policies, systems and procedures throughout this submission.

Key points that we would like to reiterate include:

- Significant benefits would arise from a more coordinated, national approach to Australia's biosecurity and quarantine system;
- The need for government to work with industry to determine Australia's ALOP and acceptable levels of risk, particularly due to the potential impacts on individual growers, the horticulture industry and the community;
- Equity concerns relating to the IRA process, with particular focus on cost and time burdens, industry capacity to partake, ongoing engagement, and social/economic considerations;
- Undermining of documented procedures and systems (as set out in EPPRD) in the event of an incursion, which is heightened by heated political environments;
- On-farm biosecurity systems must be implemented as an integral component of farm management practices;
- The need for an investigation into innovative government-supported insurance programs that would allow growers to access affordable insurance to protect themselves against events outside their control;
- Increased challenges faced due to skills shortages, limited diagnostic capacity, climate change and maintaining food security;
- State government biosecurity agencies' capacity, current services and resourcing relating to core agency functions and during emergency responses;
- Great attention needs to be placed on plant biosecurity issues across the biosecurity and quarantine continuum; and
- The need for meaningful stakeholder dialogue to ensure the interests of the horticulture industry are taken into consideration.

Growcom looks forward to working with the Quarantine and Biosecurity Review Panel to ensure all the concerns of the Queensland horticulture industry are acknowledged within the current review.