

Equine Influenza Inquiry Government Response

The August 2007 outbreak of equine influenza in Australia had a major impact on those involved in the horse industry and those reliant on it for recreational or business activities. While there has been a significant and successful effort by the industry and governments to control and eradicate the disease from Australia, it is critical that our quarantine systems and processes are as robust as possible.

The Government's response to recommendations of the Equine Influenza Inquiry is overwhelmingly positive. There are actions that will be taken as soon as possible and matters that, in accordance with the Commissioner's recommendations, will be the subject of further expert review and assessment. The Government has engaged the services of Professor Peter Shergold AC, former Secretary of the Department of the Prime Minister and Cabinet, as an independent expert to provide regular external assessments of the implementation of the Government's response over the next two years. In addition, a further independent external audit will be undertaken two years after implementation of the response.

Recommendation 1 – The officer responsible for importation of horses

The Government agrees with this recommendation.

The Secretary of the Department of Agriculture, Fisheries and Forestry will appoint a Senior Executive Service officer to be primarily responsible and accountable for the importation of horses into Australia.

Recommendations 2-5 – An Inspector General of Horse Importation – External Auditor

The Government agrees with these recommendations.

The Commissioner identifies the Inspector General of Horse Importation as a 'crucial role'. Because it will take time to draft and implement legislation giving effect to this position, the Government will move to appoint, on an administrative basis, an 'interim inspector'. The interim inspector will be a person with expertise in equine affairs and will not be currently employed or engaged by the Department of Agriculture, Fisheries and Forestry.

The role of the interim inspector will be to:

- check, by inspection and audit, that operations and procedures at each approved pre-export quarantine (PEQ) premises are documented and being complied with;
- check, by inspection and audit, that import conditions covering the period until horses arrive at an airport in Australia are being complied with; and

- check, by inspection and audit, that operations and procedures applying from when horses arrive at an airport in Australia until the completion of post-arrival quarantine (PAQ) are documented and being complied with.

The interim inspector will undertake these checks as soon as possible and provide a report to the Minister. The interim inspector will also provide advice to the Executive Director of AQIS, the Chief Executive of Biosecurity Australia and the officer responsible for the importation of horses during the course of his or her appointment.

The Government will also ask the Quarantine and Biosecurity Review (chaired by Mr Roger Beale AO) to consider how an Inspector General of Horse Importation position can best be designed and implemented to interact with other auditing and verification processes either currently in place or recommended for implementation with respect to AQIS.

Recommendations 6-13 – Pre-export quarantine

The Government agrees with these recommendations.

The current interim quarantine measures for the importation of horses contain a requirement that PEQ premises must be approved by the Official Veterinarian of the exporting country prior to the commencement of the PEQ period. To complement this approval by the exporting country and to give effect to this recommendation, the officer responsible for horse importation will develop and implement a process for the approval by AQIS of PEQ facilities. In the first instance, the officer responsible for the importation of horses will draw upon the advice of the interim inspector to determine whether PEQ premises currently approved by the exporting country should be approved by AQIS. AQIS will amend the import conditions for horses to include a requirement that pre-export quarantine premises must be approved by AQIS before they can be used by the importer for PEQ. (Recommendation 6)

Biosecurity Australia will inspect and review the activities and events that occur from the time horses enter PEQ until the time they arrive at an airport in Australia, in order to identify any biosecurity risks and recommend any necessary changes to import conditions or other requirements. This inspection and review will be performed without delay for each country or region from which horses are imported to Australia and will take account of other recommendations and comments in the Commissioner's report. For maximum efficiency and effectiveness, the inspections will be undertaken in conjunction with those undertaken by the interim inspector. (Recommendation 7)

AQIS will amend the import conditions for horses to impose a condition on the importer that a blood sample is taken while a horse is in PEQ. The conditions will include a requirement that the importer must arrange for part of the sample to be retained in the country of export and another part of the sample to be transported to Australia. The arrangements will include a requirement that both parts of the sample are retained for at least three months. (Recommendation 8)

The current interim quarantine measures for the importation of horses contain a requirement that horses be tested for equine influenza by either a polymerase chain reaction (PCR), or an antigen enzyme linked immunosorbent assay (ELISA) test

within four days (or seven in the case of horses from the United States) of departure from PEQ. Biosecurity Australia will review the interim measures as soon as possible to ensure that this testing time is as close as practicable to the end of the pre-export quarantine period. Biosecurity Australia and AQIS will also ensure that knowledge and information about currently available tests for equine influenza are kept up to date and import conditions take into account any advances in testing methods. (Recommendation 9)

The current conditions for the importation of horses provide that all operations and procedures must be documented and that AQIS may audit approved PEQ premises. (Recommendation 10)

Biosecurity Australia will review the current interim quarantine measures for the importation of horses and include advice annually on the vaccine or vaccines that may or may not be used (taking account of the countries or regions from which the horses are exported). AQIS will consider this advice in determining the import conditions relevant to vaccination. If there are commercially available vaccines that contain representatives of currently circulating equine influenza strains, these will be included in the import conditions. Any updated advice or information about vaccines will be reviewed by Biosecurity Australia and be the subject of further advice to AQIS. (Recommendation 11)

The import conditions for horses currently require the Official Veterinarian of the exporting country to certify that the horse has been vaccinated in accordance with the requirements of the import conditions and that the horse has had negative results for requisite tests for equine influenza. As outlined in response to recommendation 8, AQIS will revise the conditions to include the requirement that a blood sample is taken while a horse is in PEQ. The conditions will also make it clear that evidence of all of these matters must be made available by the importer for inspection by the Official Veterinarian at the port of loading. (Recommendation 12)

The import conditions for horses will be amended to require the importer to make available to AQIS, before a horse is loaded on to an aircraft or vessel for carriage to Australia, sufficient evidence for AQIS to verify that there exists such certification as is required by its import conditions up to the time the horse arrives at the airport of departure and that the horse complies with those conditions. This will be done by facsimile or electronic communication with AQIS officers in Australia. (Recommendation 13)

Note: The *interim quarantine measures for the importation of horses* have been developed and published by Biosecurity Australia and are provided to AQIS. AQIS uses this advice from Biosecurity Australia in determining *import conditions for horses*. All references in this response to the interim quarantine measures and the import conditions should be read as including the measures and conditions for all countries from which Australia imports horses, other than New Zealand and New Caledonia (which do not have equine influenza).

Import permit decision-making is a matter for individual delegates under quarantine legislation. Nothing in this response is intended to take away the discretion of individual decision-makers.

Recommendations 14-17 – Airport facilities

The Government agrees with these recommendations.

Experts in biosecurity containment and animal health and safety will be engaged as soon as possible to inspect and assess the adequacy of the facilities for unloading and transferring of horses at Sydney (Kingsford Smith) Airport. The experts will also provide urgent advice on the construction of facilities at Tullamarine Airport in Melbourne. The experts will provide their advice to the Executive Director of AQIS, recommending measures that ensure appropriate biosecurity precautions are in place and the risk of injury to horses and those handling them are minimised. AQIS will consult with importers, and will be required to consult further with other government agencies and the operators of the airports and any relevant airport lessees, prior to seeking a Government decision on any recommended infrastructure changes. (Recommendations 14 and 15)

Appropriate facilities to enable those who might have had contact with imported horses at both Sydney (Kingsford Smith) and Tullamarine Airports to shower and change will be provided as soon as possible. AQIS will settle the best way to give effect to this requirement with importers and the airport operators. At a minimum, portable facilities will be made available until the biosecurity containment experts provide their report. AQIS will amend its Standard Operating Procedures and Work Instructions to reflect the requirement for those who might have contact with imported horses at airports to shower and change their clothes, unless they are travelling with the imported horses into PAQ. (Recommendation 16)

Should there be any ports of arrival (other than Sydney or Melbourne) approved in future for the landing by air of live horses from places other than New Zealand, similar facilities will be made available. (Recommendation 17)

Recommendations 18-22 – Post-arrival quarantine stations

The Government agrees with these recommendations.

The Government will continue to control and operate PAQ stations for horses, noting that the Commissioner concludes in his report that exceptions could be made in special cases, such as the Sandown quarantine facility for horses.¹ (Recommendation 18)

In the absence of other satisfactory government controlled and operated post-arrival quarantine stations becoming available before the options to renew the leases of Eastern Creek and Spotswood Quarantine Stations expire, those options will be exercised. (Recommendation 19)

AQIS will appoint experts in biosecurity and animal health and safety to review the facilities at Eastern Creek and Spotswood Quarantine Stations. The experts are likely to be the same as those undertaking a review of arrangements for reception of horses at airports. AQIS will also consult with interested parties including state and territory governments, import agents, veterinarians, farriers, operators of private quarantine

¹ Equine Influenza Inquiry report, page 60.

stations, and representatives of horse owners, horse racing organisations and equestrian organisations prior to making recommendations to the Government about improvements to facilities. AQIS will implement the matters specifically listed by the Commissioner in his recommendation, such as closed-circuit television, secure storage for drugs and equipment and isolation stalls for sick horses. (Recommendation 20)

The level of staffing for the Eastern Creek and Spotswood Quarantine Stations has been reviewed and upgraded since the outbreak of equine influenza in August 2007. Staffing levels will be kept under close review to ensure they are sufficient to carry out properly all activities and measures required by the Standard Operating Procedures. (Recommendation 21)

The budgets applying to reception and quarantine of imported horses in Australia will be determined so as to be sufficient to fund the operations of the Quarantine Stations in accordance with these recommendations and any further procedures and requirements that are put in place from time to time. (Recommendation 22)

Recommendations 23-31 – Operating procedures for clearance and quarantine of horses

The Government agrees with these recommendations.

Biosecurity Australia will conduct, within six months, an inspection and review of the process of horse importation from the time horses arrive in Australia until the completion of their post-arrival quarantine in order to:

- identify all relevant biosecurity risks;
- review the Standard Operating Procedures for clearance and quarantine of horses, as issued on 5 December 2007; and
- recommend any changes that should be made to those Standard Operating Procedures, after taking account of my other recommendations and comments in this report.

Where possible, these activities will be coordinated with any inspection being undertaken by the interim inspector. (Recommendation 23)

The Standard Operating Procedures will be amended to require that there be a person with overall responsibility for the various clearance procedures and biosecurity tasks to be performed in the course of unloading horses at an airport and transferring them. (Recommendation 24)

The Standard Operating Procedures will be amended to require the manager of a quarantine station to be responsible for ensuring that a written report on compliance with procedures is prepared and reviewed daily and that any non-compliance and corrective action are recorded. (Recommendation 25)

The Standard Operating Procedures will be amended to require the duties of any people responsible for maintaining 24 hour security at a quarantine station (whether they be AQIS officers or private contractors) to be recorded in writing. The Standard Operating Procedures will also require that those people receive training in relation to

biosecurity risks sufficient to instil an appreciation of such acts or circumstances as might give rise to biosecurity risks. (Recommendation 26)

The Standard Operating Procedures will be amended to require, as a condition of entry for all non-AQIS personnel to a quarantine station, that each person report any suspected breach (by that or any other person) of quarantine procedures in the quarantine station and that a person may be excluded from entry to a quarantine station in the event of a breach of such procedures by that person or in the event of a failure of that person to report any suspected breach. (Recommendation 27)

Biosecurity Australia will review, at least once every two years, the Standard Operating Procedures to ensure that they adequately identify and manage the risk of entry and spread of equine influenza associated with the importation of horses into Australia. The outcome of each review will be the subject of a written report and recommendations to the person responsible for the importation of horses and the Executive Director of AQIS. A determination will then be made by the officer responsible for horse importation as to whether any, and if so what, changes should be made to the Standard Operating Procedures. (Recommendation 28)

The Standard Operating Procedures and Work Instructions for clearance of imported horses will be reviewed by AQIS to address the matters outlined in Recommendation 29. As well as being reviewed to take account of the Commissioner's recommendations, the Standard Operating Procedures and Work Instructions for clearance of live horses will also be updated regularly to take account of any recommendations made by: the interim inspector and ultimately the Inspector General of Horse Importation; Biosecurity Australia; or any other biosecurity experts commissioned to provide advice on the procedures and practices for horse quarantine. The procedures will also be revised to reflect any relevant amendments to legislation. (Recommendation 29)

The officer responsible for the importation of horses will ensure that:

- up-to-date copies of Standard Operating Procedures and Work Instructions are available both in soft-copy form on the AQIS intranet site and in hard-copy form at any premises where tasks associated with horse importation are ordinarily performed;
- AQIS personnel involved in the importation of horses are trained in all relevant aspects of procedures relating to the importation of horses; and
- AQIS personnel taking up duties involving tasks related to horse importation and not having performed such tasks for more than 12 months undergo proper training in the relevant procedures before commencing their duties.

(Recommendation 30)

The officer responsible for the importation of horses will, within three months, prepare a report to the Executive Director of AQIS that:

- identifies (by category) all non-AQIS personnel involved in the importation of horses, including PAQ, from countries other than New Zealand;
- identifies the requirements in respect of biosecurity that AQIS has of those people;

- identifies the source of those requirements—for example, by import conditions, agreement or understanding, whether formal or informal, with AQIS, and compliance agreement under s. 66B of the *Quarantine Act 1908*;
- assesses whether compliance with those requirements can be and is adequately being enforced; and
- recommends measures to be taken to rectify any shortcomings.

(Recommendation 31)

Recommendations 32-33 – Post-arrival quarantine

The Government agrees with these recommendations.

The import conditions for horses currently include a requirement that a PCR for influenza A virus (or equine influenza virus) with negative results for each horse must be conducted on two nasopharyngeal swabs: the first taken within 24 hours of arrival and the second five days after the last horse arrives in PAQ. The import conditions and Standard Operating Procedures will be amended, as appropriate, to include a requirement that the swabs are also subject to a ‘rapid’ immuno-assay test to detect influenza A. (Recommendation 32)

The import conditions for horses will be amended to include a requirement that each horse be tested for equine influenza as close as practicable before the end of the quarantine period and that a negative result for that test be available before the horse may be released from quarantine. Until more sensitive and specific detection tests become available, an agent detection test for influenza A – either a quantitative PCR test or an antigen-capture ELISA test – will be used for that purpose.

(Recommendation 33)

Recommendations 34-35 – Biosecurity Australia

The Government agrees with these recommendations.

Biosecurity Australia will undertake, in accordance with the Import Risk Analysis Handbook 2007, a comprehensive import risk analysis relating to the importation of horses from the countries and regions from which Australia currently permits such importation. Biosecurity Australia will make such recommendations for any changes to policies for importation as are warranted to the Director of Animal and Plant Quarantine (copies will also be provided to the officer responsible for the importation of horses and the Executive Director of AQIS). (Recommendation 34)

Biosecurity Australia will review that formal import risk analysis at least once every two years to take into account any relevant developments in scientific knowledge or quarantine measures – specifically testing methods, vaccines, vaccination procedures and other matters that affect biosecurity. Reports on these reviews will be provided to the Director of Animal and Plant Quarantine and will contain recommendations for any necessary changes to policies for importation. The officer responsible for the importation of horses will receive a copy of the reports. (Recommendation 35)

Recommendation 36 – Review of the Quarantine Act

The Government agrees with this recommendation.

The Department of Agriculture, Fisheries and Forestry will review the *Quarantine Act 1908* in order to identify amendments necessary to ensure that the Act clearly and adequately confers all relevant powers to ensure the biosecurity of horse importation and quarantine and to give effect to the recommendations of the Commissioner's report. This review will be undertaken in close coordination with the Quarantine and Biosecurity Review, the terms of reference for which include an assessment of the legal framework that underpins the delivery of quarantine.

Recommendations 37-38 – Recovery of quarantine expenses

The Government agrees with these recommendations.

AQIS has commenced and will finalise as soon as possible a review of the fees charged in relation to the importation and quarantining of horses. In conducting this review, AQIS will have regard to all matters listed by the Commissioner in Recommendation 37. The fee review undertaken by AQIS will be conducted consistent with the Australian Government's Cost Recovery Guidelines and in consultation with industry and government stakeholders. (Recommendation 37)

Until the fee review is finalised, and provided there is a legislative basis to do so, the fee charged by the government controlled and operated quarantine stations for thoroughbred stallions temporarily imported into Australia will not be less than \$165.00 plus GST a day and the fee for all other horses will not be less than \$65.00 plus GST a day. The Government agrees that no discount should be allowed for the number of horses in a consignment and this will be reflected in the revised fees. (Recommendation 38)

Equine Influenza Inquiry Report – Recommendations

1. That the Secretary of the Department of Agriculture, Fisheries and Forestry designate, without delay, a Senior Executive Service officer to be primarily responsible and accountable for the importation of horses into Australia and to that end to have the power to exercise all necessary authority.
2. That there be established the position of Inspector General of Horse Importation, the duties of that position being:
 - a. to check, by inspection and audit at least once every 30 months, that operations and procedures at each approved pre-export quarantine premises are documented and being complied with
 - b. to check, by inspection and audit from time to time at the Inspector General's discretion, that import conditions covering the period until horses arrive at an airport in Australia are being complied with
 - c. to check, by inspection and audit at least once every 30 months, that operations and procedures applying from when horses arrive at an airport in Australia until the completion of post-arrival quarantine are documented and being complied with
 - d. to report in writing at least once every 12 months to the Minister responsible for quarantine on the results of such inspections and audits and such other related matters as the Inspector General thinks necessary.
3. That the position of Inspector General of Horse Importation:
 - a. have such powers and authority and be subject to all protections necessary to enable the performance and discharge of the duties set out above
 - b. be terminated after five years
4. That the person holding the position of Inspector General of Horse Importation:
 - a. be appointed by the Governor-General in Council following public advertisement
 - b. be appointed for a term of five years only or for such lesser term as may remain at the time of appointment
 - c. receive such remuneration and other benefits as fixed or recommended by the Remuneration Tribunal
 - d. be a person with expertise in equine affairs and with such other qualifications and experience as the Governor-General in Council considers appropriate
 - e. not hold or take other employment or consultancies that might give rise to an actual or perceived conflict of interest with the duties of Inspector General
 - f. be obliged to submit to any medical examination reasonably required by the Minister responsible for quarantine before or during the term of appointment for the purpose of assessing his or her suitability for the position
 - g. shall not be, or have been within the two years immediately preceding the appointment, employed or engaged by the Department of Agriculture, Fisheries and Forestry.

5. That the person holding the position of Inspector General of Horse Importation may be removed in the following circumstances only:
 - a. automatically
 - (i) on bankruptcy or on an application to take the benefit of a law for the relief of bankruptcy
 - (ii) on conviction for an indictable offence or
 - (iii) on loss or suspension of any licence or authority to practise his or her regular profession
 - b. by dismissal by the Governor-General in Council for proved misconduct in or relating directly or indirectly to the performance of his or her duties
 - c. by resignation in writing to the Minister responsible for quarantine
 - d. on certification by two medical practitioners of mental or physical incapacity to perform the duties of Inspector General.
6. That premises be used for pre-export quarantine only if they have been approved by the officer responsible for the importation of horses and only if they have adequate biosecurity precautions that are the subject of documented procedures that can be audited. The import conditions for horses shall include a requirement that pre-export quarantine premises have been so approved.
7. That the officer responsible for the importation of horses arrange for Biosecurity Australia or another qualified body to inspect and review the activities and events that occur from the time horses enter pre-export quarantine until the time they arrive at an airport in Australia, in order to identify any biosecurity risks and recommend any necessary changes to import conditions or other requirements. This inspection and review shall be performed without delay for each country or region from which horses are imported to Australia and it should take account of my other recommendations and comments in this report.
8. That the import conditions for horses include that a blood sample be taken while a horse is in pre-export quarantine. Part of the sample is to be retained in the country of export and another part of that sample is to be transported to Australia, preferably with the horse. Both parts are to be retained for at least three months.
9. That the import conditions for horses include that the horse be tested for equine influenza at a time as close as practicable to the end of the pre-export quarantine period. Until more sensitive and specific detection tests become available, an agent test for influenza A—either a quantitative PCR or an antigen-capture ELISA test—should be used.
10. That the import conditions for horses include that the operations and procedures at the pre-export quarantine premises may from time to time, be inspected and audited by or on behalf of the Australian Government.
11. That the import conditions for horses specify, based on advice from Biosecurity Australia that is reviewed at least annually, the vaccines for equine influenza to be administered to horses before they are exported, taking account of the countries or regions from which the horses are exported. If there are commercially available vaccines that contain representatives of currently circulating strains, the import conditions should specify that the horses be vaccinated using that vaccine or one of those vaccines. Otherwise, the conditions

should specify the vaccine or vaccines that may be used, based on the advice of Biosecurity Australia.

12. That the import conditions for horses specify that there be available for inspection at the port of loading and produced on the horse's arrival in Australia, certification (including in electronic form) that the horse has been vaccinated, has had a blood sample taken during pre-export quarantine, and has passed a suitable detection test, currently either a quantitative PCR or an antigen-capture ELISA test for influenza A.
13. That, before a horse is loaded on to an aircraft or vessel for carriage to Australia, AQIS verify that there exists such certification as is required by its import conditions up to the time the horse arrives at the airport of departure and that the horse complies with those conditions. This could be done by facsimile or electronic communication with AQIS officers in Australia.
14. That the facilities for unloading and transferring of horses at Sydney (Kingsford Smith) Airport be upgraded without delay, following the advice of experts in biosecurity containment, so as to enable appropriate biosecurity precautions to be taken effectively and to minimise the risk of injury to horses and those handling them. The facilities should include at least one padded box or stall sound-proofed to the extent that it is reasonable to do so.
15. That facilities for the unloading and transferring of horses at Tullamarine Airport in Melbourne be constructed urgently, upon advice of experts in biosecurity containment, to enable adequate biosecurity precautions to be taken effectively and to minimise the risk of injury to horses and those handling them.
16. That there be provided without delay at Sydney (Kingsford Smith) and Tullamarine Airports facilities to enable people who might have had contact with imported horses to shower and change their clothes, under supervision, before leaving the airport.
17. That there be similar facilities for the unloading and transfer of horses at any other airport in Australia that might receive horses imported from places other than New Zealand.
18. That there continue to be in Australia government controlled and operated post-arrival quarantine stations for horses.
19. That, in the absence of other satisfactory government controlled and operated post-arrival quarantine stations becoming available before the options to renew the leases of Eastern Creek and Spotswood Quarantine Stations expire, those options be exercised.
20. That the facilities at Eastern Creek and Spotswood Quarantine Stations be reviewed by AQIS in consultation with experts in biosecurity and interested parties including state and territory governments, import agents, veterinarians, farriers, operators of private quarantine stations, and representatives of horse owners, horse racing organisations and equestrian organisations. There should in any event be constructed without delay, an adequate supply of hygienic, modern showering facilities and places of entry and exit to the stations and the horse sections of them that can be supervised and monitored continually. There should

also be provided at those stations as soon as is practicable suitable means of electronic surveillance, including closed-circuit television; a secure place to store chemicals, drugs, instruments and equipment for use by people attending the quarantined horses, and a set of horse stalls and yards separate from the main stalls and yards to enable isolation of horses suffering from contagious or infectious diseases. These reviews should also consider the desirability of separate areas in quarantine stations to hold horses forming part of a single quarantine intake but that have been imported from different regions or have undergone pre-export quarantine in different places. The reviews should be carried out without delay, and the two quarantine stations should be upgraded in accordance with the recommendations of the reviews.

21. That each government controlled and operated quarantine station have sufficient staff to carry out properly all activities and measures required by the current operating procedures dealing with the quarantine of horses.
22. That the budgets for airport reception of horses and government controlled and operated quarantine stations be determined so as to be sufficient to fund the operations of the Quarantine Stations in accordance with these recommendations and any further procedures and requirements that are laid down from time to time.
23. That the officer responsible for the importation of horses arrange for Biosecurity Australia to conduct within six months, an inspection and review of the process of horse importation from the time horses arrive in Australia until the completion of their post-arrival quarantine in order to:
 - a. identify all relevant biosecurity risks
 - b. review the standard operating procedures for clearance and quarantine of horses, as issued on 5 December 2007
 - c. recommend any changes that should be made to those operating procedures, after taking account of my other recommendations and comments in this report.
24. That the operating procedures require that there be identified a person who has overall responsibility for the various clearance procedures and biosecurity tasks to be performed in the course of unloading horses at an airport and transferring them to a quarantine station.
25. That the operating procedures require that the manager of a quarantine station be responsible for ensuring that a written report on compliance with procedures is prepared and reviewed daily and that any non-compliance and corrective action are recorded.
26. That the operating procedures require that the duties of any people responsible for maintaining 24 hour security at a quarantine station (whether they be AQIS officers or private contractors) are recorded in writing and that those people have received training in relation to biosecurity risks sufficient to instil an appreciation of such acts or circumstances as might give rise to biosecurity risks.
27. That the operating procedures require, as a condition of entry for all non-AQIS personnel to a quarantine station, that each person report any suspected breach (by that or any other person) of quarantine procedures in the quarantine station

and that a person may be excluded from entry to a quarantine station in the event of a breach of such procedures by that person or in the event of a failure of that person to report any suspected breach.

28. That the officer responsible for the importation of horses arrange for Biosecurity Australia to review, at least once every two years, the operating procedures to ensure that they adequately identify and manage the risk of entry and spread of equine influenza associated with the importation of horses into Australia. The outcome of each such review should be the subject of a written report and recommendations to the person responsible for the importation of horses and the Executive Director of AQIS. A determination should then be made as to whether any, and if so what, changes should be made to the operating procedures.
29. That there be prepared operating procedures or a manual that:
 - a. clearly sets out the procedures to be implemented by AQIS personnel at each stage of the importation process, including the documentation that must be completed at each stage
 - b. describes the potential hazards and risks in sufficient detail to enable a quarantine officer to understand why particular actions or processes are necessary and to appreciate what actions or circumstances might give rise to biosecurity risk
 - c. sets out the powers available to quarantine officers (under legislation and otherwise) in particular places or circumstances to ensure that adequate biosecurity precautions are taken.
30. That the officer responsible for the importation of horses ensure that:
 - a. up-to-date copies of operating procedures or manuals setting out the procedures to be implemented are available both in soft-copy form on the AQIS intranet site and in hard-copy form at any premises where tasks associated with horse importation are ordinarily performed
 - b. AQIS personnel involved in the importation of horses are trained in all relevant aspects of procedures relating to the importation of horses
 - c. AQIS personnel taking up duties involving tasks related to horse importation and not having performed such tasks for more than 12 months undergo proper training in the relevant procedures before commencing their duties.
31. That the officer responsible for the importation of horses prepare a report to the Executive Director of AQIS that:
 - a. identifies (by category) all non-AQIS personnel involved in the importation of horses, including post-arrival quarantine, from countries other than New Zealand
 - b. identifies the requirements in respect of biosecurity that AQIS has of those people
 - c. identifies the source of those requirements—for example, by import conditions, agreement or understanding, whether formal or informal, with AQIS, and compliance agreement under s. 66B of the Quarantine Act 1908
 - d. assesses whether compliance with those requirements can be and is adequately being enforced
 - e. recommends measures to be taken to rectify any shortcomings.

32. That the import conditions for horses include that the nasopharyngeal swabs taken within 24 hours of arrival and five days after the last horse arrives in post-arrival quarantine be divided and the swabs made subject to a quantitative PCR test and a 'rapid' immuno-assay test to detect influenza A. The operating procedures should also require that these additional tests be conducted.
33. That the import conditions for horses include that each horse be tested for equine influenza as close as practicable before the end of the quarantine period and that a negative result for that test be available before the horse may be released from quarantine. Until more sensitive and specific detection tests become available, an agent detection test for influenza A - either a quantitative PCR test or an antigen-capture ELISA test - should be used for that purpose.
34. That Biosecurity Australia undertake and complete within 12 months a non-regulated but formal import risk analysis relating to the importation of horses from the countries and regions from which Australia currently permits such importation, and make such recommendations for any changes to policies for importation as are warranted by its risk analysis to the officer responsible for the importation of horses and the Executive Director of AQIS.
35. That Biosecurity Australia review that formal import risk analysis at least once every two years to take into account any relevant developments in scientific knowledge—specifically testing methods, vaccines, vaccination procedures and other matters that affect biosecurity. Reports on the reviews should be provided to the officer responsible for the importation of horses and should contain recommendations for any necessary changes to policies for importation.
36. That the Quarantine Act 1908 be reviewed in order to identify amendments necessary to ensure that the Act clearly and adequately confers all relevant powers to ensure the biosecurity of horse importation and quarantine and to give effect to these recommendations.
37. That the fees charged in relation to the importation and quarantining of horses be reviewed and fixed without delay having regard to the following factors:
 - a. the cost of the drafting, preparation, printing, distribution, publishing, collection, checking, recording and filing of all documents, questionnaires, certificates and forms concerning the importation and quarantining of horses
 - b. the cost of employing all people paid by the Commonwealth and engaged in work concerning the importation and quarantining of horses, including the Inspector General and the officer responsible for the importation of horses and their staff
 - c. a risk factor that has regard to risks to the Commonwealth, its employees, contractors and all other people, things and animals arising out of, or such as could arise out of, any act or omission for which the Commonwealth might be held liable concerning the importation and quarantining of horses and to the costs that might be incurred by an event or events of the kind that occurred in August 2007
 - d. the costs of all drugs, implements, tools, laboratories, establishments, lands, places, buildings and things used or held, licensed or leased or owned by the Commonwealth for or in respect of the importation or quarantining of

horses. Depreciation, amortisation, holding and all other costs should be taken into account in calculating these costs

- e. costs and fees charged by other individuals (if any) carrying out the same or similar work to that done by AQIS
 - f. any costs of preparing, auditing, reviewing, checking or training in relation to the work instructions and standard operating procedures
 - g. an additional and reasonable cost for contingencies of not less than 10 per cent of the sum of all other costs.
38. That, until the review of those fees has been completed, the fee charged by the government controlled and operated quarantine stations for thoroughbred stallions temporarily imported into Australia be not be less than \$165.00 plus GST a day and the fee for all other horses be not less than \$65.00 plus GST a day. No discount is to be allowed for the number of horses in a consignment.