



Condition on livestock export licences

Suspicious and detections of exotic animal diseases

Live Animal Export Branch

1 Purpose

This policy outlines the circumstances in which the department may give an order to the holder of an approved livestock export licence, that will invoke a condition on their export licence requiring the stopping of moving or loading livestock for export in circumstances where the Secretary reasonably suspects that an exotic animal disease¹ is present in Australia.

The intent of the condition is to prevent or significantly reduce the potential health and welfare impacts to animals about to be, or in the process of being, loaded for export, and damage to Australia's reputation as a trading nation more broadly.

¹ This applies to either:

- i. a disease, infection or infestation that is listed in Chapter 1.3 of the Terrestrial Animal Health Code, published on the World Organisation for Animal Health (WOAH) website, as existing from time to time; or
- ii. any other disease, infection or infestation that the Secretary reasonably believes has the potential to cause significant harm to human, animal or plant health, and whose presence in Australia could result in the export of livestock from Australia being adversely affected; and

provided that, in either case, the disease, infection or infestation is not endemic to Australia.

2 Scope

This policy applies to the management of livestock for export by sea or air in the initial stages of the suspicion or detection of an exotic animal disease, infection or infestation, prior to any national or state-based response being instituted, or any other legislative powers for control being utilised.

The policy only applies to:

- circumstances where an exotic animal disease is reasonably suspected, or has been detected, in Australia
- consignments that contain species that are affected by the type of suspected exotic animal disease or are going to an importing country which may not accept them because of the specific disease
- animals being exported where the importing country requirements include the disease of concern
- livestock that are in the process of being moved to a landing place, airport or seaport for export, or about to be loaded or in the process of being loaded onto an aircraft or vessel for export.

3 Background

Australia is currently free of a number of diseases, infections or infestations that can cause a significant impact on livestock and other animals. If an exotic animal disease, such as Lumpy Skin Disease (LSD) or Foot-and-Mouth Disease (FMD), is detected in Australia, this would have severe consequences for Australia's animal health and trade.

There is a period of time between a disease, infection or infestation being suspected or confirmed and national, state or territory response arrangements being put into effect.

The department has an important role to manage risks effectively and efficiently during this period. These risks can include damage to Australia's reputation as a trading nation, the rejection of consignments by importing countries, and livestock being directed for export or destruction due to the inability to manage the biosecurity risk associated with them.

Early action in response to a suspected or confirmed exotic animal disease is critical to limit the impact of an incursion in Australia.

4 Process

Suspicion or confirmation threshold

- 4.1. In the event that an exotic animal disease, infection or infestation is suspected or has been confirmed in Australia, authorised officers (in practice, usually Regional Veterinary Officers (RVOs)) will receive notification from the Secretary or their delegate (in practice, usually a delegated officer in the Australian Chief Veterinary Office (OCVO)) of the suspicion or detection.
- 4.2. Prior to issuing the notification, the delegate must have a reasonable suspicion of the presence of the exotic animal disease, infection or infestation in Australia. This can include a positive test result. The delegate will use their skills and qualifications to determine whether the

disease, infection or infestation is not endemic to Australia, and is listed in Chapter 1.3 of the *Terrestrial Animal Health Code*, or if not, whether they have a reasonable belief that it has the potential to cause significant harm to human, animal or plant health and could result in the export of livestock from Australia being adversely affected, prior to issuing the notification to RVOs. This could occur while specimen samples are still being collected and tested and results are pending.

Note: the delegate will provide notification of the suspicion of the presence of an exotic animal disease, infection or infestation to RVOs. RVOs are responsible for [giving the order](#).

- 4.3. This will generally not apply to routine exotic animal disease sampling and exclusion testing, unless in the case of a suspected or confirmed positive result.

Giving the order

- 4.4. After RVOs receive notification from the delegate, an RVO will determine on a case-by-case basis, whether a specific consignment that they are overseeing may no longer be able to proceed for export due to the presence, or suspected presence, of the disease.

To give the order, the RVO must have reasonable grounds to suspect that the livestock will not be permitted to enter the intended overseas destination because of the disease, infection, or infestation notified by the delegate. In these circumstances, an export permit may not be able to be issued.

Note: this includes where there is an importing country requirement for Australia to be free of certain diseases, even if there are no grounds for suspecting the presence of the disease in the particular consignment or the geographical location.

- 4.5. If the RVO decides to give the order to the livestock export licence holder (that is, to activate the licence condition), they may give the order verbally, such as in person or a phone call, or in writing, such as through an email. If the order is given verbally in the first instance, it will be followed up in writing as soon as practicable after being given verbally. Orders given verbally have the same authority as written orders.

Note: Livestock export licence holders are not required to make any variations to their current export licence.

- 4.6. An order given may require the stopping of any livestock movements or loading for export. It is a condition on an exporter's export licence that they comply with the order given by the RVO. An order given may require the exporter to not do any of the following in relation to livestock:

- move livestock intended for export to a port of embarkation, airport, or other place for the purpose of being exported,
- unload a consignment of livestock intended for export at a port of embarkation, airport or other place for the purpose of being exported,
- load, or continue to load, a consignment of livestock onto any aircraft or vessel for export.

- 4.7. Exporters must ensure they have contingency plans in place in accordance with ASEL ss 4.1.18 and 6.1.29 to ensure that animal health and welfare will continue to be upheld during these circumstances. Contingency plans should extend to animals that have already been loaded or commenced the export process.

- 4.8. The order to cease loading or movement of livestock will be in place for 72 hours from the time the order is given.

4.9. The department may issue a formal direction to require the livestock not be moved, loaded or unloaded if after 72 hours the consignment still cannot be issued with an export permit and health certificate. This will be in the form of a written notice, and export licence holders will be afforded an opportunity to respond to a notice of intent to give such a direction.

Withdrawal of the order

4.10. The order can be withdrawn during the 72-hour period where the authorised officer is satisfied that the reason for the order no longer exists and there is no reason why the order should not be revoked. Examples of circumstances where the authorised officer may decide the reason for the order no longer exists are where:

- alternative measures supersede the order, such as the revocation of the Notice of Intention to export (NOI), or
- when national, state and territory animal disease processes take effect, or
- if further information becomes available, such as an exotic animal disease is no longer suspected, or the importing country issues a dispensation.

4.11. The notification of withdrawal will be from an Authorised Officer directly to the exporter in writing, such as via email.

5 Related material

This policy should be read in conjunction with relevant export legislation and ASEL.

For more information see:

- [Australian Standards for the Export of Livestock \(ASEL\)](#)
- [Export Control Act 2020](#)
- [Export Control \(Animals\) Rules 2021](#)

6 Version control

Version	Date of issue	Author	Reason for change
1.0	December 2023	Live Animal Export Branch	First publication

Acknowledgement of Country

We acknowledge the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. We pay our respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

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