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Webinar: Assessment of alternative measures for bananas from the Philippines – BIRA, issues paper and trip report

Webinar transcript

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Good afternoon, my name is Allison Jones, and I am the acting First Assistant Secretary of the Biosecurity Plant and Science Services Division here at the Department of Agriculture, Fisheries and Forestry. I'm filling in for Peter Finnin, who a lot of you would know as well. He's currently in another role in the department just for a little while.

I'd like to start today's meeting by acknowledging that I'm joining you today from Ngunnawal Country in Canberra, a little bit colder here than I know a lot of you joining from today. It's definitely in the minuses this morning. I'd like to pay my respects to the Ngunnawal elders past and present and acknowledge them as the traditional owners and acknowledge the traditional owners from the lands that you're joining us from today.

As I said, I really appreciate you all making the time to meet with us today. I know you're all really busy and it is a busy time of year. So, thank you.

As you'd be aware, we are doing an assessment of alternative measures for fresh Cavendish bananas from the Philippines. It was really great meeting with a lot of you when we visited the banana growing regions late last year up in far north Queensland, in northern New South Wales and in Carnarvon in Western Australia. I'm really looking forward to coming back and talking with you again, and we'll bring more of the technical team as well when we release the draft report, which will have a lot more discussion sort of topics. That'll be early next year.

So as you'd know, last week we published a notice of intention which is the formal way that we let you know that we're conducting this assessment as a regulated Biosecurity Import Risk Analysis, also referred to as a BIRA. At the same time, we also released an issues paper, which we'd love to get your feedback on, and I'll talk a bit more about that as well. We also published a report on our technical visit to the Philippines, and I'll talk a bit about that as well. Today, I'm here to give you some more information about the BIRA process and the issues paper and the technical report.

But before I continue, I'd just really like to emphasise again, and I know we did this a lot in our visits last year, that a notice of intent to conduct a BIRA doesn't mean that trade will definitely occur, or that it's imminent. We're still in the early stages of our really comprehensive assessment process that we're going through and there will be opportunities and we welcome that stakeholder consultation before any decisions get made.

So I'll just get Alex to kindly share the presentation that I'm going to run through, and I'll move on to some quick housekeeping while I've got you all here. We'll ask that you generally please keep yourselves muted and your camera off just during the presentation. If you do have any questions during the presentation, please don't forget what they are, feel free to pop those directly in the chat. We will have a dedicated question and answer time after our presentation where I'd really encourage you to turn on your cameras and ask your questions. If that's not for you, get someone else to do that for you, pop them in the chat. Lots of ways that

you can ask your questions and we will get you the answers that we can. My colleague, Dr. Brian Garms, who is the Assistant Secretary at the moment of the Plant Sciences and Risk Assessment Branch, is also online to assist me in answering your questions today. Brian leads the technical team who is conducting the assessment.

We'll also record the presentation part of today. We're not planning on recording the question and answer section because we're hoping that that might make you all feel a bit more comfortable about asking questions. Let us know if you have any concerns with that. But we will share the recording of the presentation and the presentation slides with you after today's meeting. We'll also publish those on our website. So if people have missed out, you can definitely come back and have a look.

Also we will post all questions and answers on our webpage. Hopefully you've had the opportunity to have a look but we already have a lot of questions and answers that people have been asking us along the way. If we get any new or different ones, we'll certainly add those to the webpage. It's not instant, but it's generally within a week or so after, as soon as we can, we publish those. If we do run out of time at the end for questions that have been put into the chat, that's also how we'll address those.

All right, so in today's presentation, I'm going to provide a really quick overview of the assessment, give you a bit of a summary of that technical visit to the Philippines, I'll have a chat about what it means now that we are conducting the assessment as a BIRA, as a Biosecurity Import Risk Analysis. I'll also discuss the issues paper and what type of feedback that we're seeking from you. I'll talk through next steps as well. Now, it could take around 30 minutes. If I talk really quickly, it might be less, so I'll try and make sure I go through it at an understandable pace but making sure that we allow lots of time for questions.

I'm going to give you a really quick overview of the assessment process, but for those of you who attended one of our information sessions late last year, you'll be across this information already. Left of the timeline that I've got up on the screen, the Philippines first requested market access for exporting Cavendish bananas to Australia way back in 1995, and it wasn't until 2000 that we did start our import risk analysis. We've finalised that particular risk assessment in 2008. You can see there that in 2009, we made the policy determination that the importation of bananas from the Philippines could be permitted subject to a range of risk management measures. The measures that were proposed in that 2008 risk analysis were never finalised with the Philippines. So that sort of formal step never happened and so consequently, no trade has ever occurred. Then another 10 years went by and back in 2018, the Philippines formally requested that we, Australia, consider the alternative or some alternative measures for the main pathogens of concern that we had identified in that 2008 risk analysis. They were Moko, black Sigatoka and banana freckle. As Australia is a member of the World Trade Organisation and following the framework that the World Trade Organisation has, Australia is obligated to consider these formal requests for alternative measures from our trading partners, just as we expect other countries to be obliged to consider our requests when we would like to ask for alternative measures for example, our wheat or our apples or our other products to different countries.

Following the request from the Philippines back in 2018, we have conducted a preliminary review to help inform our assessment. In March last year, the Philippines, through one of our formal meetings with them, requested that we also have a couple of additional tweaks to the request. That was that we consider an additional Cavendish cultivar and an additional export province. We didn't consider these back in the 2008 Philippine banana import risk analysis and so we agreed to add them to the scope of this particular analysis. Then on 16th of September last year, we're getting to the sort of right-hand side of that graph now, we notified our stakeholders. We notified you guys that we are conducting the assessment of the alternative measures for bananas from the Philippines and that this would include consideration of that additional cultivar and province. Between September and November last year, we were lucky enough to get out and about and visit you in Innisfail and Mareeba in Far North Queensland, in Coffs Harbour and Murwillumbah in northern New South Wales and then in Carnarvon in WA and talk to you about the assessment and to answer questions.

We were supposed to go on our technical visit to the Philippines, I think it was in November last year, but there was a state of emergency declared over there and so that trip was delayed until late March this year when we sent our delegation over to the Philippines, which I'll discuss in a little bit more detail in a sec.

Finally, this brings us up to the right-hand side of that timeline, which is a week or so ago on the 16th of June, we notified you that we are conducting this assessment as a Biosecurity import risk analysis or BIRA, and that we also released that issues paper to help explain the process. We also, at the same time, it was a good opportunity to publish the summary of our technical visit. So there's a lot on that slide, but we'll send these to you afterwards if you'd like to take a look. But I'll now move on to giving you an update on the technical visit.

So we did visit the Philippines from the 23rd until the 27th of March. We conducted the visit to get a better understanding of how the bananas are commercially grown and managed and exported in the Philippines. We also wanted to get a better understanding of how the pests and diseases are controlled in the Philippines, as we know they have those pests and diseases there. So at this point, it's really important to note that the visit wasn't about making sure that the Philippines commercial production practices are a mirror image or exactly the same standard as Australia's. We know that different countries all have their own processes and not just the Philippines, but other countries that we visit for other import risk analyses. We go there to get an understanding of what that baseline level of commercial production practices looks like and what practices they have in place to manage the risks. We use this information as part of that baseline to assess the risks and to determine what additional measures are needed to manage risks to an acceptable level, if indeed they can be managed to an acceptable level.

For those who aren't aware, on the visit, we took a risk assessor from our team here. We took a really experienced auditor from our team here. We took a technical expert in banana production systems, and so that was a suggestion from the Queensland Government and from industry. That was a really good suggestion and we had excellent feedback from that person who we took along. They were a really valuable part of the trip. We also took a tropical plant pathologist who had experience and was based in Queensland. We also took along our agricultural counsellor to the Philippines and they attended the visit as well and really helped with a lot of the on the ground logistics and safety protocols there.

The delegation visited three different provinces. They were the ones that produced the most Cavendish bananas for export. They are Davao del Norte, Davao de Oro, and they're both in the Davao region, and then also Bukidnon in the Northern Mindanao region. The yellow boxes that you can see on the map, they are a bit small, but as I said, we'll send out the slides, to indicate the specific areas that we visited. In total, the team visited five farms, four different companies that produce the Cavendish bananas for export, and each of them had their own packing facilities for export. The team observed the production, the pest management, and export practices across the different sites and systems. We requested to be able to visit in the highland areas and in the lowland areas, irrigated as well as non-irrigated production areas. We were keen to have a look at different scales of operations. So that was how the different farms that we visited were chosen and obviously we needed to work closely with the Philippines government to enable that to happen.

So I think on the next slide, there's some photos from the visit. But given the amount of content that we're covering today, I won't go into all the detail of what was observed. This is available in the trip report, which is on our webpage, and hopefully you've had the opportunity to read that. There's a link on this slide, and yeah, we'll be able to get it to you if you haven't been able to find that document.

We are using the information from the visit to inform our assessment, but we're also using information from a lot of other sources as well. It's probably worth pointing out that we have gathered enough information from the visit to progress with our assessment at the moment. We don't have any further technical visits planned at this stage. That's probably it for the trip summary at the moment. If you do have questions, pop them in the chat so you don't forget. But I'm going to move on and talk about the BIRA process.

So, on the 16th of June, a week or so ago, we published this notice of intention stating that the Director of Biosecurity delegate had decided to conduct the assessment as a BIRA. So what does that actually mean? And what it means is we're following a process, the BIRA process, that is actually outlined in our legislation - the Biosecurity Act and the Biosecurity regulations. But in real terms, conducting the assessment as a BIRA changes some things and it doesn't change other things. I'll try and really outline what is different and what isn't different to our normal process.

There is no significant change to the process that we communicated with you last year. The actual technical assessment that we'll do will be the same and it doesn't change our original timeframe or timeline for that draft report. We still expect to release the draft report in early 2027, so early next year. But there are additional key checks and balances that are included as part of the BIRA process. And just to keep in the back of your mind, they're the ones on this slide that are shown in the pink colour, the sort of differences or additional checks and balances that are in - and I'll go through them in a bit of detail - but they're the extra steps that are involved in a BIRA.

Firstly, one of the main differences is that there is a statutory timeframe that we need to complete the BIRA by. So we need to publish a final report within 30 months of the day that we put out that notice of intention, so from the 16th of June we have 30 months to finish it. There are a couple of special circumstances where you can stop that clock or pause that clock but they are pretty specific and you know we're not really necessarily expecting to use those but if needed we will and I'll explain to you what they are.

The next sort of key addition for a BIRA is if we just go from left to right on those dots. So first of all, there's publish the NOI, the notice of intention, and then we publish our issues paper, which we've done those things, and then we publish our draft report. Then we consider your comments on that draft report. The next thing in pink is publish provisional report. So that's something we don't normally do in our normal risk assessment, but is an extra step before the final report. So once we've published that provisional report, in a BIRA process, so stakeholders, so you guys, have the opportunity to ask the Inspector General of Biosecurity - currently, that's Dr. Melissa McEwen - you can ask her to review the process and say, did DAFF follow the right process for conducting the analysis? And so the Inspector General of Biosecurity can do that review for us and we need to take into consideration anything that she says out of that before we move on to a final report. So as I said, that's not something that's part of the normal process and it does give an additional level of review process in there.

Then the final addition that's different to our normal process or our usual import risk assessment process is that we can ask for the independent scientific advisory group, who is often called the SAG, the S-A-G. So see that pink long rectangle box above all the circles? That says that we can ask the independent Scientific Advisory Group to review or to provide comments on absolutely any aspect of the BIRA at any stage of the process. So that's why it covers the whole process. The SAG, for those who aren't aware, are a panel of independent experts that are appointed by the Director of Biosecurity. The Director of Biosecurity is our Secretary here at the department. The SAG's purpose is to review and comment on any aspects of the BIRA. There's three standing members. We have a chair, an economist and a risk analysis specialist. Their details are provided on our website or their names, that's probably the details. Some examples where we might ask the SAG to have a look at in relation to our BIRA are things like, have we properly considered the technical submissions received from stakeholders on the draft report? We could ask them to have a look at whether we've considered all the relevant matters relating to the likely economic consequences. We could ask them about the conclusions of the draft and the provisional BIRA report, are they logical and scientifically reasonable? So there's a lot of different things that we could ask them to do. We're also interested in what you think, you know, would be reasonable because that's important for us to know that we get them to have a look at the important things.

The SAG is a standing advisory group to the department for any BIRA undertaken. So obviously they're not banana specialists. You know, if we do other BIRAs, then they need to be able to do that same job for them. But obviously, we recognise that banana specific expert advice is likely to be required for this assessment. And so we're also establishing a separate expert advisory group for banana experts, you know, experts in pests and diseases, experts in banana production practices, or banana pest management systems.

We want them to be able to provide independent and expert advice on the assessment. We're in the process of setting that one up, we're halfway through, and we really hope that they're fully established and up and running by sort of, you know, July. So, we're midway through that process. That's probably all I need to say about the BIRA at the moment. So if you have any questions on the BIRA, pop them in the chat and we'll get to them. But we'll move on to the issues paper now.

We have published an issues paper for a 30-calendar day feedback period. That closes on the 16th of July and it's available on our website, at the link there. Basically, the issues paper really is just a paper and there's not a lot in it, as you will have noticed, it just outlines our assessment process. It provides background info on the Philippines requests, what's being considered during our assessment and how and when we're engaging with stakeholders. It doesn't have a lot of meat in there. But at the same time, we really want to know if you have any comments on any particular aspects of the issues paper that you want to comment on. There is also an opportunity for you to send us any scientific information that's relevant to the assessment that you want us to consider in this draft period as well. We will carefully consider all the feedback and information, because at the moment, we are preparing our draft report. So we can consider that information while we're preparing the draft report.

It's probably worth noting that we can only consider feedback and information that's within the scope of our assessment. This is a biosecurity assessment of the alternative measures for bananas from the Philippines. So out of scope of the assessment are things like commercial competition matters and non-biosecurity issues. It's not that we're not mindful that they are really, really important components, and we will pass that information on to the relevant areas in government. We're connected to all areas of the Australian Government. But the scope for our assessment is the biosecurity analysis. So obviously, I said earlier, the issues paper is light on the technical details. You might not actually have a lot of feedback at this stage, or you might. But all the technical information will be included in the draft report, which, as I said before, we expect to release for public consultation in early 2027. Before we open for questions, I just wanted to quickly talk through next steps in the assessment process.

So the next step is the release of the draft report, which is, as I said, early 2027. We'll let you know if there's any changes to that, but we're trying really hard to stick to our planned process and that's what's in the plan at the moment. We will release the report for a minimum 60 calendar day public consultation period. During that time, we'll hold meetings with stakeholders to discuss that draft report. We're really keen to make sure that those meetings are meaningful. So there might need to be slightly structured workshops but, you know, we're keen to work with you to see what's helpful to make sure that we can get the right information from you that we need and that you can ask that information from us. Similar to last year, we do expect to come up to the key banana growing regions to discuss the draft report in person. But we'll of course hold some virtual meetings as well for those who can't attend the in-person meetings. And we will keep you updated of all the timings for the release of that draft report as it all firms up.

Following that public consultation 60-day period, we then go about and consider all the comments received and prepare that provisional report. It's really hard to put a time frame on that. Like, for example, if we had hundreds or thousands of comments, then we need to consider those. But we can obviously batch things together if they're similar. We have other more simple reports where it's actually a relatively short time between the consultation and the final. But as I said, it's just a really hard sort of time to predict. Given that we are mandated to do this within 30 months, then we are obviously keeping things moving.

Then we will release that provisional report and as I said, at that stage, you as stakeholders can request the Inspector General of Biosecurity to review the BIRA process. If the Inspector General of Biosecurity does review the process, she'll produce a report on her review, which will be published on the department's website. When preparing the final report, we must consider any recommendations that she's made. That's one of the time points that the clock stops and so if she takes three weeks to prepare her report then that doesn't count to the 30-month time frame.

After that final report is published, then that will signify the end of the BIRA part of the process. So the import risk assessment part of the process. Once that assessment is complete, if and only if, there was any conclusion

that the biosecurity risk would be effectively reduced to Australia's appropriate level of protection, our ALOP - which I would remind everyone is to a very low level, but not to a zero level - then we still have additional steps before any trade could commence. Those sort of steps involve things like verifying that the Philippines could meet our import requirements. That whole process is an unpredictable amount of time in terms of how long that takes. In some cases, when we're negotiating with countries on that verification process, or going through the assessment for that verification process, that can be a matter of months and for others, it's a lot longer. So it's a really sort of tricky thing to guess. But essentially, I think that brings me to the end of the presentation today.

I will open for questions in a second, but just to note the resources that we have up on the slide at the moment. We have a QR code that will take you to our webpage where there's lots of information about bananas from the Philippines. This is where you'll find the issues paper and the trip report, as well as more information on the assessment. We publish updates to this page, so that's sort of a good one to have bookmarked or to know how to navigate to. We'll also publish the recording and the slides from today's session on that site as well, and as well as answers to all the questions that we receive today. The next, the middle one is a QR code to the department subscription page. If you haven't already, really encourage you to subscribe to the Biosecurity Risk Analysis Plant and then you'll get updates on this assessment and also in the other plant risk analyses, which you may or may not want to know about. Then we also have a newsletter specific to this bananas assessment where we share more regular updates. If you aren't already receiving this newsletter and you'd like to, please e-mail the plantstakeholders@aff.gov.au, the e-mail address on that page. And of course, you're always welcome to contact us at that same e-mail with any other questions that you might have or where you'd like help to get information from.

Okay, I will now stop talking and open for questions.