



23 November 2000

**BIOSECURITY  
AUSTRALIA**

**ANIMAL BIOSECURITY POLICY MEMORANDUM 2000/54  
PLANT BIOSECURITY POLICY MEMORANDUM 2000/24**

**REVIEW OF THE BIOSECURITY AUSTRALIA IMPORT RISK ANALYSIS  
PROCESS**

This Policy Memorandum advises stakeholders of the review of the Biosecurity Australia import risk analysis process and invites feedback on the current process and views with on ways the process can be improved.

The *AQIS Import Risk Analysis Process Handbook* describes the process by which Biosecurity Australia currently conducts import risk analysis (IRA). The *Handbook*, which was published in August 1998, reflects extensive input from and substantial agreement by stakeholders and 5,000 copies have been circulated nationally and internationally. A complementary publication, describing the technical process Biosecurity Australia uses in identifying, assessing and managing risks to animal and plant life and health from imported commodities, is under development.

The purpose of the IRA process, as stated in the *Handbook*, is to ensure:

- . risks of entry, establishment and spread of pests and diseases, and their potential impacts are fully evaluated;
- . importation is only permitted when such risks can be managed in a manner consistent with Australia's very conservative approach to acceptance of pest and disease risk; and
- . stakeholders are fully informed, are satisfied with the process followed and understand the basis for decisions.

A summary of the current process is attached or you may wish to download the pdf file of the *Handbook* from the AFFA Web page (<http://www.aqis.gov.au/docs/anpolicy/risk.pdf>).

Most new quarantine conditions or variations to existing conditions do not require significant analysis and are assessed relatively quickly by Biosecurity Australia without use of the formal IRA process described in the *Handbook*. Proposals involving significant variations in established policy require an IRA, which may be conducted using a routine or non-routine approach. Both approaches allow for input by stakeholders and the lodging of appeals if stakeholders are not satisfied that due process as set out in the *Handbook* has been followed.

Risk analysis conducted in Animal and Plant Biosecurity is an integrated procedure in which staff assign priorities, conduct risk assessments, develop risk management options (all in conjunction with stakeholders), and make recommendations to the Director of Quarantine as to which option(s) meets the Australian appropriate level of protection (ALOP) in the least

trade restrictive way. These staff are also responsible for negotiation of final import conditions with the competent authority of the exporting country.

New or revised quarantine conditions are developed in cooperation with Australian Quarantine and Inspection Service (AQIS) operational staff in Animal and Plant Programs who are responsible for policy implementation, through restrictions placed on import permits covering such requirements as post-entry quarantine, pre- or post-entry treatments and restrictions on end-use. Operational procedures at the border, the responsibility of border management, are also developed in conjunction with policy staff.

To date, 24 IRAs have been completed under the IRA procedure and there are currently 47 IRAs in progress, with over 160 awaiting action.

Stakeholders should note that Australia's obligations as a member of the WTO with regard to the matters which may be taken into account in setting quarantine policies and procedures are quite clear. In considering consequences of possible pest and disease incursions, direct production losses, the cost of movement controls and other restrictions imposed and of compensation arrangements, and the impact of trade lost as a result of incursions may be taken into account. The potential competitive economic impact of prospective imports is not within the scope of the IRA process, and any discussions on industry support mechanisms would need to be held in parallel with, but quite separate from, the technical IRA process.

While some stakeholders are of the view that additional time needs to be made for stakeholder examination of circulated papers or for additional rounds of consultation, note needs to be taken of the increasing concern being expressed by Australia's trading partners that the IRA process is already protracted and they perceive it to be open to undue influence by domestic stakeholders. A balance needs to be achieved.

A survey was conducted in March 2000 of all registered IRA stakeholders (2,168) to seek feedback on the level of satisfaction with existing consultative arrangements; 643 responses were received. Overall the level of stakeholder satisfaction was very high, with 84% indicating they were receiving all the information they wished; 96% were happy with the information and, in comments on how to improve existing arrangements, the largest portion (30%) indicated they were happy with the present arrangements and had no suggestions to make.

## **REVIEW OF THE PROCESS**

The *Handbook* is a first edition and, at the time of publication, AQIS indicated that the new process would need bedding down, with IRAs conducted over the first two years expected to show up ways in which the process could be improved.

AFFA considers that the current process fulfils the principles outlined by the Australian Quarantine Review Committee and endorsed by the Government in its response to the review report, and that IRA outcomes to date are properly based on science and reflect Government policy with regard to Australia's ALOP. AFFA believes, however, that the IRA process is in need of some fine tuning in light of the recommendations of the Senate Committee inquiring into the importation of salmon products, the Import Risk Analysis Appeal Panel (IRAAP) findings on durian and table grapes, and as a result of practical issues raised by AFFA staff and stakeholders. In conjunction with the Managed Risk Policy Group (MRPG) of the Quarantine and Exports Advisory Council (QEAC) and in consultation with stakeholders, AFFA is now reviewing the process. The review will form the basis of a new edition of the *Handbook*.

Two areas in which an examination of a better approach has commenced include an enhanced relationship with the States and Territories in the development of quarantine policy, and clarified terms of reference for the IRAAP.

Issues relevant to the development of quarantine policy were raised at a meeting in July 2000 between AFFA and State/Territory agriculture Chief Executive Officers (CEOs). There was agreement that there should be greater participation by appropriate State/Territory personnel from an early stage in the IRA process. To ensure that the expertise of the most appropriate scientists (animal and plant) was available for IRAs, the CEOs will be involved in their nomination. The greater participation by leading scientists in IRAs will ensure outcomes which incorporate the best available expertise, latest thinking on pest and disease issues, and risk management options which are appropriate and practical.

A detailed proposal for a closer working relationship, which includes enhanced participation by appropriate State/Territory personnel at an early stage in the IRA process, is being drawn up and will be incorporated into formal AFFA procedures.

A paper on the roles and responsibilities of the IRAAP is under development, and comments received from stakeholders on the appeals process will be taken into account.

The MRPG has met with the National Farmers' Federation executive, members of the salmon and apple industries, Grains Council, Cattle Council, Pork Council and several State agriculture agencies, seeking comments on the IRA process. Discussions indicated that most stakeholders consulted to date were satisfied that the process appeared to be working well. Most complaints heard by the MRPG related to some technical aspects of specific IRAs. However, the two IRAAPs convened to hear stakeholder appeals against completed IRAs on durian and table grapes, have raised issues of consultation and transparency which will be addressed in the review.

Additional meetings will be held over the coming months if requested by stakeholders. Please advise if you wish Biosecurity Australia officers to attend an association, council or organisation meeting in your area or if you wish to meet with Biosecurity Australia officers in Canberra or another capital.

## **NEXT STEPS**

The attached issues paper seeks stakeholder views on the process with regard to whether it has achieved its purpose, and whether there are deficiencies in the process and the manner in which these could be addressed in a practical way. Issues upon which stakeholders have commented in various fora have been listed, but comment on any issues relating to the IRA process will be taken into account in the review.

We expect a revised Handbook to be published in June 2001.

## **Confidentiality**

Respondents are advised that, subject to the *Freedom of Information Act 1982* and the *Privacy Act 1988*, all submissions received in response to Animal and Plant Policy Memoranda will be publicly available and may be listed or referred to in any papers or reports prepared on the subject matter of the Memoranda.

The Commonwealth reserves the right to reveal the identity of a respondent unless a request for anonymity accompanies the submission. Where a request for anonymity does not accompany the submission the respondent will be taken to have consented to the disclosure of his or her identity for the purposes of Information Privacy Principle 11 of the Privacy Act.

The contents of the submission will not be treated as confidential unless they are marked 'confidential' and they are capable of being classified as such in accordance with the Freedom of Information Act.

David Wilson  
General Manager  
Biosecurity Development and Evaluation

Telephone 02 62723619  
Facsimile 02 62724568  
E-mail [david.wilson@affa.gov.au](mailto:david.wilson@affa.gov.au)

## THE IRA PROCESS - ISSUES RAISED

- . stakeholder register
- . public file
- . matters underpinning scientific risk analysis
  - availability of technical resources - among stakeholders and in AFFA
  - accuracy and currency of scientific information used
  - use by AFFA of external scientific expertise
- . consultation
  - usefulness of increased consultation during initial stages of IRA
  - usefulness of face-to-face meetings
  - level of detail provided in circulated papers
  - AFFA response to comment received
- . criteria to determine whether IRA will be conducted via the routine or non-routine approach
- . initial round of consultation
  - to include request for comment on suggested approach
  - opportunity for appeal on approach early in process (rather than at end of process if routine approach adopted)
- . issues paper
  - usefulness of inclusion of issues paper for both approaches (routine and non-routine)
  - contents
    - scope of IRA re commodities to be covered
    - need for other assessments, any other matters
    - hazard identification / pest categorisation
- . RAP membership (non-routine approach)
  - opportunity for nominations
  - register of available expertise
- . draft IRA paper
  - appropriateness of current contents
    - draft risk assessment outcomes
    - draft risk management options, with a preliminary view as to appropriate option(s)

- . finalisation of IRA paper
  - transparency of consideration of stakeholder comment
  - usefulness of additional consultation at this point
  - stakeholder input into final IRA paper
- . appeal opportunity on published determination
  - appropriateness of current grounds for appeal (that either process not followed or relevant body of science not considered)
- . final communications with stakeholders with regard to implementation