

Questions and Answers about AQIS's IRA on New Zealand apples

In December 1998, AQIS rejected the previous New Zealand application, saying the proposal would not be consistent with Australia's appropriate level of protection against fireblight. Why is it being considered again?

The 1995 New Zealand application was for the importation of mature apples free from trash from anywhere in NZ, without any other phytosanitary measures to manage the risks posed by pests and diseases including fireblight. This application was rejected on the grounds that NZ's claim that mature apple fruit free from trash could not introduce fireblight into Australia was not adequately demonstrated. AQIS's position on this has not changed, and much of the previous analysis will be used again.

The application submitted by NZ in 1999 has asked for consideration of risk management procedures that might be applied in NZ, and for consideration of all available procedures— which for fireblight could include procedures such as orchard inspections, buffer zones and fruit treatments.

The purpose of the risk analysis is to determine if import conditions using one or a combination of these methods can be developed that would meet the level of protection Australia considers appropriate.

NZ's request also included new research on the survival of fireblight on apples in cold storage. This research initially promised to show that the viability of bacteria on fruit is reduced by cold storage, but on further assessment it has proved inconclusive.

In its 1998 decision on NZ apples, AQIS found that the scientific literature and other available information did not support the claim that apples could not act as a vector for fireblight. What has changed?

The final IRA published in 1998 raised concerns that under NZ's previous proposal, apples could be sourced from orchards with active fireblight disease. AQIS still does not accept that apples are not a vector for fireblight — which is why we are considering all available methods to manage the identified risks. For example, orchard surveys and buffer zones may ensure that apples come from orchards free of disease symptoms: in such circumstances the scientific literature supports the claim that the chances of bacteria occurring on the fruit are greatly reduced. The literature also supports the efficacy of fruit disinfection treatments, such as a chlorine dip. The adequacy of various measures is being assessed to determine if they can be used to maintain the level of protection Australia considers appropriate.

AQIS's 1998 decision also said there 'did not appear to be practical measures which could be implemented in Australia to reduce the risk of fireblight to an acceptable level'. Have new measures been developed since then?

This statement is still correct. The potential market is for fresh NZ apples for consumption, so it is not practical to impose controls on how the apples might be used. The approach is to see if there are ways of ensuring that apples will not carry the disease, so the current risk analysis is focusing on management practices that can be applied in NZ to ensure that the risk stays offshore. The previous submission was

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for imports of apples from anywhere in NZ without any conditions to manage the risks posed by fireblight.

If appropriate conditions cannot be effectively applied, AQIS will reject this proposal.

Why has AQIS decided to examine NZ's latest application using the routine IRA process?

AQIS does not consider the technical issues to be resolved in the new proposal are any more complex than those assessed in previous NZ apple access requests; nor will the IRA require assessment of significantly greater or different risks than those AQIS has previously examined. In fact, the previous IRA went into great detail about certain aspects of the risks from fireblight; these results have been used as a starting point for the current analysis.

Therefore, AQIS has decided to proceed with the routine process in accordance with guidelines specified in the *AQIS IRA Process Handbook*, which was developed in consultation with peak industry bodies following the Australian Quarantine Review chaired by Professor Nairn.

AQIS has established an advisory committee of fireblight experts, and is consulting with a range of Australian and international experts who are contributing to the analysis.

Once the analysis is complete, stakeholders will receive the draft IRA. This draft will comprise a comprehensive summary of the full analysis. An IRA reference document that sets out the details of the scientific evidence and the reasoning behind the decision will be available on request. Both documents will be on the AQIS web site (www.aqis.gov.au).

What is the risk that NZ imports will carry the fireblight bacterium?

AQIS acknowledges that fireblight is a very serious disease and would have a significant impact on Australia's apple and pear industry if it established here.

However, potential impact is **not** the same as risk. Australia imported tens of thousands of tonnes of apples without controls from countries with fireblight up to the 1920s without the disease entering or becoming established here.

Fruit is not considered a major risk for transmitting fireblight bacteria, but without controls AQIS considers it is unacceptably high. On the other hand, planting material from affected areas is a proven method of introducing the disease. AQIS has considered all risks and has implemented risk management measures to give the Australian industry access to the best available cultivars in order to reduce the temptation to smuggle cuttings that actually carry a high risk of introducing the fireblight bacterium.

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NZ uses antibiotics to control fireblight. Does this pose any risk to Australian consumers?

Antibiotic sprays are used periodically in NZ as a preventive measure in areas prone to fireblight. The Australia New Zealand Food Authority (ANZFA), which is responsible for administering Australia's food safety standards, is a stakeholder for all IRAs and is aware of the need to address this issue.

Is it true that the kinds of antibiotics used to control fireblight are banned in Australia? If so, how would we respond to an outbreak of fireblight?

Antibiotics have not been approved, and concerns about spraying this sort of chemical into the environment mean that approval for general use is unlikely. However, as a contingency measure, the National Registration Authority for Agricultural and Veterinary Chemicals has carried out a risk assessment and could, at short notice, issue a permit in the event of a fireblight outbreak.

A contingency plan exists for the possibility of an outbreak, with the aim of preventing its establishment or containing it to as small an area as possible. The plan incorporates a number of strategies involving surveys, application of copper or antibiotic sprays, hygiene practices (such as pruning) and quarantine measures. This plan has already been used successfully to eradicate a fireblight-like organism from the Melbourne Botanic Gardens in 1998.

Stakeholders were advised some time ago to expect the draft IRA in November last year. When will the draft be produced, and why has there been a delay?

No IRA is a straightforward task, and it's hard to predict how long each assessment will take. A lot of information needs to be obtained from external sources and there are often delays, especially where there is no clear-cut information about a particular pest or disease. In some cases AQIS needs to rely on the goodwill of scientific experts, and is therefore not in a position to set the pace.

The progress of any IRA relies on information from the exporting country about pests and diseases, and their management. This is an interactive process and often involves new information being clarified and new questions raised; a common feature of quarantine risk analysis throughout the world.

What rights does the World Trade Organisation (WTO) give NZ to force us to accept its apples?

No WTO member has the right to force another country to accept imports without satisfactory management of quarantine risks. The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS agreement) gives Australia the right to set an Appropriate Level of Protection (ALOP). It is up to Australia to set its own ALOP and no other country can interfere with that process. Australia's long history of applying a very conservative approach to risk management means that Australia's ALOP is very high — while recognising that there is simply no such thing as zero risk.

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NZ does have certain rights in relation to how Australia sets its quarantine conditions: WTO members must either apply international standards or undertake a science based risk analysis to justify quarantine decisions. Australia actively participates in the development of international standards to ensure they do not conflict with our needs.

Australia's horticulture industries recognise the importance of the relationship between export opportunities and imports into Australia. The future for many horticultural producers lies in taking advantage of export opportunities, and growers have benefited from the granting of quarantine access to markets such as Japan for easy-peel citrus and Tasmanian Fuji apples.

Australian growers were helped in gaining access to the Japanese market by the WTO requirement for Japan to comply with the SPS agreement. The effective implementation of this and other WTO agreements is essential, because Australia exports four times as much agri-food products as it imports.

Under the Australia New Zealand Closer Economic Relations (CER) Agreement can't New Zealand just treat Australia as a domestic market.

Australian and New Zealand each has very different quarantine concerns and it is not possible to have common quarantine conditions. Quarantine conditions themselves are not subject to CER. The CER does include a protocol that requires both countries to harmonise, to the extent possible, their quarantine decision making procedures.

There is a real fear in industry that AQIS is being pressured politically to deliver an outcome that is favourable to trade. Is AQIS under this sort of pressure and if so how are you responding?

Quarantine decisions are not about trade or political outcomes. Quarantine decisions are about risk management and the government has in place a process to ensure the scientific rigour of these decisions. Australia's quarantine policies must also withstand intense scrutiny from other countries. Any hint that processes are founded on factors other than scientific based risk analysis would leave Australia open to challenge under WTO rules. AQIS's primary concern has always been and will always be to ensure quarantine risks are properly managed and that Australia's appropriate level of protection is maintained. The IRA process ensures no short cuts are taken and that the professional integrity of any risk analysis is not compromised.

In situations where there are alternative ways to manage a particular quarantine risk, and these are equal in terms of quarantine security, AQIS has to consider the implications each would have on trade. There are two reasons for this. First, the government's competition policy aims to minimise government interference in business. Second, Australia has an obligation to ensure it offers the least trade restrictive quarantine measures available to address a given risk.