



10 April 2001

**ANIMAL BIOSECURITY POLICY MEMORANDUM 2001/09**  
**PLANT BIOSECURITY POLICY MEMORANDUM 2001/08**  
**REVIEW OF THE BIOSECURITY AUSTRALIA IMPORT RISK  
ANALYSIS PROCESS**

This Memorandum requests stakeholders interested in providing comments on the import risk analysis (IRA) process to do so as soon as possible, and to advise of some proposed changes to the IRA process arising from the recent meeting of the Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ)

Animal Biosecurity Memorandum 2000/54 and Plant Biosecurity Memorandum 2000/24 of 23 November 2000 advised stakeholders that a review of the Biosecurity Australia IRA process was underway and invited comment on the current process and views on ways the process could be improved.

To date, only eleven submissions have been received.

At the time the November memoranda were circulated and since, there has been considerable discussion on an enhanced partnership between the Commonwealth and State/Territory governments in the development of quarantine policies. The Commonwealth and States/Territories have shared roles and responsibilities in protecting Australia from unwanted pests and diseases affecting plants, animals (including aquatic) and the environment, and in meeting Australia's international obligations as a Member of the World Trade Organization (WTO).

At the Council of Australian Governments (COAG) meeting in November 2000, the Prime Minister and all State/Territory Heads of Government reaffirmed their commitment to work closely together, within the framework of the 1995 Memorandum of Understanding on Animal and Plant Quarantine Measures between the Commonwealth, States and Territories, to ensure observance of all of Australia's obligations under the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement). They also agreed to intensify dialogue on quarantine policy issues including import risk analysis.

At its most recent meeting in March 2001, ARMCANZ examined a proposal from the Minister for Agriculture, Fisheries and Forestry, Mr Truss, for a revised IRA process incorporating enhanced stakeholder involvement. The proposal flowed from discussions Biosecurity Australia and State/Territory agencies have had with stakeholders during current IRAs, a submission from the Quarantine and Exports Advisory Council and evidence presented to the Senate enquiry into the NZ apples IRA. The Council of Ministers agreed that the proposal be discussed with stakeholders with a view to its being incorporated, subject to stakeholder support.

ARMCANZ also noted the importance of securing effective input on environmental aspects of IRAs early in the process.

### **Proposed changes**

A flowchart of the proposed revised process is attached. The most important proposed changes are discussed below.

Biosecurity Australia replaces AQIS in the flowchart to reflect changed responsibilities.

More regular advice would be made available to stakeholders with regard to the Biosecurity Australia import risk analysis work program.

At an early stage in each IRA, the Director of Animal and Plant Quarantine would communicate with the Chief Executive Officers (CEOs) of the States and Territories agriculture and fisheries agencies to advise them of the scope of the IRA and the issues likely to be raised, with a request that the relevant scientific expertise from their agencies be made available.

The right of stakeholder appeal on scope of analysis, timetable, approach and (if applicable) on the membership of the risk analysis panel would be extended to all IRAs.

A single process but with two approaches to IRAs is proposed:

- . an IRA conducted by a Biosecurity Australia team, addressing complex risks,
- . an IRA conducted by a risk analysis panel (chaired by Biosecurity Australia), addressing more complex risks.

For all IRAs, it is proposed that the risk analysis panel or the Biosecurity Australia team consult with stakeholders via a hazard scoping paper, covering similar ground to the issues paper currently prepared for more complex IRAs, and providing an opportunity for early stakeholder input into the science. The paper would list the pests and diseases (hazards) which the Biosecurity Australia team or the risk analysis panel had identified as needing to be assessed and seek stakeholder comment including any additional hazards of concern. The paper may include an indication of whether other assessments are thought to be required, but would not contain estimates of quarantine risk or risk management options.

As now, the draft IRA report would contain the agreed list of hazards and an assessment of the risks posed by each, with appropriate risk management options.

### **Scientific Advisory Panel**

For all IRAs, a greater level of independent scientific review has been proposed to ensure that the IRA meets appropriate standards of scientific method and that conclusions reached are reasonable in the light of the evidence assessed. A Scientific Advisory Panel, comprising eminent independent scientists, would evaluate the provisional final IRA report from a viewpoint of scientific method and the reasonableness of the outcomes. It would not conduct an in depth analysis of the technical content. The Scientific Advisory Panel would either approve the IRA or return it for reassessment to the Biosecurity Australia team or the risk analysis panel.

The work of the Scientific Advisory Panel would be in addition to any scientific peer review utilised in specific IRAs regarding the scientific work done and does not replace subsequent stakeholder appeal mechanisms.

The terms of reference of the Scientific Advisory Panel would need to be such so as to assure trading partners of the continuing and unchanged responsibility of the Director of Animal and Plant Quarantine in determining biosecurity policy.

### **Import Risk Analysis Appeal Panel (IRAAP)**

The earlier memoranda flagged that a paper on the roles and responsibilities of the Import Risk Analysis Appeal Panel (IRAAP) would be circulated for stakeholder comment. The addition to the IRA process of an evaluation by the Scientific Advisory Panel prior to release of the final IRA report, however, necessitates a change to the earlier thinking in reviewing the role of the IRAAP.

Under the present process:

*'Any stakeholder of the opinion that the process outlined in this Handbook has not been properly followed, including that the risk analysis failed to consider a significant body of relevant scientific or technical information, may appeal to the Director.'*

Given that the science of the IRA would have been reviewed by independent scientists, it is envisaged that the IRAAP's focus would continue to be on matters of process; additional review of the science would not now seem to be warranted.

### **Conclusion**

Considering the importance of the IRA process to the development and review of biosecurity policies and procedures, it is hoped that stakeholders will take this final opportunity to comment on the review currently being undertaken. Stakeholder comment is requested by 11 May 2001.

I am still available for meetings with stakeholder groups to discuss any aspects of the process and particularly the above suggested changes.

### **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 Biosecurity 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.

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