



Australian Government
Biosecurity Australia

19 January 2007

BIOSECURITY AUSTRALIA POLICY MEMORANDUM 2007/02

IMPORT RISK ANALYSIS REPORT FOR APPLES FROM NEW ZEALAND – APPEALS

This Biosecurity Australia Policy Memorandum is to advise stakeholders that Biosecurity Australia has been informed that three appeals have been submitted in response to the *Final Import Risk Analysis Report for Apples from New Zealand* that was issued on 30 November 2006. Biosecurity Australia has also been advised that the Chair of the Import Risk Analysis Appeal Panel (IRAAP) has decided that the appeals received warrant consideration by an IRAAP, which is independent of Biosecurity Australia.

In accordance with the administrative arrangements contained in the *IRA Handbook 2003*, Biosecurity Australia will await the outcome of the appeals process, including any advice on action arising from the appeals, before submitting a final report and policy recommendations to Australia's Director of Animal and Plant Quarantine for a policy determination. The *IRA Handbook* provides a normal period of 45 days for an IRAAP to complete consideration of appeals.

The appeals period for the *Final Import Risk Analysis Report for Apples from New Zealand*, issued by Biosecurity Australia on 30 November 2006, closed on 12 January 2007 (reference BAPM 2006/37). I have been advised by the Import Risk Analysis Appeal Panel Secretariat that three appeals have been submitted in response to the final import risk analysis (IRA) report.

The IRAAP is chaired by Mr John Crosby, who is Interim Chair of the Quarantine and Exports Advisory Council (QEAC). As a first step in the appeal process, the IRAAP Chair decides whether the evidence presented by the appellants warrants further consideration by the IRAAP, which is independent of Biosecurity Australia. I am advised that the IRAAP Chair has decided that the appeals received warrant further consideration by the IRAAP.

Next Steps

An IRAAP will be convened in accordance with the *IRA Handbook 2003*. Subject to availability and conflict of interest considerations, membership of the IRAAP ordinarily includes the Chair and another member of QEAC, Australia's Chief Plant Protection Officer and another senior officer from the Department of Agriculture, Fisheries and Forestry (from outside Biosecurity Australia).

The grounds for appeal are:

- there was a significant deviation from the process set out in the IRA Handbook that adversely affected the stakeholder; or
- a significant body of scientific information relevant to the outcome of the IRA was not considered.

The IRAAP will consider the appeals and report to the appellants and to Australia's Director of Animal and Plant Quarantine within 45 days of the closing date for appeals.

If an appeal is allowed, the IRAAP may offer advice to the Chief Executive of Biosecurity Australia on ways of overcoming any identified deficiencies. This may involve minor amendments to the final IRA report, or significant revision warranting further stakeholder consultation.

In accordance with the administrative arrangements contained in the *IRA Handbook 2003*, Biosecurity Australia will await the outcome of the appeals process, including any advice on action arising from the appeals, before submitting a final report and policy recommendations to Australia's Director of Animal and Plant Quarantine for a policy determination.

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