



4th July 2011

Dr Colin Grant
Chief Executive Officer
18 Marcus Clarke Street,
Canberra City ACT 2601

EMAIL TRANSMISSION: Colin.Grant@biosecurity.gov.au

Dear Dr Grant,

BIOSECURITY AUSTRALIA ADVICE 2011/06- RELEASE OF THE DRAFT REPORT FOR THE NON-REGULATED ANALYSIS OF EXISTING POLICY FOR APPLES FROM NEW ZEALAND (A REVIEW) – Comment

Fruit Growers Victoria Limited (FGVL) is the Victorian peak industry body for apple and pear growers. Our members grow fruit in the Goulburn Valley, Murray Valley, North East, Gippsland, Yarra Valley, Bacchus Marsh, Mornington Peninsula and Harcourt districts of Victoria. Relevantly, Victorian orchardists grow 45% of Australian apples and 90% of Australian pears.

We object to Advice 2011/06 and advise that it is unacceptable to our industry. Further, we are shocked that Biosecurity Australia even contemplated issuing such a document that carries the potential to set a precedent that could compromise all of Australia's agricultural phytosanitary security.

If it were not so serious, the farcical suggestion, by Biosecurity Australia that NZ "Commercial in Confidence" standard commercial procedures will be Australia's quarantine control for apple imports, would be a bad joke!

This issue is wider than apple imports because it sends a signal to other foreign agricultural industries that Australia's principal "gate keeper", against the introduction of pests and diseases not currently found in Australia, is prepared to allow another country to determine its own export requirements. Such a precedent is clearly not in Australia's interests.

Further, its intention also goes far beyond ceding Australia's phytosanitary controls to a foreign government because Biosecurity Australia intends to give control to the foreign industry that wants to export to Australia. This is an unthinkable error of judgment by Biosecurity Australia!

The inability of our industry to review the "standard commercial procedures" due to confidentiality is totally unacceptable to the Victorian apple industry. Our industry must have access to all information that affects our businesses as this is the only way that we can provide constructive comment. Therefore Advice 2011/06 is illegitimate.

As the proposed protocol relies heavily on the standard commercial practices, which are described as existing in a "continually improving manual," Biosecurity Australia is negligent for failing to at least establish a third party audit to ensure exporting businesses operate within those "practices".

Further, should Biosecurity Australia foolishly persist; there must be a review process to approve any changes to the NZ manuals to ensure continued compliance to the Australian requirements. The concept of self governance by the NZ exporters is simply ridiculous because they have a clear conflict of interest.

Australian pear exporters to New Zealand are audited by a third party (AQIS) to ensure that they have complied with the NZ protocol which presumes that there has been an outbreak (of Queensland Fruit Fly) whether one has been declared or not. Considering the virulence of the fireblight bacterium, the level of caution that the New Zealand government exercises should be only the minimum for the reciprocal situation.

We acknowledge your obligation to review the import protocols following the WTO decision. However, your complete back flip goes too far and creates an unnecessary risk climate for the Australian pome fruit industry.

The minimum protection our industry expects is;

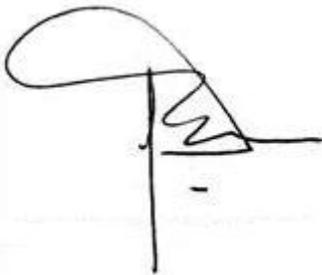
- That where a pre-harvest outbreak of fire blight is detected, fruit from that block or orchard should be excluded from export to Australia,
- When a heavy infestation of apple leaf curling midge or leaf rollers occurs in an orchard, that either the fruit be excluded or fumigated,
- That from each consignment, 600 cartons be inspected to ensure that no trash is entering the country via the cartons. Trash is leaves, spurs and small twigs that are universally recognised as carriers of fire blight. Should cartons contain trash, those suppliers should be excluded from exporting to Australia until a review of procedures is completed,
- Those high-risk areas for European canker, such as Auckland and Otago, be excluded from exporting to Australia,
- That should there be a regional outbreak of fire blight, trade be suspended until a review of procedures is completed and alternative protocols are established.

Advice 2011/06 is to the Australian Pome Fruit Industry what the Murray Darling Basin Guide was to the Irrigation Industry. It is ill conceived and has generated enormous anger. Biosecurity Australia's reputation has been damaged through its issue.

We are aware that Apple & Pear Australia Limited has submitted a detailed technical response to you on behalf of the Apple & Pear Industry. We support all their recommendations.

Australia's quarantine protection must remain in Australians' hands.

Yours faithfully



John Wilson
General Manager