Growing the Business of Farming | NSW Farmers ASSOCIATION

Submission to Biosecurity Australia in response to the Draft report for the non-regulated analysis of existing policy for apples from New Zealand

July 2011

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EXECUTIVE SUMMARY

The NSW Farmers' Association does not believe that 'standard commercial practices' are an acceptable quarantine measure; they will not provide an appropriate level of protection to Australian orchardists with respect to fire blight and other pests and diseases that could potentially be introduced to Australia on apple fruit from New Zealand. Biosecurity Australia has long said that biosecurity decisions need to be based on science, yet the science underpinning the New Zealand standard orchard commercial practices has not been made publicly available. We make the following key points:

- *Key details of the New Zealand orchard standard commercial practices, as provided in the Pipfruit NZ Inc Integrated Fruit Production manual must be made publicly available so that the Australian apple industry can provide informed comment on the suitability of these standard commercial practices to be used as a quarantine measure;*
- *Pre-border biosecurity responsibility should not be conceded to the New Zealand apple export industry;*
- *Another countries' agricultural standard commercial practice is not an acceptable replacement for an Australian quarantine measure, given that it cannot be guaranteed that guidelines are correctly and consistently implemented by industry and that non-compliance is appropriately dealt with;*
- *Orchards with recent outbreaks of fire blight must be identified and prevented from exporting apple fruit to Australia;*
- *There are no fire blight control options legally available to Australian orchardists; and*
- *Trash as a carrier of fire blight needs to be given greater consideration.*

The NSW Farmers' Association seeks an appropriate level of protection which includes:

- *That fruit from a block or orchard where a pre-harvest outbreak of fire blight is detected be excluded from export to Australia;*
- *That from each consignment, 600 cartons be inspected to ensure that no trash enters Australia in the cartons (leaves and small twigs are universally recognised as carriers of fire blight) and that suppliers of cartons in which trash is found be excluded from exporting to Australia until a review of procedures is completed;*
- *That trade be suspended until a review of procedures is completed and alternative protocols are established should there be a regional outbreak of fire blight;*
- *That fruit be excluded or fumigated from orchards with a heavy infestation of apple leaf curling midge or leaf rollers; and*
- *That fruit from high risk areas for European canker such as Auckland and Waikato be excluded from export to Australia.*

INTRODUCTION

The NSW Farmers' Association ('the Association') is Australia's largest state farming organisation representing the interests of the majority of commercial farm operations throughout the farming community in NSW. Through its commercial, policy and apolitical lobbying activities it provides a powerful and positive link between farmers, the Government and the general public.

The Association welcomes the opportunity to provide comment to Biosecurity Australia on the Draft report for the non-regulated analysis of existing policy for apples from New Zealand (the 'Draft report') published in May 2011.

The Association is alarmed by Biosecurity Australia's conclusion that when the New Zealand apple industry's standard commercial practices for production of export grade fruit are taken into account, the unrestricted risk for fire blight, European canker and apple leaf curling midge achieves Australia's appropriate level of protection (ALOP). The Association does not believe that standard commercial practices are an appropriate substitute for quarantine measures; they will not provide an appropriate level of protection to Australian pome (apples and pears) fruit growers with respect to fire blight and other pests and diseases.

Additionally, the Association is concerned that this sets a dangerous precedent for the importation of other horticultural and agricultural commodities into Australia and the consequences this may have for Australian agriculture and our natural environment given our relative freedom from major pests and diseases. Will other countries be allowed to replace phytosanitary measures with a code of practice program based on 'standard commercial practices' for agricultural production and export freely into Australia?

The major apple growing regions of NSW are Orange, Batlow and the Sydney Basin. The future viability of Australian pome fruit orchards, associated industries and rural communities will be at risk if they are dependent on the measures outlined in the Draft report to protect them from the incursion of pests and diseases associated with the importation of apple fruit from New Zealand.

The Association strongly supports the detailed submission prepared by Apple and Pear Australia Limited (APAL) to Biosecurity Australia on the Draft report. We back APAL's technical input as well as their comments with regards to decision timeframes, World Trade Organisation (WTO) requirements and procedural fairness.

The Association provides the following comments on the Draft report.

1. PEST MANAGEMENT

Australia has a competitive advantage in that it is free from many pests and diseases, including fire blight. We should not risk this competitive advantage by implementing substandard measures for preventing the entry of exotic pests and diseases via imported fruit (or other horticultural and agricultural commodities).

1.1 Fire blight

Fire blight has the potential to not only devastate the apple industry, but also the pear industry. It is therefore alarming that Biosecurity Australia concludes that no additional

phytosanitary measures are required above New Zealand orchard standard commercial practices, particularly in regards to fire blight (*Erwinia amylovora*).

The details of the New Zealand orchard standard commercial practices, as given in the Pipfruit NZ Inc Integrated Fruit Production (IFP) program manual, are not publicly available, severely limiting the Australian industry's ability to provide technical comment on Biosecurity Australia's conclusion that New Zealand apple industry standard commercial practices achieves Australia's ALOP. The Association asks what specific guarantees are provided by New Zealand's standard commercial practices that would replace the need for quarantine measures.

It is irresponsible for Biosecurity Australia to concede pre-border biosecurity responsibility to the New Zealand apple export industry rather than to Australian quarantine officials. The adoption of another countries' agricultural standard commercial practice is not an acceptable replacement for an Australian quarantine measure, given the potential devastation and cost to industry foreign pests and diseases such as fire blight are likely to cause should they be introduced and subsequently establish and spread.

The Association asks Biosecurity Australia if any other countries accept the importation of New Zealand fruit on the basis of the implementation of standard commercial practices. Do any countries accept imports from another country based on standard commercial practices developed, operated and policed by the exporting industry over phytosanitary measures developed, operated and policed by the quarantine authority of the importing country?

It is stated in the Draft report (pages 21 and 22) that there is 100% adoption of the IFP program by the New Zealand apple and pear export industry. However, while frequent inspection of orchards for fire blight is recommended in the IFP manual no information has been provided as to whether there are any checks in place to ensure that the manual is being followed by exporters. It appears that the only check in place is to ensure that there has been compliance with the IFP program spray recommendations prior to export fruit entering packing houses (page 33). This does not guarantee that other recommendations have been implemented (e.g. pruning of symptomatic tissue).

There is a computer model based warning system (page 22) to advise orchardists when environmental conditions increase the risk of fire blight infection so that steps to minimise infection can be taken. However these steps cannot guarantee the prevention of an outbreak.

All export orchards in New Zealand are registered with Pipfruit NZ Inc and utilise either the IFP program or a certified organic program (page 45). While these programs provide guidance material for targeted management of fire blight it does not appear that infected export orchards have to advise Pipfruit NZ Inc or New Zealand quarantine authorities of an outbreak of fire blight. Again, there does not appear to be a system in place to ensure that orchards are following the above mentioned programs, that they are being consistently applied or to deal with non-compliance. Standard practices are open to interpretation and as such procedures may not be appropriately implemented. The Association asks Biosecurity Australia to provide

detail about what levels of auditing they will employ to ensure compliance to the standard commercial practices and who will undertake them.

A quarantine measure must be put in place which ensures that orchards with pre-harvest outbreaks of fire blight are identified and prevented from exporting apple fruit to Australia. The Association questions how the risk of the introduction of fireblight to Australia be determined by Biosecurity Australia to be "extremely low" when orchards infected with fire blight will not be excluded from exporting fruit to Australia.

It is proposed that Biosecurity Australia will inspect apple fruit for pests and diseases (a 600 fruit sample from each lot of fruit). More detail needs to be provided about how fire blight will be identified during visual inspections, given that the bacteria that causes fire blight is not visible to the human eye.

The introduction of an exotic pest or disease to Australia increases the cost of production to Australian farmers as they will have to manage the pest or disease through chemical applications or another proven management tool. However there are no control options available to Australian orchardists if fire blight was to be introduced to Australia. In countries where fire blight is present, such as New Zealand, the application of antibiotics (streptomycin) and antagonistic bacteria are the most effective strategies to manage infection periods during blossom (page 64); these are not registered for use against fire blight in Australia.

It is understood by the Australian apple industry that Australian authorities have no intention to register the use of streptomycin for fire blight control in apples in Australia. How then are Australian growers to remain viable if fire blight is introduced? The Association asks the Australian Government what steps it will take so as to ensure that the Australian pome fruit industry can take immediate action should there be an outbreak of fire blight and that they have legal control options as their competitors do.

1.2 European canker

The high risk areas in New Zealand for European canker (*Neonectria ditissima*) have not been adequately addressed in the risk analysis. The Draft report states that European canker is endemic in the Waikato and Auckland districts. Averaging the risk of introduction of European canker to Australia across all growing regions of New Zealand is not appropriate. Even if only 5% of export apple fruit are grown in the high risk areas, fruit from these areas could arrive in Australia in undiluted consignments.

As is the case for fire blight, the IFP program or a certified organic program provide guidance for targeted management of a range of pathogens including European canker (page 97). It does not appear that there are any checks in place to ensure that the recommendations in these programs are being followed, apart from checks to ensure that the IFP program spray recommendations have been complied with.

The Australian industry requires more information about the IFP program spray recommendations and under what situations a spray must be applied to apple fruit crops consigned for export. For example:

a) Are applied sprays determined solely by orchard managers based on their interpretation of the IFP program manual and knowledge of pests and diseases?
b) Do preventative sprays have to be applied if environmental conditions favour the development of a pest or disease?

c) Do particular sprays have to be applied if a pest or disease infests/infects the orchard and who is responsible for the identification of the pest or disease?
d) Are there any pests or diseases that are notifiable to authorities?

Spray recommendations may be open to interpretation and audits of spray diaries provide no guarantee that fruit destined for export is free of a pest or disease.

1.3 Apple leaf curling midge

The Association asks that a quarantine measure be put in place to have fruit excluded or fumigated from orchards with a heavy infestation of apple leaf curling midge (*Dasineura mali*). As stated in the Draft report mature larvae or pupae may be present on apple fruit (page 73). While historically less than 3% of consignments are found to hold *D. mali* pupae (page 77) an individual consignment may contain a high level of pupae if from an orchard with a heavy infestation.

The Association notes that apple leaf curling midge is a quarantine pest for the state of California and that it has been detected during pre-clearance inspection of New Zealand apples destined for the US market (page 76). This provides a strong signal that quarantine measures should also be put in place for NZ apples destined for the Australian market.

2. EXCLUSION OF TRASH

Trash (leaves and small twigs) is considered to be a high risk carrier of fire blight, a fact not debated by the scientific community. Trash may be introduced to Australia via two pathways:

1. Attached to individual apples; and
2. As debris in cartons.

Trash attached to individual apples will be potentially identified during the inspection of a 600 fruit sample from each lot of fruit. However no statistically verifiable inspection system has been proposed in the Draft report for ensuring that trash is excluded from cartons and as such this does not meet an appropriate level of protection for Australia.

Trash enters the system at picking with trash levels being dependent on the experience of the picker. As such an inspection system must take into account the possibility of high levels of trash entering the system. Trash enters cartons during the mechanical processes of grading and packing, with the risk of entry into cartons increasing with the use of tray fillers. Tray fillers are a common component of graders in New Zealand.

It was noted in the Draft report (page 23) that not all orchardists follow the IFP manual recommendation that symptomatic shoots or branches are pruned out, stating that it was not necessary in their orchards where the incidence of symptomatic tissue was extremely low. As the orchards with only the occasional fire blight strike were still producing high yields of commercial quality fruit there is the potential risk of trash carrying fire blight entering Australia.

It is proposed that 600 cartons from each consignment be inspected to ensure that loose trash is not entering Australia via the cartons and that suppliers of cartons

containing trash are not permitted to export apples to Australia until a review of procedures is completed.

3. PROCEDURAL FAIRNESS

The Association, APAL and industry have been severely disadvantaged by their inability to access information used by Biosecurity Australia in preparing the Draft report. The lack of transparency and a public file limits the ability of the Australian industry to provide informed comment.

In particular the Australian apple industry has not been able to access the Pipfruit NZ Inc Integrated Fruit Production (IFP) program manual as it is deemed confidential.

A transparent and fair process would have made publicly available key details of the IFP program (sections pertaining to the management of fire blight, European canker and apple leaf curling midge) so as to enable technical comment from the Australian apple industry. As New Zealand orchard standard commercial practices are considered to meet the needs of Australia's ALOP over any additional phytosanitary measures, Australian orchardists deserve the right to be able to consider the technical details of the relevant sections of the IFP program. The Association calls for the immediate release of key details of the orchard standard commercial practices relevant to Biosecurity Australia's determination that the overall probability of entry, establishment and spread of fire blight and European canker into Australia is "extremely low" and for apple leaf curling midge "very low".

Biosecurity Australia has not provided any information about the science underpinning the IFP program. The science used in any Import Risk Assessment process is expected to be peer reviewed.