

5 March 1998

Dear Stakeholder

In our letter of 20 January 1998, we advised you that the Australian Quarantine and Inspection Service (AQIS) had received an application to consider the importation of tomatoes from the Netherlands.

AQIS has been progressing the import proposal since the application was received in March 1997, and will complete consideration of the proposal under the new import risk analysis (IRA) process announced in the Government's response to the report of the review of Australian quarantine chaired by Professor Malcolm Nairn.

AQIS proposes to complete the import request using a routine IRA process. As it has reached such an advanced stage consideration of this proposal will continue under the new procedures commencing with the release of the draft IRA paper for consultation.

The process

1. AQIS prepares a draft IRA paper, including recommendations. The draft IRA paper covering technical issues of disease and pest risk and its management is circulated to stakeholders for comment within 60 days. In addition, the release of the draft IRA is notified in the *AQIS Bulletin* and via the AQIS Homepage on the Internet. The World Trade Organization (WTO) is also formally notified at this time.
2. After considering all technical issues, including comments received, the risk analysis team finalises the IRA recommendations. Depending on the complexity of the proposal and the range of comment received (ie new or important information coming to light), there may be a need for more than one round of consultation. In this case, a revised draft will be circulated for further comment before finalisation.
3. The IRA recommendations are submitted to the Executive Director of AQIS for approval. The Executive Director of AQIS confirms the recommendations of the AQIS team. The Executive Director must be satisfied that the IRA has been carried out in accordance with the agreed process, and that the recommendations, if accepted, would

maintain Australia's appropriate level of protection and otherwise accord with Australia's international rights and obligations.

4. AQIS advises the applicant and other stakeholders of the Executive Director's approval. In addition, AQIS arranges notification in the *AQIS Bulletin* and on the AQIS Homepage on the Internet. If there are no appeals within 30 days the policy is adopted.
5. Any stakeholder disagreeing with the process followed may appeal to the Director of Animal and Plant Quarantine. The appeal is considered by an Import Risk Analysis Appeal Panel (IRAAP) which makes its decision within 45 days. The IRAAP comprises the Chair of the Quarantine and Exports Advisory Council (QEAC), the Director of Animal and Plant Quarantine, the Chief Plant Protection Officer or Chief Veterinary Officer (as appropriate) and one other member of QEAC.
6. If the appeal is upheld, AQIS refers the appeal panel's conclusions to the AQIS team for rectification of the deficiency in the process. AQIS advises the appellant and all stakeholders of the decision by the appeal panel. Once the IRA is complete, application of the policy can proceed. New or revised import conditions will be circulated.

AQIS will be writing to you again in the future to seek your views on the draft IRA paper relating to the importation of tomatoes from the Netherlands.

Yours sincerely

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