



Representing the Plant Science Industry

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28 April 2008

Mr Roger Beale AO
Chair
Quarantine and Biosecurity Review Panel
GPO Box 858
CANBERRA ACT 2601

By email: quarantinebiosecurityreview@daff.gov.au

Dear Mr Beale

CropLife Australia (CropLife) appreciates the opportunity to provide input to the Quarantine and Biosecurity Review and comment on matters raised in the Issues Paper that are relevant to our members.

CropLife Australia (CropLife) is the voice and advocate of the plant science industry in Australia. As the industry's peak body, CropLife progresses the interests of member companies by engaging with decision-makers and other stakeholders, and influencing the development and implementation of government policies.

CropLife's members invent, develop, manufacture and market most of the crop protection (pesticide) and crop biotechnology products used by Australia's primary producers. These products protect plant yields and improve productivity by controlling weeds, pests and diseases, leading to the production of high quality, affordable and abundant food, fibre and other crops.

Sales of the industry's products contribute in excess of \$1.2 billion annually to the Australian economy. They are a vital input to Australia's agriculture industry, which is worth \$39 billion each year and they help agricultural commodities to remain internationally competitive.

CropLife and its member companies are committed to safety, stewardship and quality. We lead industry efforts to demonstrate this commitment with the following practices:

- **Safety** – protecting human health and the environment through a rigorous and science-based regulatory process, the adoption and promotion of Good Agricultural Practice and the correct use of products according to label directions.
- **Stewardship** – responsibly and ethically managing industry products throughout their lifecycle.
- **Quality** – consistently producing products of the highest standards that meet registration specifications.

CropLife advocates science-based and risk-based legislative frameworks that are consistent in approach and application across the industry, and promote competitiveness through innovation, the protection of intellectual property and the introduction of new technologies and practices.

Importation of biological materials

There are serious deficiencies in the process for obtaining import permits for biological materials. The deficiencies relate mainly to process, timeliness, consistency and communication.

Importers frequently complain of slowness in assessment of applications to import biological materials and lack of responsiveness of AQIS staff. There is also a lack of transparency in the assessment process and apparently an inadequate filing system for historical records to enable consistency in assessing import permit applications.

There do not appear to be clearly defined processes or timeframes for obtaining or renewing import permits. Details of some specific examples of these deficiencies are provided below.

One example comes from an importer who has for years been importing finished products containing a bacterium. Although the permits are valid for 2 years, renewal applications are required to be lodged 6 to 12 months before permit expiry because the process timeframe is unreliable. AQIS does not seem to have access to historical files for issued permits, which they could use for reference and consistency of assessments, notably permit conditions. The importer finds that every time they try to renew a permit, they must start from the very beginning. AQIS considers a renewal as a totally new application requiring all the information to be resubmitted in full. Even when all the information is resubmitted, inclusive of previous communications regarding suitability/acceptability of permit condition statements, AQIS will regardless revert to the use of 'standard condition statements'. As such, the applicant must repeatedly liaise with AQIS to ensure that permit condition statements are practical and also acceptable to both the company and AQIS. Often this process can take weeks and sometimes months. The result is often acceptance of the same permit conditions as set previously.

Furthermore, there is inconsistency with regard to the use and numbering of permit condition statements. Even if a renewal of a permit is granted, often the condition statements have a new number allocated. The permit applicant must then ensure that all certificates of compliance match the new number system. This is a non-trivial process for the applicant, as it involves changes within many of its company's departments, locally and internationally. It is made worse when AQIS does not grant the renewal in a timely fashion. One incorrect number attached to a condition means AQIS stops the item at the border, incurring costly delays for the importer and the threat of disposal of the item. This further illustrates the need to submit permit renewal applications well in advance of permit expiry. Unfortunately, even with generous timeframes, AQIS is unable to be timely.

Communication between AQIS and other agencies (especially Biosecurity Australia, BA) is also a problem. Once AQIS refers a permit application to another agency, such as BA, AQIS does not follow it up. AQIS relies on the other agencies to respond to them and they will not chase up overdue applications. BA is a serious impediment to the timely renewal of permits. Importers experience difficulty in finding out the status of applications because there is no designated contact officer. Lack of continuity of staff appears to be a problem. When dealing with both AQIS and BA, it is evident that there is little communication between the two agencies and so efficiency and communication may be improved by amalgamating the agencies.

Importers have raised serious concerns over AQIS' efficiency, particularly the Biologicals Program and Plants Program. Inconsistency is a problem, where another company has sought to import several microbial-based products over the past four years, and some permits were approved but others were not granted.

Prospective importers have experienced numerous situations where AQIS has not met the minimum criteria as set out in the AQIS Service Charter. There have been countless times when applicants have left a telephone message with either an assessing officer or switchboard operator and the call has not been returned within the requisite two business days. Further, enquiries about additional information that may be required for assessment of applications have frequently gone unanswered.

One importer reports that every import permit application they have submitted has taken unacceptably long periods and questions the inefficiency of the process. Applications for import permits for biological goods frequently take several months to be processed, even where there is clearly no threat to Australia's biosecurity. One application to import a manufactured product containing an endemic organism that is included on the List of Specimens taken to be suitable for live import (Environment Protection Biodiversity Conservation Act 1999) took 4 months before it was approved, even though the product is also manufactured and sold in Australia. The importer previously debated with AQIS and BA for four years to determine what information they require for such an application.

Another import permit application that is still pending approval has to date been with AQIS for 3½ months, even though the species of organism in this product is endemic to Australia. The company has already lost a significant sales opportunity for this product amounting to nearly AUD\$30,000, because of delays in obtaining an import permit.

CropLife questions the practice of AQIS charging higher fees for more difficult applications, because the additional resources needed for prolonged assessments are incurred by BA, not AQIS.

Pesticide-resistance

No quarantine restrictions are usually placed on import or interstate movement of pesticide-resistant organisms (below species level, eg. races, biotypes, strains), even if they have limited distribution or are not present in Australia. The BA and AQIS risk assessment and risk management frameworks do not adequately analyse and mitigate these risks to crops and the environment, eg. herbicide-resistant weeds and insecticide-resistant stored grain pests.

CropLife would welcome the opportunity to provide any additional information or clarification that the Secretariat may require.

Yours sincerely



Paula Matthewson
Chief Executive Officer