

NATIONAL CIVIC COUNCIL (NSW)

ABN 19 622 993 989

28th April 2008

The Secretariat
Quarantine and Biosecurity Review
GPO Box 858
Canberra
ACT 2601

The National Civic Council believes that the Federal Government and its agencies have the responsibility to ensure the highest possible quarantine and biosecurity standards are implemented and enforced in order to protect Australia from disease and pests from abroad for the benefit of Australian consumers and Australian producers.

This submission will consider the following points in the Terms of Reference:

Australia's biosecurity and quarantine systems operate on a science-based policy of managed risk, with:

- an Appropriate Level of Protection (ALOP) of very low but not zero risk
- a 'continuum of quarantine' so that intervention measures progressively reduce risk through pre-border, border and post-border activities, and
- responsibility shared between the different layers of government, importers, exporters and the community.

These systems must serve to protect Australia's pest and disease status, consistent with community expectations and international obligations.

1. Appropriate Level of Protection (ALOP) of very low *but not zero risk*.

Australia, as an island continent, is well placed to protect its disease and pest free status, provided the ALOP is set at zero risk. To accept a "very low risk" rather than a "zero risk" on trade in bulk imports, is tantamount to ignoring a chink in the armour that will ultimately bring the whole armour unstuck thus exposing the whole "body" to injury. This approach is misnamed "managed risk", when really it is "a permit for risk".

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It is important to draw a distinction here between applying a zero risk approach to individual items brought into the country by tourists, or Australian citizens returning from abroad, and the bulk importation of goods for commercial purposes.

Some may argue that it is impossible to give an absolute guarantee of achieving “zero risk” across all incoming goods, because there is always the possibility of incoming travellers concealing items in their luggage. However, it must be pointed out that a few souvenirs which may escape detection, while of course posing some risk, are not in the same league as the risk posed by commercial quantities of imports.

Wisdom should therefore dictate that the importation of goods for commercial purposes should be governed by a separate standard of managed risk, and that the appropriate level of protection for commercial importation should be set at “zero risk” particularly with regard to pests and diseases capable of doing major damage to Australian industry and / or the environment.

2. These systems must serve to protect Australia’s pest and disease free status, consistent with *community expectations* and *international obligations*.

Community expectations: This is an age where consumers world wide are increasingly conscious of the harmful effects of sprays and chemicals on their health and are increasingly demanding chemical free produce. For some Australian producers, supplying chemical free produce has allowed them to tap into a niche market which pays a premium for their produce.

It is important to acknowledge that importing produce that poses even a slight disease or pest risk to Australian produce, also raises the likelihood that sprays and chemicals would have to be used across the board to control the spread of any such disease or pest outbreak. Such measures would penalise Australian producers who would have to bear the cost of applying sprays to prevent the spread of such a disease or pest. Producers would also suffer further financial penalty as niche markets for chemical free produce would necessarily be foregone.

To deliberately permit such a risk (as implied by tolerating a “very low but not zero risk”) runs counter to Australia’s best interests, and does not represent the best practice standards that the Australian public expects and that Australian producers deserve.

Where there is even the slightest doubt (eg contradictory or inconclusive evidence) concerning the potential risk to Australian biosecurity posed by a particular product,

wisdom dictates that the Federal Government should err on the side of caution, and ban the importation of such products.

International Obligations: The final point in this submission concerns Australia's international obligations, especially with regard to trade.

Australia as a trading nation must import of certain products in order to retain or expand its export trade. This is only logical.

What is not logical, and really borders on folly, is to permit the importation of products that pose a threat (be it a low level risk) to Australian grown produce and local industry.

Australia's trade obligations have long been used (misused) to justify the lowering of quarantine standards in order to import products to meet these obligations. The question that must be asked however is: "When did quarantine become a trade issue?"

Any reasonable person can see that the weakening of Australia's quarantine and biosecurity standards for a short term trade gain is symptomatic of fuzzy thinking and short vision by decision makers.

According to the World Trade Organisation (WTO), if a country bans or restricts the importation of products on legitimate quarantine grounds, it cannot be deemed to contravene its trade obligations.

Moreover, it can be argued that quarantine and biosecurity enforcement has more in common with customs enforcement than with international trade agreements and that there should be no overlap between trade and quarantine at all.

The current Quarantine and Biosecurity Review provides the perfect setting for strengthening quarantine and biosecurity standards and for placing quarantine and Biosecurity regulation and enforcement at arms length from trade interests.

May I commend these considerations to the Quarantine and Biosecurity Review Committee and wish it well in its deliberations.

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President (NSW)