

25/11/2010

Jeanette Radcliffe and Trish Carling
Committee Secretary and Senior Research Officer
Senate Rural & Regional Affairs & Transport Reference Committee
PO Box 6100 Parliament House
Canberra ACT 2600

Dear Jeanette and Trish,

Sorry to send in more material for the Committee's animal bio-security considerations after the final date of the 22ND November.

Professor Nick Sangster, Charles Sturt University, attended this week's Animal Health Australia Meeting on behalf of the Veterinary Deans Council of Australia and New Zealand.

Please find enclosed a letter,(22/11/10), from Professor Rosanne Taylor, Dean of the Faculty of Veterinary Science, Sydney University and a letter (22/11/10) from Dr. Barry Symth, the President of the Australian Veterinary Association.

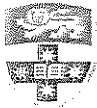
It is believed that these are expressions for involvement rather than for platitude.

Please find a letter ,24/11/10, sent to Animal Health Australia about animal bio-security (from existing risks from F&M disease and expected risks from BSE unless animal husbandry practices are changed) of meat derived animal foods and pet food safety ,both seen as a single issue and importantly inter-connected.

Also an accompanying letter 23/9/10, sent to Dr.Stanley Prusiner, with letters of 5th March 2010 and the 22nd March 2010 to the respected previous Prime Minister ,the Hon ,Kevin Rudd M.P, ,the latter letter asking him to consult with veterinary colleagues in DAFF. No replies have been received from the Australian Government or DAFF.

Kind Regards

Robert Steel



THE UNIVERSITY OF
SYDNEY

Rosanne Taylor
Dean, Faculty of Veterinary Science

22nd November 2010

Dr Robert Steel

Dear Bob,

Thank you for your letters regarding food safety and disease surveillance in Australia-issues of great importance for our profession and for our country.

This coming week Animal Health Australia will be meeting. I will be unable to attend that meeting, so Professor Nick Sangster will be attending on behalf of the Veterinary Deans Council of Australia and New Zealand. Nick is also a Sydney graduate and staff member here in parasitology for many years, before taking up a post at Charles Sturt University, so you may want to contact him also, regarding your concerns.

I have been consulting in our Faculty about the issues, including with Dr Jenny-Ann Toribio, an epidemiologist (who you met at the Beveridge address).

Your understanding of the findings reported in the attached AVJ paper by Nicole Schembri et al is correct. There are differences in definition of swill among the states/territories. Further there are differences in approach to swill feeding audits and there is no national collation of data on swill feeding investigations. These do pose a potential threat for national standards.

The recommendations of the forum held in August 2008 (executive summary below) include Action 2: Animal Health Australia (AHA) to develop recommendations on an action plan on national swill feeding audits to be presented to Animal Health Committee (AHC) for discussion.

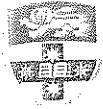
Dr Toribio's research team and the forum participants believe that priority should be given to action on national consistency for the definition of swill, approach to conduct and documentation of swill feeding audits and collation of national swill feeding data.

Dr Toribio has had further contact with Duncan Rowland of Animal Health Australia on this matter. Duncan has been working on this issue and on the ruminant feed ban – which faces a similar problem of each state has individual legislation. Current status: Animal Health Committee approved draft legislation re swill definition and procedure for investigation and sent out to states/territories. Feedback to date has requested modification by states to fit their own current legislation... However Duncan remains positive that with time consistency on this issue and ruminant feed ban will be reached.

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We will continue to actively monitor and raise this issue in national veterinary and animal health meetings.

Best regards,

Rosanne Taylor
Professor and Dean

Extract from:

Safeguarding Australia's Livestock Industries: Improving biosecurity in pig production systems

ADOPTION FORUM - University of Sydney, 21-22 August 2008 Final Report - Prepared by Jenny-Ann Toribio, Marta Hernandez-Jover and Trish Holyoake

Executive Summary

An adoption forum held at the University of Sydney on 21-22 August 2008 brought together a range of delegates with interest in the small-scale sector of the Australian pig industry including representatives of the industry, other livestock industries, state and federal governments, universities and the Australian Biosecurity Cooperative Research Centre (AB-CRC). The forum supported by Australian Pork Limited (APL), The University of Sydney and the AB-CRC aimed to i) inform delegates of the key findings from an AB-CRC funded project conducted by a University of Sydney research team related to the demographics and biosecurity practices of pig producers who trade at saleyards in Eastern Australia and ii) facilitate identification of actions to overcome gaps and deficiencies identified by the research.

The key research findings were presented and considered by the delegates through facilitated group discussions and activities related to a series of focus questions. The recommendations arising from the forum were the following actions:

Action 1: The listed set of minimum biosecurity standards generated by forum participants will be submitted to the APIQ Standards Review Committee through the provision of this report to Mr Bill Salter (Pig National Livestock Identification Scheme Committee) and Dr Pat Mitchell (Australian Pork Ltd) for consideration in the review of the Australian Pig Industry Quality Assurance program (APIQ).

Action 2: Animal Health Australia (AHA) to develop recommendations on an action plan on national swill feeding audits to be presented to Animal Health Committee (AHC) for discussion.

Action 3: The University of Sydney research team to provide to the Pig National Livestock Identification Scheme (NLIS) Consultative Committee a report of the research findings about level of ability to meet the National Livestock Traceability Performance Standards (NLTPS) and Forum recommendations for the components of a national approach to traceability.

Action 4: Pig NLIS Consultative Committee to develop a strategy for a national approach to traceability based on the information provided by Action 3 and to lobby state governments to comply with this strategy.

Action 5: AHA to incorporate biosecurity and disease detection into relevant training programs as part of emergency animal disease preparedness.

Action 6: APL to liaise with AHA regarding the ability of the E-Surveillance program to capture data on suspect pigs at abattoirs.

Action 7: APL to develop an extension strategy with AHA and state governments relating to issues of compliance.



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22 November 2010

Dr Robert Steel

Dear Dr Steel

Thank you for your recent letter about biosecurity problems which might be encountered in commercially available pet foods.

The Primary Industries Ministerial Committee Pet Foods Control Working Group is working on establishing a draft national standard for pet food. It is recognised that there are considerable gaps in the jurisdictional legislation governing commercially produced pet foods. The *Quarantine Act (1901)* and amendments also do not fully cover animal feeds.

Your interest in biosecurity issues and animal feeds is well founded. The tragic outcomes from bovine spongiform encephalopathy in Europe and other places is an example of what can happen if there is not the highest priority paid to removal of infectious agents from animal feed. Recent problems encountered in animal feeds in Australia relate mainly to irradiation and some chemical contaminants, and not to infectious agents.

The Australian Veterinary Association is member of the Working Group and we will be making sure that biosecurity issues are part of its discussions.

Let us know if there are any other concerns you might have. We would be interested in seeing the reply from the relevant Ministers to your letter.

Yours sincerely

G. Barry Smyth
President

24/11/2010

Veterinary Deans Council of Australia and New Zealand
& The Animal Health Australia,
Suite 15 26-28 Napier Close
Deakin Act 2600

Dear Veterinary Deans Council and Animal Health Australia,

Please find the enclosed submission to you and the Animal Health Australia for your consideration, your comments to this writer and referral to the Commonwealth Department of Health and Ageing (including FSANZ), the Commonwealth Department of Agriculture, Fisheries and Forestry (DAFF) and all State and Territory Governments' Department of Primary Industries. Also included is a letter sent to Dr. Stanley Prusiner but importantly please supply Animal Health Australia's answers to those TSEs questions asked of him.

“ Raw and processed meat materials in pet and domestic animal processed foods, with reference to existing and expected bio-security hazards with the continuing presence of unsafe pet foods in Australia.”

Please find reference to 3 articles from the Australian Veterinary Journal (AVJ) which relate to the feeding of raw meat materials, the protein seed stock for processed animal foods, both being routinely fed to Australian domestic and pet animals.

(1) “ *Feeding of prohibited substances (swill) to pigs in Australia*”, AVJ, Vol. 38 No. 8 August 2010.

Please review this important article which indicates that there is no consistency in the definition of “swill”, between the States and Territories of Australia, that all States approve the feeding of meat meals from all ruminants, (refer below to future risks from F&M Disease and BSE), domestic, feral and indigenous animals, that the article's authors were unable to define swill for themselves or readers, following their careful examination of Victorian, Northern Territory's, South Australian and Tasmanian Legislations (Table 2), that half of the States approve the feeding of meats from non-placental animals, that most States give discretionary powers to relevant State Officers (usually a Chief Veterinary Officer), for the feeding of prohibited substances that have been rendered by “approved” rendering processes.

Please note that in N.S.W., processed dry pet foods and their waste products, both containing ruminant sourced processed meats, are permitted to be fed to pigs.

Please be aware that 58% of pork sold in Australia is imported, while most States (SA, WA, TAS, NT) permit, after approval, the feeding of prohibited substances to pigs of waste products from restaurant and supermarket trading, including meat wastes after “processing” by rendering.

You are referred to the 2001 Foot and Mouth Disease (F&M Disease) outbreak in the United Kingdom, due to the feeding of viral containing, imported and “properly processed”(**RENDERED**) waste materials, containing meat and meat products, to pigs. F&M virus is still infective after 5 months after meats have been partially cooked, for example as in Japanese cuisine etc, or even cooked at normal home or restaurant stir-frying temperatures.

The feeding of any waste materials is now prohibited in the UK, not just because of F&M Disease risk but other exotic diseases listed in this article

In addition to those exotic diseases listed in the article, you are referred to transgenic mice experiments which reveal when BSE PrPres were transmitted experimentally to mice expressing porcine PrPres, these mice were infected with BSE and that more amplification of BSE prions occurred (they were more susceptible to BSE), after prior passage through sheep.

Federal Government intervention is urgently needed to address these bio-security risks from swill definition anomalies existing between States, because of exotic diseases, including F&M Disease and BSE,(even if the new BSE policy is never approved,) by prohibiting pig feeding with ruminant containing meat meals and “properly processed” renderings and meat meals sourced from fallen ruminant stock.

Please act now to co-ordinate States and Territories in a Federal Government definition of “swill” and initiate and enforce uniform Federal compulsory legislation for each State Food Authority, (which will over-ride each State official regulatory Law) .This legislation should explicitly define what are prohibited raw animal ,fish and bird materials and waste materials from their processing, for fresh and frozen pet food processors, for pet food manufacturers ,for waste materials from fresh or frozen human food processors and manufacturers and for distributors ,such as take-away shops and supermarkets, which may have food waste unsuitable for human consumption.

You are also referred to presently existing direct bio-security risks to Australian human health, the most obvious, revealed by the loss of the Russian export market for kangaroo meat for human consumption. You are referred to Barbara Wilson of Queensland Health.

Bacterial counts were confirmatory and it is incorrect to suggest otherwise.

(2) “Progress in improving pet food safety” AVJ Volume 88, No.10, October 2010, Dr. Mark Lawrie, Past President of the AVA.

(3) Pet food safety AVJ Vol 75, No.10 October 1997, Robert Steel, AVA.

This sampling initially involved 63 pet meats from 4 States (beef ,lamb, rabbit, poultry, pig, venison ,fish kangaroo) sold to the Australian public as fresh ,frozen and processed pet meats. Of these 63 samples, 54 meats were found to contain preservatives at levels which were damaging to the health of pets.

Follow up in-house testing for sulphites in 2008 and 2009 has revealed that **the practice of adding dangerous levels of sulphites to pet foods continues despite the introduction of AS48412006, the Australian Standard for the Hygienic Production of Pet Meat in 2006.**

It is obvious that self-regulation by the pet food industries has not succeeded in regulating the use of preservative additives, although great improvements in the manufacturing processes have occurred.

The Australian Standard for the Hygienic Production of Pet Meat, AS48412006, defines "additive" as "any substance added to pet meat and includes chemical applied to pet meat to enhance presentation and shelf life, e.g. sulphur dioxide and sodium meta-sulphite."

This Standard also states:-

"When used , additives (including preservatives) shall be applied at such levels that they do not cause adverse impact or undue risk to the well being of pets"

Included in Standard AS 48412006 are responsibilities for dealing with "fallen stock", during ARMCANZ's existence, (before FSANZ), the cause of disagreements between States.

These definitions in Standard AS 48412006 infer responsibilities for the food safety of these pet meats. The veterinary profession has, until now, been unable to have its voice heard in an environment of vacuous ineptitude and industry self-interest. It is unknown why necessary HACCP based programs were not enacted to help the profession and safeguard the health of pet animals since 2006?

Standard AS 48412006 has not brought food safety as hoped, because of non-compliance in a self-regulated environment. Governments have been unable to address problems because of various State regulations, agendas and the varied populations of animals between States, for example NT's buffalo and camel.

Please be aware that self-regulation by the pet food industry and control by the various State Food Health "Controlling Authorities", in the past, have failed to ensure food safety for pets fed fresh, frozen and packaged pet meats, because of the undeclared, unregulated and uncontrolled addition of sulphite preservatives.

In September 2010, a Draft for a proposed Standard, from the private company, Standards Australia, has been referred to the veterinary profession, following hard work in meetings between the Pet Food Industry Association of Australia Incorporated, the Commonwealth's DAFF and AQIS, the AVA, the RSPCA but with only one State Department, -the Victorian Department of Primary Industries.

It is disappointing that all State Governments, as "Controlling Authorities" of their parochial knackeries and non-export abattoirs were not involved in this Draft's deliberations.

Draft of "Australian Standard --Manufacturing and Marketing of Pet Food"

Please be aware that this Draft for Australia, the world's largest producer of fresh and frozen pet meats, sourced from domestic, feral and indigenous animals offers new consciousness to Australian animal bio-security and also a new era for pet food safety. The huge trade in raw meat and meat products provides the seed protein stock for and forms the basis of, manufactured pet and domestic animal foods.

Please note that the Draft suggests that raw materials purchased “ shall be documented” to verify that suppliers have “suitable product tracing procedures” and are “ approved”. These statements infer pleasing bio-security initiatives but one is unable to relate these to FSANZ or any Code, as it is, once again, of self-regulation, which has failed in the past.

Please note that the Draft circumvents the requirement for specific legislative regulation of amounts of sulphites that can be added to pet meats, by suggesting that self-regulatory qualifications of, “use by date” and even “best before”, with the act of addition of sufficient thiamine at the time of production, that “ must ensure that sufficient thiamine shall be present at these times and throughout the shelf life of a pet food product” and that these qualifications will provide suitable alternative safeguards to legislative regulation for pet food safety.

This circumvention of necessary regulation of amounts of sulphites that may be added to pet food, means that the Draft has added nothing to food safety for pet foods from the Standard AS48412006, in this area of additives, as both state that levels of preservatives should not be harmful to pet health. This has been ignored by all except by the veterinary profession.

Please note that pet meat may be supplemented with thiamine ad lib but when the levels of sulphites are high, as has been found, thiamine is very quickly inactivated. For example, high levels of sulphites in a single meal inactivate thiamine given orally in tablet form, within the normal gastric emptying times of cats.

One must ask who will regulate the labelling of “ use by date” and test regularly for thiamine in, say, bulk raw pet meats, to confirm that sufficient thiamine is present at the “use by” expiry date, as the Draft suggests will occur?

Thiamine assays are very expensive biological tests, too expensive for this writer, even in 2008 and 2009. Sulphite assay is very efficient, quick, cheap, can be done on-site or later and can be supported by Governmental analysis, cheaply. BUT if low levels of sulphites were found to exist in a meat sample at the time of “use by date”, this low level means little, unless a thiamine assay is performed. Thiamine assays are thus obligatory for the Draft to be credible. This is a concerning area of self-regulation as it is seen to be sensitive to abuse.

The evocation of the provisions of the FSANZ Food Standards Code is irrelevant. It is relevant only in the numeration of preservatives, and only, by analogy, to such nominations as “use by date” and “best before”; as in human food safety, the use of sulphite preservatives is legally regulated for human health.

Because of the unbelievable lack of hygiene of meats presented to State knackery and similar institutions, it can be argued that sulphites are necessary for microbiological safety to control Salmonella infections etc in pet animals. These may spread directly to other pets and humans or mutate, in time, to become serious human pathogens. It is true that Salmonellae are exquisitely sensitive to sulphites.

Dr. Lawrie in the AVJ , reviews the progress made via a Primary Industries Ministerial Council (PIMC) Inquiry. This has been a great achievement but there is still no binding legal compulsion for the pet food industry to comply and self-regulation of past years, remains. The only recourse for pet owners in the past has been State and Federal Laws of Fair Trading and Consumer Affairs.

It is suggested that unless there is a legally binding FSANZ Code in place, similar to that for human foods, that the Draft Standard document, as it is now, will not progress pet food safety in this one area of control of additives and may not assist greatly with future bio-security risks for Australian animals and humans, unless trace back systems for raw meats are regulated legally.. The situation is similar to that seen in the disorganised, disparate approach between States in swill definition with all it's bio-security dangers.

Federal Government leadership is needed in both areas.

Please advise if a Hazard Analysis and Critical Control Point (HACCP) based program has ever been enacted by Food Regulation Ministerial Council (FRMC) after the PIMC advised the FRMC of the veterinary profession's pet food safety concerns, documented in the AVJ for years and following AVA members direct approaches to DAFF, about the unregulated, uncontrolled and undeclared use of sulphites in pet foods. If so, when were any HACCP programs initiated ?

It is believed that Federal Government legislative controls are necessary for uniform " swill" definition. Regulation of the use of preservatives in pet foods should be similarly addressed by the Federal Government's FSANZ , the body which legislatively controls human foods safety.

You are referred to the present animal-human food safety issue of endogenous Salmonellosis of hens in the US's hyper- intensive poultry industry, as yet another reason for FSANZ to be responsible for pet food safety in Australia.

Yours Sincerely

Robert Steel B.V.Sc. M.R.C.V.S.
Honorary Veterinary Surgeon N.S.W.

23/9/2010

Dr. Stanley B Prusiner M.D.
Prusiner Laboratory
The Institute of Neuro-generative Diseases
The University of California
San Francisco
California 94143

Dear Dr Prusiner,

Please forgive our impertinence in writing to you directly and in asking for your professional help and advice.

Australian fauna and domestic animals are unique in the world. We are alone in the world in being free from all known animal TSE's following the unfortunate discovery of atypical Scrapie cases in New Zealand's sheep flocks in 2009.

We are concerned that experimental TSE transmission experiments have shown increased pathogenicity of a primary TSE isolate, following it's repeated passages from one individual to another individual in a single species of host.

We are concerned by the pathogenic changes in such a primary isolate when it is transmitted experimentally, (after such repeated passages), to another host and then experimentally transmitted back to the original host.

We are concerned that our Government is not aware of all your research and all the dangers that they have revealed for the future.

From your research findings on CWD and Scrapie and from similar findings in atypical BSE bovine cases and in TSE infection of primates, do you think that newer technologies will reveal low levels of mis-folded prions in myological and peripheral neurological tissues in cattle with classical BSE infection ?

As has been shown in the BSE- v CWD complex, overt disease expression was dose dependent on high levels of mis-folded prions found in CNS tissues particularly.

Would you expect long term risks to human health from the lower levels of mis-folded prions in muscle, lymphatics and peripheral nerves in cattle with classical BSE?

With the uniqueness of anuclear protein conformational changes' precedence, in TSEs diseases, which may result in overt clinical disease in genetically susceptible hosts or covert disease in the more genetically resilient in later generations, would you please offer suggestions about long term risks to human health in eating BSE infected beef and beef products.

Our best wishes to you and your team in your search for the "triggers" which change the shape of a protein which results in the cascade that we call "disease".

All your research increases our wonderment of Divine Nature which seems so reasonable to our logic and so intriguing to us in her eternal youthfulness. Thank you personally for your great works.

Kind regards ,

Beverley Steel and Robert Steel
(Both retired, the latter as a Veterinary Surgeon)

5th March 2010

The Prime Minister, The Hon. Kevin Rudd. M.P.
The Hon Nicola Rixon M.P., The Minister for Health and Ageing
The Hon. Simon Crean M.P., The Minister for Trade
The Hon. Tony Burke M.P., The Minister for Agriculture
The Hon. Mark Butler M.P. Parliamentary Secretary for Health
Parliament House Canberra A.C.T.2601

Dear Prime Minister and Ministers,

It is unfortunately necessary to express to you concerns about the new Government policy for Bovine Spongiform Encephalopathy (BSE) and very serious concerns about the scientific Review that support this policy.

Please be aware that the Review, "Review of Scientific Evidence to Inform Australian Policy on Transmissible Spongiform Encephalopathies (TSEs) 2009 Addendum" by Professor John Mathews, Consultant to the Department of Health and Ageing is the scientific basis for the new policy.

This Review needs to be reviewed by expert epidemiologists for its serious faults and incorrect scientific information and by a statistician, to examine the validity of its conclusions.

These serious errors in the Review are not typographical errors or careless omissions of scientific facts but about veterinary epidemiology and questioned statistics.

Please be advised that the Department of Health and Ageing, the Therapeutic Goods Administration, FSANZ, DAFF, the National Health and Medical Research Council, the Transmissible Spongiform Encephalopathy Advisory Committee and the Bovine Spongiform Advisory Committee and the Australian BSE Food Safety Assessment Committee have examined this Review to support the scientific information and the conclusions of this Review. This is not understood.

The FSANZ consents will lead to the issue of import permits by the Department of Agriculture, Fisheries and Forestry (DAFF) which will allow importation of Category C animal derived beef skeletal muscle tissue, as defined by the OIE, to include as well "beef products" which FSANZ or DAFF does not and has not defined, from among 22 "controlled risk" (ie not free of BSE) OIE Category 2 countries for BSE.

What are "beef products" and how could FSANZ consider the risk assessment of Animal Bio-security (BA) to include skeletal muscle tissues and "beef products", as OIE Category C tissues from OIE Category 2 countries, in the light of new scientific information disclosed by SPMCA testing of beef skeletal muscle tissues and other beef tissues, previously considered to never contain BSE prions in BSE infected cattle?

(A) New tests for BSE—SPMCA and the imminent availability of live animal blood tests, analogous to the “AMORFIX” human blood tests.

THE SERIAL PROTEIN MISFOLDING CYCLIC AMPLIFICATION (SPMCA) TECHNOLOGY for BSE and for ALL TSEs, HAS REVOLUTIONISED THE DETECTION OF THESE ANIMAL DISEASES.

SPMCA can amplify (increase) and identify TSEs in animal tissues and TSEs outside host animals in the environment in previously un-detectible and minute quantities.

This SPMCA technology has detected BSE prions in tissues such as beef skeletal muscle tissues and their conjoint fat, lymphatic and neural tissues.

SPMCA has revealed previously unknown pathways in animal bodies, from ingestion of BSE material (from such, as bone meal (MBM) or specific risk material (SRM) for BSE as defined by OIE), to its conduit from the gastro-intestinal tract en route to the central nervous system, where it amplifies itself further, as proteinase resistant prion proteins following its amplification in other tissues, which has been recently discovered.

Professor Mathews is unaware of or does not appreciate the potential of this new science, as he does not mention it in his Review.

When new detection technologies are commercially available, analogous to the highly specific and sensitive French test—“AMORFIX” HUMAN BLOOD TEST FOR TSEs,” these tests will provide certainty and real safety for Australian animal and human health, on an individual animal basis, if each animal is blood tested before slaughter, provided that no cattle substitution occurs, under a new revised BSE policy.

(B) BSE, TSEs history and EU requirements and notifications by EU Member States.

PRIME MINISTER, WE ARE NOW THE ONLY COUNTRY IN THE WORLD WHICH IS REPORTEDLY FREE FROM PRION DISEASES, THE TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHY GROUP OF DISEASES.

These diseases affect man, as in spontaneously occurring s CJD, and in so-called familial CJD or after infection with BSE as v CJD.

HUNDREDS OF THOUSANDS OF ANIMALS ARE INFECTED WITH THESE TSEs, as in classical and atypical strains of Scrapie in sheep, as in CWD in wild and farmed Cervidae (deer family with antlers), as in feline and mink TSEs. 5,000-10,000 new cases of Scrapie are reported in Scotland annually.

THERE ARE HUNDREDS OF EMERGING VARIANT STRAINS OF TSEs THAT MOLECULAR BIOLOGISTS HAVE REVEALED IN THE LAST 4 YEARS, WORLD WIDE.

For example TSE of deer, CWD has spread ,since 1982, to 14 USA States and 2 provinces of Canada. There are numerous strains of this highly infectious TSE.

Experimental inter-species transmission experiments have disclosed infection is possible in other than the recognised host animals ie CWD to ruminants such as cattle, sheep and goats and Scrapie to cattle and goats. Molecular biology reveals novel mutant strains that affect other animal species, as in BSE, in goats. It is in the transgenic mice that scientists have an exquisitely sensitive animal model, to explore the possible biological evolution that occurs which lead to a crossing over to another animal species, as happened with BSE in the 1980s in the U.K..

Australia has possibly spontaneous occurring cases of TSEs in its ruminant herds. Spontaneously occurring BSE variant strains with dissimilar clinical syndromes and dissimilar epidemiology to classical "mad cow disease" may occur. No extensive testing of ruminants for TSEs has occurred. The Government's dangerous new BSE policy must be considered to anticipate undisclosed test results! This is considered to be the case after contact with a senior executive in FSANZ.

(C) **The OIE's role in the new Australian policy and the EU.**

Please confirm that you are aware that any notification of any animal disease by a country to the OIE, is purely a voluntary decision made by that country, to report the presence or extent of an animal disease, to the OIE.

THE OIE HAS NO GROUND INSPECTION ROLE AND NEVER HAS HAD ANY GROUND INSPECTION ROLE IN ANIMAL DISEASES SURVEILLANCES.

A COUNTRY MAY OR MAY NOT DECIDE TO REPORT ANY ANIMAL DISEASE OUTBREAK OR INCIDENT IN ANY ANIMAL DISEASE OCCURRENCE TO THE OIE.

Ministers please advise exactly how FSANZ will be able to use the OIE methodology by using the OIE's completely voluntary disease disclosure culture, for BA to undertake a risk assessment, analysing information provided by an applicant country which **may or may not be true**, or any other relevant information, including any prior categorisation by the OIE.

Particularly refer to the history of OIE's country's zoning categorisation for Foot and Mouth Disease (F&M) that led to the importation of beef from a supposedly F&M disease free zone in Brazil in 2004.

Ministers, please advise that you are aware of this OIE methodology for its prior categorisation of F&M free zones for this disease in any country.

Ministers, please confirm that you support such OIE methodologies, such as the prior categorisation by the OIE of disease free zones within a country, by the OIE both, in 2004 and now in 2010.

Please advise that you are aware of the differences that exist for member countries of the European Union, to report to the EU Commission, the presences of animal diseases including BSE, that may exist, occur sporadically, or develop, in that EU member country, in any year.

Prime Minister please advise if you expect the OIE to act to address the fact that the EU, in 2009, revealed that some "rapid tests" used to examine the CNS of cattle after slaughter for BSE prions, to be unreliable.

The EU does legally approve rapid tests that are be used in the EU and continues to update this information.

The OIE does not approve such tests and considers results of testing and of animal disease incidents, as voluntary disclosures, only on a country's own reconnaissance.

Please advise that you are aware that EU binding legal requirements exist for animal disease notification for EU member States.

Prime Minister, please advise if your Ministers recognise the significance of these differences and if they believe that these differences in reportage for EU and non-EU countries, are important or not?

It is believed that Australian Government and its scientists should have looked to the EU itself and not to the voluntary animal disease disclosure culture of the OIE, for professional scientific and administrative guidance in the evaluation of risk assessments for the new BSE policy.

(C) Australia's unsafe animal feeding practices and the new BSE policy.

Minister Tony Burke please advise that you are aware that ruminant MBMs and SRMs for BSE, as defined by the OIE, do now enter the human food chain in labelled packaged pig foods, stating that they do contain these MBMs and SRMs and these being fed to pigs. The labels state that it is prohibited to feed these pig foods to ruminants.

HUMANS EATING AUSTRALIAN PORCINE TISSUES MAY THUS BE EXPOSED TO ROGUE PRIONS IN BSE AFFECTED CATTLE AFTER PASSAGE OF PrP bse THROUGH PIGS.

This feeding of MBMs and SRMs to pigs must be stopped before the new policy commences. It should have been stopped years ago.

Minister Tony Burke ,please note that BSE prions ,when transmitted experimentally in transgenic mice expressing porcine PrPres, these mice were infected by BSE prions ,but more amplification occurred–ie, they were more susceptible, after prior passage through sheep.

Please advise that you consider this experiment unimportant to human and animal health in the same way as was the discovery, by mice transmission experiments, with mice expressing PrP bse , **that revealed these prions to be the aetiological agent of v CJD.**

(D) OIE ,CATEGORY C MATERIAL –THE NEED TO RE-CLASSIFY CATEGORY C BEEF SKELETAL MUSCLE TISSUE,TO BEING UNSAFE FOR BSE , AS RESULT OF THE SPMCA TECHNOLOGY.

Please advise that you are aware that beef skeletal muscle tissues, with fatty tissues ,lymphatic tissues and neural tissues, contained within these beef skeletal muscle tissues, should no longer be classified as Category C tissues by the OIE, following the detection of TSEs, including BSE misfolded prions in these tissues by the SPMCA TEST, from clinically normal ruminant animals, including clinically normal cattle, which are covertly infected with BSE.

Please advise that you are aware that the OIE will not deliberate on this issue immediately but will only consider it, under duress, at a much later time , because of it's enormous political significance in trading beef, world wide.

(E) Conclusion

Prime Minister, please act to cancel ,or at least put on hold, this new BSE policy, until live blood tests for BSE are commercially available for cattle.

If the Australian Government will wait until new live animal blood tests become commercially available, then FSANZ and BA will be able to be sure of the safety for animal and human health from a revised BSE Policy, for the importation of beef from Category 2 countries as defined by the OIE.

THIS REVISED POLICY FOR BSE WILL THEN SCIENTIFICALLY ADDRESS THE RISKS INVOLVED.

The announced FSANZ criteria are primarily flawed by human fallibility, as these criteria are based on the voluntary disclosure for animal diseases that exists in the OIE

They even ignore the unreliability of veterinary inspection for the detection of BSE disease in normal healthy looking cattle.

This has been documented in Europe where 7000 clinically normal cattle were undetected by veterinary inspection but on testing, were found to be BSE infected from 40 million rapid tested cattle.

**Please note that the pig industry has been seriously damaged by the previous Government's decision to allow the importation of pork.
Over 59% of all pork eaten this Christmas was imported!!!**

Prime Minister and Ministers, please advise why unsafe quarantine practices are in place in last week's announced FSANZ criteria for applicant countries for beef importations into Australia.

How can Australian authorities possibly be sure that any beef imported into Australia, is free of BSE, without the individual highly specific and sensitive testing of each animal?

The argument that there is never any "no risk" in veterinary epidemiology, as in this new policy, is fatuous and false, when these tests are to be expected within 2 years.

Please advise how a cohort of BSE cattle may be identified overseas without a national identification scheme for cattle with a from birth to slaughter scheme that exists in Australia in our NLIS scheme.

Kind Regards

Robert Steel B.V.Sc. M.R.C.V.S.
Honorary Veterinary Surgeon N.S.W.

22nd March 2010

The Prime Minister, The Hon. Kevin Rudd. M.P.
The Hon Nicola Rixon M.P., The Minister for Health and Ageing
The Hon. Simon Crean M.P., The Minister for Trade
The Hon. Tony Burke M.P., The Minister for Agriculture
The Hon. Mark Butler M.P. Parliamentary Secretary for Health
Parliament House Canberra A.C.T. 2601

Dear Prime Minister,

Thank you very much for the opportunity to speak to you personally on Saturday, about concerns about the proposed new Government policy for Bovine Spongiform Encephalopathy (BSE), following my letter to you of the 5th March 2010. As you said, you have responded to these concerns and we, as citizens, thank you very much for this.

The 2 year period will allow thorough scientific examination and subsequent considered animal and human risk evaluations, based on the rapidly evolving scientific knowledge, not only about BSE, but also for animals' Transmissible Spongiform Encephalopathies (TSEs), generally.

These animal TSEs not only threaten Australia's unique freedom from them in animal health.

These TSEs have potentials for crossing over the species barrier to become human health risks. This was seen with BSE's "mad cow disease", crossing over to humans, as v CJD, in the 1980s.

With New Zealand's detection of an unknown strain or strains of the TSE, Atypical Scrapie cases in their sheep herd in 2009, their sheep industry faces a serious issue which cannot be dismissed as only, " a spontaneously or sporadically occurring animal disease".

You are referred to the National Academy of Science USA Proceeding 2005, which describe previously identified strains of Atypical Scrapie as "truly infectious TSEs in sheep and goats, which may have important implications in terms of control and public health".

The Commonwealth Government's Department of Agriculture, Fisheries and Forestry (DAFF) is fully aware of this New Zealand TSE and those implications for Australia, that arise from this TSE detection, in 2009.

In a chance meeting with DAFF's Chief Veterinary Surgeon of Australia, Dr. Andy Carroll, I have asked him to kindly ask his scientific staff to provide a critique of the letter, sent to you and your Ministers, dated 5th March 2010.

It is vital that you are correctly advised, so that your revised policy will safeguard Australia's unique position in the world, in its freedom from these world-wide animal TSEs diseases.

Dr. Carroll, as the Chief Veterinary Surgeon of Australia, is the official Australian Representative on the OIE.

Dr. Carroll will be able to provide you with first hand information about the OIE's ambivalence.

On one hand, there is the OIE purely voluntary animal disease notification culture for countries. They may or may not report a disease occurrence!

On the other hand, there are international trading agendas in animal products, which flow on from these voluntary disclosures or trade related concealments.

Dr. Carroll will also be able to advise you objectively on the differences in reportage, between EU Member States to the EU Commission and that which exists in the OIE.

Dr. Carroll will be able to advise you on the implications of this voluntary disclosure culture, existing within the OIE, for Australia's bio-security, with its unique freedom from all animal TSEs.

The request for Dr. Carroll's help, is also for more detailed scientific criticism, from his DAFF's scientific staff.

There is now a questionable OIE classification in trading beef safely, in the light of new scientific evidence.

OIE's Category C tissues, as defined by the OIE, must now be questioned as a safe Category, for trading beef's skeletal muscle tissues.

What are DAFF's explicit advice to your Government, about the importation of OIE Category C beef skeletal muscle tissues, in view of new scientific test results, with **Serial Protein Misfolding Cyclic Amplification (SPMCA) tests?**

SPMCA Testing has revealed protease resistant prion proteins (PrPres) in skeletal muscle tissues and in its co-joint fatty tissues, lymphatic and neural tissues in ruminant TSEs, such as chronic wasting disease (CWD) and Scrapie.

Humans with v CJD have the BSE infective protease resistant prion proteins, (PrP^{bse}), in their skeletal muscle tissues.

What possible conclusions could DAFF draw from the above scientific evidence, about the presence of absence of PrP^{bse}, in skeletal muscle tissue of a clinically normal BSE infected cow, whose beef were to be imported into Australia?

Please note that importation of beef had been suggested, conditionally, to come from the 22 countries classified by the OIE, as "controlled risk" countries for BSE.

I would very much appreciate DAFF's critical advice and corrections of my letter to you, of the 5th March 2010.

I would very much appreciate Dr.Carroll's informed comments on the OIE and on a perception of it's dangerous ambivalency in trade and notification.

I will forward DAFF advice and DAFF corrections directly to you and your Department on receiving them.

Kind Regards

Robert Steel B.V.Sc. M.R.C.V.S.
Honorary Veterinary Surgeon N.S.W.

29/11/10

Ms Janette Radcliffe, Trish Carling, Jane Beer,
Rural Regional Affairs and Transport References Committee
The Hon.Senators, Fiona Nash, Bill Heffernan, Chris Beck, Christine Milne,
Kerry O'Brien, Glenn Seale, Julian McGauran, Richard Colbeck.
PO Box 6100 Parliament House,
Canberra ACT 2600.

Dear Janette, Trish, Jane and Hon Senators,

Please find enclosed a letter of the 22nd November 2010 from Professor Rosanne Taylor, the Dean of the Faculty of Veterinary Science, Sydney University and another letter already sent to the Committee, which relates to her letter.

She refers to matters raised in the 5th March 2010 letter sent to Prime Minister, the Hon. Kevin Rudd M.P., which had been handed to her at the bio-security meeting, 17th November 2010, held by the University.

Please review this letter and please recognise the career limiting effects of questioning Government bio-security policies. Please note the final sentence:-

“In the current case, (the new BSE policy under review) a proposal to review the evidence presented to support the decision made could be undertaken by a consortium of Australian veterinary schools”.

There are many fantastic people in the veterinary profession and many of these have had to remain silent on this BSE issue.

Professor Taylor has suggested **in this private letter**, an opportunity that may be attractive to the Committee to access unbiased knowledge, with an autonomous consortium.

Last week's Animal Health Australia bio-security meeting was attended by Professor Nick Sangster (a parasitologist) on behalf of the Veterinary Deans Council of Australia and New Zealand.

However, it is believed that a consortium, as suggested by Professor Taylor, should be autonomous, could be set up by, and referable to the Committee itself, and only include academic experts in those particular subjects to be examined.

Could the Committee consider this consortium proposal as all the work previously has had to be done by you all, without help from the veterinary profession's academia?

Professor Taylor's letter (received only to-day, indicating the careful considerations about it's import) expresses clearly, in great detail, the reality of the bio-security review situation, as it is seen by many.
It seems to be a wonderful start.

Yours Sincerely

Bob Steel



THE UNIVERSITY OF
SYDNEY

Rosanne Taylor
Dean, Faculty of Veterinary Science

22nd November 2010

Dr Robert Steel

Dear Bob,

Thank you for the very interesting points raised in your letter, of considerable concern to our Faculty also. I am responding, drawing on advice from Professor Michael Ward, who leads our programs in veterinary public health and food safety.

As a Faculty of Veterinary Science, we support and promote science-based decisions on animal health. More broadly, the veterinary profession should be encouraged to use the available evidence to objectively make decisions (i.e. evidence-based medicine). This is what we teach our students, this is the basis of the framework to which the Australian and State governments are committed, and these are the guidelines within which nations operate in global trade (i.e. World Trade Organization and the role of the OIE).

However, the application of these principles is not always undertaken appropriately. The Australian Government uses a risk assessment framework to make decisions on the importation of animals and animal products. However, the reliance on consultants to undertake some important parts of the process concerns us.

Michael suggests that there needs to be more independent review of such risk assessments that are undertaken. The consulting community cannot do this – there is a conflict of interest. Australian Universities are well-placed to offer an independent opinion based on expertise in epidemiology, risk assessment, microbiology and animal production. This should be our role – to check the quality of the work commissioned by the Commonwealth and to provide independent assessment and commentary. In the current case, a proposal to review the evidence presented to support the decision made could be undertaken by a consortium of Australian veterinary schools.

Best regards,

“
Rosanne Taylor
Professor and Dean

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CRICOS 00026A

5th March 2010

The Prime Minister, The Hon. Kevin Rudd M.P.
The Hon Nicola Rixon M.P., The Minister for Health and Ageing
The Hon. Simon Crean M.P., The Minister for Trade
The Hon. Tony Burke M.P., The Minister for Agriculture
The Hon. Mark Butler M.P. Parliamentary Secretary for Health
Parliament House Canberra A.C.T.2601

Dear Prime Minister and Ministers,

It is unfortunately necessary to express to you concerns about the new Government policy for Bovine Spongiform Encephalopathy (BSE) and very serious concerns about the scientific Review that support this policy.

Please be aware that the Review, "Review of Scientific Evidence to Inform Australian Policy on Transmissible Encephalopathies (TSEs) 2009 Addendum" by Professor John Mathews, Consultant to the Department of Health and Ageing is the scientific basis for the new policy.

This Review needs to be reviewed by expert epidemiologists for its serious faults and incorrect scientific information and by a statistician, to examine the validity of its conclusions.

These serious errors in the Review are not typographical errors or careless omissions of scientific facts but about veterinary epidemiology and questioned statistics.

Please be advised that the Department of Health and Ageing, the Therapeutic Goods Administration, FSANZ, DAFF, the National Health and Medical Research Council, the Transmissible Spongiform Encephalopathy Advisory Committee and the Bovine Spongiform Advisory Committee and the Australian BSE Food Safety Assessment Committee have examined this Review to support the scientific information and the conclusions of this Review. This is not understood.

The FSANZ consents will lead to the issue of import permits by the Department of Agriculture, Fisheries and Forestry (DAFF) which will allow importation of Category C animal derived beef skeletal muscle tissue, as defined by the OIE, to include as well "beef products" which FSANZ or DAFF does not and has not defined, from among 22 "controlled risk" OIE Category 2 countries for BSE.

What are "beef products" and how could FSANZ consider the risk assessment of Animal Bio-security (BA) to include skeletal muscle tissues and "beef products", as OIE Category C tissues from OIE Category 2 countries, in the light of new scientific information disclosed by SPMCA testing of beef skeletal muscle tissues and other beef tissues, previously considered to never contain BSE prions in BSE infected cattle?

(A) New tests for BSE—SPMCA and the imminent availability of live animal blood tests, analogous to the “AMORFIX” human blood tests.

THE SERIAL PROTEIN MISFOLDED CYCLIC AMPLIFICATION (SPMCA) TECHNOLOGY for BSE and for ALL TSEs, HAS REVOLUTIONISED THE DETECTION OF THESE ANIMAL DISEASES.

SPMCA can amplify (increase) and identify TSEs in animal tissues and TSEs outside host animals in the environment in previously un-detectible and minute quantities.

This SPMCA technology has detected BSE prions in tissues such as beef skeletal muscle tissues and their conjoint fat, lymphatic and neural tissues.

SPMCA has revealed previously unknown pathways in animal bodies, from ingestion of BSE material (from such, as bone meal (MBM) or specific risk material (SRM) for BSE as defined by OIE), to its conduit from the gastro-intestinal tract en route to the central nervous system, where it amplifies itself further, as proteinase resistant prion proteins following its amplification in other tissues, which has been recently discovered.

Professor Mathews is unaware of or does not appreciate the potential of this new science, as he does not mention it in his Review.

When new detection technologies are commercially available, analogous to the highly specific and sensitive French test—“AMORFIX” HUMAN BLOOD TEST FOR TSEs,” these tests will provide certainty and real safety for Australian animal and human health, on an individual animal basis, if each animal is blood tested before slaughter, provided that no cattle substitution occurs, under a new revised BSE policy.

(B) BSE, TSEs history and EU requirements and notifications by EU Member States.

PRIME MINISTER, WE ARE NOW THE ONLY COUNTRY IN THE WORLD WHICH IS REPORTEDLY FREE FROM PRION DISEASES, THE TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHY GROUP OF DISEASES.

These diseases affect man, as in spontaneously occurring sCJD, and in so-called familial CJD or after infection with BSE as vCJD.

HUNDREDS OF THOUSANDS OF ANIMALS ARE INFECTED WITH THESE TSEs, as in classical and atypical strains of Scrapie in sheep, as in CWD in wild and farmed Cervidae (deer family with antlers), as in feline and mink TSEs. 5,000-10,000 new cases of Scrapie are reported in Scotland annually.

THERE ARE HUNDREDS OF EMERGING VARIANT STRAINS OF TSEs THAT MOLECULAR BIOLOGISTS HAVE REVEALED IN THE LAST 4 YEARS, WORLD WIDE.

For example TSE of deer, CWD has spread ,since 1982, to 14 USA States and 2 provinces of Canada. There are numerous strains of this highly infectious TSE.

Experimental inter-species transmission experiments have disclosed infection is possible in other than the recognised host animals ie CWD to ruminants such as cattle, sheep and goats and Scrapie to cattle and goats. Molecular biology reveals novel mutant strains that affect other animal species, as in BSE, in goats. It is in the transgenic mice that scientists have an exquisitely sensitive animal model, to explore the possible biological evolution that occurs which lead to a crossing over to another animal species, as happened with BSE in the 1980s in the U.K..

Australia has possibly spontaneous occurring cases of TSEs in its ruminant herds. Spontaneously occurring BSE variant strains with dissimilar clinical syndromes and dissimilar epidemiology to classical "mad cow disease" may occur. No extensive testing of ruminants for TSEs has occurred. The Government's dangerous new BSE policy must be considered to anticipate undisclosed test results! This is considered to be the case after contact with a senior executive in FSANZ.

(C) **The OIE's role in the new Australian policy and the EU.**

Please confirm that you are aware that any notification of any animal disease by a country to the OIE, is purely a voluntary decision made by that country, to report the presence or extent of an animal disease, to the OIE.

THE OIE HAS NO GROUND INSPECTION ROLE AND NEVER HAS HAD ANY GROUND INSPECTION ROLE IN ANIMAL DISEASES SURVEILLANCES.

A COUNTRY MAY OR MAY NOT DECIDE TO REPORT ANY ANIMAL DISEASE OUTBREAK OR INCIDENT IN ANY ANIMAL DISEASE OCCURRENCE TO THE OIE.

Ministers please advise exactly how FSANZ will be able to use the OIE methodology by using the OIE's completely voluntary disease disclosure culture, for BA to undertake a risk assessment, analysing information provided by an applicant country which **may or may not be true**, or any other relevant information, including any prior categorisation by the OIE.

Particularly refer to the history of OIE's country's zoning categorisation for Foot and Mouth Disease (F&M) that led to the importation of beef from a supposedly F&M disease free zone in Brazil in 2004.

Ministers, please advise that you are aware of this OIE methodology for it's prior categorisation of F&M free zones for this disease in any country.

Ministers, please confirm that you support such OIE methodologies, such as the prior categorisation by the OIE of disease free zones within a country, by the OIE both, in 2004 and now in 2010.

Please advise that you are aware of the differences that exist for member countries of the European Union, to report to the EU Commission, the presences of animal diseases including BSE, that may exist, occur sporadically, or develop, in that EU member country, in any year.

Prime Minister please advise if you expect the OIE to act to address the fact that the EU, in 2009, revealed that some "rapid tests" used to examine the CNS of cattle after slaughter for BSE prions, to be unreliable.

The EU does legally approve rapid tests that are be used in the EU and continues to update this information.

The OIE does not approve such tests and considers results of testing and of animal disease incidents, as voluntary disclosures, only on a country's own reconnaissance.

Please advise that you are aware that EU binding legal requirements exist for animal disease notification for EU member States.

Prime Minister, please advise if your Ministers recognise the significance of these differences and if they believe that these differences in reportage for EU and non-EU countries, are important or not?

It is believed that Australian Government and it's scientists should have looked to the EU itself and not to the voluntary animal disease disclosure culture of the OIE, for professional scientific and administrative guidance in the evaluation of risk assessments for the new BSE policy.

(C) Australia's unsafe animal feeding practices and the new BSE policy.

Minister Tony Burke please advise that you are aware that ruminant MBMs and SRMs for BSE, as defined by the OIE, do now enter the human food chain in labelled packaged pig foods, stating that they do contain these MBMs and SRMs and these being fed to pigs. The labels state that it is prohibited to feed these pig foods to ruminants.

HUMANS EATING AUSTRALIAN PORCINE TISSUES MAY THUS BE EXPOSED TO ROGUE PRIONS IN BSE AFFECTED CATTLE AFTER PASSAGE OF PrP bse THROUGH PIGS.

This feeding of MBMs and SRMs to pigs must be stopped before the new policy commences. It should have been stopped years ago.

Minister Tony Burke, please note that BSE prions, when transmitted experimentally in transgenic mice expressing porcine PrP^{sc}, were infected by BSE prions but more amplification occurred -ie, they were more susceptible, after prior passage through sheep.

Please advise that you consider this experiment unimportant to human and animal health in the same way as was the discovery, by mice transmission experiments, with mice expressing PrP^{sc}, that revealed these prions to be the aetiological agent of v CJD.

(D) OIE, CATEGORY C MATERIAL -THE NEED TO RE-CLASSIFY CATEGORY C BEEF SKELETAL MUSCLE TISSUE, TO BEING UNSAFE FOR BSE, AS RESULT OF THE SPMCA TECHNOLOGY.

Please advise that you are aware that beef skeletal muscle tissues, with fatty tissues, lymphatic tissues and neural tissues, contained within these beef skeletal muscle tissues, should no longer be classified as Category C tissues by the OIE, following the detection of TSEs, including BSE misfolded prions in these tissues by the SPMCA TEST, from clinically normal ruminant animals, including clinically normal cattle, which are covertly infected with BSE.

Please advise that you are aware that the OIE will not deliberate on this issue immediately but will only consider it, under duress, at a much later time, because of it's enormous political significance in trading beef, world wide.

(E) Conclusion

Prime Minister, please act to cancel, or at least put on hold, this new BSE policy, until live blood tests for BSE are commercially available for cattle.

If the Australian Government will wait until new live animal blood tests become commercially available, then FSANZ and BA will be able to be sure of the safety for animal and human health from a revised BSE Policy, for the importation of beef from Category 2 countries as defined by the OIE.

THIS REVISED POLICY FOR BSE WILL THEN SCIENTIFICALLY ADDRESSES THE RISKS INVOLVED.

The announced FSANZ criterions are primarily flawed by human fallability, as these criterions are based on the voluntary disclosure for animal diseases that exists in the OIE

They even ignore the unreliability of veterinary inspection for the detection of BSE disease in normal healthy looking cattle.

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Over 59% of all pork eaten this Christmas was imported!!!

Prime Minister and Ministers, please advise why unsafe quarantine practices are in place in last week's announced FSANZ criterions for applicant countries for beef importations into Australia.

How can Australian authorities possibly be sure that any beef imported into Australia, is free of BSE, without the individual highly specific and sensitive testing of each animal?

The argument that there is never any "no risk" in veterinary epidemiology, as in this new policy, is fatuous and false, when these tests are to be expected within 2 years.

Please advise how a cohort of BSE cattle may be identified overseas without a national identification scheme for cattle with a from birth to slaughter scheme that exists in Australia in our NLIS scheme.

Kind Regards

Robert Steel B.V.Sc. M.R.C.V.S.
Honorary Veterinary Surgeon N.S.W.

2/1/2011

The Members of the Committee
Participating Members, Senators Chris Beck and Senator Richard Colbeck
The Senate Rural and Regional Affairs and Transport Committee
C/- The Secretariat, Ms Janette Radcliffe and Ms Trish Carling
The Senate, Parliament House, Canberra ACT 2600.

Dear Senators,

Please refer to the enclosed letter, 17th December 2010, (*ATTACHMENT 1*) from Dr. Mike Nunn, Principal Scientist, Bio-Security Australia, in response to a letter to him and to Dr. Colin Grant, 31ST October 2010.

Dr. Nunn and Dr. Grant were asked why Commonwealth Public Servants and the United States Department of Agriculture (USDA) have met together in some manner and agreed to collude in a USDA conspiracy. A conspiracy to intentionally mislead and to coerce Asian Governments into importing US beef and beef products, which Australia will not permit to be imported into Australia, due to public health concerns. These health concerns are recognised as legitimate by the WTO according to its Charter, to which Australia, Japan, Korea and the USA and others are legally bound by signatory agreement.

The Australian rural community had to require DAFF and FSANZ to delete the misleading information from the USDA website (*ATTACHMENT 2*).

Please note on page 1 of his 17th December letter, Dr. Nunn mentions 3 un-numbered collective reasons why anomalies may occur between USDA export and DAFF import figures, but which he purports could relate to live cattle and beef carcasses anomalies on the USDA website (verifiable by AQIS and ABS).

Please note these 3 un-numbered collective reasons **are totally irrelevant** to any explanation for the “the variety of reasons which have **all been explained** by the Australian and US Government authorities”, as asked of Dr. Nunn and Dr. Grant.

Dr. Nunn states that “there have been no illegal imports of United States beef” between 2003-2008. Thus he is stating that **no US live or carcass beef has been imported** into Australia from 2003-2008. **Dr. Grant admits that Australian authorities had been made fully aware of the deceit, by one’s referral to his letter to the rural public, 26th August 2010, the Land---“the variety of reasons which have all been explained by the Australian and US Government authorities.”**

Thus Dr. Nunn confirms that USDA is falsely stating that imports of live and carcass beef had occurred into Australia between 2003-2008.

Dr. Nunn fails to mention this and fails to mention Dr. Grant’s own admission of this, by his statement in the Land “...**all explained by the Australian and US Government authorities....**” which has confirmed to the rural community, Australian public servants’ complicity.

Dr. Nunn does not state why the RRA&TR Committee Hearings were held *in camera* in matters related to these “variety of reasons.....” and to the canned beef and beef products, that are, in fact ,imported into Australia.

The only possible reasons for Australia to have colluded with the USDA, could be to further encourage Australia’s access into the US beef and beef products import market. By obsequiously ignoring the deceit, when Australia became aware of it, Australia is now seen to be complicit in this International Trading Deception.

The US is a major market for our beef exports but any public exposure from Australia , of the actions of the USDA, will seriously injure our beef industry.

Thus the Australian rural community and others are necessarily constrained in any public criticism of Australian Government Advisers to 3 Federal Ministers who have damaged Australia’s credibility.

These Advisers have compromised Australia’s image in Asia by their failure to act appropriately to diss-associate Australia immediately, when they became aware of the USDA fraudulent website advertisements.

Advisers did not have the basic International trading business skills, the commonsense or bio-security awareness, to ask the USDA to delete these false statements , and that they were **forced to do so, by pressure from the Australian farming public.**

It is believed that Dr. Nunn’s letter was written by public relations officers, as page I of his letter is totally **irrelevant** to the questions of him.

The last example of this, last paragraph ,(in response to questions about the failure of USDA and Australia to comply with WTO Fair Trading Agreements), the disingenuous response,-- that the WTO “ **does not monitor or audit trade statistics of individual countries**”.

Please find associated with this letter, a submission to the Committee with the attachments relevant, both to this letter and to the submission.

Yours Sincerely . . .

Robert Steel

2/1/2011

A SUBMISSION TO THE SENATE COMMITTEE EXAMINING AUSTRALIAN ANIMAL BIOSECURITY

Dear Senators,

Please find enclosed below the following concerns in bio-security issues outside the USDA website issue.

The serious concerns in Dr Nunn letter, 17th December 2010, are on page 2 and 3. Those of Page 3 are so alarming that they will be examined when Dr. Nunn's response to a letter (which will be sent to him) is received and if all the information requested of him is made available.

DAFF poses serious risks for Australia in its management of quarantine from exotic animal diseases. FSANZ, may become lost by its failure to understand the risks to animal and human health, that their decisions may lead to, on flawed or non-existent (1) "country of origin" and (2) non-existent "from processing to birth individual animal identification systems", of trading partners.

DAFF did not co-ordinate the dichotomy of responsibilities between policy and implementation (Bio-Security Animals and AQIS) in the past 6 years of Bio-Security's existence. 3 grave errors, costing taxpayers over a billion and a half dollars have occurred. The last error, Bio-Security Animal's policy for the export of rickettsial diseased cattle to New Caledonia, which infected New Caledonian cattle with this disease, a new disease for their country's cattle. AQIS implemented this Policy by issuing the export permits required.

The present dichotomy of responsibilities between FSANZ and DAFF (differing Commonwealth Departments) is likely to be even more dangerous for Australia's animal bio-security and human health.

There is likely to be more of the culture of DAFF's flawed desk top audits, exposed by the public media and by Government in 2005, but hopefully, with FSANZ, without the attendant attempts to mislead Government.

FSANZ and DAFF, NEED TO SUPPLY full and detailed REPORTS on the "cattle identification and tracing systems" and "country of origin" systems of Brazil, Uruguay, Argentina that Dr Nunn states FSANZ has complete bio-security confidence in, that only beef from an—"approved safe country is used in processing for products made in the United States and imported into Australia".

Dr. Nunn's statement on page 2 of his letter, 17th December 2010, states that the US Federal "country of origin legislation", introduced in December 2008, "does not apply to US export product".

Surely this is a serious bio-security risk to Australia now and in the future as Australia has thus no idea from which country the US export beef product comes from, except after similar backup confirmation from the USDA, as was required by the RRA&TRC in camera, which demonstrated this Committee's need for assurance on this one and single import event, from the USDA.

Further, please note that Dr. Nunn also states that "processed United States beef is not required to be labelled, as the product is a product of the United States."

Surely the above statements and the complete lack of any "country of origin legislation" for US exported beef of any kind and the complete lack of US individual life time to slaughter individual animal identification system, leaves the responsibility for our bio-security to USDA, US packers and US meat exporters.

Many FSANZ executives and some veterinary DAFF colleagues (not since graduation) have never been inside a commercial abattoir in any country and they have no idea of the culture that exists within, of making up quota from adjacent yards and, on carcasses of stamp roll-ones from another batch, for the same reason.

Dr. Nunn does not state when and how often DAFF has had on-site examinations of US export abattoirs which process canned beef products for export into Australia, since January 2004. **Is it to be desk top audits of 2005 again, from Officers who fatuously state, that on site examination will be made, if DAFF and FSANZ consider it necessary!**

Dr. Nunn states that "The country or countries of origin(!) of the beef in these products is clearly identifiable to AQIS inspectors at import through official certification."

Dr. Nunn is suggesting that the USDA certification processes are truthful and accurate and that AQIS checks these certificates at import but he fails to mention that **this has never occurred at US export abattoirs or at the time of slaughter or processing.**

It is beyond belief that canned beef products coming from the US are "labelled as product of the US" (see above for what this really means for Australia's bio-security), only because of the legal requirement, as stated in the ANZFC Code, while this Code now categorically ignores the above serious bio-security risks to Australia and when the Code has been shown to be seriously faulted, by the importation of animal foods which have caused deaths and disease in the last 2 years. Imported Canadian animal foods also caused deaths and disease in Australian pet animals due to DAFF and FSANZ ignorance of high dose irradiation's effect on food (banned universally for human foods).

Mr. McCutcheon's letter on behalf of FSANZ, (*ATTACHMENT 3*), of the 10th December 2010 is enclosed and states:-

“ **“A Product of (country) claim” under the ANSFSC (the Code)** may be used if all the significant ingredients of the food are from that country and all, or virtually all of the processing occurred in that country.”

Please note that the Code *does not specify that “all ingredients” and “all of the processing” must come from, or occur in, the claimant country?* Surely these statements are equivocal, open to abuse and dangerous for Australian bio-security?

The **“Made in (country) claim” Code classification** has even more risks.

Mr. McCutcheon and Dr. Grant need to show how they verify in detail, how FSANZ and Bio-Security Australia have accepted and confirmed the truthfulness of “claims” of a “Product of (country) claim” for beef and beef products contained within imported canned beef, when they have been advised by USDA, that these are imported into the US, coming directly from Uruguay, Brazil, Argentina when none of these countries have any legislated individual animal, from birth to processing animal identification systems and only the USA has any country of origin legislation (from December 2008 only). The USA has no national legislated individual animal from-birth-to-processing animal identifications systems but has like Canada, BSE cases including atypical cases which present later in life in affected animals.

How can FSANZ and Bio-Security possibly validate a “Product of (country) claim” for unidentified animals which may or may not come from the stated country of origin, as there is no such legislation in place in Uruguay, Brazil or Argentina and as many of their borders are uncontrolled and where OIE zones are self-assessed, as is remembered from the 2005 Brazilian Beef Importation into Australia Scandal ?

How many FSANZ and Bio-Security Australia examinations on- site have been made in the last 5 years to these 3 South American countries' abattoirs?

How can FSANZ and Bio-Security be sure that the beef in these canned foods could not come from US cattle. Surely Australia COULD ONLY depend on the truthfulness of the USDA for this answer? Is that safe?

Please note that Commonwealth Public Servants in 3 Commonwealth Departments were aware of the United States Department of Agriculture's website advertisements of US live beef and beef products imported into Australia from 2003-2010 and all of these officers failed to act to have these deceitful figures deleted, which were **aimed at misleading Asian Governments into accepting US beef, on Australia's reconnaissance.**

The false statements on the website were **only** deleted when Australian farmers demanded this from Officers of DAFF.

Why was this action by farmers and rural citizens necessary?

It is believed that that IRA process for animal diseases may be tainted by trade agendas and SELECTIVE and inadequate research in the science of both animal and human diseases and by propaganda from public servants, ("The Beale Review-Implementing One Bio-Security" delivered at the Society for Risk Analysis Conference 30th September 2009).

It is believed that DAFF has failed, in the past, to undertake due diligence for many infectious and transmissible diseases of animals and that this failure is now being veiled by the use of the "IRA" *cliché* terminology, to suggest a knowledge gathering exercise, *quelque chose de special avec une excellence absolue*. The IRA process should be seen to be distinct from evidence based examination which will also include anticipated progress in knowledge, from overseas savants in primary research, in their special area of expertise, such as of Dr. Stanley Prusiner, for prion diseases, such as BSE.

Please note that DAFF's due diligence exercise is **not based on evidence based science** but is based on risk analysis, where there is an excuse for failure-- that there is never "no risk", which, when called upon, has been used to conceal negligence, as at the Callinan Inquiry.

DAFF has failed to undertake due diligence in animal food safety and has failed to have **adequate liaison between itself and FSANZ** in the past, to protect pet animal health in food safety, even when Government's surveillance programs were in place and existed.

No Hazard Analysis and Control Point(HACCP) Program has ever been enacted (on pet animal food additive dangers), by the Food Regulation Ministerial Council, as DAFF has failed to notify the Primary Industries Ministerial Council (PIMC) of long term concerns of the veterinary profession, about unsafe pet animal foods in Australia.

The PIMC has thus never advised the Food Regulation Ministerial Council (FRMC) of long term concerns of the veterinary profession, expressed in the Australian Veterinary Journal and direct letters and personal contacts by veterinary practitioners to DAFF.

The PIMC and the FRMC were both unaware of the unsafe animal foods because both DAFF and FSANZ have failed to notify them of the existing and long term dangers to pet animal health, which the veterinary profession of Australia have **REPEATEDLY** advised them of.

This is disgraceful negligence.

In the last weeks of 2010, DAFF and FSANZ and their affiliated bodies are "examining" this issue.

It is believed that the science supporting the change in Policy for the relaxation of importation of beef and beef products into Australia, was inadequately researched and flawed by errors and ignorance of veterinary epidemiological science in the Review presented to the Australian Government in 2009.

Please note that the Department of Health and Ageing, The Therapeutic Goods Administration, FSANZ, DAFF, the National Health and Medical Research Council, the Transmissible Spongiform Encephalopathy Advisory Committee, the Bovine Spongiform Advisory Committee and the BSE Food Safety Assessment Committee, **all failed to warn the Government of the inadequacy of and gross errors in the science of this Review.**

These sentinel bodies for Australia's animal and human health, actually approved this Review as scientifically sound, without dissent.

The Review was presented by the Consultant to the Government as the scientific basis for the relaxed BSE beef importation Policy to be introduced in 2009.

The Committee should be aware that the Brazilian Government is stating, in December 2010, that their first reported and medically confirmed case of vCJD is not vCJD but only a spontaneous case of CJD (sCJD) and therefore not an indication of BSE in their herds.

Australia has never had a confirmed aetiologically indigenous vCJD case reported and is the only country in the world free of the Transmissible Spongiform Diseases in their domestic, feral and indigenous animals.

The suggestion that either DAFF or FSANZ, alone or together, are capable of making correct decisions for Australian bio-security, without permanent professional officer on-site inspectors at beef exporting abattoirs, who will be residing in beef exporting countries, is an indication of their ignorance of both abattoir and international beef trading cultures.

Deceit, duplicity, pre-slaughter substitution in yarded cattle at abattoir site or before to bring numbers to quota levels, carcass roll-on stamping fraud, contamination and careless attention to details, occur regularly.

DAFF should provide the answers to the questions asked to provide the full bio-security reports as requested, to supply all draft IRA documents for public consultation that are mentioned in Dr. Nunn's letter, so that, all this information will be made available, in the future, to the Eminent Scientist Group.

The Eminent Scientist Group must be made aware of all such matters beyond their expertise and experience, such as those which involve international fraud, animal country of origin and traceability and logistic abattoir expediencies.

Dr. Nunn, in his letter as Australia's Chief Scientist in DAFF has failed to address concerns about the USDA website issue.

What are much more concerning are the obvious and un-stated dangers to bio-security and the platitudes on Page 2 and 3 in this letter and that of the Chief Executive of FSANZ (Attachments I and 3)

Yours Sincerely

Robert Steel B.V.Sc. M.R.C.V.S.
Honorary Veterinary Surgeon N.S.W.



17 December 2010

Dr Robert Steel

Dear Dr Steel

I am writing in response to your letter of 31 October 2010 to Dr Colin Grant and me — as well as your letters of 4 November 2010 to the Prime Minister, the Hon. Julia Gillard MP, the Minister for Agriculture, Fisheries and Forestry, the Hon. Joe Ludwig MP, and other government ministers — expressing your concerns on matters relating to beef imported from the United States.

You ask for clarification of Dr Grant's comment that there are a variety of reasons why United States export figures and Australia's import figures may differ. Department of Agriculture, Fisheries and Forestry (DAFF) officers have reviewed Australian Quarantine and Inspection Service (AQIS) operational import data and official Australian Bureau of Statistics (ABS) data. Differences between United States export figures and Australia's import figures occur for a variety of reasons; for example:

- Shipments exported from the United States and originally destined for Australia can, for commercial reasons, be diverted to another country before entering Australia.
- Some shipments by sea could be exported from the United States in one calendar year but (because of transport time) be imported into Australia in the next calendar year.
- Importers, exporters and their agents in either country may enter an incorrect Harmonised System (HS) code or domestic statistical code and this may affect official figures of that country. Based on the assessed risk, Customs and Border Protection officers conduct real-time and post-transaction activity to verify the accuracy of declarations made by importers against their commercial documents. This may lead to a change in the import information recorded in Australia.

This issue was raised by the Rural and Regional Affairs and Transport References Committee during the department's attendance at the Senate inquiry into the possible impacts and consequences for public health, trade and agriculture of the Government's decision to relax import restrictions on beef (finalised on 23 June 2010). The Committee also asked about the reasons referred to in Dr Grant's open letter in *The Land* on 26 August 2010 during the department's attendance at the Supplementay Budget Estimates in October 2010. The department has provided evidence and explanation to satisfy the Committee that the ABS data are an accurate reflection of beef imports and that there have been no illegal imports of United States beef.

You also ask why Dr Grant has not notified the World Trade Organization (WTO) of apparent discrepancies between United States export figures and Australia's import figures. In response, I note that WTO does not have a role to monitor or audit trade statistics of individual countries. It is the responsibility of individual countries' government authorities to do this and, where necessary, to

investigate any significant apparent discrepancies — as DAFF officers have done with respect to this issue.

You ask for further information about ‘chain of custody’, including ‘country of origin’ and ‘back to birth’ legislation, particularly with respect to canned beef products. I can advise that:

- Retorted (including canned) shelf-stable beef products from the United States require a valid import permit, strict certification, and pre-export checks by United States government officials — and further checks by Australian quarantine staff upon arrival before they are permitted entry into Australia. Australia has not issued any import permits for commercial shipments of beef or beef products derived from United States cattle slaughtered after December 2003.
- Australia does import some retorted (including canned) shelf-stable beef products processed in the United States where the beef originates from a country approved by Food Safety Australia New Zealand (FSANZ) as BSE safe. Approved countries include Argentina, Brazil, New Zealand and Uruguay. These products are shown in ABS data for imports from the United States under customs code 1602500048 (prepared or preserved meat, meat offal of bovine animals), with imports for the 2008 calendar year of 1 229 609 kg and for the 2009 calendar year of 995 196 kg.
- DAFF has confidence that official certification systems in the United States are able to ensure that only beef originating from a FSANZ-approved safe country is used in processing for products made in the United States and imported into Australia. The country or countries of origin of the beef in these products is clearly identifiable to AQIS inspectors, at import, through official certification. The traceability of beef being used in the processing of beef products that are then exported to Australia has been demonstrated to meet Australia’s import requirements by both Australian and United States government authorities. For example, during the Senate Rural and Regional Affairs and Transport Reference Committee’s inquiry hearing, DAFF was asked to undertake an investigation to ascertain the country of origin of the beef in a container marked ‘Product of the US’ presented by a committee member. The Department provided evidence that the country of origin was Australia. Following further inquiries, the United States Department of Agriculture (USDA) confirmed that the beef in the consignment (which included the container tabled at the inquiry) was imported from Australia to the United States under approved DAFF health certificates. (Note: The documents that the Department produced as evidence and the transcript of this part of the hearing are not publicly available; the discussion was held *in camera* at the request of the Committee.)
- Retorted (including canned) shelf-stable beef products coming from the United States are labelled as product of the United States because that is the legal requirement in the *Australia and New Zealand Food Standards Code* (i.e. a statement on the package that identifies where the food was made or produced as specified — see: http://www.foodstandards.gov.au/srfiles/Standard_1_2_11_Country_of_origin_v113.pdf).
- The United States mandatory country of origin labelling requirement, introduced in December 2008, applies to product available and consumed in the United States domestic market and does not apply to United States export product. In the case of United States labelling laws as they apply to beef, only fresh and ground beef are required to be labelled with a country of origin label. Processed United States beef is not required to be labelled, as the product is a product of the United States.
- The FSANZ BSE food safety assessment will include consideration of the effectiveness of any cattle identification and tracing system that the applicant country uses.

I hope that this response clarifies our earlier responses and addresses the concerns you have raised. In conclusion, I note that regulated Import Risk Analysis (IRA) process is designed to ensure that

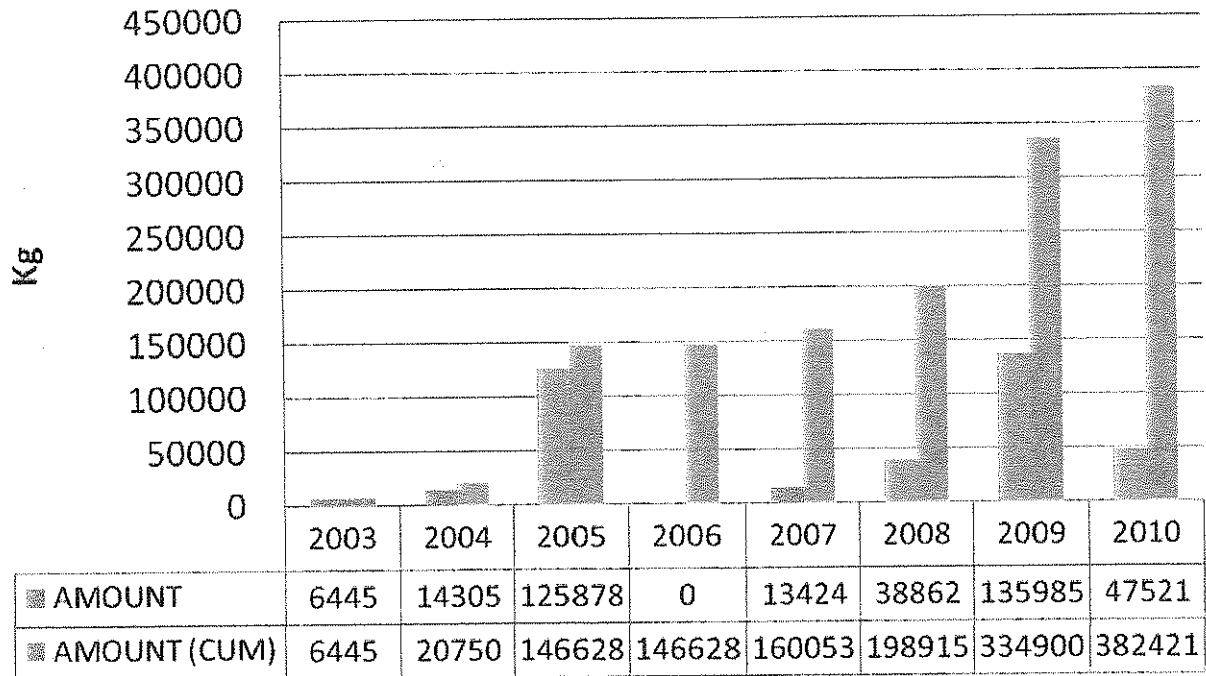
import conditions are based on the best available science and provide a high level of assurance to the community. The process includes 60 days of public consultation on the draft IRA Report, providing the opportunity for anyone who feels that any scientific issue has not been sufficiently addressed in the risk assessment to submit evidence to Biosecurity Australia for consideration. All such submissions will be considered and responses prepared by Biosecurity Australia for review by the Eminent Scientist Group.

I trust that this information is of assistance.

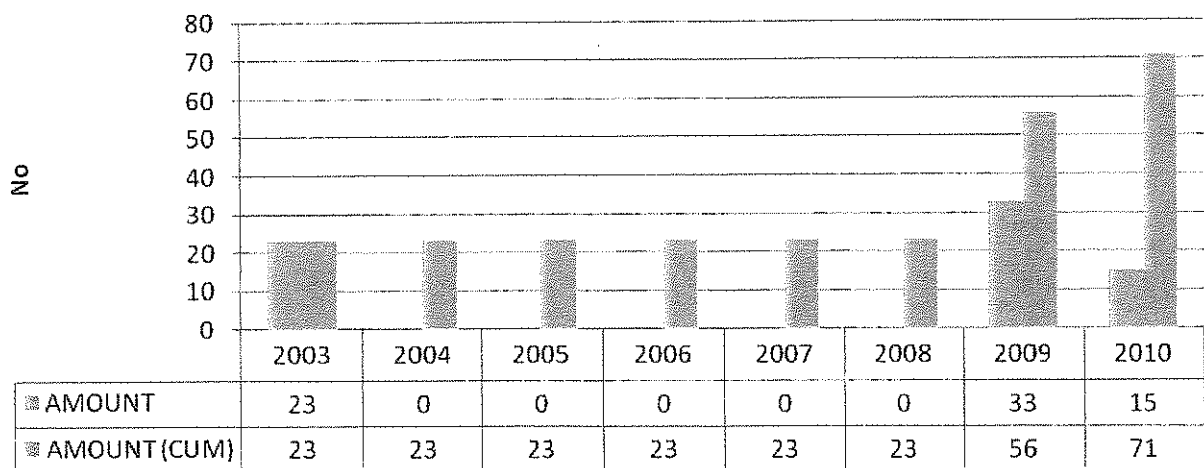
Yours sincerely

Mike Nunn
Principal Scientist (Animal Biosecurity)

Summary Beef Exports to Australia Period 2003 - 2010 (May)



Cattle Exports to Australia 2003-2010 (Apr) Annual and Annual Cumulative





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Office of the Chief Executive Officer

Dr Robert Steel

Dear Dr Steel

Thank you for your letter of 4 November 2010 to the Prime Minister, the Hon Julia Gillard MP and other Australian Government Ministers concerning country of origin labelling of beef. This matter falls within the portfolio responsibility of the Parliamentary Secretary for Health and Ageing, the Hon Catherine King MP. The Parliamentary Secretary has asked me to reply on her behalf.

Food Standards Australia New Zealand (FSANZ) is the independent statutory authority responsible for the development and maintenance of food standards and other food related regulatory measures in Australia and New Zealand. All foods produced or imported for sale in Australia and New Zealand are required by law to comply with the *Australia New Zealand Food Standards Code* (the Code).

I note from your letter that you have expressed concerns about the importation of beef and beef products, including country of origin labelling. Country of origin labelling is a mandatory requirement of food sold in Australia, as regulated by Standard 1.2.11 – Country of Origin Requirements (Australia only) in the Code. Under this Standard, packaged foods (including canned foods) must declare the following information:

- a statement on the package that clearly identifies where the food was made, produced, manufactured or packaged for retail sale; and
- where appropriate, a statement to the effect that the food is constituted from imported ingredients or from local and imported ingredients.

Country of origin labelling is also required for some unpackaged foods, namely, fruit and vegetables, fish, and pork (fresh and preserved). FSANZ is currently working on a Proposal to consider extending country of origin labelling to unpackaged beef, lamb and chicken meat. Further information about this Proposal is available at www.foodstandards.gov.au/foodstandards/proposals/proposalp1011country4791.cfm.

The country of origin labelling requirements in the Code follow the principles of the *Trade Practices Act 1974*, administered by the Australian Competition and Consumer Commission (ACCC). A 'Product of [country]' claim may be used if all the significant ingredients of the food are from that country and all, or virtually all, of the processing occurred in that country. A 'Made in [country]' applies where the product has been substantially transformed in that country and where 50% (or more) of production costs have been incurred in that country.

In your letter you also raised an issue regarding canned beef products being labelled as 'Product of the US'. Imported canned beef is permitted in Australia, however, it must only be sourced from cattle raised and slaughtered in countries that have been approved by FSANZ. The United States is not one of those approved countries, although it is currently undergoing an assessment by FSANZ. However, the United States does process beef from countries previously approved by FSANZ, and these products can be exported to Australia subject to appropriate certification requirements.

While FSANZ develops and reviews food standards, enforcement of the Code is the responsibility of the relevant State or Territory health authority and, at the border, by the Australian Quarantine and Inspection Service (AQIS). You may wish to contact your local enforcement agency if you consider that a product does not comply with the Code. In NSW, the relevant agency is the NSW Food Authority (NSWFA). The NSWFA can be contacted by telephone on 1300 552 406 or via their website at www.foodauthority.nsw.gov.au/. As the ACCC is the agency responsible for ensuring compliance with the Trade Practices Act, you may also wish to contact them on telephone 1300 302 502.

I trust this information is of assistance.

Yours sincerely

Steve McCutcheon
Chief Executive Officer

10 December 2010