

Additional comments by Senator Nick Xenophon and Senator John Madigan

1.1 As noted by the committee, Australia's beef industry is a vital part of our economy. The threat posed by bovine spongiform encephalopathy (BSE) and foot-and-mouth disease (FMD) to this industry cannot be underestimated.

1.2 In 2011 I introduced the Quarantine Amendment (Disallowing Permits) Bill 2011, the aim of which was to give Australia's agricultural sector the certainty it both deserves and needs by minimising the risk of diseases entering Australia through imports.

1.3 The explanatory memorandum to the bill explained that import and removal permits will be disallowable instruments unless they are covered by a determination of the Director of Animal and Plant Quarantine, which is also a legislative instrument. A Director's determination can specify a thing and set out the conditions to be complied with to limit any quarantine risk associated with importing or removing the thing to an acceptably low level.

1.4 When the Director's determination is laid before Parliament, the Minister must also table a risk analysis in both Houses of Parliament and cause a motion to be moved to refer it to the relevant Committee in each House responsible for agricultural matters for report. These Committees should table their report no more than 15 sitting days after the determination is referred.¹

1.5 I note the committee has recommended that beef and beef products should not be imported from any country that has reported cases BSE, or that trades with an adjoining country which has reported any cases of BSE. I strongly support this recommendation—given the evidence received by the committee indicating that the traceability of cattle cannot be guaranteed, this is the only sensible course of action to take.

1.6 I also note the committee's third recommendation that the relevant Minister report any decision to approve or reject the importation of beef or beef product to the Parliament and this committee prior to a determination by the Director of Animal and Plant Quarantine, in the case of an Import Risk Analysis, or the Chief Officer of FSANZ, in the case of a BSE country assessment, and prior to formal advice being provided to the applicant country.

1.7 This recommendation is in line with the intent of the Quarantine Amendment (Disallowing Permits) Bill 2011. It is disappointing that the opportunity to subject proposed imports to greater scrutiny through this bill was not taken at the time it was introduced. However I am encouraged by the approach taken by the committee in

1 Quarantine Amendment (Disallowing Permits) Bill 2011, Explanatory Memorandum, p. 2.

relation to managing the risk posed by beef imports and fully support the committee's recommendations.

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