



The Hon. Barnaby Joyce MP

**Deputy Prime Minister
Minister for Agriculture and Water Resources
Leader of The Nationals
Federal Member for New England**

Ref:

29 NOV 2016

Mr Rob McCormack
Research and Aquaculture Director
Australian Aquatic Biological P/L

Via email:

Dear Mr McCormack

Thank you for your correspondence of 18 October 2016 regarding Mexican crayfish in Australia.

The Australian Government takes very seriously any breach of Australia's biosecurity and works with industry and the public to safeguard Australia from the introduction of new pests and diseases from overseas. I value the ongoing contribution made by industry and the general public through information that identifies potential non-compliance with biosecurity laws and requirements.

As I have already advised you, the Department of Agriculture and Water Resources has been unable to find any evidence of an illegal importation of Mexican crayfish under the *Biosecurity Act 2015*. Testing carried out on the crayfish population, the subject of the investigation, also concluded there is no evidence of 'crayfish plague' (*Aphanomyces astaci*).

Information obtained during the investigation indicates that some of the Mexican crayfish sold online were likely bred from an established population in Australia, the population having been bred from Mexican crayfish purchased domestically. As a result, my department is unable to do anything under the *Biosecurity Act 2015* as it applies to goods (which includes animals) that have been imported into Australia and does not apply to the progeny of a species in established populations. It also has no jurisdiction over the sale of animals in Australia.

I am unable to advise you as to who has authorised the legal importation of Mexican crayfish into Australia, which are prohibited (unless special permission is granted) under the *Environment Protection and Biodiversity Conservation Act 1999*. This is because it does not appear on the 'List of Specimens taken to be Suitable for Live Import', which is administered by the Department of Environment and Energy. However, this does not mean that it is automatically listed as noxious domestically as the listing and management of noxious species established in Australia are the responsibility of the states and territories.

In Victoria, lists of noxious species are managed by the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) through the *Fisheries Act 1995 (Vic)*. I recommend contacting DEDJTR and the Victorian Minister for Agriculture, the Hon. Jaala Pulford MP, in relation to listing Mexican crayfish as a noxious species in Victoria.

My department has referred this issue to both the Invasive Plants and Animals Committee (IPAC) and the Sub-Committee for Aquatic Animal Health (SCAAH), which include membership from state and territory and Commonwealth governments. IPAC met on 15 November 2016 and referred the issue to the Freshwater Fish Expert Group for consideration and further advice. For your reference I have included a contact list for this group (Attachment A). SCAAH will next meet in early to mid-December 2016.

You may also wish to raise this matter with the Hon. Josh Frydenberg MP, Minister for the Environment and Energy, who is responsible for the *Environment Protection and Biodiversity Conservation Act 1999*.

Thank you for bringing your concerns to my attention. I trust this information is of assistance.

Yours sincerely

Barnaby Joyce MP

Attachment A: Freshwater Fish Expert Group: State/Territory and stakeholder contacts.

Freshwater Fish Expert Group: State/Territory and stakeholder contacts

Contact	Organisation	Representative	E-mail
NSW & Chair	Department of Primary Industries	Melissa Walker	
SA	PIRSA (Biosecurity SA)	Alex Chalupa	
NT	Primary Industry & Fisheries	Murray Barton	
TAS	Inland Fisheries Service	John Diggle	
ACT	Environment and Planning Directorate	Matthew Beitzel	
QLD	Department of Agriculture Fisheries and Forestry	Danielle Knutsen	
WA	Department of Fisheries	Aaron Schonberg	
VIC	Department of Economic Development, Jobs, Transport and Resources	Tracey Bradley	
Stakeholder (Observer)	Pet Industry Association of Australia (PIAA)	Josiah Pit	
Invasive Plants & Animals Cooperative Research Centre (Observer)	Department of Primary Industries (NSW)	Bob Creese	