

Inquiry into the effect on Australian pineapple growers of importing fresh pineapples from Malaysia

Conduct of the inquiry

1.1 On 20 June 2012, the Senate referred the following matter to the Rural and Regional Affairs and Transport References Committee (the committee) for inquiry and report by 10 October 2012:

The effect on Australian pineapple growers of importing fresh pineapple from Malaysia, including:

- (a) the scientific basis on which the provisional final import risk analysis report regarding the importation of fresh, decrowned pineapple has been developed;
- (b) the risk and consequences of the importation possibly resulting in the introduction of pest species;
- (c) the adequacy of the quarantine conditions recommended by the Department of Agriculture, Fisheries and Forestry (DAFF); and
- (d) any other related matter.

1.2 The inquiry was advertised in *The Australian* and on the committee's website. In addition, the committee wrote to a number of key stakeholder groups, the Queensland Government and the relevant Commonwealth department inviting submissions. To date, the committee has received ten submissions. The committee held a public hearing in Brisbane on 6 August 2012. A Hansard record of the committee's hearing and copies of the submissions are available on the committee's website at www.aph.gov.au.

Background

1.3 The committee has undertaken a number of inquiries over recent years into the Import Risk Analyses for various products, including bananas from the Philippines and apples from New Zealand.¹

1.4 In addition to this inquiry into the importation of pineapples from Malaysia, the committee is also currently undertaking inquiries into:

- the proposed importation of potatoes from New Zealand; and
- the effect on Australian ginger growers of importing fresh ginger from Fiji.

1 See Rural and Regional Affairs and Transport References Committee's website at www.aph.gov.au

1.5 Over the years the committee has received submissions and taken evidence from industry stakeholders, horticulturalists, grower groups and scientists which have been critical of Australia's biosecurity policies. In particular, there have been questions raised about DAFF Biosecurity's approach to risk management and the independence of the Import Risk Analysis process generally.

1.6 The Australian Government has, over many years, maintained a conservative, but not a zero-risk, approach to the management of biosecurity risks. This approach is expressed in terms of Australia's appropriate level of protection (ALOP) which, it is argued, 'reflects community expectations through government policy and is currently described as providing a high level of protection aimed at reducing risk to a very low level, but not to zero'.²

1.7 Stakeholders have also raised concerns about the way in which DAFF Biosecurity calculates risks, based on the Risk Estimation Matrix.³

Current inquiry

1.8 At a public hearing held in Brisbane on Monday, 6 August 2012,⁴ the committee heard evidence from a number of witnesses, including officers from DAFF Biosecurity. During the hearing, concerns were once again raised about the validity of the Risk Estimation Matrix, which expresses the likelihood of pest entry, establishment and spread, and is used by DAFF Biosecurity as part of the Import Risk Analysis process.

1.9 The committee received conflicting advice regarding the level of risk involved should approval be granted for the importation of pineapples from Malaysia. Officers from DAFF Biosecurity argued that the importation of pineapples from Malaysia involved 'low' risk. However, a representative from Biosecurity Queensland indicated that, in the Queensland Government's view, the risk of bringing Malaysian pineapples into Australia is actually quite 'high'.⁵

1.10 Subsequently, the committee received further evidence which raises concerns about the use of the Risk Estimation Matrix and the Import Risk Analysis' conclusion of 'low' risk. Information provided by Tropical Pines Pty Ltd and Mr Glenn Taniguchi, a pineapple expert at the University of Hawaii, argued that the overall risk is in fact 'moderate' to 'high'.⁶

2 Department of Agriculture, Fisheries and Forestry, *Provisional final import risk analysis report for the importation of fresh decrowned pineapple (Ananas comosus (L.) Merr.) fruit from Malaysia*, June 2012, p. 1.

3 See, for example, Tropical Pines Pty Ltd, *Submission 4 (Supplementary)* and Glen Taniguchi, *Submission 10*.

4 See Hansard Transcript at: <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query%3DId%3A%22committee%2Fcommsen%2F9dea0f4-85a6-4363-9323-b5c7464be7ac%2F0000%22>

5 Mr Mark Panitz, Biosecurity Queensland, *Committee Hansard*, 6 August 2012, p. 23.

6 See Tropical Pines Pty Ltd, *Submission 4 (Supplementary)* and Glen Taniguchi, *Submission 10*.

1.11 As a result of this conflicting advice, the committee has decided to seek independent advice in relation to the Risk Estimation Matrix and is currently in the process of obtaining appropriate advice and comment regarding the matrix.

1.12 The committee also has concerns about what it perceives as a lack of independence in the Import Risk Analysis process. DAFF Biosecurity provides a Final Import Risk Analysis Report to the Director of Animal and Plant Quarantine (who is also the Secretary of DAFF).⁷ The Final Import Risk Analysis Report also contains a request for the Director to make a Policy Determination in relation to an Import Risk Analysis (subject to the conditions set out in the Import Risk Analysis).

1.13 It is the Director of Animal and Plant Quarantine's approval of the Policy Determination which provides DAFF Biosecurity with the authorisation to issue a permit to allow the importation of products. While the Minister for Agriculture, Fisheries and Forestry is kept informed of the process, the Minister has no role to play in the final approval process and no power to overrule the decision of the Director of Animal and Plant Quarantine.

1.14 On 6 September 2012, the committee wrote to the Secretary of DAFF asking that the decision in relation to the entry into Australia of pineapple from Malaysia be delayed until the committee has received relevant independent advice regarding the use of the Risk Estimation Matrix and it had tabled its report on 10 October 2012.

1.15 On 11 September 2012, the Secretary advised that the risk analysis process had been completed and DAFF is 'now developing its processes to be ready to manage the proposed trade'.⁸

1.16 The committee will be seeking an extension to the reporting date for the inquiry to allow time to receive and thoroughly analyse the advice received.

1.17 The committee understands that at the development of administrative and compliance practices will take some weeks to prepare and DAFF will not settle on import conditions until after the committee has obtained independent advice on the matrix and tabled its final report.

Senator the Hon. Bill Heffernan

Chair

7 The Director of Animal and Plant Quarantine is a statutory position under the *Quarantine Act 1908*, undertaken by the Secretary of the Department of Agriculture, Fisheries and Forestry.

8 Letter from Mr Conall O'Connell to Committee Chair, 11 September 2012.