

# Chapter 5

## Committee view and recommendations

5.1 This chapter provides the committee's views on various aspects of the WSD outbreak. The committee will continue its inquiries into a number of key areas, including the responsiveness of government departments to the outbreak, the adequacy of biosecurity controls and the need for balance between effective biosecurity protection and successful international trade.

### DAWR response to outbreak

5.2 Despite the outcomes of Operation Cattai and efforts by DAWR to contain the spread of WSD once it was discovered in Australia, there has been considerable criticism of the way biosecurity and other officials responded to the outbreak.

#### *Communication*

5.3 Industry stakeholders have raised concerns that DAWR failed to notify them of the increased risk of a WSD outbreak. The department has argued that the failure to provide earlier notification was due to ongoing investigations into a number of importers.<sup>1</sup>

5.4 Reports allege that, despite WSD being detected at 'alarmingly high rates' since August 2016, officials failed to act promptly or in accordance with the Biosecurity Act, did not appropriately respond to the outbreak and did not effectively communicate with prawn farmers about the potential risks of a WSD outbreak. In particular:

Industry experts are angry at what they have described as late, inadequate responses from the federal department when the problem reared its head last year; a lack of transparency about what has been known; and a failure of federal and state agencies to liaise effectively and agree on comprehensive actions to slow the spread of the virus.<sup>2</sup>

5.5 In addition to the financial losses, uncertainty regarding future operations has placed affected farmers under significant stress. According to evidence provided to the committee, factors including a lack of timely, clear and consistent information provided to farmers as well as insufficient resources contributed to this stress and hindered the ability of farmers to respond.<sup>3</sup>

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1 Hedley Thomas, 'Silence was 'to protect prawn virus probe'', *The Australian*, 11 February 2017, <http://www.theaustralian.com.au/national-affairs/state-politics/silence-was-to-protect-prawn-virus-probe/news-story/860ab119e63eaf3528f8a1383504a69c> (accessed 22 March 2017).

2 Hedley Thomas, 'Devastating prawn virus outbreak reveals biosecurity 'failures'', *The Australian*, 9 February 2017, <http://www.theaustralian.com.au/news/health-science/devastating-prawn-virus-outbreak-reveals-biosecurity-failures/news-story/72916888e9ea7d570d6facf7b7ad6143> (accessed 22 March 2017).

3 DigsFish Services Pty Ltd, *Submission 1*, pp. 5-6.

5.6 The committee queried why, if positive results for WSD in retail outlets were obtained in June 2016, the relevant government and biosecurity agencies were not notified at that time. DAWR advised that as it was dealing with 'organised noncompliance' from some importers, targeted operations were deemed the best way to address this. DAWR took the view that sharing information more broadly about these operations was likely to 'send noncompliant behaviour underground or further underground and make it much harder to detect or deal with the risk product'.<sup>4</sup>

5.7 The committee was concerned by evidence that infected raw prawns were available for retail sale throughout the eastern seaboard, and that this infected product could be used as bait. Given this, it appears the potential risk for white spot to spread beyond the Logan River area is considerable.

5.8 The committee asked extensive questions of DAWR, to clarify who knew what and when in relation to this outbreak, without a clear response. The committee remains very concerned that white spot was detected in Australia during 2016, and yet serious action to prevent its spread did not occur until January 2017, at which point it was too late.

5.9 The conservative actions taken by DAWR, with regards to import restrictions and enhanced testing, may have prevented further outbreaks. However, this does not alter the fact that WSD was able to enter Australia despite biosecurity controls and the IRA conditions. The outbreak has caused extensive damage to a number of prawn farms and continues to financially impact farmers and fishers in the affected region.

5.10 Given that positive results for WSD were obtained from retail outlets in mid-2016, in conjunction with serious biosecurity breaches at the border by non-compliant importers during 2016, and elevated detection of WSD in testing during that time, the committee is very concerned that action was not taken with appropriate urgency. The elevated level of risk has resulted in the current WSD outbreak, and destroyed extensive prawn stock, at great expense.

5.11 As the inquiry continues, the committee will closely examine the role of various government stakeholders in countering the actions of noncompliant importers, and responding to the detection of WSSV and the presence of WSD. The committee will also consider the timeliness and efficacy of the department's communication with government and industry stakeholders.

5.12 The committee notes that DAWR and Biosecurity Queensland remain committed to a WSD eradication program.<sup>5</sup> The committee hopes that this work does indeed help eradicate the presence of WSD in Australia.

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4 Mr Wayne Terpstra, Department of Agriculture and Water Resources, *Committee Hansard*, 28 March 2017, p. 11.

5 Mr Daryl Quinlivan, Department of Agriculture and Water Resources, *Committee Hansard*, 28 March 2017, p. 8.

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## **Importation concerns**

5.13 The importation of infected prawns through non-compliance with prawn importation requirements or circumvention of the inspection and testing processes at Australia's borders has raised serious questions not only about the current biosecurity regime but also the assumptions and posture which underpin it.

5.14 Mr Daryl Quinlivan, Secretary of DAWR explained the assumptions on which Australia's biosecurity system is based, stating that the department is 'dealing with people who are making mistakes or acting benignly' with a system 'designed to detect' such persons. However, the discovery of WSD in imported prawns has raised questions for DAWR about whether it will have to 'rethink our posture and the assumptions we make about the motives and behaviour' of industrial-scale importers.<sup>6</sup>

5.15 In its final report, the committee will endeavour to explore the five potential importation pathways identified by DAWR, to determine the extent to which Australia's biosecurity regime in relation to WSD and the assumptions on which it is based are fit for purpose.

### ***Import suspension determination and amendments***

5.16 The committee notes that the import suspension order served to halt the import of potentially infected prawns and prawn product from foreign countries. DAWR argued that the various amendments to the suspension order were made in line with assessed risks, and in accordance with Australia's ALOP.

5.17 However, the committee also notes that suspending the import of various seafood products, while useful in preventing further WSD outbreaks, does not alter the fact that WSD has already breached Australia's biosecurity controls. Biosecurity measures at the border should have been robust enough to detect WSD-infected prawns and to prevent such product from entering the country.

5.18 The committee is concerned that some amendments to the suspension order continue to present a risk to Australia's biosecurity, especially as the cause of the WSD outbreak remains unknown. The committee is particularly concerned that raw marinated prawns and prawn product, intended for human consumption, will soon recommence importation. Infected raw prawns, including marinated prawns, remain one of the possible causes of the WSD outbreak.

5.19 While all imports are being inspected as part of the enhanced border inspection program following the WSD outbreak, the committee notes that if importers were inclined to breach the suspension conditions or biosecurity controls, and remove coatings from raw prawns prior to retail sale, this would not be detected at the border. It would likely occur after inspection, and therefore the risk of WSSV being imported via these products remains unchanged.

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6 Mr Daryl Quinlivan, Department of Agriculture and Water Resources, *Estimates Hansard*, 24 May 2017, p. 32.

5.20 The committee will continue to inquire into the biosecurity measures implemented and enforced by DAWR in its efforts to stop the import and potential outbreak of infectious disease agents.

5.21 The committee will be particularly interested in the efficacy and relevance of the 2009 IRA, and whether elements of this analysis could have been strengthened or improved.

5.22 To this end, the committee notes with interest that DAWR has announced a review into the import conditions for prawns and prawn products, imported for human consumption, and the biosecurity risks of these products. The review will 'identify and categorise hazards of biosecurity concern associated with the importation of these products' and 'risk assessments of disease agents will be undertaken as required'.<sup>7</sup>

## **Testing for white spot**

### ***Testing results***

5.23 The committee is concerned that in the majority of the financial years since the commencement of the IRA, the detected levels of WSSV in imported raw prawns exceeded the accepted tolerance level of not greater than five per cent. However, it is unclear to the committee that any further preventative biosecurity measures were implemented to address these high rates.

5.24 As part of its ongoing inquiries, the committee will consider the efficacy of the actions taken by biosecurity officials, if any, to address these high test results as they occurred, and consider what actions could have potentially been taken to address the increasing prevalence of WSSV in imported product.

### ***Testing issues and impact on importers***

5.25 The committee appreciates that the enhanced testing regime was designed by DAWR to ensure that no further cases of WSSV entered Australia, and that no products in a retail environment had WSD. However, the highly conservative approach now taken to the testing results has caused a large volume of prawn product to return positive results, even in the event that the WSSV detected was unlikely to be infectious.

5.26 The committee notes that prior to the outbreak, AgriGen, AAA and EMAI were approved biosecurity testing laboratories, and that AgriGen and EMAI were used as part of Operation Cattai. However, following the outbreak of WSD, test results regarding WSSV from these laboratories were no longer accepted by DAWR.

5.27 As these laboratories adhere to OIE standards, and were in use by DAWR for some time prior to the outbreak, the committee queries why they were not considered satisfactory following the outbreak, as part of enhanced testing.

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7 Department of Agriculture and Water Resources, *Review of import conditions for prawns and prawn products*, 16 May 2017, <http://www.agriculture.gov.au/about/media-centre/media-releases/review-prawn-products> (accessed 7 June 2017).

5.28 The committee was concerned to hear about the inconsistencies in the WSSV enhanced testing regime, as applied to importers and other prawn suppliers. In particular, it was concerned that the AAHL results were unable to be verified by any other testing laboratories, and importers were unable to use laboratories of their choice, even if they adhered to OIE testing standards. This was a particular issue when AAHL returned both positive and negative WSSV test results.

5.29 The committee takes the view that DAWR should approve the use of other testing laboratories to determine the presence of WSSV in uncooked prawns. These laboratories should work in conjunction with the AAHL and adhere to OIE standards.

### **Recommendation 1**

**5.30 The committee recommends that the Department of Agriculture and Water Resources approve the use of other testing laboratories, in conjunction with the Australian Animal Health Laboratory, to determine the presence of the white spot syndrome virus in uncooked prawns and prawn product in Australia. The approved laboratories would adhere to World Organisation for Animal Health standards.**

### **Extension to report**

5.31 This interim report provides an overview of some of the key issues and concerns relating to the outbreak of WSD in Australia which the committee intends to pursue. The committee would like the opportunity to gather further evidence and to consider the matters raised in this report in greater depth. Therefore, the committee recommends that the Senate extend the reporting date for the inquiry to 7 December 2017.

### **Recommendation 2**

**5.32 The committee recommends that the Senate extend the inquiry reporting date to 7 December 2017.**

**Senator Glenn Sterle**

**Chair**

