

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates February 2016

Agriculture and Water Resources

Question: 74

Division/Agency: Compliance Division

Topic: Imported Food – advice to Government

Proof Hansard page: 131

Senator SIEWERT asked:

Senator SIEWERT: Do I understand it correctly? You have provided advice to government on this?

Ms Vivian: We have been providing advice to government for a while, and we are working through the mechanisms at the moment.

Senator SIEWERT: Okay. Do you know if there are any time frames for making the types of changes that we have just been talking about?

Senator Ruston: No. I will have to take that on notice.

Senator SIEWERT: If you could take it on notice—

Senator Ruston: Yes, sure.

Senator SIEWERT: that would be great. Thank you very much for the update.

Answer:

The Department of Agriculture and Water Resources has developed advice about regulatory and non-regulatory options to improve the management of food safety risks to provide the public with greater assurance that imported food is safe. This advice is currently being considered by Government. Timeframes for any potential changes to the management of imported food will be announced by Government.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates February 2016

Agriculture and Water Resources

Question: 75

Division/Agency: Compliance Division

Topic: Border protection against MCR-1 containing superbugs

Proof Hansard page: 134

Senator HEFFERNEN asked:

Senator HEFFERNEN: This is my last question because we all have to go home. The superbug MCR-1, which is to do with a thing called colistin, do we have border protection against the entry of that? Take that on notice.

Answer:

There is no border monitoring of imported food for bacteria that contain the MCR-1 gene. The Imported Food Inspection Scheme operated by the department monitors imported food for compliance with the *Australia New Zealand Food Standards Code* (the Code). The food standards in the Code are developed by Food Standards Australia New Zealand. There are no specific standards in the Code relating to the presence of antimicrobial resistant (AMR) microorganisms (e.g. bacteria containing the MCR-1 gene conferring resistance to colistin) and as such, no test for AMR microorganisms is applied under the scheme.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates February 2016

Agriculture and Water Resources

Question: 76

Division/Agency: Compliance Division

Topic: Department's Imported Food Inspection Data

Proof Hansard page: Written

Senator XENOPHON asked:

Referring to the Department's Imported Food Inspection Data (Report for January to June 2015):

I refer to the voluntary recall of Nanna's mixed berries following the discovery of hepatitis A in berries imported from China. On page 2 of the Imported Food Inspection Data (Report for January to June 2015) it states:

"The department's expectation is that importers will now undertake due diligence checks to ensure the ready to eat berries they import have been produced under good agricultural practice and subject to good hygienic practices to manage the risk of food borne virus hazards such as hepatitis A virus or norovirus" (emphasis added)

1. How enforceable is the Department's "expectation" on importers?
2. How will it be enforced?
3. What are the consequences for an importer if they do not meet the Department's "expectations"?
4. How is "due diligence" defined by the Department for the purposes of an importer meeting the Department's expectations in relation to imported ready to eat berries? For example, what kinds of activities by an importer would satisfy the "due diligence" requirement?
5. How do these expectations on importers of ready to eat berries differ from importers of other food?

Answer:

1. Section 8 of the Imported Food Control Act makes it an offence for a person to import food they know, or ought reasonably to have known, does not meet applicable standard or poses a risk to human health.

Question: 76 (continued)

Imported Food Notice 11-15 Requirements for imported ready-to-eat berries, published May 2015, alerted berry importers to the need to ensure the safety of the food they import and provided guidance on implementing Good Agricultural Practice (GAP) and Good Hygienic Practice (GHP) in their supply chains. Importers who fail to check this will not have met the requirements of Section 8 of the Act.

2. Imported berries are being tested for the presence of *E. coli* under the Imported Food Inspection Scheme.

Where a test result is found not comply with requirements, the importer will be asked to supply information demonstrating they have systems in place to assure the safety of the supply chain, including controls over hepatitis A. Where this information is absent, or does not address the likelihood of hepatitis A being present, the department may find the importer in breach of section 8 of the Act. In addition, the food has failed the test and is destroyed or returned to the country of origin. Future shipments will be subject to an increased inspection rate.

3. Where supply chain information is absent, or does not address the likelihood of hepatitis A being present, the department may pursue prosecution under section 8 of the Act. In addition, the food has failed the test and is destroyed or returned to the country of origin. Future shipments will be subject to an increased inspection rate.
4. Imported Food Notice 11-15 Requirements for imported ready-to-eat berries, published May 2015, provided guidance to assist industry on implementing Good Agricultural Practice (GAP) and Good Hygienic Practice (GHP), including links to Codes Alimentarius Commission guideline documents document CAC/RCP 53-2003, 'Code of hygienic practice for fresh fruits and vegetables' and CAC/GL 79-2012, 'Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food'.

In demonstrating due diligence, the department will accept information which demonstrates an importer has confirmed that GAP and GHP have been applied throughout the supply chain.

The department developed a checklist which identified the primary production (on farm) controls, and the processing and packaging facilities controls that must be in place to assure the safety of the food is managed.

5. All importers are subject to section 8 of the Imported Food Control Act. In the case of berries, the department has worked closely with berry importers to provide support and guidance as to how their obligations should be met.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

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Agriculture and Water Resources

Question: 77

Division/Agency: Compliance Division

Topic: The number of imported food inspections

Proof Hansard page: Written

Senator XENOPHON asked:

The Department's Imported Food Inspection Data report for July to December 2014 states:

- There were 10,026 entries of imported food that were referred for inspection under the Imported Food Inspection Scheme.
- There were 16,168 lines of imported food inspected.

However, in the January to June 2015 report only 8,819 entries of imported food were referred for inspection under the Imported Food Inspection Scheme and only 13,882 lines of imported food were inspected.

- That's nearly a 20 percent drop in the amount of imported food inspected – why is this? (Eg: was the decrease due to fewer imports of food or resourcing issues (lack of staff?) within the Department?)

Answer:

The number of imported food entries inspected under the Imported Food Inspection Scheme varies over the course of the year.

Referencing the numbers published in the Imported Food Inspection Reports published every six months by the department, the number of entries and inspections in the period January to June is lower than the period July to December for every year. This would represent a regular fluctuation in trade.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates February 2016

Agriculture and Water Resources

Question: 78

Division/Agency: Compliance Division

Topic: Serana / Operation Fides

Proof Hansard page: Written

Senator STERLE asked:

1. In relation into the investigation into Serana Pty Ltd, we were previously advised that a brief of evidence was submitted to the Commonwealth Director of Public Prosecutions (CDPP) on 9 April 2015. Has any response of recommendation been forthcoming from the CDPP?
2. If not, are you concerned about the lengthy delays in moving this matter forward?
3. Is *Operation Fides* still a live investigation?
4. Have any prosecutions been recommended in respect to any company or person in respect of *Operation Fides*?
5. What costs have been incurred by *Operation Fides* since 4 December 2015?
6. Is there any intention of bringing this inquiry, which has not resulted in a single prosecution in more than two years, to a conclusion?

Answer:

1. Please refer to Official Committee Hansard, Senate Rural and Regional Affairs and Transport Legislation Committee, Estimates, 9 February 2016, page 136.
2. Please refer to Official Committee Hansard, Senate Rural and Regional Affairs and Transport Legislation Committee, Estimates, 9 February 2016, page 136.
3. Please refer to Official Committee Hansard, Senate Rural and Regional Affairs and Transport Legislation Committee, Estimates, 9 February 2016, page 137.
4. The department has recommended prosecutions to the CDPP, which are currently under assessment by the CDPP.
5. The total costs of activities undertaken in the *Operation Fides* investigation for the period from 4 December 2015 to 9 February 2016 are as follows:
 - Airfare costs were \$1 050.

Question: 78 (Continued)

- Accommodation costs were \$357.
 - Staff salary costs are estimated at \$33 019. On average six employees are routinely involved in this investigation but also conduct or contribute to other investigations. Additional staff assist on an as needs basis. All of these staff costs are included in this estimation.
 - Storage costs of serum held in quarantine totalled \$575.
 - Total investigation expenditure was \$35 001.
6. The *Operation Fides* investigation is ongoing. Based on what is currently known, the department expects to have all briefs of evidence in relation to the matter submitted to the CDPP by the end of 2016.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates February 2016

Agriculture and Water Resources

Question: 79

Division/Agency: Compliance Division

Topic: Biosecurity risks

Proof Hansard page: Written

Senator STERLE asked:

Provide detail about how goods and conveyances are assessed and will be managed for biosecurity risk when they enter the country?

Answer:

The Department of Agriculture and Water Resources has a number of mechanisms to assess and manage the biosecurity risks posed by goods and conveyances. These mechanisms vary depending on the type of good or conveyance, the pathways through which they are likely to enter Australia, and associated pests and diseases.

Examples of the mechanisms used include prohibiting certain importations, requiring pre-departure treatments, setting import conditions based on scientific analysis and review, and inspecting and/or directing goods for treatment on arrival in Australia.

Similar mechanisms are in place for conveyances which might harbour hitchhiker pests and other contaminants (e.g. soil). These mechanisms include controls on where conveyances can land, be moored or moved while they continue to be under Australian biosecurity control.

Information about goods and conveyances (except for traveller baggage and mail) is required to be provided prior to arrival for assessment. Traveller baggage and mail is assessed on arrival at ports and mail centres.

The approach adopted by the department is in keeping with Australia's international obligations as a member of the World Trade Organization (WTO). Australia is obliged to ensure that sanitary (relating to human and animal health) and phytosanitary (relating to plant health) measures are based on science and applied only to the extent necessary to protect human, animal or plant life or health, and are not used as unjustified barriers to international trade.

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates February 2016

Agriculture and Water Resources

Question: 80

Division/Agency: Compliance Division

Topic: Contract with Blueprint Operations

Proof Hansard page: Written

Senator STERLE asked:

Regarding contract CN3320502, notified on AusTender on 11 February 2016, titled “Signage replacement from machinery of Government changes”, and awarded to Blueprint Operations Pty Ltd.

- a) What services are being provided under this contract and why?
- b) Which departmental offices or premises are having signage changed or replaced – please specify the addresses of each site and the scope of works being undertaken at each site under this contract?
- c) Please provide photos, sketches or graphics of the old and new signs to be removed/installed under this contract

Answer:

- a) The contract is for the printing and installation of signage with the department’s new name at airports and cruise vessel terminals nationally.
- b) The following departmental offices or premises are having signage replaced:

Departmental Office or Premise	Signage
Adelaide Airport 1 James Schofield Drive Adelaide Airport SA 5950	Replacement of 3 signs
Adelaide Cruise Vessel Terminal Outer Harbor SA 5018	Replacement of 4 signs
Brisbane Airport	Replacement of 13 signs

Question: 80 (Continued)

Level 1 Brisbane International Airport QLD 4008	
Brisbane Cruise Vessel Terminal 39 Hercules Street Hamilton QLD 4009	Replacement of 6 signs
Broome International Airport Macpherson Road Broome WA 6725	Replacement of 3 signs
Cairns Airport Airport Avenue Cairns City QLD 4870	Replacement of 9 signs
Cairns Cruise Vessel Terminal Corner Wharf and Lake Streets Cairns City QLD 4870	Replacement of 5 signs
Coolangatta International Airport Terminal Gold Coast Airport Terminal Drive Bilinga QLD 4225	Replacement of 9 signs
Darwin International Airport International Gate 1 Henry Wrigley Drive Eaton NT 0820	Replacement of 3 signs
Horn Island Airport Pearls Building Victoria Parade Thursday Island QLD 4875	Replacement of 3 signs
Melbourne Airport Terminal 2 Tullamarine VIC 3043	Replacement of 3 signs
Melbourne Cruise Vessel Terminal Station Pier Waterfront Place	Replacement of 6 signs

Question: 80 (Continued)

Port Melbourne VIC 3207	
Perth International Airport 24 Fricker Road Perth International Airport WA 6105	Replacement of 3 signs
Port Lincoln North Shields SA 5607	Replacement of 1 sign
Sydney Airport Level 1 Arrivals Sydney International Airport Mascot NSW 2020	Replacement of 11 signs
Sydney Cruise Vessel Terminal Corner of Argyle and George Street Circular Quay West The Rocks NSW 2000	Replacement of 2 signs
Sunshine Coast Airport Friendship Avenue Marcoola QLD 4564	Replacement of 5 signs
Townsville Airport Corner Halifax Street and Stinson Avenue Garbutt QLD 4814	Replacement of 5 signs

A full scope of works is listed in Attachment 1.

















- c) There are 21 different sign types, with a total of 366 individual signs being replaced. The 21 sign types are at Attachment 1, which shows examples of both new and current signage.

No.	Current	New
1.	 <p>Declare food, plant and animal products</p> <p>பெய்தல் தேவை! Hay khai báo! 必須申告! Deklarieren Sie es!</p> <p>Iyitharkanyal! यह घोषित कीजिए! Dichiaralo! 신고하십시오! Ideklara mol!</p> <p>स्वीट नमूने! Déclarez-le! 申告します! Laporkan Bawaan Anda! gaw anode! Tokaut pastaim!</p>	 <p>Declare food, plant and animal products</p> <p>பெய்தல் தேவை! Hay khai báo! 必須申告! Deklarieren Sie es!</p> <p>Iyitharkanyal! यह घोषित कीजिए! Dichiaralo! 신고하십시오! Ideklara mol!</p> <p>स्वीट नमूने! Déclarez-le! 申告します! Laporkan Bawaan Anda! gaw anode! Tokaut pastaim!</p>
2.	 <p>Declare food, plant and animal products</p> <p>பெய்தல் தேவை! Hay khai báo! 必須申告! Deklarieren Sie es!</p> <p>Iyitharkanyal! यह घोषित कीजिए! Dichiaralo! 신고하십시오! Ideklara mol!</p> <p>स्वीट नमूने! Déclarez-le! 申告します! Laporkan Bawaan Anda! gaw anode! Tokaut pastaim!</p>	 <p>Declare food, plant and animal products</p> <p>பெய்தல் தேவை! Hay khai báo! 必須申告! Deklarieren Sie es!</p> <p>Iyitharkanyal! यह घोषित कीजिए! Dichiaralo! 신고하십시오! Ideklara mol!</p> <p>स्वीट नमूने! Déclarez-le! 申告します! Laporkan Bawaan Anda! gaw anode! Tokaut pastaim!</p>
3.	 <p>Declare it</p> <p>பெய்தல் தேவை! Hay khai báo! 必須申告! Tokaut pastaim!</p> <p>Iyitharkanyal! यह घोषित कीजिए! Ideklara mol!</p> <p>स्वीट नमूने! Déclarez-le! 申告します!</p> <p>Deklarieren Sie es! 신고하십시오! 申告!</p> <p>Dichiaralo! Laporkan Bawaan Anda! gaw anode!</p> <p>agriculture.gov.au</p>	 <p>Declare it</p> <p>பெய்தல் தேவை! Hay khai báo! 必須申告! Tokaut pastaim!</p> <p>Iyitharkanyal! यह घोषित कीजिए! Ideklara mol!</p> <p>स्वीट नमूने! Déclarez-le! 申告します!</p> <p>Deklarieren Sie es! 신고하십시오! 申告!</p> <p>Dichiaralo! Laporkan Bawaan Anda! gaw anode!</p> <p>agriculture.gov.au</p>

4.		
5.		
6.		

7.		
8.		
9.		

10.	<p>Declare it</p> <p>Australian Government Department of Agriculture</p> <p>සැලකිය යුතුයි! Déclarer le! જાહેર કરો! Háy khai báo! 必須申報!</p> <p>Iyethakanyisi! જાહેર કરો! Deklarirani! Dichiarate!</p> <p>சுயர் அறிவிப்பு! Déclarez-le! 申告します! Laparkan Bawasan Anda!</p> <p>Deklarieren Sie es! 신고하십시오! 申請! Tokout pastaini! 請即申報!</p> <p>Authorised by the Australian Government, Canberra</p>	<p>Declare it</p> <p>Australian Government Department of Agriculture and Water Resources</p> <p>සැලකිය යුතුයි! Déclarer le! જાહેર કરો! Háy khai báo! 必須申報!</p> <p>Iyethakanyisi! જાહેર કરો! Deklarirani! Dichiarate!</p> <p>சுயர் அறிவிப்பு! Déclarez-le! 申告します! Laparkan Bawasan Anda!</p> <p>Deklarieren Sie es! 신고하십시오! 申請! Tokout pastaini! 請即申報!</p> <p>Authorised by the Australian Government, Canberra</p>
11.	<p>Declare food, plant and animal products</p> <p>Australian Government Department of Agriculture</p>	<p>Declare food, plant and animal products</p> <p>Australian Government Department of Agriculture and Water Resources</p>
12.	<p>OFFICE HOURS 7.00am to 4.30pm Monday to Friday</p> <p>To contact the Department of Agriculture outside these hours, please call the Department of Agriculture Airport Supervisor on 0418 736 698.</p> <p>FOR BAGGAGE/PASSENGER ENQUIRIES Please see your Airline or the Traveller Informational Desk on Level 2</p> <p>FOR GST/TAX REFUNDS Please see Australian Border Force</p> <p>Direction to Australian Border Force: Turn right, continue the corridor pass the traveller until you see a double glass door on your right.</p> <p>☎ 0418 736 698 agriculture.gov.au</p>	<p>OFFICE HOURS 7.00am to 4.30pm Monday to Friday</p> <p>To contact the Department of Agriculture and Water Resources outside these hours, please call the Department of Agriculture and Water Resources Airport Supervisor on 0418 736 698.</p> <p>FOR BAGGAGE/PASSENGER ENQUIRIES Please see your Airline or the Traveller Informational Desk on Level 2</p> <p>FOR GST/TAX REFUNDS Please see Australian Border Force</p> <p>Direction to Australian Border Force: Turn right, continue the corridor pass the traveller until you see a double glass door on your right.</p> <p>☎ 0418 736 698 agriculture.gov.au</p>
13.	<p>If office is unattended please lift handset for service</p> <p>Australian Government Department of Agriculture</p>	<p>If office is unattended please lift handset for service</p> <p>Australian Government Department of Agriculture and Water Resources</p>
14.	<p>Please lower your bags for biosecurity detector dogs to inspect</p> <p>Thank you</p> <p>Australian Government Department of Agriculture</p>	<p>Please lower your bags for biosecurity detector dogs to inspect</p> <p>Thank you</p> <p>Australian Government Department of Agriculture and Water Resources</p>
15.	<p>DEPARTMENT OF AGRICULTURE</p>	<p>DEPARTMENT OF AGRICULTURE AND WATER RESOURCES</p>

16.	 <p>Australian Government Department of Agriculture</p> <p>Please press buzzer.</p> <p>If no response, please call 08 8998 4980</p>	 <p>Australian Government Department of Agriculture and Water Resources</p> <p>Please press buzzer</p> <p>If no response, please call 08 8998 4980</p>
17.	 <p>Australian Government Department of Agriculture</p> <p>BIOSECURITY OFFICE</p> <p>NGURUPAI (Horn Island)</p> <p>☎ 07 4069 1310 🌐 agriculture.gov.au</p>	 <p>Australian Government Department of Agriculture and Water Resources</p> <p>BIOSECURITY OFFICE</p> <p>NGURUPAI (Horn Island)</p> <p>☎ 07 4069 1310 🌐 agriculture.gov.au</p>
18.	 <p>Australian Government Department of Agriculture</p> <p>Are your items a biosecurity risk?</p> <p>You cannot bring these items south through the defined zones in Torres Strait or to mainland Australia</p>  <p>For more information, contact the Department of Agriculture ☎ Waiben (Thursday Island) 07 4212 0185 🌐 agriculture.gov.au/nacs</p>	 <p>Australian Government Department of Agriculture and Water Resources</p> <p>Are your items a biosecurity risk?</p> <p>You cannot bring these items south through the defined zones in Torres Strait or to mainland Australia</p>  <p>For more information, contact the Department of Agriculture ☎ Waiben (Thursday Island) 07 4212 0185 🌐 agriculture.gov.au/nacs</p>
19.	 <p>Australian Government Department of Agriculture</p> <p>Are your items a biosecurity risk?</p>  <p>You cannot bring these items south through the defined zones in Torres Strait or to mainland Australia</p> <p>For more information, contact the Department of Agriculture ☎ Waiben (Thursday Island) 07 4212 0185 🌐 agriculture.gov.au/nacs</p>	 <p>Australian Government Department of Agriculture and Water Resources</p> <p>Are your items a biosecurity risk?</p>  <p>You cannot bring these items south through the defined zones in Torres Strait or to mainland Australia</p> <p>For more information, contact the Department of Agriculture ☎ Waiben (Thursday Island) 07 4212 0185 🌐 agriculture.gov.au/nacs</p>
20.	 <p>INTERVIEW ROOM</p>	 <p>INTERVIEW ROOM</p>
21.	 <p>TREATMENT ROOM</p>	 <p>TREATMENT ROOM</p>