

The Senate

---

Rural and Regional Affairs and  
Transport Legislation Committee

---

The proposed importation of fresh apple  
fruit from New Zealand – Final report

March 2004

© Commonwealth of Australia

ISBN 0 642 71371 5

This document was produced from camera-ready copy prepared by the Senate Rural and Regional Affairs and Transport Legislation Committee, and printed by the Senate Printing Unit, Department of the Senate, Parliament House, Canberra.

# Membership of the Committee

## *Members*

Senator the Hon. Bill Heffernan	LP, New South Wales	Chairman
Senator Geoffrey Buckland	ALP, South Australia	Deputy Chairman
Senator John Cherry	AD, Queensland	
Senator Richard Colbeck	LP, Tasmania	
Senator Jeannie Ferris	LP, South Australia	
Senator Kerry O'Brien	ALP, Tasmania	

## *Participating Members*

---

Senator Abetz	Senator Ferguson	Senator McLucas
Senator Bishop	Senator Harradine	Senator Murphy
Senator Boswell	Senator Harris	Senator Payne
Senator Brown	Senator Hutchins	Senator Ray
Senator Carr	Senator Knowles	Senator Santoro
Senator Chapman	Senator Lightfoot	Senator Stephens
Senator Coonan	Senator Mason	Senator Tchen
Senator Eggleston	Senator S MacDonald	Senator Tierney
Senator Evans	Senator Mackay	Senator Watson
Senator Faulkner	Senator McGauran	

Senator Allison for matters relating to the Transport portfolio  
Senator Greig for matters relating to the Fisheries portfolio  
Senator Lees for matters relating to air safety

## *Committee Secretariat*

Ms Maureen Weeks (Secretary)  
Ms Michelle Lowe (Executive Assistant)

Parliament House, Canberra  
Telephone: (02) 6277 3511  
Facsimile (02) 6277 5811

**Internet:** [www.aph.gov.au/senate](http://www.aph.gov.au/senate)  
**Email:** [rrat.sen@aph.gov.au](mailto:rrat.sen@aph.gov.au)



# TABLE OF CONTENTS

<b>MEMBERSHIP OF THE COMMITTEE.....</b>	<b>iii</b>
<b>REPORT TO THE SENATE.....</b>	<b>1</b>
Background.....	1
The Draft IRA.....	1
The Committee's Work.....	2
Conclusion.....	2



# REPORT TO THE SENATE

## Background

1.1 Work on the draft import risk analysis report for the importation of fresh apples from New Zealand (IRA) was commenced by this Committee's predecessor in the 39<sup>th</sup> Parliament. An inquiry was commenced following the release of the draft IRA on 11 October 2000.

### *The Draft IRA*

1.2 The draft IRA was prepared as a result of the request by the New Zealand Government that the Australian Government review its policy, dating from 1921, prohibiting the importation of apples from New Zealand. The long standing prohibition was based on the presence in New Zealand of the bacterium *Erwinia amylovora*, a causal bacterium of fire blight. Fire blight is a major disease of pome fruit such as apples and pears.

1.3 The New Zealand request for the review was based on the view that apples were not a medium for the transfer of the bacterium.

1.4 Given that it is a signatory to the World Trade Organisation (WTO) Agreement, Australia's responsibility is to adopt the least restrictive quarantine barriers to trade possible. This does not preclude Australia taking the sanitary and phytosanitary measures necessary to protect human, plant and animal life or health. These measures must be scientifically based and applied in a non-discriminatory and consistent manner.

1.5 The draft IRA released for public consultation identified "eight insects, one mite, one bacterium (*Erwinia amylovora*) and one fungus as pests of quarantine concern associated with the possible importation of New Zealand apples"<sup>1</sup>. The assessment in relation to the *Erwinia amylovora* bacterium was that it poses a "moderate" risk and that the risk could be appropriately managed through phytosanitary importation protocols. The public consultation process resulted in a significant number of submissions and Biosecurity Australia, the agency responsible, extended the consultation period.

---

1 Senate Rural and Regional Affairs and Transport Legislation Committee, The Proposed Importation of Fresh Apple Fruit from New Zealand, Interim Report, July 2001, p xi.

### ***The Committee's Work***

1.6 During the conduct of its inquiry, the Committee's predecessor received 71 submissions (including supplementary submissions) and conducted 12 days of public hearings in Melbourne, Canberra and regional centres in all states. It also travelled to New Zealand and met with a number of individuals and organisations, including New Zealand experts on fire blight.

1.7 The result of that committee's inquiry was reported to the Senate in an interim report dated July 2001. The report noted the history of the IRA and made 15 recommendations in relation to the future development of the final apple IRA.

1.8 The report also made it clear that "The Committee reserved the right to revisit these matters following the completion of the final IRA"<sup>2</sup>. In so doing it was able to maintain a watching brief on the reference and would be able to consider the finalised IRA report in the context of the evidence gained on the draft IRA.

1.9 The final IRA was not released prior to the 2001 elections and that committee did not finalise the inquiry. On 13 March 2002, the current Committee recommended to the Senate that the reference be re-adopted.

1.10 In accordance with the recommendation the Senate referred the draft IRA to the Committee with a reporting deadline of the last sitting day in June 2002. In a report to the Senate, dated 27 June 2002, the Committee indicated that it had not been in "a position to pursue this reference"<sup>3</sup> and sought an extension to the reporting date. Subsequent extensions have been provided by the Senate.

### **Conclusion**

1.11 In February 2004 Biosecurity Australia released a revised draft IRA Report on the Importation of Apples from New Zealand seeking public comment by 23 April 2004. In March, Biosecurity Australia extended the period for comment to 24 May 2004.

1.12 Given that a revised draft IRA report has been released and it is now almost 3 years since the initial Senate inquiry the Committee has agreed to conclude the initial reference and commence a new inquiry. In so doing the Committee still has the option to consider the evidence provided to the previous inquiry.

---

2 Senate Rural and Regional Affairs and Transport Legislation Committee, *The Proposed Importation of Fresh Apple Fruit from New Zealand*, Interim Report, July 2001, p xv.

3 Senate Rural and Regional Affairs and Transport Legislation Committee, *Interim Report on the Proposed Importation of Fresh Apple Fruit from New Zealand*, June 2002.



1.13 The terms of reference for the new inquiry are:

The administration of Biosecurity Australia with particular reference to the assessment, methodology, conclusions and recommendations contained in the Revised Draft Import Risk Analysis report on the Importation of Apples from New Zealand released in February 2004.

**Senator the Hon. Bill Heffernan**  
**Chair**

