Quarantine and Biosecurity Review

Submission from The Australian Veterinary Association

28 April 2008
EXECUTIVE SUMMARY

1. The veterinary profession is nationally charged with effecting control over animal diseases.

2. This submission addresses best practice in quarantine / biosecurity and proposes a way forward.

3. The Australian Veterinary Association (AVA) recommends that a task force should be formed with appropriate experts and one or more international participants, to perform the detailed work necessary for the implementation of the recommendations of the Review.

4. The importance of biosecurity, early detection of Emergency Animal Diseases (EADs), and rapid and planned response demonstrate the risks and the crucial role for trained private practitioners in addressing such disease threats as:
   - Equine influenza (EI) in Australia;
   - Foot and mouth disease (FMD) in the United Kingdom in 2001 (costing 9 billion pounds) and 2007 (costs being estimated);
   - Bluetongue (BTV) in the United Kingdom and Europe, and
   - Avian influenza (AI) in many countries.

5. Responsibility must be shared by all levels of government, industry and the private sector. Private veterinary practitioners represent a great but undervalued resource. The Frawley Report recognised the need for a healthy rural veterinary profession to ensure adequate surveillance and early detection and response to disease incursions.

6. Animal Health Australia (AHA) should have a coordinating role in the recommended measures. The AVA is a shareholder in AHA along with Governments and peak industry bodies. Species of animals not represented by industry stakeholders of AHA must not be overlooked.

7. Particular measures sought by the AVA are:
   - Maintenance and expansion of the Australian Veterinary Reserve and extension to address on-farm biosecurity;
   - Full implementation of the Australian Veterinary Practitioner Surveillance Network must be supported by adequate funding streams to provide for training, and for reporting through a website.
   - Assessment of surveillance weaknesses within wildlife and the smaller animal industries. Australian animal quarantine and biosecurity must be boosted, but not at the expense of removing funding from plant biosecurity. Liaison with the Department of the Environment, Water, Heritage and the Arts is essential.
   - The Review needs to recognize that animals are crucial to the national economy, and to the social fabric and well being in Australia (though not mentioned in the Prime Minister’s 2020 Summit).
• Establishment of a comprehensive National Emergency Animal Disease Training Program which can be accessed via one website and which must be audited annually to ensure delivery of updated information to achieve “Best Practice”.

• The public benefit element in Emergency Animal Disease responses that extends beyond the Emergency Animal Disease Response Agreement (EADRA) needs to be recognised.

• The shortage of veterinarians in rural practice must be addressed by implementation of the recommendations of the Frawley Report and the two follow up studies. A further veterinary “manpower” study would inform the processes required to address this shortage.

• Provision of additional measures to protect on-farm biosecurity and strengthening of legislation related to unauthorised entry into premises and potential introduction of disease;

• Enhancement of State and Territory bio-security resources and integration of jurisdictional and federal efforts, involving funding for surveillance and response measures.

• AVA proposes an immediate Forum on One Medicine to obtain key stakeholder and jurisdictional input to address the current lack of integration between animal and human health protection programs in Australia.

• AVA proposes regular meetings of Australian Chief Health and Chief Veterinary Officers together with their State and Territory counterparts be held to monitor national and international trends in zoonotic diseases, and to address the risks for the transmission of emerging animal diseases to people in Australia.

• The AVA recommends that identification of animal welfare risks in relation to EAD controls e.g. mass euthanasia, feeding of isolated animals and disease management be given high priority.

• Commonwealth funding for an AHA managed initiative on training of veterinary pathologists and maintaining a central data base on animal diseases in Australia through an Animal Disease Diagnosis Fund established under the National Animal Health Laboratory Strategy (The Pathology Initiative).

8. Quarantine arrangements must recognise Australia’s geographic isolation and our unique ability to exclude disease and maintain our excellent animal health status through quarantine and surveillance measures and rapid responses to incursions.

9. Food security and its dependence on viable and productive rural communities will place tremendous demands on Australia in the near future. A secure rural production network protected by “worlds best” biosecurity will create export opportunity and allow
us to fulfill a global responsibility.

10. In summary the following programs would have to be funded at appropriate levels
   • Expansion of the Australian Veterinary Reserve
   • The Veterinary Practitioner Surveillance network.
   • Addressing the public benefit element in Emergency Animal Disease responses that extends beyond the Emergency Animal Disease Response Agreement (EADRA) needs to be recognised.
   • Follow up implementation of the Frawley Report on Rural Veterinary Practice
   • Identification of animal welfare risks from animal disease control procedures.
   • Engagement of State and Territory services in the quarantine / biosecurity process through legislation or a memorandum of understanding.
   • The forum on “One Medicine” to review the risks of transmission of emerging animal diseases to people.
   • The Pathology Initiative to improve Australia’s capacity to identify and diagnose animal diseases and adequately funded.

INTRODUCTION

11. The Australian Veterinary Association (AVA) is the peak body representing the veterinary profession in Australia. The AVA welcomes this independent review which is timely.

12. The veterinary profession supports government initiatives in animal health, animal welfare, veterinary public health and food safety.

13. Quarantine operations must be conducted with operations undertaking being consistent with the Australian Animal Welfare Strategy. The AVA supports the Australian Animal Welfare Strategy

Quarantine and Biosecurity Review

14. The independent review of Australia’s quarantine and biosecurity arrangements has been asked to provide recommendations on the appropriateness, effectiveness and efficiency of:
   • current arrangements to achieve Australia’s appropriate level of protection;
   • public communication, consultation and research and review processes;
   • resourcing levels and systems and their alignment with risk in delivering requisite services; and
   • governance and institutional arrangements to deliver biosecurity, quarantine and export certification services.
Quarantine and biosecurity

15. The AVA accepts that the terms “quarantine” and “biosecurity” can be defined as:

- **Biosecurity** is the protection of the economy, environment and human health from the negative impacts associated with entry, establishment or spread of introduced pests, diseases and weeds.

- **Quarantine** is the system of measures which are used to manage risks of the entry and establishment of pests or diseases which threaten animal, plant or human health.

The AVA has based its considerations on the stated objective of Australia’s quarantine and biosecurity policies and risk management measures. These policies and measures are best grounded in science. Domestic and international research adapted for Australia’s needs are used to manage the risk of the entry, establishment or spread of pests and diseases not present in Australia. Incursions of which could cause significant harm to people, animals, plants and other aspects of the environment. Animal diseases emerging in Australia also need to be included. Hendra virus, Australian Bat lyssavirus and Menangle virus have all emerged in Australia and need to be addressed in the same way. **The AVA supports the term Emergency Animal Diseases (as used in Emergency Animal Disease Response Agreement) because it includes exotic and emerging diseases.** It is noted that the spread, within or between states, of endemic pests or diseases will not be addressed by the Inquiry. This ignores the connection between endemic and introduced pests and diseases in terms of diagnosis, surveillance and management.

Establishment of a comprehensive National Emergency Animal Disease Training Program based on a review of existing training programs and the development of objectives and outcomes for a national program is essential, which can be accessed via one website and which must be audited annually to ensure delivery of updated information to achieve “Best Practice”.

16. Increasing travel and trade have magnified the risks of the introduction of exotic animal diseases and pests. The appropriate way to address risks is through risk pathways and risk analyses which includes risk assessment, management and communication.

17. Australia is unique having a large land mass, long coastline, small population (located in coastal areas) and a narrow tax base. It needs contemporary communication systems for quarantine effectiveness. As an island Australia can maintain its excellent animal health status provided effective quarantine and surveillance measures and rapid responses to incursions are enhanced.

18. The AVA is conscious of the introduction and spread of pests and diseases through natural pathways which may alter through the effects of climate change. Diseases like avian influenza can be spread by migratory birds and insect borne diseases such as bluetongue can be
introduced by insects moving on jet streams and other winds. The bird, insect and vertebrate (humans and animals) cycle is important in spread of the viral encephalitides. Japanese encephalitis has been introduced into northern Australia several times. The role of the Northern Australia Quarantine Strategy in surveillance is critical in addressing the above. However Avian influenza and Foot and mouth can be as likely introduced by trade in livestock and livestock products so maintaining and effective quarantine barrier is essential.

19. The AVA recognises Australia’s obligations under the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement). AVA recognises that the Australian appropriate level of protection (ALOP) is aimed at low but not zero risk. The AVA is committed to assisting governments to use all available expertise to institute measures to meet the ALOP. The AVA is involved in Biosecurity Australia’s consultations on Animal Biosecurity Policy Memoranda and such consultation should continue. The 22 AVA Special Interest groups and the AVA Quarantine Advisory Committee play major roles in providing expertise.

B2. Australia’s system

International obligations

20. The AVA seeks to provide expertise to the profession’s role in meeting Australia’s obligations, at technical and policy levels, the Agreement on Technical Barriers to Trade (the TBT Agreement) and the SPS Agreement.


22. The AVA is also involved in the International Veterinary Officers Council (IVOC) which is composed of the veterinary associations of the United Kingdom, The United states, Canada, New Zealand and South Africa. The World Veterinary Association is sometimes represented. Australia provides underpinning science and policy to the international community through bilateral and multilateral arrangements such as the OIE.

23. It is clear that the SPS Agreement notions / obligations of harmonisation, risk assessment, consistency, transparency, equivalence and least trade restrictive arrangements are in Australia’s interests. They are complex and require stakeholder input. AVA is a committed stakeholder. However there is a need to separately deal with trade issues and industry impacts from quarantine decisions made on sound scientific grounds. Quarantine policy decisions are not the appropriate way for industries to object and obtain assistance when decisions are taken to allow import of livestock and plant products. The
commonwealth government needs to establish alternative ways for dealing with impacted industries.

**Appropriate Level of Protection**

24. The ALOP concept is interpreted differently among the stakeholders. It is not possible to offer a precise method of addressing ALOP. Suffice to say DAFF should establish a working group of stakeholders to provide advice on a way forward. Australian policy makers, administrators and the broader community need to have a clear interpretation of the concept. A conservative approach and assessment of low risk is justified. Reference is made elsewhere to Australia’s unique place in regard to border facilities being able to assist in the exclusion of emergency animal diseases.

25. It is appropriate that transparent risk analyses be used to consider import access requests and combined with access to the best qualified people. The range of expertise is wide and best addressed via wide stakeholder cooption to EPG input and consistent with Australia’s obligations under the SPS Agreement. The AVA is aware that this work for animals involves:

- Food safety standards developed by the Food and Agriculture Organization of the United Nations/World Health Organization Joint Codex Alimentarius Commission (known as Codex).

26. Registered veterinarians with great skills in these areas are found in DAFF and government departments in the states and territories. Academics, consultants and private practitioners can extend the pool. Veterinary registration requires continuing education and maintenance of standards which can be audited. Expediting national recognition of registration of veterinarians will facilitate responses to incursions of emergency animal diseases throughout Australia. The AVA realises that this work for animals involves:

27. Quarantine is a constitutional responsibility of the Commonwealth. Attention has to be given to the continuum of bio-security / quarantine which includes pre-border/ border and post border activities. The last are responsibilities of the “States” (including the territories) and include disease control at farm and post farm levels. Disease incursions whether due to failures at the barrier / border or by natural means become the responsibility of the States. Australia’s excellent quarantine and disease eradication post border efforts (as successful as any in the world) have been achieved by cooperation between the Commonwealth.
and the States. This is generally under the supervision of a Ministerial Council.

28. The Brucellosis and Tuberculosis Eradication Campaign (BTEC) was implemented by cooperation of the Commonwealth and States and the cattle industry. It operated under State legislation with common definitions and rules and with shared funding agreed by the parties. Quarantine policy had to be aligned with the BTEC.

29. The agency arrangement, an Australian model for delivery of quarantine by the states, which commenced at Federation, continued until 1994. The agency arrangement was the subject of a Governor-General / Governors agreement going back nearly to Federation and we understand that it is now lost, though apparently it has been referred to in other documents. The agency arrangement provided for the Chief Veterinary Officers of the States and Territories to be gazetted as Chief Quarantine Officers (Animals). These and other State staff were gazetted as Commonwealth Quarantine Officers. Salaries and operational costs for the proportion of their time spent on quarantine tasks were paid by the Commonwealth. All took direction from the Commonwealth. Staff at airports and seaports wore Commonwealth Quarantine Officer uniforms and reported to the Commonwealth Minister. Policy was determined by meetings of Chief Quarantine Officers (Animals) chaired by the head of Animal Quarantine Branch. They operated in parallel with the Animal Health Committee which was composed of the same officers but addressing State matters. A similar arrangement applied to plant quarantine. The Commonwealth had direct access to State laboratories and disease control records and systems.

30. The agency arrangement was progressively terminated from 1994. A mechanism needs to be found to re-engage the States to address the “continuum”. Loss of the quarantine function has led to reduction in State agricultural departments and engagement of the expertise of the states in quarantine policy and operations has faded. Yet the states carry responsibility for eradication of emergency animal diseases that penetrate the barrier. Reference is made below to engagement of the states.

31. **Pre-border** activities are well described in the Issues Paper. Australia:

- participates in international standard-setting bodies (OIE and Codex);
- undertakes risk analyses in relation to animals, plants and/or other goods proposed for import;
- maintains, including through bilateral and multilateral cooperation, intelligence on the disease and pest status of its trading partners;
- develops offshore quarantine and biosecurity arrangements where appropriate; and
- works with its neighbours to build capacity to counter the spread of exotic pests and diseases.
32. At the **border**, AQIS cooperates with Customs and screens vessels (ships and aircraft), people and goods (such as cargo and mail) entering the country to detect potential threats to Australian human, animal and plant health.

33. The Australian Government also undertakes targeted **post-border**, within Australia, working with state and territory governments and animal industries to coordinate surveillance, farm biosecurity, emergency responses to pest and disease incursions.

34. The Northern Australia Quarantine Strategy (NAQS) is an example of the quarantine continuum. NAQS in its monitoring goes some way to fill the gaps due to the shortage of veterinary practitioners in the north and veterinary expertise in those countries.

*Commonwealth arrangements*

35. The AVA notes the arrangements within the Australian Government, in that the key plant and animal quarantine and biosecurity functions are located in the Department of Agriculture, Fisheries and Forestry. The AVA notes the roles of

- The Secretary of the Department of Agriculture, Fisheries and Forestry, **Director of Animal and Plant Quarantine** under the **Quarantine Act 1908**.
- **Biosecurity Australia**
- **AQIS**
- **Product Integrity, Animal and Plant Health Division** ;and
- **International Division**

36. The **Eminent Scientists Group** is a high level review group independent of Biosecurity Australia that is tasked with providing external scientific scrutiny of import risk analyses. The AVA supports the role of the Eminent Scientists Group and recognises that its key purpose is to review drafts of import risk analysis reports. The Group must have the authority to co-opt external expertise where required. The AVA has expertise and current technical knowledge that could assist the Group in this regard.

37. The AVA believes that the notion of a peak veterinary science body in Australia is “a conversation we must have” in the context of planning for 2020 and proposes that a Centre for Disease Control (CDC), similar to that in the United States be developed.

38. The AVA notes that the Department of Agriculture, Fisheries and Forestry also works closely with a range of Commonwealth agencies including the Australian Customs Service and the Department of the Environment, Water, Heritage and the Arts. The Department of Health and Ageing is responsible for developing Australia’s human quarantine policy, which is implemented at the border by AQIS on its behalf. Australian Government quarantine and biosecurity agencies also...
interact with Commonwealth, state and territory public health agencies, including Food Standards Australia New Zealand, the Office of the Gene Technology Regulator, state and territory health departments and local government public health officers. The AVA is comfortable with this and opposes the idea of a single Border Authority (or similar agency). While such may assist in coordination at sea and airports it would divorce quarantine staff from their colleagues and their access to professional support and information. This may create the isolation from the profession that created such problems at Eastern Creek Quarantine Station (ECQS) as outlined in the above point.

39. Links between agriculture and health and human / public health are essential. The AVA believes that Commonwealth and State Chief Medical Officers and Chief Veterinary Officers should establish a forum to address these matters. Together this group and the various facilities could form a virtual Centre for Disease Control.

40. Examples of activities and responsibilities across the continuum are shown in Figure 1.

**Figure 1: Responsibilities and activities across the quarantine and biosecurity continuum**

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<thead>
<tr>
<th>The Continuum</th>
<th>Pre-border</th>
<th>Border</th>
<th>Post-border</th>
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<tr>
<td>Activity</td>
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<tr>
<td>Import risk analyses (covering risk assessment, management and communication)</td>
<td>Implementation of risk management systems</td>
<td>Emergency preparedness</td>
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<td>Offshore assessment, audit and verification</td>
<td>Judgement and interpretation of policy</td>
<td>Practice / simulations</td>
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<td>International standard setting</td>
<td>Education and awareness</td>
<td>Education and awareness</td>
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<td>Capacity building in overseas countries</td>
<td>Inspection</td>
<td>Monitoring and surveillance</td>
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<tr>
<td>Gathering global pest and disease intelligence</td>
<td>Monitoring</td>
<td>National coordination and response to pest and disease incursions</td>
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<tr>
<td>Agency Responsible</td>
<td>Biosecurity Australia, plus AQIS and Product Integrity Animal and Plant Health Division (also supported by International Division)</td>
<td>AQIS</td>
<td>Product Integrity Animal and Plant Health Division and state and territory governments (plus Animal Health Australia Ltd, Plant Health Australia Ltd)</td>
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The AVA operates across the pre-border, border, post border spectrum and internationally. The various veterinary multilateral bodies are described elsewhere in this submission.
**Shared responsibility**

41. Australia's current quarantine and biosecurity system is based on cooperation and shared responsibility between governments, industry and the community. This coordinated approach should work well but would function more appropriately with Quality Assurance arrangements or Compliance Agreements that are transparent, under regulatory control and are independently audited. They must be based on risk analysis and Hazard Analysis Critical Control Point (HACCP) principles. The AVA accepts that the controls must be appropriate to the industry and comply with the objective. The Animal Health Australia National Animal Health Performance Standards Program aims to ensure governments and industries operate at an acceptable standard but clearly the audit of the animal quarantine program did not detect the deficiencies identified by the Callinan Inquiry. International benchmarking is important.

42. The AVA considers that Ministerial Councils are essential to coordinate functions across governments. The only Non Government Organisations (NGO) and industry input to disease control in such forums is as industry (affected and non-affected) representatives on the National Management Group, the Consultative Committee on Emergency Animal Diseases (CCEAD) and through Animal Health Australia. The AVA recognises the expertise of government veterinarians and seeks to ensure that all are registered as veterinary surgeons, have access to the necessary continuing / post graduate education and participation in the scientific / veterinary community so as to be up to date with scientific and industry / government developments. Registration requires a legal obligation to undertake continuing education, publish results of clinical investigations, and present findings to peers. Familiarity with literature and publication of their work for review by their peers is necessary for government veterinarians to maintain standards comparable with “best practice” in other countries.

43. Participation of veterinarians and AVA on advisory committees is essential as this arrangement affords opportunities for appropriately qualified people to contribute to policy and operations and expand the pool of expertise in Australia.

44. Animal Health Australia (AHA) should have a coordinating role in the recommended measures. The Australian Veterinary Association Ltd (AVA) is a shareholder in AHA along with the Australian and State and Territory Governments and peak industry bodies. Animals not represented by AHA such as companion animals, wildlife and feral, aquatic and sporting animals must not be overlooked.

45. Integration of responses to zoonoses. AVA proposes an immediate *Forum on One Medicine* to obtain key stakeholder and jurisdictional input to address the current lack of integration between animal and human health. With almost 70% of new emerging diseases originating in animals, Australia needs to ensure an effective communications and
response strategy. It is recognised that there are International obligations under the World Trade Organisation Sanitary and Phytosanitary Agreement and these can be met after comprehensive Import Risk Analyses for both animal and plant biologicals.

46. The AVA supports the AHA managed initiative on training of veterinary pathologists through an Animal Disease Diagnosis Fund established under the National Animal Health Laboratory Strategy. Commonwealth seed capital would encourage investment by the states, industry and other interested parties. The Commonwealth must meet half of the estimated establishment costs if this program is to work. The Initiative should operate through one website cf. 2020 Summit recommendations.

Changing operating environment

47. The AVA recognises the changing environment and the need to develop quarantine and biosecurity systems to address the changes. The Biosecurity Cooperative Research Centre is playing a major role in this and ongoing support is crucial. The Quarantine Continuum has to be addressed. It should be added that the Northern Australia Quarantine Strategy (and predecessor arrangements such as the Australia, Indonesia, Papua New Guinea Tri-partite Committee) operates across the continuum.

48. Australia is part of an expanding international trade and travel environment. The sources of Australia’s imports and international travellers are changing, in some cases coming from areas of greater pest and disease risk. Other developments have added to the complexity of managing quarantine and biosecurity risks, including:

- increased consumer demand for evidence of product integrity (food that is what the label says it is, and that is safe, e.g. traceback);
- a number of high-profile disease outbreaks overseas (for example, Bovine spongiform encephalopathy (BSE) and Foot and mouth disease (FMD));
- new and emerging diseases, many with the potential to affect animals and humans (zoonosis). Examples include diseases such as Highly pathogenic avian influenza (HPAI), Nipah virus (NV), BSE and Sudden acute respiratory syndrome (SARS), West Nile virus (WNV);
- the emerging influence of climate change on the spread and establishment of introduced pests and diseases;
- an increased focus on security matters in response to terrorism incidents and the potential threats to food safety and agricultural production systems; and
- climate change and ever increasing globalisation have raised the importance of food security. Australia being a large arid island, with a predominantly coastal population, must be prepared to take advantage of food exports and rise to our global responsibility and remain a net food exporter. To be able to achieve this task, animal and plant quarantine and biosecurity must remain the “world’s best”.

The Australian Veterinary Association Limited
49. Although the quarantine and biosecurity threat to primary production from introduced pests and diseases has long been recognised, contemporary risk management systems are now expanding to include the management of threats to the natural environment, including fisheries.

50. Another aspect of the changing operating environment is new technologies and developments in the tools and approaches to risk management used for quarantine and biosecurity control measures. New technologies, such as rapid diagnostic tests, have allowed quarantine and biosecurity agencies to better detect, diagnose and manage risks. Adopting new strategies or technologies potentially provides more effective risk management.

51. The AVA recommends identification of animal welfare risks in relation to EAD controls e.g. mass euthanasia, feeding of isolated animals and disease management are high priorities to ensure positive outcomes for global animal welfare.

B4. Parallel and previous reviews

Parallel reviews

52. The AVA entered submissions to the Equine Influenza Inquiry.

53. While the AVA is not in a position to form final views on the causes of the outbreak, information from the Inquiry and from members involved has enabled conclusions to be reached that breakdowns in the quarantine program occurred. The following is offered in order to provide our insights as to what the Review might learn from the Inquiry, in order that steps can be taken to remedy the deficiencies:

AQIS Issues

- Expertise and training in professional and technical issues needs to receive at least equal or higher importance to managerial experience and training in those positions requiring professional judgement;

- Training on issues associated with disease intervention and prevention was inadequate.

- Procedures manuals need to be maintained current and relevant to disease threats;

- There was no current Procedures Manual to guide necessary quarantine activities and what was available was demonstrated inadequate.

- AQIS positions, requiring training in veterinary science, require to be filled by veterinarians who are registered and up to date professionally;
• Persons were in positions for which they had no appropriate qualifications and training.

• There is a need to get a risk-based perspective and rationality back into the operation of quarantine;

There was a lack of perspective in quarantine operations (compare quarantine procedures between airport baggage and horse (live animal) imports from endemically infected countries);

• Initiatives need to be developed where border control people gain valuable firsthand experience in disease control activities;

• AQIS operatives currently get no first hand disease control experience.

**Government failures**

• There is a need to bring together the veterinary expertise in the Commonwealth public service so that it can effectively represent the quarantine continuum in international and domestic interactions reflecting the Pre-border, border and Post-border components;

• The dissemination of veterinary science expertise across four bodies (AQIS, BA, International Division and Product Integrity and Animal and Plant Health Division) has made for no cohesion and no effective coordination of veterinary science expertise and knowledge.

• With cohesion and coordination in a focussed veterinary science service, there would have been a high alert for equine influenza and timely decisions could be expected where currently there is seemingly endless discussions and consultations;

• It is important for there to be more interaction between the States and Territories in quarantine decision making if responsibility for the continuum is to be a reality.

**System failures**

• There is a need to promote knowledge of disease transmission mechanisms and responsibilities for Australia’s animal health status in basic veterinary science education and promotion through veterinary registration authorities, the veterinary profession and livestock industries generally;

• The EI Inquiry demonstrated there was inadequate knowledge of disease transmission mechanisms and of veterinarians’ and horse industry responsibilities for Australia’s equine animal health status.

• There is a need to determine why the auditing process failed to detect deficiencies in the quarantine program. Animal Health Australia has developed the National Animal Health Performance Standards Program.
that may be useful in setting performance standards against which quarantine and biosecurity might be audited / evaluated.;

- A review of the program should assess whether self-assessment is appropriate for carrying out the auditing in this program given the serious consequences of failure.

52. The summation of the above is that a great deal needs to done to achieve an effective and capable import quarantine and export inspection service. The revelations about inadequate certification of cattle to New Caledonia indicate that more positive progress has to be made to address veterinary science problems occurring in AQIS between the August, 2007 (EI outbreak) and sending diseased or ineligible cattle to New Caledonia in November, 2007 that has caused a cattle tick fever outbreak.

53. Maintaining an effective quarantine barrier and capability to deal with disease incursions requires a reassessment of the quarantine continuum to ensure that there is adequate professional veterinary science input to surveillance, response and biosecurity within the livestock industries.

54. Implementation of the recommendations of the Frawley Review of Rural Veterinary Practice would assist in addressing the shortage of veterinarians in rural areas. Two studies, the Neumann Report and the Craven Report addressed two recommendations of the Frawley Review such as transition of recently qualified veterinarians to practice and continuing education of registered practitioners in rural areas. Further studies are needed to provide a funding model to maintain qualified veterinarians in rural areas.

55. Additional resources need to be invested in surveillance and response as post border activities rather than additional resources being applied to border control activities

- Successful veterinary surveillance and response mechanisms (EADRA) were a major factor in the high speed of equine influenza eradication.

- These mechanisms should be expanded so they could cope with a large-scale national incursion (i.e. fully implementing the Australian Veterinary Reserve and the Australian Veterinary Practitioner Surveillance Network).

- Partnership between veterinarians and doctors is the only option for early detection and eradication of a serious disease affecting animals and humans such as avian influenza (AI).
• A centre for disease control (CDC) is the best way to protect Australia from the global spread of diseases affecting animals and people.

• Veterinarians have a critical role in Australia's future biosecurity.

• Veterinarians planned and managed the eradication of equine influenza.

• Veterinarians must continue to have an integral role at all levels of quarantine and public health in Australia.

• Veterinarians must work in partnership with the medical profession within a centre for disease control to protect Australia from the global spread of diseases affecting animals and people.

56. Several comments made in this submission will be relevant to the **Homeland and Border Security Review**. The AVA believes that quarantine and animal quarantine in particular is best retained in an agency with expertise in veterinary matters so that the best value judgements can be made and staff can be constantly involved and aware of the risks in a changing world. The Chief Veterinary Officer needs to control veterinary standards. The separation of veterinary expertise into many sections contributed significantly to the quarantine breakdown outbreak occurring.

**Previous reviews**

57. The AVA commends the Panel's intention to assess findings from previous reviews of Australia's quarantine and biosecurity policies, as listed in the Issues Paper as well as the operation of the agencies tasked with implementing those policies. The Nairn Review is of particular importance. Reference is made to other reviews in this submission.

**PART C – ISSUES FOR CONSIDERATION**

58. The AVA believes that it is in the community interest that it draws all relevant matters to the Panel's attention and welcomes comments to this effect in the Issues Paper. Nor do the questions posed imply any conclusions yet adopted by the Panel.

**C1. Risk across the quarantine and biosecurity continuum**

The AVA agrees with the definition in the quarantine and biosecurity in the context of risk analysis comprising three parts: risk assessment; risk management; and risk communication.

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<th>Questions:</th>
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<tr>
<td>- Are Australia’s quarantine and biosecurity systems appropriate to maintain its ALOP (very low risk, but not zero)?</td>
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<tr>
<td>- Yes but this must be ensured by regular reviews and audits together with yearly look back sessions.</td>
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<tr>
<td>- Is ALOP understood and applied in a consistent way?</td>
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ALOP is implemented by transparent risk analyses applied consistently among commodities and source countries and their domestic equivalents.

Is it achieved in a way that is not more trade restrictive than required?

No; political influence delays decisions and interferes with science based decision making.

Should the wider implications – for exporters, consumers and the economy – be taken into account when developing quarantine and biosecurity arrangements, and if so, how?

Australia is committed to the World Trade Organisation (WTO) and has to accept all that it requires in decisions being made on science. Economic assessments are needed as well so that governments and industry can anticipate and address economic injury to industry and use these mechanisms to prevent crises in affected industries. These assessments are not quarantine functions and should be assessed in another department such as Trade.

What are the benefits of Australia’s current approach to quarantine and biosecurity?

The transparent risk analysis based policy making shows compliance with WTO requirements and is defensible in WTO Dispute Settlement Panels (DSPs)

Is it well understood in the Australian community that quarantine measures can only be applied to the extent that they are necessary to protect human, animal or plant life or health that they are the not more trade restrictive than required, and that they may not be used as an industry protection mechanism?

Politicians and industry don’t always understand the science on which decisions are based and seek to defend constituents concerns and are attentive to political pressure.

Do Australia’s risk assessments (including import risk analyses) competently and comprehensively assess risk and risk management issues when providing advice on market access requests and import applications?

Yes, they are considered to be an example of “worlds best practice”

Are they sufficiently timely?

No, but timelines have been included in the revised (2007) Import Risk Analysis process.

Is the role of the Eminent Scientists Group (ESG) in the import risk analysis process understood and appropriate?

The ESG provides a sound review of the science in the risk analysis and a helps to corroborate the findings and address pressures from industry and politicians on completion of IRAs. Import Risk Analyses are best undertaken by a body independent of politicians and industry bodies. This additional step on the Australian approach provides some assurance of the accuracy and veracity of the science.

Is the quarantine and biosecurity framework adequate to analyse and manage risks to the environment?

Yes, Biosecurity Australia is skilled in the science and processes of risk analysis and relevant experts can be included in the Import Risk Analysis Panels.

Does Biosecurity Australia have the skills/ability to assess any such risks?

Advice on relevant science is available from CSIRO, the Dept of Environment and State agencies.

Are threats to Australia’s marine environment and fisheries arising from biofouling on ships’ hulls and organisms in ballast water best handled in a quarantine and biosecurity framework, or some other framework?

The risk analysis process is appropriate and BA has access to the best
scientists. Basically the same processes will be applied wherever the
analysis is carried out. Operationally AQIS and BA have the necessary
contacts with the International Maritime Organisation and the shipping
industry and individual vessels to perform the task. AQIS inspectors are at
the scene. This function is not within the skill set of the Marine Safety
Authority and there is no other appropriate inspection body.

- Are risk analyses, import policy determinations and permit conditions
sufficiently updated through monitoring of actual experience in the application
of risk management measures?
  - Yes.
- Do the appropriate feedback loops exist and are they effective?
  - The effectiveness of communication between AQIS and BA influences this.
Mechanisms can be developed that are similar to those proposed for
resource allocation. There is an Australian National Audit Office report
relating to the latter.
- Does AQIS implement risk management in a manner consistent with the
advice/recommendations provided by Biosecurity Australia and the Director
of Animal and Plant Quarantine (as outlined in the Import Risk Analysis
Handbook)?
  - Breakdowns that have occurred over the last 5-10 years indicate that
attention must be given to this. AQIS is hampered its scientific staff relying
on Biosecurity Australia for all science and understanding of the world
situation. They need to be in positions of influence/management/leadership
and trained and in contact with the scientific community and to publish their
work. BA would still provide the main import and operational risk
assessments and scientific advice. Scientific forums are needed to keep all
scientific staff up to date. AQIS veterinarians/scientists need access to
external second opinions. Relations with BA should be discursive.
- Is there adequate auditing and verification of pre-border, border and post-
border measures to ensure that policy determinations and permit conditions,
including arrangements for co-regulation with industry, are in fact meeting the
appropriate standard?
  - No, there is too much focus on the border inspection rather than take a wider
view of using information and experience from pre and post border
intelligence and operations into account. Regular inspection or audit of
exporting country regulation of pre-border activity is needed. This applies to
pre-embarkation quarantine facilities and their isolation and operation. It also
applies to facilities that produce commodities for export to Australia, such as
foods and biologicals, including vaccines. One of the concerns with the
Brazilian beef episode was that AQIS did not evaluate Brazil’s veterinary
services and the biosecurity of the foot and mouth disease free zones before
approving import of beef product for the first time. The earlier practice of
quarantine veterinarians accompanying first or higher risk shipments of
animals from countries exporting to Australia needs to be resurrected. The
Callinan Inquiry has directed discussion toward an independent Inspector
General for horses. This person could monitor/audit such activities and for
all commodities.
- How should the quarantine and biosecurity continuum (pre-border, border
and post-border) be monitored to ensure that the system functions (to
prevent and respond to pest and disease incursions)?
- Animal Health Australia has a Performance Standards Program which audits
activity of Members programs; clearly the quarantine audit failed; it should be
investigated why the audit failed and establish whether self-assessment is
the appropriate way to ensure Members meet commitments. The AVA
supports independent audits and the involvement of international experts.
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are the arrangements for sharing pest and disease information between</td>
<td>No;</td>
</tr>
<tr>
<td>the Commonwealth, the states and territories and industries working</td>
<td>Animal Health Australia coordinates pest and disease information and prepares the National Animal Health Report based on material from all jurisdictions, State and Federal. The fragmentary nature of the Commonwealth’s veterinary services means all sectors are not involved in the national interests and engagement of the States in border and domestic quarantine / biosecurity is crucial.</td>
</tr>
<tr>
<td>Are Australia’s emergency response plans for exotic pest and disease</td>
<td>Yes with the above provisos.</td>
</tr>
<tr>
<td>Are the current cost-sharing arrangements between Commonwealth, state</td>
<td>Yes in the animal industries although liability considerations should be taken into account.</td>
</tr>
<tr>
<td>and territory governments and affected industries that apply in the</td>
<td>Should they be broadened to cover other exotic pests such as exotic weeds?</td>
</tr>
<tr>
<td>event of a pest or disease incursion, appropriate?</td>
<td>Appropriate arrangements have been made for insect pest incursions and the same should apply to exotic weeds if Australia’s natural environment is to be offered protection. This is part of the national biosecurity strategy.</td>
</tr>
<tr>
<td>Are the arrangements for incursions with a principally environmental</td>
<td>The incursions of papaya fruit fly and fire ants seem to have worked adequately by arrangements made at the time of detection.</td>
</tr>
<tr>
<td>impact appropriate?</td>
<td>Are the arrangements for export inspection and certification effective? Clearly there are shortcomings such as when ineligible cattle are sent to New Caledonia; there does not appear to be any systematic review being undertaken into how this event occurred. Similarly no systematic review was undertaken by AQIS into the escape of EI virus from the Eastern Creek Quarantine Station. If Australia is to learn from such events, thorough independent reviews should be undertaken and made publicly available as DEFRA does in the UK. Arrangements for regular independent audits of quarantine and exports are crucial.</td>
</tr>
<tr>
<td>Are they consistent with Australia’s international obligations?</td>
<td>Generally yes but an independent review would reveal whether Australia is satisfying its WTO obligations and have in place systems that could demonstrate “world best practice”.</td>
</tr>
</tbody>
</table>

C2. The legislative framework

59. The Australian quarantine and biosecurity system is supported by Commonwealth, state and territory laws and regulations. Local government also plays an important role in the delivery of some aspects of quarantine and biosecurity regulation, such as food safety and public health.

60. State and territory laws and arrangements for matters covered under the SPS Agreement are subject to an over-riding Commonwealth obligation under its WTO treaty obligations to ensure that state and local governments are in compliance. Section 109 of the Constitution, together with the range of powers conferred on the Commonwealth including the quarantine power, the foreign affairs power, the
corporation’s power and the trade powers, provides a framework within which relevant Commonwealth legislation will prevail over any inconsistent state law.

61. The Commonwealth quarantine and biosecurity laws are contained in the Quarantine Act 1908 (the Act) and subordinate legislation including the Quarantine Regulations 2000, the Quarantine Proclamation 1998, the Quarantine (Cocos Islands) Proclamation 2004 and the Quarantine (Christmas Island) Proclamation 2004.

62. While the Act was amended significantly in response to the 1996 Nairn review, its core was drafted over a century ago. Some commentators have suggested that a comprehensive modernisation of the Act would be beneficial, although the costs, risks and disruption of a reform on this scale cannot be ignored.

63. The Commonwealth has not attempted, as it probably could, to cover the quarantine and biosecurity field comprehensively in its legislation so as to exclude the application of state law, to “internationally traded things of quarantine relevance”. It has preferred to work by cooperation with state, territory and local governments to implement its international obligations and national policies. Several states have acted to control the import to that state of a commodity permitted to enter Australia under the Act.

Questions:
- Are the current roles and responsibilities of the Commonwealth and the states and territories well understood and operating effectively?
  - The roles are well understood but there can be much improved cohesion and cooperation across the quarantine continuum. Suggestions as to such arrangements are made earlier in this submission.
- Does the current legislative framework provide the Commonwealth, states and territories with the authority and powers needed to undertake quarantine and biosecurity functions effectively?
  - Yes.
- Is the Quarantine Act 1908, as amended, relevant and effective to meet Australia’s current quarantine and biosecurity needs?
  - Yes
- Should it be rewritten and modernised?
  - No.
- Should the human health aspects of the Act be removed and placed into a separate (new) Act administered by the Department of Health and Ageing?
  - No such a move would make delivery of food imports a difficult area to administer given those disease agents which are transmissible between animals and people (zoonoses) have to be considered.
- Are Australia’s legislative arrangements designed to manage relevant environmental and marine threats effectively?
  - Yes
- Are the different elements of legislative systems (both different Commonwealth legislation, and the state and territory statutes) operating in an effective and complementary manner?
- Yes, animal rights activists claim that there are gaps in the interface between State and National legislation as they relate to livestock exports but this appears to be a media manipulation device rather than an impediment to management of export animal welfare. Recent development of the Consignment Risk Management Plan empowers exporters the flexibility to use the best science and professional opinion (verified by AQIS) to address this biological process.
- Does the Commonwealth need to consider drafting its legislation and framing its subordinate legislation in such a way as to ensure that any state, territory or local government action, which would have the effect of frustrating a Commonwealth decision or its actions to implement the SPS Agreement, would be over-ridden?
- Yes; the Commonwealth is well able take necessary regional issues into consideration in its actions.
- Should an import permit be used to restrict a product from a particular region in Australia if it is determined on a scientific basis to be regionally free of a pest or disease, while still allowing general access to the Australian market?
- Yes compartmentalisation is an accepted OIE system for applying to imports and exports of commodities. The SPS and TBT Agreements include second tier provisions.
- Are there other models (either domestic or international) for jurisdictional or legislative arrangements which could be more effective?
- The system used 1908-1995 for sharing the quarantine and export responsibilities was effective in ensuring quarantine functions were delivered effectively.

C3. Jurisdictional and institutional arrangements

64. Australia’s current quarantine and biosecurity system is based on cooperation and shared responsibility between governments, industry and the public. Governments work together to implement the overlapping jurisdictional arrangements set out in Part B.

Questions:
- Is the division of roles and responsibilities between government, industry and individuals appropriate? Are they working well in practice?
- All must share responsibility for quarantine / biosecurity. In general vocal dissenting stakeholders, such as NGOs and industries have too much influence over decisions which are made about exports and imports. Sharing of roles is important in operations in that the Commonwealth sets requirements, industry has a lead role in meeting requirements and States provide science and local knowledge. A level of co-regulation via quality assurance arrangements and independent audit is required.
- What measures should be used to ensure their effectiveness?
- WTO processes require decisions to be made on science and not expediency. Independent analysis, audit, benchmarking, performance measures and decision making is required.
- What other administrative models could be considered to implement quarantine and biosecurity policy?
- The system that will give greatest independence from industry and government interference will be in Australia’s best interest.
- Is there appropriate interaction between Biosecurity Australia, AQIS and the Product Integrity, Animal and Plant Health Division and other relevant...
Commonwealth and state and territory agencies?

- There is little interaction between AQIS and the other agencies which is accentuated by the fragmentary Commonwealth veterinary service; quarantine is the area most remote from the state and territory agencies. It is decided at the national/Commonwealth level with less recourse to the opinion, skills and resources of the States. The States has a crucial but sometimes invisible role in providing scientific support e.g. pathology services. The termination of the agency arrangement for quarantine and diminishing interest by governments in rural affairs, have reduced state veterinary services. The termination by the States of free pathology services to the farm sector has reduced the number of laboratory accessions and access to data for OIE disease status purposes.

There is concern that Australia may not be conducting sufficient examinations of cattle for BSE to maintain its lowest risk BSE status. The privatisation which is mainly focussed on companion animals has impacted on staffing, training and resources. This must be addressed in the context of biosecurity, surveillance and early detection and has left Australia with an ageing group of pathologists. Early action is needed to ensure that replacements are trained. The AVA supports the Pathology Initiative.

- Maintenance of a contemporary database on animal diseases that can be accessed via a single website would also boost the pathology initiative. This could be linked with NAHIS and create an invaluable tool that could be utilised from anywhere in Australia. Funding of such a resource would quickly repay the investment.

The Australian Governments approach of having AQIS, Biosecurity Australia and the Product Integrity, Animal and Plant Health Division as partially separated agencies/entities contrasts with structures used elsewhere. See comments above on interactions between AQIS, BA and PIAPH.

65. The AVA sees some value in Biosecurity Australia being a “prescribed agency” within the Department of Agriculture, Fisheries and Forestry. This gives a degree of independence in providing science-based advice and audit independent of export interests or domestic industry pressures.

66. The AVA feels that the Review should re-examine Nairn review recommendations on an independent statutory authority which would subsume the roles currently undertaken by the various agencies within the Department of Agriculture, Fisheries and Forestry that perform roles related to quarantine and bio-security.

67. The AVA notes that the Australian arrangements have occasionally been subject to claims by trading partners of appearing to be subject to political pressure which is precluded under the SPS Agreement. This needs to be addressed if Australia is to avoid further challenge in WTO Dispute Settlement Panels by public statements by some members of parliament in the past.

68. There is an argument that decisions being made which could affect the health of Australians, important agricultural commodities or damage the environment, and involve judgement should be taken by a democratically elected Minister on advice and subject to Administrative
Decisions Judicial Review. This has to be balanced by the fact that ministerial decisions will be based on politics and defence in WTO panels. Decisions based on science may well be impossible. There may be a role of the Eminent Scientists Group.

69. Ministers are subject to direct political pressures and it is difficult to avoid the perception that decisions are influenced by matters not relevant under Australia’s treaty obligations and domestic legislation. The notion of an independent Tribunal/authority subject to judicial review needs to be considered along with other options.

Questions:
- Should the current approach, which separates the roles and responsibilities of AQIS, Biosecurity Australia and the Product Integrity Animal and Plant Health Division, be integrated?
  - Not necessarily, only if outcomes cannot be achieved by current structures. The needs to be a high level oversight of quarantine objectives and science, in the animal health area this should be the CVO. The real organisational problem is in AQIS where the complex matrix management system creates confusion and lack of accountability particularly when associated with regular rotation of staff. Corporate knowledge and memory are devalued.
- Should the quarantine and biosecurity function be integrated within the Department of Agriculture, Fisheries and Forestry, or exist as a separate agency (statutory authority)?
- Creation of a statutory authority would not of itself address the problems. A statutory authority appropriately established might assist with diluting the perceptions of political and industry interference in quarantine decision making held by trading partners. The full implications of such arrangements should be explored with stakeholders to ensure that arrangements are optimised.
- Should the same regulatory agency deal with both exports and imports? There is a need to have balance between decision making on imports and exports that establishing two separate bodies would lead to inconsistency in decision making; balance has to be maintained. Negotiations with other countries on animal health conditions / import and export protocols have to be consistent. The same agency should perform both roles as this has worked well in the past.
- Is the current decision making role of the Director of Animal and Plant Quarantine appropriate?
- There has to be one decision maker; whether this is in an independent office or a person in DAFF. There has to be an appeal mechanism and the ultimate access by those affected by decisions to courts will always exist.
- Is it appropriate for the Director of Animal and Plant Quarantine to also be the Secretary of the Department of Agriculture, Fisheries and Forestry?
- This is dependent on the nature of the appeals process and the final appeal to the court system. Over rule of a quarantine decision will not, of itself, affect the decision of a WTO Dispute Settlement Panel.
- Who should have the ultimate decision making power on risk policy and import permits – a Minister or an independent public servant or statutory authority?
- The system chosen should be the one that will give greatest independence to the decision maker; independent of government and industries.
- How should wider consumer and economic interests (a national interest test) be incorporated into such decisions (subject to consistency with international obligations)?
  The government has opted for the WTO system of regulating imports and exports which leaves little room for national interest tests unless major
injury to an industry is likely. In which case a Productivity Commission Inquiry would be required. Prior understanding of the economic consequences of imports, even if inevitable, allows planning and minimises crises.

70. AQIS has a role in implementing and administering quarantine and biosecurity controls at Australia’s borders but also helps to facilitate trade for both imports and exports of agriculture products by providing inspection and other services.

Questions:
- Do any conflicts result from AQIS’ joint responsibilities of facilitation and regulation?
- No serious conflicts emerge. BA handling of access requests and negotiations for export access takes responsibility out of the AQIS roles.
- Should the regulator also be a facilitator?
- Yes, inclusion of more agencies in the area is not required.

C4. Culture, efficiency and resourcing

71. The AVA notes that Australia’s quarantine and biosecurity system, including its export operations, is funded through a mixture of government funding, cost-recovery, and cost sharing mechanisms. Cost recovery is undertaken in line with the Australian Government Cost Recovery Guidelines and in consultation with industry consultative committees.

72. Some private facilities are used to manage quarantine and biosecurity risks. These have to be inspected and audited and be directly related to the level of risk. The results of inspections and audits need to be published on a website.

Intervention targets

73. AQIS performs its functions alongside, and/or as an agent for, other agencies, particularly the Australian Customs Service, Department of Health and Ageing, Department of Immigration and Citizenship, and Food Standards Australia New Zealand.

The May 2001 Budget, responding to a foot and mouth disease outbreak in the United Kingdom, provided Increased Quarantine Intervention – a funding package, to strengthen border agencies, with the following policy aims. The details are specified in the Issues Paper and are all related to border operations. This would have improved detection and deterrence by some percentage points only. Little if any resources were given to pre-border and nothing was given to the post-border (State) part of the continuum.

74. The Government introduced intervention and effectiveness targets to measure the success of the Increased Quarantine Initiative funding. Intervention refers to the application of a specified set of quarantine activities to determine the status of goods of quarantine interest. Effectiveness refers to the success rate of the intervention procedure. This was done by the ANAO review. There is no evidence
that high level intervention has achieved very much except for drugs and other contraband; it is believed quarantine objectives can be achieved by other means.

75. This has limited AQIS ability to base intervention strategies on management of risk because intervention levels must be met.

76. Resources allocated to the airport arrival area, need to be balanced against the need to areas of the greatest risk. Should more resources be allocated to the pre and post border monitoring programs, which as part of the continuum, mean AQIS, becomes a better new veterinary umbrella body, working with other agencies inside and outside the Commonwealth sphere of responsibility.

Questions:
- Are resources available to Australia's quarantine and biosecurity authorities deployed across the continuum to the areas of highest risk/return?
- More resources are needed pre and post border and less at parts of border inspection. More pre border resources and better coordination of Commonwealth veterinary resources should have had EI on high alert at the time horses were being introduced. The ANAO looked at deployment of quarantine resources based on assessed risks. This principle should be employed.
- Is the emphasis on screening international air passenger arrivals, air cargo, sea cargo, ships/passengers/baggage at seaports from overseas and international mail consistent with risks and returns?
- The level of scrutiny of passengers, in what is a highly controlled environment, needs to be balanced against the risks associated with air and sea cargo and international mail.
- Is there sufficient development of, and reliance on, pre-border intelligence?
- Reliance appears to be placed on OIE reports of disease outbreaks. Delays occur as countries need to be sure of diagnoses. BA is aware of surveillance, diagnostic and reporting mechanisms in many countries. This is supplemented by informal contacts and intelligence provided by Veterinary Counsellors and others in Australian missions. AQIS veterinarians need to have a similar level of awareness to complement BA efforts and to respond to changes in status. There needs to be a discursive relationship between AQIS, PIAPH (office of the CVO) and BA. Allocation of resources to pre border risks would focus on poorly reported risks and complications such as EI being rampant overseas due to virus mutation and vaccine inefficiencies. Return to pre-border examinations of first time imports and for major high risk commodities is suggested. The practice of examination and approval of PEQ premises or confirmation / audit of those approved by the authorities of the exporting countries should be restored.
- Are there opportunities for greater alignment between pre-border application and information requirements for quarantine, customs and immigration to streamline processes and enhance risk management? Yes, see above.
- Could there be opportunities for greater rationalisation of staff, IT systems and screening investments?
- Yes by reviewing the 81% passenger search; it would also assist tourists’ view of Australia’s welcome.
- Is there sufficient priority given to monitoring and surveillance post-border? Who should provide these functions and resources?
- No; there is a need to involve all levels of government and the livestock and plant industries i.e. demonstrate commitment to the quarantine continuum.
Surveillance to affirm Australia’s disease status is required by OIE Codes. It is also necessary for early detection of diseases and rapid response. Government and practitioner surveillance programs need to be upgraded. The AVA supports the Pathology Initiative being coordinated by Animal Health Australia. Without it the ongoing loss of pathologists will place Australia in a vulnerable position. There needs to be more community service obligation funding of surveillance given that zoonoses are involved and there is benefit to all Australians.

- Do the arrangements to recover costs of aspects of the quarantine and biosecurity system appropriately reflect the balance between public interests and private benefits?
- Charging review committees between AQIS and stakeholders need to meet regularly and update fees and methods of charging. $10 per day for a multi-million dollar horse is not realistic. It does not allow addressing of the real risks e.g. by 24 hour supervision of the station and the animals, nor daily reporting of essential diagnostic criteria.
- Are there alternatives which would provide improved incentives and resources to better reflect the balance of national interests?
- National interests should only expect a proportion of costs to be recovered and 50:50 might be a starting point.
- Does cost-recovery have an impact on the ability of AQIS staff to deliver public good outcomes?
- Yes directly and indirectly in that there is little cooperation and working relationships with other agencies and industries also responsible for post border controls. Charging Review Committees need to meet and review fees regularly. The low fees and resulting limited resources at ECQS impacted on the EI escape.
- Does cost-recovery limit monitoring of pests and diseases at the border, for example where the product is treated or destroyed to minimise the costs to the importer?
- No.
- To what extent and under what conditions is it appropriate to use private facilities in the quarantine and biosecurity system? Are the current monitoring, auditing and supervision arrangements for public and private quarantine facilities effective?
- Private facilities can work effectively if other agencies and industry are part of the responsibility and there is independent auditing. However there need to be public facilities to avoid monopolies or conflicts of interest and to ensure that all have an opportunity to participate. Private horse quarantine facilities may not be available for events of national interest e.g. horses returning from international competition. Reliance on private facilities alone could also lead to deliberate exclusion of some animals.
- Are the current import and export certification processes, the auditing of those processes in their application, and the surveillance of their operation, appropriate?
- No; there are too few appropriately trained personnel involved in auditing. Can the administration of import and export certification arrangements be streamlined?
- Yes; the application of good risk management principles could streamline the processes.
- Regulatory service structures are needed. Matrix management is contraindicated in quarantine and exports service delivery. Skills, training and accountability are necessary. Are the requisite skills and disciplines available to deliver optimal quarantine and biosecurity systems?
- Yes.
- If not, what are the highest priority areas? Is the education and training of personnel with these skills adequate? If not what are the highest priority areas?
- No; lessons from EI and the management of ECQS indicate that more use of professionals and appropriate trained personnel is needed.
- Is infrastructure such as diagnostic laboratories and containment facilities adequate to meet quarantine and biosecurity needs? If not what are the highest priority areas?
- Staffing of veterinary laboratories is inadequate to ensure all exotic diseases are adequately staffed, equipped and ready to undertake diagnostic tests. See comments re the Pathology Initiative. Laboratory accessions have reduced to the level where services and surveillance are weak. Expensive pathology may cost more than can be justified by the value of the animals involved. Yet it may be essential to the national interest. Return to either free or heavily subsidised animal pathology is recommended. This would stimulate recruitment and training of pathologists as well.

C5. Communication and consultation

77. Engagement with industry and the public on the development and implementation of quarantine and biosecurity policies and communication with interested parties is crucial in the process for Import Risk Analyses.

78. Biosecurity Australia’s consultations with domestic and international stakeholders increase the transparency and rigour of risk analyses.

79. Reference is made to the role of the Quarantine and Exports Advisory Council and whether an alternative approach would improve the system.

80. The AVA supports AQIS and Animal Health Australia and Plant Health Australia community education and awareness campaigns.

Questions:
- Australia’s ALOP is very low, but not zero. Is this understood in the relevant communities?
- No; industries want zero on imports and high on exports. ALOP is important because Australia can set its own conservative standards under WTO rules provided that it is consistent. Wider understanding of ALOP is essential.
- What mechanisms could be adopted to improve communication of this policy setting? For example, are there opportunities that Australia should be pursuing with trading partners to improve the understanding of Australia’s quarantine and biosecurity system?
- Biannual biosecurity fora are held. These and similar events must be used to have stakeholders understand the ALOP. It is seen as threatening but, being self-setting, operates in Australia’s interests. Internationally Australia’s system is seen as politically set and this perception has to be changed if trading partners are to believe Australia’s system is fair and scientifically based. Participation in multilateral fora such as WTO, FAO and OIE help to achieve understanding in this matter. Participation in non-government multilateral fora can also assist. The AVA is a member of the World...
Veterinary Association, The Commonwealth Veterinary Association, the Federation of Asian Veterinary Associations and of the International Veterinary Officers’ Council and can assist in this regard. Transparent decision and priority setting structures and processes will also assist.

- Are the various industry consultative arrangements with AQIS appropriate and effective?
  - Yes
- Is the Quarantine and Exports Advisory Council an effective forum for advising the Minister and Director of Animal and Plant Quarantine of quarantine and biosecurity issues?
  - No it is not seen as representative or accountable. Reference is made to this above. The Biannual biosecurity fora are seen by some as illustrating Australia’s dichotomous positions regarding imports and exports.
- Are the consultative arrangements used during import risk analyses appropriate and effective? Are the outcomes of import risk analyses effectively communicated to domestic and international stakeholders? The consultations are adequate and the outcomes are well communicated. Outcomes must be accepted by the stakeholders including the livestock and plant industries.
- Are current quarantine and biosecurity education and awareness programs effective?
  - Yes
- What methods can be used to assess the effectiveness of quarantine and biosecurity communication?
  - Surveys and focus groups involving farmer organisations in particular, but also other relevant groups and the community. Results of surveys must be made available through a website.
- Are existing communication tools to encourage the reporting of suspected exotic pests and diseases, such as the Spotted Anything Unusual? Effective?
  - Yes

C6. Research

81. Australia’s research programs in animal and plant health are well documented in the Issues Paper. The AVA points to the need for Australian research and the need to adapt the outcomes of overseas research to the Australian situation.

82. Comment need not be made on the importance of research on risk analysis methods. The Biosecurity Cooperative Research Centre and the Centre of Excellence for Risk Analysis strengthen the integrity of Australia’s import risk analysis process. The importance of the research and diagnostic work undertaken at AAHL and the state laboratories has been well demonstrated by the EI outbreak. These need to be supported.

Questions:
- How should the effectiveness of research on quarantine and biosecurity issues be evaluated?
- Where evidence is needed to support risk analysis, decisions on contentious access requests or operational needs, research should be undertaken. Research was done on PRRS virus to support the pigmeat import risk analysis and subjected to peer review.
- Is research appropriately funded, coordinated and prioritised?
- No, there is very little expenditure on research that would enable Australia’s position to be more adequately explained to industries and trading partners.
- Is the distribution of the research effort appropriate along the quarantine and biosecurity continuum?
- Very little research is being undertaken on behalf of quarantine interests.
- What methods could be used to set and review research priorities across the continuum?
- Calls for submission of projects on areas where contentious decisions have to be made.
- Who should establish and review research priorities?
- BA could do this in consultation with stakeholders and have it assessed by the Expert Scientists Group.
- In the context of competing research priorities, is sufficient emphasis given to research on new technologies for use in quarantine and biosecurity, including as control measures, in product integrity, and certification systems?
- No most quarantine decisions are based on research directed to other purposes.
- In the context of competing research priorities, is sufficient emphasis given to research on risk analysis methods?
- More could be done on this along with work to communicate with industries about what risk analysis, management etc mean.
- How effectively is new information from research activity incorporated into Australia’s risk management measures?
- See above.
- Are there any critical information or knowledge gaps that can be remedied to support better research and policy outcomes?
- These can best be examined by BA in consultation with Import Risk Analysis Panels
- Who should pay for quarantine and biosecurity research?

This is a national interest area to be paid for publicly to ensure there is no bias in the research and ensure results are credible. Industry R&D corporations will have a stake in this research and would pay for research of immediate priority to the industry. This may not coincide with research being done by or for quarantine functions. Desk research is appropriate.

C7. Review

The importance of regular reviews to Australia’s quarantine and biosecurity policies and systems cannot be overstated. Appeals mechanisms and audits are essential to the policy / market access decisions but also to operations. The matter of Decisions made under the Quarantine Act 1908 not being subject to merits review but only to judicial review under the Administrative Decisions (Judicial Review) Act 1977, “needs” review. Stakeholders are interested in the review / appeal process.

Questions:
- Are existing monitoring and review mechanisms for quarantine and biosecurity policy and operations appropriate and effective? If not, what options should be considered, and why?
- Externally Australia is perceived internationally as politically manipulating quarantine decisions to local pressure groups. Establishing a truly independent system with an appeal process would assist in this. See comments above.
- Who should conduct reviews?
- Independence from government and industry influence is essential.
- Have the findings from recent reviews of policy and operations been adequately addressed and implemented?
- The recommendations of the Nairn Review have been implemented with the exception of the creation of a statutory body which he called “Quarantine
Australia” The operation rather than the system failed in the release of EI virus and improper certification of cattle to New Caledonia.

Is monitoring of the quarantine and biosecurity continuum targeted at the right areas (e.g. primarily at the border)? Is there a process to ensure that the results of monitoring are being used effectively to improve the operation of the system?

The results of monitoring are not transparent. The AVA believes that there is too much reliance on border operations to protect Australia’s favourable animal and plant health status and more attention to pre and post border quarantine will provide better long term assurance and protection.

Australian Veterinary Association
April 2008