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CC Senators Heffernan, Milne and O'Brien.

**Comment on Revised Draft Import Risk Analysis Report
for Apples from New Zealand**

Dear Sir or Madam

I am a relatively new grower of organic apples in Tasmania. I make the following brief comment on the proposal to import apples from a country containing diseases not present in Australia. This is a short comment for reasons of time.

I have read the three volume report Revised Draft Import Risk Analysis Report for Apples from New Zealand Dec 2005.

I am interested in maintaining the disease free status of Tasmania and indeed Australia and am a strong supporter of our responsible Quarantine provisions that seek to protect our country. I also support the retention of biological diversity and the honouring of our international obligations where they are sound and wise.

I do not support the conclusion and the proposal that Australia allows apples to be imported into Australia from New Zealand. I urge Australia to reject the application. It has already cost a fortune and wasted a lot of time.

This proposal has been unreasonably and incautiously dressed up to be scientifically sound through this report that contains often vague prescriptions, self regulatory assumptions, best practice assumptions, remote scientific studies and sometimes unsubstantiated claims.

I consider the Biosecurity Australia proposal to allow potentially diseased apples into Australia, in the first instance from New Zealand (NZ) - and then of course from a bevy of other countries which have poorly managed industry excesses - incredibly unwise and incautious. So will most thinking Australians. If NZ can flood 200 million apples into Australia then just imagine how many the USA could send in our off season and the further substantially increased risk from that enormous amount of fruit. The precedent would have been set to allow it.

The fact is that Australia is currently talking about opening its doors to a range of diseases and pests without good reason and with no demonstrated social benefit. Indeed I would argue that clearly a net disadvantage results. Free trade and globalisation is okay if you are

philosophically disposed to ignoring the consequences of shipping food and other stuffs around the world but where such actions have a serious impact on the environment such as plant health and biodiversity then the mantra becomes seriously deficient.

I do not see my role as providing an editing service for Biosecurity Australia. Nor is it appropriate that I simply point out all the errors deficiencies and failings of the draft document.

I will say that it is clear from the way the report is structured that Biosecurity Australia has been told to work out a way of ensuring the NZ apples are imported into Australia. That I regard to be an untransparent situation.

I am particularly concerned with the potential for the introduction of the bacteria fireblight (*Erwinia amylovora*) into Australia. The introduction of this bacterial disease would be disastrous. I liken it in severity to the recent introduction of the Fox into Tasmania. How would Australia remove fireblight if it became infested. Could we do that successfully? What is the chance of it not being detected early enough because there are a range of vectors?

How many countries have fireblight? How many countries have managed to remove fireblight from their land? Is the UK, a much colder place, removing it for example? What would be the cost to Australia in the event of an introduction? Why are NZ's apple exports considered more important than proper caution by Australia that guarantees our continued disease free status?

I do not consider the measures proposed to be even remotely adequate. I have no confidence that the systems proposed would guarantee protection. Indeed I wish to know who would be available to be sued should such measures fail? If the answer to my last question is that no-one should be identified as being liable then I would argue that you have no confidence that diseases and pests will not be introduced by using the measures that are proposed. Only by building in a litigation pathway for the potentially affected to have genuine legal remediation would the slightest skerrick of confidence appear on the horizon.

It is interesting that there are no studies or indeed deliberation presented in the report to determine the impact on Australian native flora of the pests and diseases that may be introduced. I regard this as a breach of our national and international obligations regarding biological diversity.

It is also interesting that the plight of the organic producer is not considered. How do organic apples get treated? How do the NZ organic producers get their opportunity to send organic apples to Australia and would they be disadvantaged? And what about organic growers in Australia who may end up with fireblight infested trees, how do they manage their orchards with the extra diseases and pests?

Has global climate warming and climate change impacts been considered in the risk analysis? Fireblight is sensitive to climactic factors and Australia is warmer and getting warmer. What is the risk here?

The prescriptions for inspection and control are vague and hence virtually useless. There seems to be an amount of self regulation in NZ in order to achieve adequate systems and hence many assumptions have been made. That is not appropriate.

Why would Australia consider a minimum standard of care as suggested on P7 of Part B, suggesting that the trade is very important? Why? Will Australians starve without NZ apples? No. So what is it that makes it so important - globalisation? My Shorter Oxford

does not even have the word, 'globalisation'. I contend that free trade fails our national interest, an interest defined by our large isolated continent and small population.

Why would the apples be free of trash? The analysis should include trash. Are the definitions provided adequate? No. Check out the list of terms on p315 of Part B. No definition of stalks which are excluded from the trash definition. No definition of apple. No definition of the bee. Staggering. No definition of organic agriculture. Fascinating. Additionally some of the definitions are wrong or inadequate. The inadequate definition of 'symptomless' appears to be a particular concern.

When does an application for import of fruit expire? This NZ application was made in 1999. Fascinating that a six year old application is still being considered current. Why? I suggest that a six year old application is one that is now out of date and should be discarded as such. I call for it to be discarded. I seek a copy of the Import Risk Handbook 2003.

I seek to be informed of the future consultations on this subject. I seek to be advised regarding any other applications that have been received to import similarly potentially contaminated fruit.

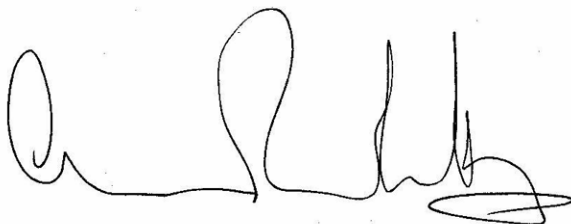
In summary I am totally opposed to introducing a substantial quantity of fruit into Australia that is grown in an environment (such as NZ) subject to diseases that are not currently in Australia. I do not consider that the current draft risk analysis to satisfy an adequate duty of care and believe that this can be shown.

The scale is important because as you increase the importation volume you increase the risk.. Two hundred million NZ apples and it only takes one apple or a piece of trash to introduce a disease like fireblight and if this proposal gets up who is to say that there may not be double that figure imported.

It is very unfortunate that in the whole of the documentation provided there has been no transparent process described and incorporating a timeline for public comment and what subsequent steps must be taken in assessing and possibly approving the application and what public comment opportunities exist. I seek that information be supplied. I regard the description on P19 of Part A to be not adequate. If indeed P19 describes the whole of the process from here on, it is clear there is no proper third party right of appeal to an independent body. Clearly this is a breach of natural justice.

I await your reply and look forward to Australia rejecting the NZ application to import apples. We have had them banned since 1921 and rightfully so. Keep fireblight out of Australia the best way: don't import it.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Ricketts'. The signature is fluid and cursive, with a large initial 'A' and a distinct 'R'. It ends with a horizontal line and a small loop.

Andrew Ricketts