



EXPORT ADVISORY NOTICE 2014 - 16		13 November 2014
Title:	Legislative changes to the Exporter Supply Chain Assurance System application and assessment process	
Species:	Feeder and slaughter livestock	
Country:	All	
Relevant to:	1. Livestock exporters 2. Department of Agriculture Live Animal Exports Officers 3. LiveCorp and ALEC	

Purpose

To advise all exporters of amendments to the *Export Control (Animals) Order 2004 (Order)* that will change the way Exporter Supply Chain Assurance System (**ESCAS**) applications are received, assessed and charged by the Department of Agriculture.

Background

The current version of the Order (as at 14 November 2014) requires exporters to submit a Notice of Intention to export (**NOI**), Consignment Risk Management Plan (**CRMP**) and ESCAS application for each consignment of livestock exported.

This process is administratively burdensome, as it often results in the same information being submitted and assessed for multiple consignments. Separation of the ESCAS from the consignment approval process has been identified as a reform that will significantly reduce administrative burden without impacting on animal welfare outcomes.

Under the revised Order (effective from 15 November 2014), ESCAS applications will be considered independently of the NOI/CRMP applications. Exporters will now be able to submit a single ESCAS application for each destination market that may include multiple importers and facilities. This will facilitate easier transfer of livestock between facilities included in the approved ESCAS.

The principles of ESCAS are unchanged. Applications will still be required to demonstrate that livestock to which the ESCAS will apply will be transported, handled, slaughtered and subjected to any other related operations in accordance with relevant OIE recommendations. Approved supply chains will be allocated a **Supply Chain Number (SCN)**.

The revised Order includes:

An ESCAS must:

- (a) *set out an outline of the details of a supply chain that will apply to exports of a particular species of live-stock to one or more specified ports, up to and including the point of slaughter, including details relating to the following matters:*
 - (ia) *the species of live-stock;*
 - (i) *the port or ports of arrival;*
 - (ii) *transport, handling and slaughter of the live-stock;*
 - (iii) *feedlots;*
 - (iv) *identification, tracking or accounting and reconciliation of live-stock;*
 - (v) *independent auditing and reporting in relation to matters referred to in subparagraphs (ia), (i), (ii), (iii), (iv) and (vii);*
 - (vi) *access to premises;*
 - (vii) *any related operations and facilities; and*
- (b) *be accompanied by any documents or information evidencing the ESCAS that the Secretary requires.*

Instructions

ESCAS applications

1. From **15 November 2014**, exporters will be required to submit ESCAS applications separately from NOI/CRMP applications.
2. ESCAS applications will set out the details of a supply chain used for consignments on an ongoing basis, rather than being assessed in relation to each consignment to be exported. Exporters are still required to have an ESCAS in place for all exports of feeder and slaughter livestock.
3. Exporters should include the following in their ESCAS application:
 - The market and species to which the ESCAS will apply.
 - If referring the department to details contained in an ESCAS that has previously been approved:
 - Sufficient detail to identify the relevant approved ESCAS (such as LNC number, **SCN** and variation number; or
 - IPAR reporting period and supply chains.
 - independent audit reports for each facility in the proposed supply chain.
 - documents that demonstrate control and traceability arrangements. This could be supported by providing:
 - control and traceability declarations (a revised declaration can be found at **Attachment 1**);
 - agreements between the exporter and importer(s) or facility operators confirming animal welfare, control and traceability requirements can be met; and/or
 - a management strategy or similar that outlines how requirements for animal welfare, control and traceability will be met.

- Details of any upcoming consignments that the proposed ESCAS will apply to. This will allow the department to effectively prioritise assessments.
4. Exporters must submit ESCAS applications either:
 - no later than 10 working days prior to the date of the proposed export; or
 - in cases where the importing country requires pre-export quarantine, no later than 10 working days prior to the commencement of that quarantine.
 5. ESCAS applications can be submitted to the following email address livestockexp@agriculture.gov.au. Exporters will receive an acknowledgement receipt when applications are submitted.

Other Information

Outcome of Assessment

If the application is approved the exporter will be notified in writing. ESCAS applications may be approved subject to conditions. The conditions applied to the approved ESCAS may relate to the operation of the ESCAS, the number of consignments to which the ESCAS may apply, publication of information or any other matter the decision maker considers appropriate.

Transitional Arrangements

When submitting an ESCAS application, exporters may refer the department to details contained in an ESCAS that has previously been approved (as per point 3 above).

An ESCAS that was approved before 15 November 2014 continues to apply to the consignment of livestock for which the ESCAS was originally approved. This means that any livestock alive in existing supply chains at 15 November must be managed in accordance with the original ESCAS approval.

However, exporters may request that an existing approval be **varied** so that livestock that are alive in existing supply chains can be subject to the new ESCAS approval.

Variations to an approved ESCAS under the revised Order

Exporters may apply to vary an ESCAS approval to add or remove importers or facilities, to change processes at approved facilities or to vary the conditions imposed on an approved ESCAS.

Exporters should include the following in their ESCAS variation application:

- The supply chain number (**SCN**).
- The details of the variation, e.g. addition or removal of importers/facilities.
- If referring the department to details contained in an ESCAS that has previously been approved:
 - the relevant LNC number and variation number; or
 - IPAR reporting period and supply chains.
- independent audit reports for new facilities or changed processes at facilities in the approved supply chain.
- documents that demonstrate control and traceability arrangements.
- details of any upcoming consignments that the proposed ESCAS variation will apply to.

To add facilities, exporters will be required to provide an independent audit report for the facility

and demonstrate control and traceability (this could be in the form of an amended control and traceability declaration). The independent auditor will not need to list the whole supply chain in the report, only new facilities need to be listed.

Variation applications can be submitted to the following email address livestockexp@agriculture.gov.au. Exporters will receive an acknowledgement receipt when applications are submitted.

NOI and CRMP Applications

All livestock exporters are required to submit an NOI (and CRMP for livestock exported by sea) to the department for each consignment of livestock exported.

For feeder and slaughter livestock, exporters are required to have an approved ESCAS which applies to the destination market. The NOI application for each export must refer to the applicable approved ESCAS. The importer(s) nominated in the NOI must be listed in the approved ESCAS.

Exporters must submit NOI and CRMP applications either:

- no later than 10 working days prior to the date of export; or
- when the importing country requires pre-export quarantine, no later than 10 working days prior to the commencement of that quarantine.

Charges

Export services are charged in accordance with *Export Control (Fees) Order 2001*. ESCAS assessments will be charged in accordance with Schedule 4, item 1B, a rate of \$116.90 per quarter hour.

Services provided by the department for the export of livestock by sea or air will be charged at the tier or quarter hourly rate that applies to the export. The *Export Control (Fees) Order 2001* can be found at <http://www.comlaw.gov.au/Series/F2001B00473>.



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Attachment 1: ESCAS Control and Traceability Declaration

**Exporter Supply Chain Assurance System (ESCAS) Control and Traceability Declaration
(Version 2)**

I am in management or control of the below licensed livestock exporter.

Licensed livestock exporter:	Name
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Export Licence Holder No:	Number e.g. L000
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The licensed livestock exporter has applied for approval of the ESCAS incorporating the following supply chain:

Importer and Address:

<i>Importer, Address</i>

Quarantine Facility/Feedlot(s)/Depot(s) and Address:

<i>Quarantine Facility/Feedlot(s)/Depot(s) and Address</i>
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Abattoir(s) and Address:

<i>Abattoir(s) and Address</i>

I declare that the exporter's ESCAS includes control and traceability arrangements to ensure that:

- the livestock will be transported, handled, slaughtered and subjected to any other related operations in accordance with relevant OIE recommendations;
- livestock will only be moved to facilities listed in the ESCAS and movements of livestock between the listed facilities will be recorded and reconciled;
- any loss of livestock from listed facilities is recorded, and reported to the exporter immediately.

I am aware that:

- it is a criminal offence under the *Criminal Code Act 1995* to knowingly give false or misleading information to a Commonwealth officer exercising powers under Commonwealth law;
- the control and traceability arrangements for the above supply chain may be audited.

I am able to provide all information demonstrating the control and traceability arrangements for the above supply chain upon request by the Secretary.

Signed:	
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Name:	
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Date:	
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