



**DEPARTMENT OF AGRICULTURE AND WATER RESOURCES
CARGO CONSULTATIVE COMMITTEE**

MINUTES

82nd DCCC Meeting

Thursday, 21 March 2019

Department of Agriculture and Water Resources, Canberra

Agenda Item 1 – Chair’s Introduction

Present

Dean Merrilees	Department of Agriculture and Water Resources (Chair)
Andrew Patterson	Department of Agriculture and Water Resources
Jagtej Singh	Department of Agriculture and Water Resources
Linda Jennings	Department of Agriculture and Water Resources
Caroline Martin	Department of Agriculture and Water Resources
Lee Cale	Department of Agriculture and Water Resources
Julie Weymouth	Department of Agriculture and Water Resources (Observer)
Jo Laduzko	Department of Agriculture and Water Resources (Observer)
Brendan Finch	Department of Agriculture and Water Resources (Observer)
Grant Philpott	Department of Agriculture and Water Resources (Observer)
Carolyn Macgill	Food and Beverage Industry Australia
Dianne Tipping	Export Council of Australia
Peter van Duyn	International Cargo Handling Coordination Association
Paul Damkjaer	Customs Brokers and Forwarders Council of Australia
Andrew Crawford	Freight and Trade Alliance
Rod Nairn	Shipping Australia Limited
Stuart McFarlane	Australian Federation of International Forwarders (Observer)
Zoran Kostadinovski	Customs Brokers and Forwarders Council of Australia (Observer)
Andrew Curdie	Qantas Airways Limited (Observer)
Julie Craig	Freight and Trade Alliance (Observer)

Apologies

Peta Lane	Department of Agriculture and Water Resources (Chair)
Brian Lovell	Australian Federation of International Forwarders
Paul Bagnall	Conference of Asia Pacific Express Carriers
Craig Birchall	Board of Airline Representatives

Secretariat

Dale Loughton	Department of Agriculture and Water Resources
Amy Mason	Department of Agriculture and Water Resources

Agenda Item 1 - Chair's introductions

Mr Merrilees welcomed members and observers to the 82nd DCCC meeting.

Members noted that proceedings of the DCCC are confidential. Any information discussed beyond what is publicly recorded on the meeting minutes is not to be shared.

No conflicts of interests were identified.

Members noted Mr Merrilees is working offline until mid-May 2019, heading a BMSB Taskforce. Caroline Martin is acting Assistant Secretary, Compliance Controls.

1.1 Minutes from previous meeting

The previous meeting minutes (DCCC 81) were accepted by members without change, and will be published on the department's website.

Mr McFarlane noted the delay in the Secretariat in providing members with the DCCC minutes from Meeting 81.

1.2 Action items

Ms Loughton provided an update on action item 5a from the previous meeting regarding issues with invoices not including the broker reference number. As of November 2018, invoices/statements now provide the following information:

- Tax Invoice number
- Entry number
- Broker Code
- Arrival Date
- Arrival Mode
- Reference number
- Branch
- Vessel (if applicable)
- Master Identifier
- Voyage/Flight (if applicable)
- House

Should the data entry officer/client not list a broker reference, then the Department of Agriculture and Water Resources' (the department) system will not display the reference number.

Mr Kostadinovski reported that the issue with the broker reference number has improved, raising a separate issue with post entry payment by a third party Integrated Cargo System (ICS) not appearing on statements, noting this can take up to five weeks.

Action: Secretariat to seek further details from Finance and Business Support regarding the delay in recognising payments made for post entry fees paid by third party ICS.

Members discussed the Summary Paper for identifying changes to BICON cases. Significant changes are notified to industry via an Industry Advice Notice (IAN), with responsibility also going to importers to follow BICON cases.

Action: Secretariat to contact the BICON team to send an Industry Advice Notice on how to register to receive information and use BICON.

Members agreed to remove action item 7 from meeting 78 for biofouling, with biofouling to be added to the agenda as a watching brief as/when required. Mr Merrilees reported that the department is in the process of developing a framework for Biofouling, similar to New Zealand's approach. There has been one round of consultation, with the department's Marine Biofouling Team, with a policy expected to be released by the next DCCC.

Agenda Item 2 – Industry Updates

Ms Tipping sought information on the new Next Export Documentation System (NEXDOC) that the department is building. Some information was provided at the last National Committee on Trade Facilitation (NCTF) meeting.

Action: Secretariat to include NEXDOC on the agenda for the next DCCC meeting.

Ms Tipping also noted interest in further information on the work going on with Border Permits across multiple Government departments, and whether the department is considering being involved in the review.

Members noted while there is no biosecurity implication, the current review is limited to Home Affairs' permit arrangements. The department is still interested in hearing what people have to say in the consultation process, however there is no further agenda to discuss expanding the scope of the review more broadly.

Mr Kostadinovski provided the following updates from Customs Brokers and Forwarders Council of Australia (CBFCA):

- CBFCA are keen to see the outcomes of the external review on Brown Marmorated Stink Bug (BMSB), in particular what information other areas in industry have raised and what the department is going to look at for solutions to facilitate trade.
- With more countries added to the department's target high risk list, CBFCA are keen to work with the department as this areas has a great impact to their members
- CBFCA look forward to the expansion of the AEP scheme and the opportunity to work with the department in the next 12 months
- CBFCA are working on Continued Biosecurity Competency (CBC) training delivery for better assessment and outcomes. The Biosecurity Awareness core unit for the Freight Forwarding Diploma may be removed, however CBFCA are working with the department to develop content for this critical training for freight forwarders, not just brokers.

Ms Weymouth reported that the department has consulted with different areas within department and highlighted unit development for freight forwarders, and requesting subject matter to be included. The department is waiting on feedback from the Industry Skills Council. CBFCA have also provided their views to the Industry Skills Council, with a meeting scheduled for late March.

Mr Van Duyn thanked the secretariat for coordinating the tour of the Real Time Tomography (RTT) Scanner at the Melbourne International Airport, with several members attending. There is still currently the need for human intervention, however the artificial intelligence will address this later with the development of algorithms.

Members noted the department is working on a Modern Seamless Border Clearance project, noting the RTT Scanner gives capacity to identify biosecurity risk material. DAWR is working closely with New Zealand Ministry for Primary Industries (NZ MPI) on the project, and are currently working on an algorithm for fruit ready to trial in April 2019, with algorithms for meat and vegetable to be trialled in August 2019. The department would like the machine for in-line baggage screening, where they will screen bags as they come in, with the passenger and bag flagged for diverting to a biosecurity desk for further intervention.

Members noted the department has a successful bid (one of five selected in Australia) in relation to biosecurity risk for sea containers as part of the Business Research and Innovation Initiative (BRII) program with Department of Industry. BRII will select the final proposals to be progressed and provide funding up to \$1M to help technology development.

Mr McFarlane provided an update on the enhanced air cargo screening requirements, noting that the implementation went better than expected following the concerns expressed at the last DCCC meeting on the impact of the requirements on airlines and airline operators. There were 44 off-airport regulated agents with screening equipment on 140 sites Australia wide, and 224 known consigners accredited over 310 sites. This has taken a lot of the load from CTOs.

The department has collaborated with Home Affairs to advise the export perishable sector on change of regulations. No negative feedback was received from exporters via freight forwarders or CTOs. From an airport and exports perspective, feedback from the department's Melbourne Airport Manager was that the transition was seamless. ECA reported of no complaints except for the cost, noting the need to be mindful of cost impacts on deals.

Home Affairs will be looking at the next phase in the domestic space in approximately 12 months.

Mr Curdie reported importers bringing in second hand goods (i.e. aircraft spares) and are subject to inspection 100 percent of the time, and cleared 100 percent of the time, asking if the department may look at the Trusted Trader space. Mr Patterson noted that he has a conversation pending with Mr Craig Birchall on this matter.

Action: Secretariat to include an update on the Highly Compliant Scheme on the agenda for the next meeting.

Agenda item 3 – Exports Legislation Review

Mr Finch reported that Agricultural Exports are currently administered by 17 Acts and over 40 pieces of legislation that regulate exports from Australia. The department is still working towards a March 2020 deadline for implementing the new legislation.

The department has commenced drafting the Export Control (consequential Amendments and Transitional Provisions) Bill as a separate bill to the Export Control Bill 2017 (the Bill) which is there as an enabling piece of legislation to support a seamless transition from the existing legislative framework to a new framework. This will provide the existing approval and permission to continue without disruption. This has not been fully drafted yet, or consulted on, but is expected to occur later this year.

There is extensive opportunity for industry to be involved in the consultation process in relation to the draft rules. Consultation on the draft meat rules was released in November 2018, with the department still dealing with feedback. Similar consultation is occurring now for milk, eggs and fish with staff in Melbourne, Hobart, Adelaide, Perth and Canberra.

Consultation on the rules commenced on 19 March 2019 on the department's 'Have Your Say' website. (<https://haveyoursay.agriculture.gov.au>). Submissions are open on the rules until Friday, 3 May 2019 via the website.

Industry consultation sessions are underway and have been well attended to date.

There are a number of commodity rules that are still under development including plant and plant products, poultry, wild game, wild game meat products, and wood. These rules are in draft and the department will be consulting on those as they become available throughout 2019, with a view to doing further consultation on the entire rules package towards the end of the year.

Mr Patterson reported there is a significant body of work underway in the Fit and Proper Person (FPP) space. FPP provisions exist in the current Bill and also the *Australian Meat and Livestock Industry Act 1997*. The department's focus is working with the policy owner on commodity groups to identify policy position with respect to who FPP provisions will apply to, and the nature of the test. As those positions are identified and written to the various rule types, there may be some feedback on the rules.

Mr Merrilees reported that an update on improvements to Agricultural Export Legislation will be provided to the DCCC later in the year.

Agenda Item 4 – Biosecurity Operations

4.1 Service Standards

Ms Cale reported that Assessment, Client and Quarantine Group (ACQ) has recently completed a restructure with Post Entry Quarantine moving out of the area and Import Services Team moving in. The Import Services Team provides administration of BICON and some tier one import permit processing for Biosecurity Animal and Biosecurity Plant Divisions.

On average there was a 22 percent increase in workload due to BMSB this current season, with very high workloads during October through January 2019 (Average 2200 Lodgement Reference Numbers (LRNs) received into ASG each day). Reports have also indicated a slight decline in staffing levels in the Inspection Services Group (ISG), due to staff movements and natural attrition.

Biosecurity Operations Division is looking at doing continuous recruitment with continued efforts to cross train staff to ensure a flexible workforce.

ISG had a larger spike in workload during the last BMSB season, with a 15 percent increase in workload, compared to a 12 percent increase this season. There has been a 27 percent increase in workload over the last two years that was BMSB related.

A large component of this significant workload was managed through overtime. From September 2018 through to January 2019 ASG worked over a total of 9,000 hours of overtime to deal with the increased workload. Ms Cale noted this raised concerns about Work Health and Safety (WHS) advising that such high levels of overtime to manage the increased workloads is not sustainable

The Inspector-General of Biosecurity (IGB) visited the department's South East Regional office and was shown the process for how ASG process entries, the use of the multiple systems, and the current statistics. The IGB's report has also indicated this was not sustainable.

The Client Contact Group (CCG) during the peak periods were taking an average over 900 calls per day, this is now down to around 700 calls per day. Many of these calls consist of people checking the status of their cargo and booking inspections. The calls are from highly agitated clients which is taking a toll on the staff. Ms Cale advised that staff are managing the calls as well as they can, but flagged concerns about potential stress related injuries given the high volumes and continuous exposure to abusive clients. While understanding the reason for client frustration with delays caused by BMSB, Ms Cale asked members for their assistance to help manage the level of anger that their members are expressing to CCG staff.

Service Standards:

-
- CCG did not meet any standards during the whole period due to the significant volumes of incoming calls as a result of BMSB, and have only just started to meet standards in the last week or so.
 - ASG, despite the volumes coming in, did meeting the Service Delivery Standards of 80 percent
 - ISG have struggled in Melbourne and Sydney with peak times reaching as high as eight days in waiting for an inspection. This has come down to around four days in both Sydney and Melbourne (one day outside of the Service Standards)
 - October 2018 to January 2019 the South East and Central East regions did not meet any Service Standards for inspections
 - December 2018 to January 2019 the North East region slightly missed the Service Standard for inspections
 - January 2019 the West region missed the Service Standards
 - ASG Exports met Service Standards since the last DCCC in November 2018

These problems for the department, particularly in December 2018, were exacerbated due to system outages mainly with S-Cargo. During system outages ASG are unable to continue to process entries, with a large amount of manual work involved, and a backlog of entries. Overtime hours were undertaken to address this.

ASG has recently been experiencing a welcomed decrease of LRNs from 2,200 entries per day to 1,700 entries per day. A spike in entries occurred again on Monday, 18 March, and again following an ICS messaging outage sent on Tuesday, 19 March with a rush of entries received as a result.

The number of complaints received this season has increased up to four times compared to last season. The department has also seen a spike in claims for Compensation for Detriment caused by Defective Administration (CDDA) with 14 claims received to date. There is a lot of resource effort with investigating each claim through the entire process of the entry. This takes the most experienced processing staff away from their business as usual activities in order to investigate the claims. To date, no CDDA claims have resulted in a finding of defective administration.

Members discussed the definition of defective administration, noting there was no legislative framework for conducting inspections and to meet the department's Service Standards.

The department advised that it is first and foremost a regulator and needs to do this in the most effective way possible. It was noted that Service Standards have to be unavoidably compromised when dealing with a risk as high as BMSB.

The department is trying in many areas to improve administration particularly when BMSB arises, with industry to also take appropriate responsibility.

Members noted the significant pressure that ASG and CCG staff are under with the increased workloads and complexities of this year's BMSB season. They acknowledged and thanked these staff for their extensive efforts.

Action: Secretariat to send members a link to Department of Finance's website for clarity on the CDDA Scheme and when this does/does not apply.

Ms Cale reported that ISG is considering moving some resources to peak areas in Sydney and Melbourne to assist with the expected workload for Mother's Day. The department had a similar arrangement in place for Valentine's Day, with the horticultural industry providing very positive feedback with how it went. The department is obtaining information from industry on expected consignments to plan for better coverage.

Mr Kostadinovski questioned how the department and industry will facilitate meeting the risks for the next BMSB season, noting this is a big challenge.

Mr Merrilees noted that the system at the moment is not workable to have an efficient mechanism to trade in and out of Australia, and the department needs to address some issues with industry and Home Affairs.

Mr Kostadinovski commended the department and staff that allow the fix of the issues when they arise.

4.2 Biosecurity Operations Improvements

Ms Cale reported that she is progressing some innovation work in ASG in attempts to automate some of the entry processing work in imports (and exports) to better manage the increased volumes. This involves a combination of Optical Character Recognition (OCR), Robotic Process Automation (RPA), Natural Language Processing (NLP) and also artificial intelligence and machine learning. If proven to work and able to be implemented, it would allow much of the manual work in the assessment process to be automated and therefore staff redirected to other areas of higher risk.

Ms Cale noted while this is an ambitious goal, she is working to have this trialled and implemented before the next BMSB season, and is working with commercial third parties that have expertise in this area.

There are also some changes underway in CCG, including:

- 1) Outbound communications to proactively make contact with the client addressing issues in real time – currently trialling
- 2) Call back feature, providing the client with the ability to leave their details – aiming for immediate implementation
- 3) Queue management to provide the client with wait times on the phone – expected six months for implementation.

Mr Singh reported that there are a lot of issues with matching up treatment certificate numbers for treatments undertaken by overseas providers where the certificate is lodged by the broker, proposing to industry members to assist with developing a solution for industry to match the documents.

The department has consulted with some third party software providers who are looking for some detailed requirements.

Agenda Item 5 – Biosecurity Imports Levy

Ms Laduzko reported that following on from the departments consultation process, the Minister established a Biosecurity Imports Levy Steering Committee to provide advice to the Minister on preferred levy design features. The Minister appointed independent Chair Mr David Trebeck.

Information has been provided to everyone on the department's stakeholder engagement list on the formation of the Steering Committee and the Terms of Reference (ToR). Mr Trebeck is keen to engage with other parties, noting that the Steering Committee does not represent every aspect of potentially affected parties. The ToR do require that the Steering Committee consult more broadly with all interested parties with a response to the Minister due by 1 June 2019. It is not the expectation that a levy will commence on 1 July 2019.

A discussion paper will be circulated to a wider group to get feedback on the process.

Mr Kostadinovski and Ms Tipping expressed disappointment that CBFCA and ECA were not invited to be a member on the Steering Committee. It was noted that the composition of the Steering Committee was a

Ministerial decision, however Mr Trebeck is keen to hear from all affected parties with ECA and CBFCA to be actively involved in the process.

Agenda Item 6 – Compliance

6.1 Brown Marmorated Stink Bug

2018/19 BMSB Season

Ms Martin reported that the 2018-19 Brown Marmorated Stink Bug (BMSB) season is coming to an end in terms of BMSB arriving in Australia.

There has been a total of 248 detections (single event associated with a consignment) this season, of which there has been 55 detections associated with live bugs, which is a reflection that the measures are having an impact. Some of the 248 detections have been post border which causes angst for potential of escape and effect on the environment. The department will set traps in the vicinity, where there is a live detection and possibility for escape, and liaise with the state/territory to make the decision if they will do further work in that area. National Surveillance Border staff are doing general surveillance in high risk areas to make sure the department does not have broader issues.

The department sent representatives to the International Conference for BMSB in Georgia, coordinated through the International Plant Protection Committee and the Georgia National Food Authority. Australia, New Zealand, Korea, USA, Russia and Georgia all presented at the conference. The department provided a presentation which other countries found interesting as different issues are faced. Australia is trying to stop BMSB from entering its borders, where other countries with shared borders are watching and learning from other experience knowing there is limited ability to stop the spread.

The department is talking with NZ MPI about sending staff back to Georgia in April/May 2019 when surveillance trapping commences to learn about surveillance techniques, early warning, education and preparedness. The department can learn from other countries dealing with BMSB before it becomes a significant pest to Australia.

NZ MPI is researching the Samurai Wasp as a natural predator, however Australia has a lot of native stink bugs that would be impacted by the introduced pest. The department is exploring what native parasitoids that may impact BMSB are present in Australia, looking at where this lives in Australia and whether the parasitoid can be introduced to other places. The department is also progressing work with the detector dogs and sensor technology.

Mr Merrilees provided an update on proposed policy changes for the 2019-20 BMSB season relating to vessels. The suggestions from DCCC members to improve cargo clearance delays has seen comprehensive updates to a number of the suggestions, with some also used to inform policy for the next season. Members recommended that a follow-up teleconference be held to discuss these in more detail.

Action: Secretariat to schedule a teleconference to discuss the BMSB cargo clearance delays.

Action: Secretariat to send the updated departmental response to member's recommendations to improve cargo clearance delays.

2019/20 BMSB Season Planning

Mr Merrilees is currently working offline to head the BMSB Taskforce until the middle of May 2019. This task was set by the Biosecurity Executives to better position the department for the next BMSB season (2019-20). Industry will be given three months to make commercial arrangements for the 2019-20 season, following feedback on the insufficient timing of the arrangements for the 2018/19 season.

The department has been working with NZ MPI in aligning requirements, and are close to being aligned with risk countries. The department is also aligning and has reached an agreement on treatment rates, with

work progressing to agree on assessment processes and dual branding. Both countries are working to agree what constitutes non-compliance noting that if the department suspends an operator, NZ MPI will also suspend the same operator. Both agencies will share some of the work including desktop assessment and potential offshore audit work.

The areas that will not be aligned with NZ MPI are control measures as the systems are quite different and will not fully align.

The department will provide the expanded list of target high risk counties and other material in a series of information sessions to commence in the first week in April across Sydney, Melbourne, Brisbane and Perth, and potentially a webinar.

The department will be holding a series of ongoing bilateral discussions with various peak bodies, with some held already. The department will also hold some workshops (seeking industry input) on specific subject topics including safeguarding industry supply chain assistance, which will provide an alternate mechanism to manage the BMSB risk.

The department turned away three vessels this season, which proved to be very time consuming and costly for all involved. NZ MPI intervened with six vessels for the season.

The department is working to get some improved confidence that industry in the shipping lines can help manage BMSB risk, and provide greater certainty around where they have low levels of detection, so the department can provide a potential way for those goods to be offloaded and managed in Australia. This will be discussed in more detail with Shipping Australia.

The department is also working on raising awareness domestically with a strong focus on logistics and industry supply chain. NZ MPI has a much more expanded awareness campaign including messaging aimed for the general public, which the department is considering.

In December 2018, NZ MPI released some recommendations on risk reduction which the department is looking at. This includes how the vessel is loaded and how the goods are segregated – whether decks or groups of decks can be contained in some way, and also deals with the use of fogging for risk reduction. The department is proposing a similar if not the same approach as NZ MPI, with the department's Executives endorsing the approach in principal.

Ms Macgill reported the need for education and awareness for all areas, including imported food, following a live bug detected in goods from Italy. To avoid misinformation, education and awareness is needed to ensure that food importers also understand the risks associated with BMSB. The Imported Food Roundtable would be a good avenue to talk to people about BMSB in raising awareness and getting the message out.

Mr McFarlane noted that NZ MPI have outsourced inspections, asking whether there is an opportunity for the outsourced bodies in New Zealand to potentially transfer some of that skill set and apply a similar approach in Australia with the knowledge of BMSB.

Ms Martin reported that NZ MPI's model is being explored. The department is looking to build a sustainable model, but with more than just BMSB.

6.1.1 AEP

Mr Singh reported that in 2018, AEPCOMM was improved to enable commodities to be added more easily. With the implementation of the new BMSB measures, the department extended to LCL cargo. Uptake of AEPCOMM is below where the department expects, with 73 percent of entries eligible for AEPCOMM.

Ms Weymouth reported that majority of the 73 percent of entries are Automatic Entry Identifier (AEI). The department is in the process of developing some guidelines to make it clearer for industry what is valid and what is not.

Ms Weymouth has spoken to three major third party software providers, confirming that they are happy to work with industry to assist with enhancing their systems, or the third party systems.

Members noted the AEPCOMM for BMSB Target High Risk Profiles document tabled by Ms Weymouth.

Action: Secretariat to circulate the AEP reports to members.

The department has commenced engagement with industry for raising awareness of AEPCOMM functionality, with two staff in Sydney early March, and also visiting five brokerages working through different issues. The department is happy to engage with brokerages if this is needed to enhance user knowledge and increase user uptake. The department is also encouraging people to contact the AEP support desk directly for assistance.

AEPCOMM will be raised at the Freight and Trade Alliance (FTA) and CBFCA conferences for advice to their members.

The department is looking to add further commodities in June 2019 and again in November 2019. Ms Weymouth is working with commodity programs before consultation with industry. One example the department is looking at adding is highly processed and factory wooden articles which would remove 22,000 entries per year if there is 100 percent uptake.

Action: Julie Weymouth to develop a fact sheet to encourage AEPCOMM uptake.

Action: Members to provide any further suggestions on how to improve AEPCOMM uptake and send to Julie Weymouth.

6.2 Imported Food

Mr Singh reported that changes have been made to the *Imported Food Control Act 1992* with the introduction of the *Imported Food Control Amendment Act 2018*. The Amendment Act gives power to seek additional safety certificates, allows for the hold on imported food for longer at the border where there is uncertainty, establish a different system of enforcement in tandem with state and territory government, and to recognise overseas supply chains or regulatory systems where this is equal to the Australian system.

A lot of work was put in to amend the original Act. The department is now in the process of remaking some of the instruments that support the *Imported Food Control Amendment Act 2018* with the expectation that these will be implemented by October 2019.

Ms Macgill reported that the next Imported Food Industry Roundtable event is scheduled for 5 June 2019 in Sydney, asking members to circulate the notice once received to their members for greater attendance.

Members noted that high risk foods are initially inspected at a rate of 100 percent. All other foods, including olive oil, are classified as surveillance foods and have a five percent chance of inspection. Inspections on surveillance foods are random.

Members were advised that Mark Phythian has moved on from Director, Imported Food. Tanya Martin is acting in the position while more permanent arrangements are made.

6.2.1 Use of AQIS Commodity Code

Members noted the Agenda paper for Use of AQIS Commodity Codes.

6.3 DCCC Compliance Division Quarterly Report

Ms Jennings sought members' feedback on the revised draft Compliance Division Quarterly Report. Members indicated their preference for a report that could be circulated to their own members, providing a periodic commentary of issues of non-compliance in written form, with some diagrams and charts to support the commentary.

Members noted that infringement and noncompliance are particular areas of focus when speaking with their own members. It would be useful to also include what the department's focus is for that period (i.e. BMSB and African swine fever) to allow industry a greater understanding of the department's main focus.

Action: DCCC members to provide any further comments on the draft Compliance Division Quarterly Report to Linda Jennings.

Action:

6.4 Enforcement Update

Mr Patterson provided some clarity to members on infringements, noting that within the *Biosecurity Act 2015* there are 52 offences that can have an infringement notice applied. Of the 52 offences, four are of strict liability. The strict liability offences are related to:

- 1) receiving or providing prohibited goods
- 2) failing to provide ballast water records for a vessel
- 3) displaying prohibited quarantine signals
- 4) failing to comply with providing simple food or sleeping requirements on board a conveyance.

Action: Julie Weymouth to provide a broad Industry Advice Notice providing clarity on infringements.

It is the department's intention to not use infringement notices for minor noncompliance or mistakes. The department has only issued one strict liability infringement under the *Biosecurity Act* and one under the *Illegal Logging Prohibition Act 2012*. The recent amendment to the *Imported Food Control Amendment Act 2018* also picks up infringement notices.

Members discussed directions issued by the department with two examples provided:

- 1) directions advise for cargo to go directly for treatment, however most containers are staged at night before going for treatment when the premises is open
- 2) directions for goods to be directed to a premises within 48 hours is missed where there are delays for inspections.

It was noted that if there is any doubt about a direction, clarity should be sought from the department early if industry cannot comply.

Agenda Item 7 – Issues to be taken back to DAWR for consideration / feedback

Mr Merrilees reported that a summary from this meeting of matters of heightened interest will be provided to the department's executives, including:

- BMSB arrangements for next season
- Biosecurity Imports Levy
- Ongoing interest in export related issues

Mr Kostadinovski also raised the issue of more complaints about post inspection delays that can result in taking up to 48 hours to release cargo.

Action: Jagtej Singh to look into delays to release cargo for treatments and post entry inspections.

Agenda Item 8 – Other Business

Mr Merrilees reported on the approach for Industry Advice Notices (IAN). The standard practice is for the department to provide a draft IAN to DCCC members, seeking their input before the IAN is published, with a 24 to 48 hour consultation period.

In some cases the department will publish the IAN without the 24 -48 hour consultation period, however, comments are still welcome by members.

Some BSMB related IANs published in the last six to eight months were published without consultation, where the department thought it appropriate to notify industry of seasonal measures. It was noted that the department was not undertaking appropriate consultation in some instances, noting an IAN is the final stage of the consultation process. The department has since sought to remind staff, directly and via meetings, and reinforced these guidelines.

Agenda Item 9 – Next Meeting

The next meeting of the DCCC will be held on Tuesday, 30 July 2019 in Sydney at the department's regional office.

Meeting closed at 3:45pm.