



11 June 2018

Hon David Littleproud MP
Minister for Agriculture and Water Resources
House of Representatives
Parliament House
Canberra ACT 2600

Dear Minister

Re: Engaging in an Aquatic Emergency Animal Diseases Response Agreement

The Queensland Seafood Industry Association (QSIA) President, Mr Keith Harris has shared a letter sent to Michelle Landry, Member for Capricornia on 31 May 2018, see Attachment 1. The letter was in response to the white spot issue.

The correspondence to Keith Harris letter asserts that by not accepting an offer to enter into an aquatic emergency animal diseases response agreement (Aquatic Deed) industry was denied access to assistance. The response raises some serious concerns for the association and in that regard, I would like to take the opportunity to make some important clarifications.

1) Offering an aquatic deed to the association

An emergency animal diseases response agreement is a mechanism for the State and Federal governments to share costs that are accrued in responding to a biosecurity event. The situation facing the Queensland wild harvest sector as a result of the white spot outbreak are, in my view, fully related to the responsibility and culpability of the only level of government responsible for the importation of seafood, the Federal government.

Under an Aquatic Deed, an aquatic emergency disease response is predicated on three equal Commonwealth, State and industry cost shares, however under this deed commercial fishers have:

- No control of the policy or operational aspects of pre-border and border controls – that responsibility rests with the Federal government.
- Farm based responses to eradicate disease, such as using chlorine on prawn farms to destroy white spot would not be allowed in open waters under State environmental legislation.

I understand that only national sector or species-specific entities can enter into an EADRA. QSIA is the state commercial peak body representing multiple species and not a sector specific group, so it follows that QSIA has no standing to enter into this type of agreement.

Those commercial fishers in the trawl sector that target prawns might be able to consider an EADRA through the Australian Council of Prawn Fisheries (ACPF) as the only sector specific national industry body that can consider the EADRA. There is no existing group representing small scale, inshore crab fishers or the beach/blood worm businesses that are also impacted by the detection of white spot in Moreton Bay.

The association could not have accepted the Federal government's offer and to argue that the deeds are an established method for cost sharing does not take into account the nature of wild harvest fisheries in Australia. Wild harvest fisheries and industry's rights, as they relate to the marine resource, can be summarised as follows:

- Commercial fishers do not hold property rights, rather they have an access right (a right to fish – a right to go fishing, it is not a guarantee of being able to catch fish).
- Commercial fishers therefore do not 'own' the marine resource.

As a member of ACPF, QSIA continues to be part of the negotiation on the inclusions of wild capture considerations in the Aquatic Deed. The decision to participate as a signatory to the Aquatic Deed is yet to be made by ACPF however there are many other smaller sectors that cannot be covered.

2) Addressing the risk creator

It is understood that an EADRA addresses emergency disease response and does not directly address organisations or levels of government that may have a duty of care in relation to the introduction of exotic diseases. The material on the public record indicates catastrophic Federal Government failure of border processes to prevent introduction of exotic disease in uncooked prawns.

While there was no immediate certainty about how and when the Government would address these failures, the QSIA has arrived at the conclusion that the EADRA is an attempt to shift responsibility to industry as well.

3) Developing an EADRA

Various wild capture bodies were invited to be part of the development of an Aquatic Deed and Seafood Industry Australia (SIA), its predecessor National Seafood Industry Alliance (NSIA), and ACPF have been discussion participants.

I understand that the prawn farm sector has varying ability to control external impacts and disease introduction pathways, the ability to control the outcome is much stronger than for the wild caught sector where there is limited, if any, ability to control what occurs in the marine environment.

4) Stronger Biosecurity and Quarantine Initiative Funding

On behalf of the association, the funding received to develop biosecurity information and education material for industry has been appreciated. The work already published has been the result of strong collaborations between your department, Biosecurity Queensland, the work of Dr Ben Diggles and industry. This funding is in no way related to the discussion around the impacts of white spot on industry or the ongoing impacts on our markets and more importantly individual commercial fishers.

The association is aware that impacted commercial fishers may be taking a class action approach to seek compensation for losses and potential ongoing losses it has suffered. This may be the only way to address the issues of duty of care regarding the recent white spot outbreak.

If you have any questions regarding this correspondence please contact me on M: 0417 631 353 or E: eo@qsia.com.au

Eric Perez



Chief Executive Officer
Queensland Seafood Industry Association



The Hon. David Littleproud MP

**Minister for Agriculture and Water Resources
Federal Member for Maranoa**

Ref: MC18-002202

Ms Michelle Landry MP
Member for Capricornia
PO Box 1919
ROCKHAMPTON QLD 4700

31 MAY 2018

Dear Ms Landry

Thank you for your representation of 12 April 2018 on behalf of Mr Keith Harris, of the Queensland Seafood Industry Association (QSIA) about the recent detection of the virus that causes white spot disease (WSD) in Moreton Bay.

I share Mr Harris' concerns about this important aquatic animal disease. Biosecurity Queensland is responsible for implementation of the national emergency response arrangements which include ongoing surveillance, current movement controls and industry and community engagement. They are closely monitoring the situation and are receiving technical and expert advice from the Aquatic Consultative Committee on Emergency Animal Diseases.

I note Mr Harris's comments regarding the provision of financial assistance. There are legally binding agreements which provide an established method for decision making and sharing costs between the Australian Government, state and territory governments, and affected industries where a pest or disease incursion is eradicable. These agreements are not about providing compensation or apportioning blame or responsibility. They are about getting the pest or disease eradicated in the most expeditious manner and the relevant industry back on its feet. These agreements allow for the covering of costs of destroying stock or the costs of production being met while farms lay fallow in the effort to ensure that a disease is eradicated.

The current arrangements cover terrestrial animal diseases and plant pests and provide a means of recognising the public interest for other states to contribute toward a disease or pest being eradicated and not allowed to spread. The Australian Government is committed to finalising an aquatic emergency animal disease response agreement so there are arrangements in place for governments and industry to share the responsibilities and costs for responding to aquatic emergency animal disease outbreaks. An agreement would provide a mechanism focused on risk mitigation and improved biosecurity outcomes through shared decision making, cost sharing and clarified roles and responsibilities.

When the white spot outbreak occurred in December 2016 the Coalition Government offered to the Queensland Seafood Industry Association to enter into an arrangement in the spirit of the Emergency Animal Disease Response Agreement to assist industry to recover costs associated with the outbreak. Consistent with the approach taken with other industries, an arrangement of this nature would need to be driven by a levy proposal from industry consistent with the government's Levy Principles and Guidelines, which requires agreement of a majority of potential levy payers. The Queensland Seafood Industry Association did not take up this offer.

Despite this, funding assistance to industry for WSD was provided via the Australian Government's Stronger Biosecurity and Quarantine Initiative (SBQI) program. This program assists industry to better prepare for biosecurity incidents, recognising the important role they play in safeguarding Australia's animal and plant health status.

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QSIA received a \$220,000 grant from the SBQI program in 2017. The purpose of this grant was to increase the preparedness of Queensland's wild harvest seafood industry through the appointment of a Biosecurity and Industry Liaison Officer, development of an industry biosecurity plan and the development of a communication tool kit to educate the industry on biosecurity issues.

I encourage Mr Harris to continue working with Biosecurity Queensland, as the lead agency, and APFA in supporting the seafood industry and improving their level of preparedness regarding WSD. Thank you for bringing Mr Harris' concerns to my attention. I trust this information is of assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Littleproud', with a stylized flourish at the end.

DAVID LITTLEPROUD MP