



14 January 2021

Department of Agriculture, Water and the Environment  
GPO Box 858  
CANBERRA ACT 2601

To Whom It May Concern

**Re: Review of the biosecurity risks of imported prawns**

On behalf of the Queensland Seafood Industry Association (QSLA), please find attached a submission in response to the *Review of the biosecurity risks of prawns imported from all countries for human consumption: Draft report*. Queensland and national prawn fisheries deserve a better import risk assessment framework

Queensland commercial fishers have had to endure the impacts of white spot syndrome virus (WSSV) incursion and based on industry and expert feedback the situation could have been avoided.

The Association strongly supports the following recommendation:

*Cooking of imported prawns is now the only risk mitigation measure that is consistent with arrangements already in place in Moreton Bay and widely enforced for domestically produced wild harvested prawns originating from regions where WSSV occurs.*

We expect the Federal Government to protect national industries and current IRA arrangements are not acceptable and need to change.

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

Eric Perez

A handwritten signature in blue ink, appearing to read 'Eric Perez', is written over a large, faint, light-blue watermark of the QSLA logo.

Chief Executive Officer  
Queensland Seafood Industry Association



**Queensland Seafood Industry Association  
submission to the Review of the biosecurity  
risks of prawns imported from all countries for  
human consumption: Draft report**

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## 1. Introduction

The introduction of white spot syndrome virus (WSSV) into South East Queensland is a fundamental failure of the Australian biosecurity system underscoring the less than adequate import risk assessment (IRA) framework for prawns. Commercial fishers and bait suppliers have continued to grapple with the catastrophic failure of the IRA framework for prawns since late 2016.

Consistent with the Australian Council of Prawn Fisheries (ACPF) submission, it is clear from the incursion of WSSV in December 2016 that the sanitary controls implemented at the international border in response to the previous 2009 IRA were not appropriate for the documented high risk imported prawns posed (and still pose) to Queensland's wild harvest prawn fisheries.

Issues noted by the ACPF which are applicable to the previous IRA and current regulatory approach:

- were functionally insufficient to control the high biosecurity risk;
- were prone to human failure/abuse and not properly implemented at each step;
- did not meet the acceptable level of protection (ALOP), resulting in a significant biosecurity breach which has permanently damaged our environment and will end up causing many hundreds of millions of dollars economic damage to our industry;
- did not contain prescribed post-border controls as are practiced for other high risk imported meat commodities;
- allowed high risk uncooked prawns entry into a disease-free environment via more than one pathway for an unknown period of time; and
- did not provide for a regular or transparent process of review and amendment to take account of new emerging risks.

## 2. Industry Concerns

The Association has serious concerns that the current IRA review process will maintain the disgracefully inadequate policy approach that has been implemented via the current import testing arrangements. In short, the prawn IRA has never been 'fit for purpose' as trade concerns outside this industry drive final policy decisions, it seems, irrespective of the best available science.

The list of concerns by topic area are noted below.

### 2.1. Review Process – Timing Issues

Multiple questions arise from the IRA process that remain a concern and underscore the concerns held by industry:

- Why has the risk review process taken so long?
- White Spot impacted Moreton Bay nearly four years ago – what are the impediments in the IRA system that allow this to occur? Such a slow process would never be acceptable in any other industry or jurisdiction.

Our policy concern is clear and needs to be restated – the Queensland commercial fishing industry, particularly the wild harvest commercial fishers and bait suppliers,

have been subjected to policy settings under the IRA process that do little to reduce risk and hold industry in contempt. It has taken four years to coordinate a response while new prawn diseases continue to emerge and the high risks still remain.

## 2.2. Quarantine Concerns

The Inspector General of Biosecurity (IGB) in her report number 2017-18/01 noted several concerns regarding quarantine of uncooked prawn products, including:

- In the past, the low penalties for non-compliance (under the Quarantine Act 1908) and the difficulties of mounting successful prosecutions even for serious non-compliance, meant that it was difficult to deal effectively with many behaviours which increased biosecurity risks.
- In practice, the penalties available and applied were often not commensurate with the potential profits to be made or biosecurity risks that would result from the non-compliant behaviour (Scott -Orr et al. 2017, p. 20).
- While the Biosecurity Act 2015 provides for greater powers and more severe penalties, these must be kept under active review to ensure that they can manage and deter illegal uncooked prawn importation (Scott -Orr et al. 2017, p. 20).

The term 'quarantine' appears in two instances in the 384-page draft report (DAWE 2020). The Association's trust in the integrity of the review process is severely eroded when findings of the IGB are not discussed or addressed by the Federal Government during a review of what has been a catastrophic quarantine breach.

Two questions need to be addressed:

- Serious issues concerning inadequate quarantine processes which were based on the previous IRA – why aren't these concerns addressed in the draft report?
- Serious issues were also raised regarding inadequate testing processes that again, were also based on the previous IRA – why aren't these concerns addressed in the draft report?

## 2.3. Acceptable Level of Protection

The Association understands that Australia's ALOP has been established and should not vary depending on circumstances. The concept of ALOP was introduced following the adoption of the Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement) in 1994 and the creation of the World Trade Organization (WTO) in 1995 (WTO 1994, Wilson 2001). Under the SPS Agreement, WTO Member Countries may employ sanitary or phytosanitary measures to the extent necessary to protect human, animal and plant health. The ALOP is based on the following rationale as noted by the WTO (1994), Bondad-Reantaso et al. (2008, p. 36) and Diggles and Arthur (2010, p. 281):

*The ALOP is the level of protection deemed appropriate by a country establishing a sanitary or phytosanitary measure to protect human, animal or plant life or health within its territory. The ALOP for the importing country must apply the same level of risk at both external (international) and internal (national/domestic) borders if it is to meet the principle of consistency in application under the SPS agreement.*

A curious set of circumstances has surfaced regarding inconsistency of the ALOP in Australia with respect to prawns and other high risk meat products. These can be summarised as follows:

- Prawns caught in Moreton Bay will be accepted for human consumption in jurisdictions outside of the Moreton Bay White Spot Disease Biosecurity Control Zone only if they are cooked.
- Bait prawns caught in Moreton Bay will be accepted for use as bait in jurisdictions outside of the Moreton Bay White Spot Disease Biosecurity Control Zone only if they are subjected to high doses of gamma irradiation (50 kilogray (kGy), see Wesche 2017) which makes the treated prawns unfit for human consumption.
- The results of recent surveys of wild crustaceans in Moreton Bay suggest WSSV has not been eradicated, but instead has become embedded in the lower levels of the aquatic food chain as well as in commercial crustaceans, and is therefore likely to have become permanently established (Diggles 2020). This means that all prawns exported from Moreton Bay for human consumption for the foreseeable future will be required to be cooked prior to leaving the zone. Mortalities of commercially valuable wild prawns have also been recorded (Diggles 2020), indicating the White Spot disease incursion poses an additional threat to the management and sustainability of the resource.
- In effect, the Australian domestic ALOP for prawns originating from regions where WSSV is known to occur, has now been proven to be an ALOP that requires cooking of all products destined for human consumption before they can leave the affected region (In this case, Moreton Bay). Anything less than this would be inconsistent with the ALOP (and thus in breach of Australia's SPS obligations) based on the principle of consistency .
- If this is the standard domestically, why is the same standard not being applied before imported products are allowed into Queensland and Australia? This inconsistent playing field we now see with respect to prawns discriminates against law abiding, hardworking Australian businesses. It does not even pass, "the pub test" (which must greatly concern the Federal Minister of Agriculture), let alone the fact that precedents have already been set by the Australian government who require thermal heat treatment for various other high risk imported meat products such as salmon, chicken, turkey, duck and pork, in order to protect these industries and our environment from diseases not present in Australia.
- Imported "*chicken meat must be heated to a minimum core temperature of 70°C for at least 8.2 minutes*" (DAFF 2008). A brief inspection of other Federal Government IRAs finds similar (or stricter) heat treatment standards must be applied to duck meat, turkey meat, pork, salmon, and various other imported meat products.
- In order for Australia to apply a consistent ALOP across domestic and international borders for not only prawns, but other high risk imported meats such as salmon, chicken, turkey, duck and pork, all prawn products imported from countries where WSSV and other diseases of concern occur must be cooked for a minimum prescribed core temperature for a minimum period of time that is known to inactivate WSSV and all other diseases of quarantine concern.

## 2.4. Testing

From the risk mitigation measures suggested in the draft IRA, it appears that testing is favoured by the Federal Government, presumably because it is the path of least resistance and maintains the status quo. However, the status quo is unsatisfactory and leaves industry exposed to unacceptably high risk of further disease incursions. The IRA developed 11 years ago was sub-standard, and what is being proposed by the Federal Government now continues to maintain this low and painfully inadequate standard – which is an insult to our wild harvest commercial fisheries and bait supply businesses.

Testing of uncooked imported meats would never be accepted by other industries such as pork, poultry or beef. We can only conclude that our industry is being sold a process that has in the past, and will continue to undermine domestic, commercial fishing businesses.

## 3. QSIA Position

Cooking of imported prawns is now the **only** risk mitigation measure that is consistent with arrangements already in place in Moreton Bay and widely enforced for domestically produced wild harvested prawns originating from regions where WSSV occurs. Thus, cooking of all imported prawn products to attain a prescribed minimum core temperature for a minimum period of time that is known to inactivate WSSV and all other prawn diseases of quarantine concern is the **only ALOP** that is acceptable to the Association.

Thermal heat treatment is also consistent with risk mitigation measures applied to other high risk meat products imported into Australia for human consumption – this is the international ALOP for these high-risk products, which has now also been applied to domestically produced prawns, and it is now very clear that same standard should now be applied to imported prawn products from this point onwards.



## 4. References

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