



Nursery Industry Response to Biosecurity Advisory Council

A Submission by

Nursery & Garden Industry Australia (NGIA)

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BACKGROUND

Nursery & Garden Industry Australia (NGIA) is the peak body for the nursery and garden industry in Australia and is responsible for overseeing the national development of the nursery industry.

NGIA, with the State and Territory Associations, represents all sectors of the industry including producers, wholesalers, retailers, allied traders and consultants. The total industry supply chain is worth over 5.5 billion dollars and employs over 45,000 FTE in more than 25,000 small to medium sized businesses. The industry is involved in production of plants for amenity, forestry, revegetation/landcare, landscapers, fruit orchardists, cut flower and vegetable sectors. The nursery industry grows over 10,000 plant types which are moved across all Australian jurisdictions on a daily basis. Consequently, the industry is reliant upon robust, cost effective, efficient and reliable biosecurity and quarantine resources.

The nursery industry supports a biosecurity system (pre-border/border/post border) that is robust, practical, risk assessed, supported by good science and one that accepts a unified Appropriate Level of Protection (ALOP). The industry wants to work with all biosecurity agencies to add value and contribute to the ongoing development along the Australian biosecurity continuum. NGIA believes that there are significant gains to be made in strengthening the Australian biosecurity system through sound industry/government relationships that will minimise costs and reduce red tape.

NGIA is strongly committed to ensuring the nursery industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade, international trade, the regional and national economy and the environment. The nursery industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

INDUSTRY BIOSECURITY PLAN – NURSERY INDUSTRY

The nursery industry through NGIA has worked with Plant Health Australia (PHA) and a range of government agencies to develop a comprehensive national approach to managing biosecurity risks in the nursery industry. NGIA are a member of PHA and a signatory to the Emergency Plant Pest Response Deed (EPPRD).

The National Nursery Industry Biosecurity Plan was completed in May 2005 and reviewed in 2009. In 2010, Industry developed a Biosecurity Manual for the Nursery Production Industry and a multitude of educational resources focussed on raising biosecurity awareness among whole of industry.

The threat identification section within the National Nursery Industry Biosecurity Plan involved the development of a priority pest list, developed through the identification, analysis and prioritisation of 36 exotic pests and 64 exotic pathogens.

The National Nursery Industry Biosecurity Plan also contains 12 priority Pest Risk Reviews that provide more detailed information on the biology of individual priority pests, potential hosts, overseas distribution, symptoms, entry/establishment/spread potential and likely economic and environmental impacts of the pest.

The risk mitigation section within the National Nursery Industry Biosecurity Plan outlines a range of pre-emptive strategies at the national, state, regional and individual nursery level to ensure the exclusion/management of serious plant pests.

Industry has also developed 12 contingency plans and response management procedures for high risk exotic pests as part of the National Nursery Industry Biosecurity Plan that included key industry contacts and communication procedures, relevant counselling and financial counselling providers. This is regularly updated to reflect changes in NGIA and State/Territory Association personnel.

To ensure the National Nursery Industry Biosecurity Plan remains up-to-date, NGIA works closely with Plant Health Australia who provides appropriate resources to the ongoing maintenance and annual reviews of this plan.

INDUSTRY INITIATIVES

NGIA continues to invest in the inclusion of relevant and up-to-date plant health and biosecurity information within its national on-farm accreditation programs:

- Nursery Industry Accreditation Scheme Australia (NIASA)
- Australian Garden Centre Accreditation Scheme (AGCAS)

This includes the development and review of industry training in relevant areas including Integrated Pest Management, Chemical Handling and the development of a nursery industry on-farm biosecurity program BioSecure *HACCP*.

NGIA has made several submissions to the Federal Government on issues relating to biosecurity and quarantine arrangements. The most relevant to this request by the Biosecurity Advisory Council (BAC) for stakeholder comments are:

1. Submission to the Senate Standing Committee on Rural and Regional Affairs and Transport 'Inquiry into Biosecurity and Quarantine arrangements' August 2010
2. Submission to the Australian Governments 'Australian Quarantine and Biosecurity Review' April 2008

In both of these submissions, NGIA was asked to provide evidence at parliamentary hearings.

With regards to incursion management, the Industry has been involved with most incursions through active participation on the Consultative Committee on Emergency Plant Pests (CCEPP) and National Management Group (NMG). Over the past decade, the industry has also been proactive with invasive plant issues and communication programs with consumers regarding the correct identification and disposal of potentially environmental invasive plants. The 'Grow me Instead' program is a key example as well as the National Plant Labelling Guidelines.

NGIA welcomes the opportunity to provide comment on the key issues contained in the Biosecurity Advisory Council document. In providing comment, NGIA make the following overview statement:

Plant Based Industry:

NGIA has experience with incursions in the plant sectors and is therefore not in the position to provide comments on animal based or human health based biosecurity threats.

Weeds:

NGIA does not support the inclusion of weeds/invasive plants under the biosecurity deeds. The issues in relation to weeds/invasive plants are extremely complex and would confuse and complicate the operations of the existing biosecurity deeds.

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Questionnaire

1. STREAMLINING BIOSECURITY EMERGENCY RESPONSE APPROACHES ACROSS SECTORS

1.1. What is the Nursery Industry's vision for managing biosecurity emergency responses across all sectors (i.e. animal, plant, environment and human health)?

The nursery industry is committed to effective biosecurity as it relates to plant based incursions that will impact on the industry. We invest funds from our Research & Development Levy and member's funds into ensuring that biosecurity issues are always current. The industry has spent the past few years evaluating how a biosecurity levy can be introduced in an equitable manner for all sectors of the industry supply chain. To summarise our vision it would be a 'Nursery Industry where all plant producers are registered and trained in all aspects of biosecurity management throughout the supply chain'. Furthermore NGIA has a vision where there is a true commitment from all stakeholders to respond to an emergency and for regulators to actively work with industry in a partnership approach.

1.2. How could the management of incursions be improved to deliver more unified, streamlined responses? What are the key system components that need to be addressed to enable more cohesive biosecurity response mechanisms?

Managing incursions will be improved when all jurisdictions take the notification of EPP's seriously and report all relevant information to the CCEPP within appropriate time frames. Furthermore jurisdictions must be resourced appropriately to undertake 'normal commitments' such as tracing and delimiting surveillance without waiting on advice from the CCEPP. NGIA has observed jurisdictions failing to undertake 'normal commitments' until there is an agreement to an Emergency Response Plan – in effect waiting to get a commitment of financial assistance/cost sharing. This is unacceptable as this agreement can take weeks if not months to reach without any action being taken by the combat state.

In recent incursions in NSW a lack of initiative and urgency were evident primarily due to poor agency resourcing. There are further complications that exist to hamper the effectiveness of responses including the protectionist approach taken by some jurisdictions, a lack of will to financially contribute to another jurisdiction's problem, and political interference.

The CCEPP is charged under the EPPRD to assess the technical feasibility of eradication of an emergency plant pest (EPP). NGIA has witnessed the CCEPP, on more than one occasion, base its decision on the financial cost as opposed to the technical feasibility. Again the effectiveness of managing an incursion is undermined by the poor resourcing of biosecurity agencies (State & Commonwealth). We also see disconnect between state jurisdictions and federal agencies such as Australian Quarantine and Inspection Services (AQIS) and Biosecurity Australia (BA). The failure to report detections by AQIS is legendary with some taking more than 12 months to be reported to the relevant state jurisdiction.

It is obvious that all levels of government are off-loading historical obligations at every opportunity under the misguided title 'User pays or Beneficiary pays' usually onto peak industry bodies or industry as a whole. While government abdicates its responsibilities it is in effect passing this onto peak industry bodies that are not equipped to deal with all of the extra work now required. NGIA and its aligned state peak industry bodies are constantly being hounded by government at all levels for information on crops grown, industry distribution, target markets, grower numbers, communication, etc. A significant impediment to the nursery industry providing this information or service to government is that of a voluntary membership base. The 'free rider' who is not a part of any peak body or information network is outside the system and is a significant risk to the professional sector plus the community and environment.

The lack of national industry adjustment and support packages from government is a limiting factor in advancing biosecurity within industry. Historically government has controlled all aspects of biosecurity however in recent years (past five years) government has been passing more and more onto industry. This lack of experience and industry resourcing is an impediment to the effective management of biosecurity responses.

Finally there are penalties that exist under the EPPRD for jurisdictions failing to meet their obligations however these are never invoked. It is evident that the jurisdictions (political) must be brought to the table and a commitment arrived at to adequately resource biosecurity (plant health) across Australia.

From our experience with multiple border breaches and actual EPP incursions in the plant area it is very clear that at a State level there is a lack of resources and understanding of the Government/Industry partnership as demonstrated in PlantPlan. There needs to be joint training and recognition that to be effective in managing an incursion communication with affected parties and the public is essential. It is interesting to note that for animal production all properties/stock are required to be registered. Food process plants are required to be registered, all to assist with traceability and control but there is no system for registering properties producing plants for sale or trade. This issue has been reviewed by a working group from Ausveg and NGIA and would have full support of the plant production sector. It would allow full tracking of what is grown and where and also ensure ALL parties are aware of biosecurity issues. All industries are concerned that it will be the 'backyard or fringe operators' who will create a biosecurity risk to their sector.

1.3. What are some of the barriers/impediments to adopting a more unified approach to emergency responses? Do you think these are genuine barriers or are these perceived barriers?

1.4.

The largest single impediment to adopting a more unified approach to emergency responses is the allocation of adequate resources for plant biosecurity at State and Commonwealth level. Government needs to ensure that funding is available to meet the obligations as outlined in the Beale Review and the requirements of the EPPRD. State/territory protectionist policy and political interference also poses great challenges to establishing response uniformity. There is a clear lack of transparency in decision making, no clear avenues to challenge dubious rulings or have them overturned. NGIA sees these as major barriers to achieving a unified effective system. During the Myrtle/Eucalyptus Rust incursion staff were moved interstate for assistance and experience BUT as soon the locust season hit the Myrtle rust incursion response was secondary. Should we experience a small incursion for Plant Industries and Animal Industries simultaneously the present system would fail.

The single greatest impediment to a unified approach is the lack of consequence applied to recalcitrant stakeholders. Jurisdictions fall back on 'state rights' and ignore their obligations as outlined under the EPPRD. There is no structured process to bring into line stakeholders who apply self-interest ahead of the common good.

1.5. What are some of the drivers to encourage change and achieve your [sector's] vision?

The impact of any EPP biosecurity incursion has a major impact on business. Some sectors are affected by potential loss of export markets however for nursery production it is internal market access that is generally the major impact. The lack of unity between jurisdictions is an issue that is pathetic and expensive when observed from a scientific or business sense. Decisions are made without scientific justification or consistency; there is no back up evaluation undertaken however consumers and business suffer great financial imposition.

Key drivers that must be implemented are:

- Enforcement of jurisdictional obligations under the EPPRD
- Adequate resourcing of plant biosecurity across Australia
- A clear leader driving the biosecurity obligations e.g. Commonwealth
- Agency support to assist industry meet their obligations e.g. Biosecurity Levy
- Adopt new systems and technology in addressing biosecurity risk
- A national pest risk assessment framework
- A national greenlife producer registration program managed by state peak industry bodies
- A national disputes resolution process that is enforceable upon all jurisdictions
- A strong CCEPP that recognises its tasks and delivers to that charter
- A nationally funded biosecurity adjustment package for industry to put in place all of the required biosecurity systems, procedures and programs for growers and peak industry bodies

1.6. What type of strategies would you like to see explored to overcome the impediments and /or capitalise on some of the drivers?

NGIA would like strategies to address:

- Policy recognition of jurisdictional obligations
- Recognition of economic value of plant industries
- EPPRD obligations being met
- Appropriate resourcing of agencies
- Dispute resolution processes – binding on all parties
- Industry adjustment support

1.7. Should there ultimately be a single, inclusive, national biosecurity response arrangement? If you agree with the concept how could it be realised (what would it look like)? Has your sector envisaged such an approach?

NGIA supports a single biosecurity arrangement consisting of the commonwealth having overarching control of domestic biosecurity with state/territory agencies contracted as service providers. The commonwealth will also enter into arrangements with peak industry bodies for some service delivery to industry as well as assist in conducting training and education, developing on-farm systems and participating in national surveillance programs. Where environmental incursions sit within this model is yet to be detailed by Government as any data on NEBRA has been held close to source.

1.8. Are there specific challenges to ensuring seamless response arrangements for managing pests and diseases that transcend primary industry, the environment (e.g. exotic mosquito threats such as *Aedes aegypti*) and public health (e.g. Hendra virus, avian influenza, Japanese encephalitis)?

A lack of resources at both State and Federal level as previously outlined in this response.

For example, can the Emergency Animal Disease Response Agreement be aligned with the National Action Plan for Human Influenza Pandemic?

2. INCREASING THE COVERAGE OF INDUSTRIES SIGNED UP TO EMERGENCY RESPONSE DEEDS

2.1. Why has/hasn't your industry signed up to the Emergency Animal Disease Response Agreement (EADRA) / Emergency Plant Pest Response Deed (EPPRD)?

NGIA is a signatory to the Deed. The Australian nursery industry is heavily exposed to both international and domestic biosecurity threats plus the costs associated with government management of the biosecurity continuum. By signing the EPPRD NGIA has lifted the profile of biosecurity within industry and has a greater

role in many aspects of EPP incursions, preparedness and forums. As a signatory to the EPPRD, NGIA is demonstrating to all stakeholders it is serious about participating in all aspects of the national biosecurity system and is prepared to contribute its share in the cost of managing an EPP response.

2.2. What are the obstacles to voluntary participation in current emergency response arrangements under the deeds?

NGIA considers the following obstacles (real or perceived) impede voluntary participation:

- Lack of transparency in decision making by regulators
- Failure by regulators to truly accept industry as equal partners
- Belief that government is abdicating their sovereign obligations
- The cost (industry adjustment, peak body resources, on-farm programs/tools)
- Industry 'free riders' threatening a biosecurity plan
- Complexity in meeting Deed obligations (e.g. establishing a biosecurity levy)
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2.3. Should there be incentives or penalties to encourage non-signatory industries to sign up to the appropriate deed, and if so what form should these incentives/penalties take?

Under the Deeds there are already incentives, but these appear to be very open to 'political and public influence' e.g. the Equine Influenza (EI) outbreak versus Myrtle/ Eucalyptus Rust (MER). For EI a horse race was at risk so the Federal Government invested over \$100 million in addressing the incursion and for MER the risks to Australia's native flora, fauna is huge and permanent. The investment is \$6 million to date with little expectation of future funding.

The EPPRD is clear in its identification of who is able to access 'owner reimbursement costs' under an Emergency Response Plan. These are businesses that are members of an industry that are signatories to the EPPRD – this is an incentive to industries to sign up to the EPPRD. Based on experiences over the past five years the above is not reflected in the real world and affected industries are being covered for "owner reimbursement costs" under response plans. For any system of incentive or penalty it needs to well communicated, credible and consistent.

Removing the ridiculous bureaucratic burdens facing industries, when implementing biosecurity strategies to meet Deed obligations, will be a significant improvement. It is beyond comprehension that a bureaucracy will make it almost impossible or cost prohibitive for a peak body to introduce a biosecurity levy due to inflexible interpretation and/or incompetence.

NGIA firmly believes that an alternative approach should be initiated by offering incentives to Deed signatories, both new and existing, to entice non-participating industries to the table. NGIA believes that those industries who get involved are the industries that should have access to wide ranging adjustment packages to assist in educating/training growers, developing on-farm programs, communication, etc.

NOTE: it is just as important to keep the current signatories as it is to gain those still to sign.

2.4. What difficulties would your industry or industry representative body face if it were to commit to an emergency response? How could these be overcome?

The most significant issue NGIA would encounter is that of identifying all affected businesses within the industry and communicating the issues around a response. Without any mandatory registration or central processing or market the entire Australian nursery industry is virtually untraceable and difficult to identify. This would put any response in serious jeopardy and industry would question the effectiveness of any investment.

Further difficulties exist in relation to the distribution of the industry (across all states and territories) and the human resources needed to engage at various levels of a response such as on-farm, CCEPP, NMG, etc. whilst continuing 'business as usual' activities. The industry will rely on existing expertise which is tasked with other duties in a non-response period.

Finally the industry may find it difficult to establish consensus to commit to a funded response due to the geographic location of an affected grower(s), the limited size of the affected crop or the perceived impact of the EPP.

The NGIA is currently involved with the ongoing management of Red Imported Fire Ant in Qld, Myrtle Rust in Qld and NSW plus other incursions being dealt with at CCEPP level. NGIA assisted NSW Government with payment to a grower for crop destruction as a result of Impatiens Necrotic Spot Virus, due to jurisdictions failing to accept this pest as technically feasible to eradicate.

NGIA is working with DAFF on review committees for BICON and PEPPIC. The industry is committed to get an effective Biosecurity Levy in place but is disappointed to see that the recommendations in the Productivity Committee review of Rural R&D regarding simplifying the levy process have not been adopted by DAFF/Levy Revenue Service in the newly released Levy Guidelines.

2.5. How could industries that do not have a national representative industry body be accommodated in order to achieve a more cohesive and comprehensive national biosecurity system?

NGIA believes that even these smaller crops should be involved and can contribute based on a sliding scale or a 'Minor Crops Biosecurity Group' could be established under Rural Industries Research Development Corporation (RIRDC) or some other body. This mechanism will allow for a common point of contact and information dissemination.

3.0. APPORTIONING EMERGENCY RESPONSE COSTS

3.1. What are the pros and cons of introducing a mandatory system?

A mandatory system negates 'free riders' and has the potential to improve the system as many of those not currently engaged are unaware of the biosecurity risks and obligations associated with their cropping activity. It offers the opportunity to spread the financial burden across all beneficiaries therefore providing a level playing field.

It is important to note that in this area NGIA is **including Commonwealth and State/Territory governments** as part of a 'mandatory system'. Industry must ensure that **government** participates at an appropriate level with mandatory obligations being met, not just industry.

A con that exists under a mandatory system is that of an unwilling participant which feels forced into a partnership which can lead to antagonism and lack of participation. NGIA feels that this is a risk worth taking if the aim is to create a holistic biosecurity system in Australia.

An effective biosecurity system to protect Australia's environment, economy, health and industries must be adequately resourced. Industries get mandatory levies and charges imposed for a wide range of actions including flood recovery to fuel and airport security. The impacts of a major plant, animal, human health or environmental pest incursion would be seen as intolerable by the Australian public. There is an expectation that Government is 'protecting its population, economy and environment' therefore any increase in funding needs to be clearly communicated as to its purpose, and then utilised in a manner that those paying can see the benefits. At present the Biosecurity system is not transparent to industry. There are changes being made with token consultation yet industry is being asked to make an increased contribution.

3.2. What principles and processes should be adopted to apportion emergency response costs across industries?

This is a difficult issue. For example, would the cattle industry be agreeable to paying for incursions that affect the citrus industry or a flower producer in Tasmania?

The existing formulas within the EPPRD are a fair guide to this and a good starting point for a wider assessment if a mandatory system is put in place. A system that accepts the capacity of an industry to contribute, one that is flexible should be considered as circumstances can change year by year. An example would be an industry having to fight parallel incursion responses therefore duplicated costs – consideration of contribution must be adaptable.

It is still important that government contribute appropriately in any response and not try to off-load onto industry.

3.3. What methods should be considered to ensure that all beneficiaries contribute funds to support an emergency response?

The current system as detailed under the Deeds only impacts on those industries that are signatories to the deed. Mandatory registration will capture all industry participants. The registration process and fees would enable linkages to facilitate payments required following an incursion.

3.4. Under what circumstances should beneficiaries contribute funds in advance of any incursion event?

NGIA believes that contributing funds in advance of an incursion can be used across a range of areas including industry preparedness, communication, program development and other appropriate resources. If government meet its obligation to assist industries through adjustment packages these advanced funds could be joined to provide a sound funding stream used to strengthen the biosecurity continuum.

The NGIA is looking to establish a small positive levy allowing funds to be acquired to enable effective training programs and the development of resources that will prepare industry and enable a quick response in the event of an incursion.

3.5. Decisions are sometimes made to cease eradication due to prohibitive cost-benefit ratios or technical reasons. Should the current cost sharing arrangements be extended to cover activities related to containment of the pest or disease?

Yes, it has been shown that the Deeds are not effective once the decision has been made that a pest/pathogen cannot be eradicated. Based on the recent myrtle rust incursion once that decision was made by the NMG to cease the response all activity ended. Government has established a Myrtle Rust Coordination Group that has no funding or legally binding requirements for any of the jurisdictions to undertake required activities. The pathogen is still present and spreading. It is still impacting on businesses, trade and the environment. The public see the Government as having 'walked away' from the issue and are waiting for the next incursion.



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