Chapter 5

2009 Import Risk Analysis for Prawns and Prawn Products

5.1 This chapter examines the development of the 2009 *Generic Import Risk Analysis Report for Prawns and Prawn Products* (IRA). During the development of the IRA, a number of scientific concerns were raised regarding the content of the IRA, along with concerns over the timeframe in which the IRA was developed.

5.2 This chapter presents evidence submitted to the inquiry about the need for an urgent review of the IRA. The chapter considers the efficacy of several prawn treatments in addressing disease risks.

5.3 The IRA considers a number of pathogenic agents that can infect prawns, such as YHV, Taura syndrome virus (TSV) and necrotising hepatopancreatitis bacterium. However, for the purposes of this inquiry, the committee has focused primarily on the inclusion of WSSV in the IRA.

Development of the IRA for prawns

Background

5.4 Prior to 1992, there was no animal health related policy in Australia for the importation of prawns or prawn products. Following a 1992 major review of aquatic animal health and quarantine, the National Taskforce on Imported Fish and Fish Products (NTF) was established in 1995. It recommended that:

> AQIS [Australian Quarantine and Inspection Service] review aquatic animal quarantine policies and practices, including that quarantine requirements for imported bait prawns, prawn feeds and prawns for human consumption, be revised as a high priority.[1]

5.5 The government agreed to most of the NTF recommendations. In 1996, AQIS imposed restrictions on the entry of 'uncooked prawns and prawn-based products containing uncooked prawns for bait use, to address concerns relating to use of imported prawns as recreational fishing bait'.[2]

5.6 In 1997, the development of an IRA for prawns commenced, resulting in the release of a draft IRA in 2000. In December 2000 and based on this draft IRA, post-arrival AQIS inspections for prawns were introduced to manage the risk of

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1 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 13.

2 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 13.

WSSV entering Australia. In addition to post-arrival inspections, further measures were added in June 2001 and included:

- a ban on whole uncooked prawns weighing less than 15 grams to minimise their use as bait;
- health certification from the relevant government authority in the exporting country, attesting that the products had been appropriately processed, were free from visible lesions associated with infectious disease and were fit for human consumption; and
- WSSV testing of all imported batches of uncooked whole prawns or unpeeled headless prawns.[3]

International reaction to the draft IRA

5.7 On 23 November 2000, Australia presented the draft 2000 IRA to the World Trade Organisation (WTO) Committee on Sanitary and Phytosanitary Measures (CSPM). The CSPM was established to allow WTO member governments to exchange information in relation to the SPS Agreement, and discuss issues including compliance with the SPS Agreement, and trade disputes.[4]

5.8 The draft IRA provided by Australia to the CSPM identified 15 disease agents as potential hazards, and concluded that risk management was needed for two agents in particular, WSSV and YHV. Australia sought comment from the CPSM on the draft by 15 January 2001.[5]

5.9 Prior to this deadline, in February 2001 Australia implemented interim measures on the importation of prawn and prawn products from countries within the Association of Southeast Asian Nations (ASEAN). The measures were based on the fact that imported diseased prawn product might be used illegally as fishing bait.[6]

5.10 The WTO published a summary of concerns raised regarding the draft IRA by CSPM members, between 2001 and 2007. In 2001, Thailand urged Australia to lift its interim measures, objecting to the inclusion of 'illegal domestic practices as a major

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3 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 14.

4 World Trade Organization, 'Understanding the WTO Agreement on Sanitary and Phytosanitary Measures', https://www.wto.org/english/tratop_e/sps_e/spsund_e.htm (accessed 10 August 2017).

The SPS Agreement is discussed further in Chapter 3 of the committee's interim report.

5 World Trade Organization, Committee on Sanitary and Phytosanitary Measures, Notification G/SPS/N/AUS/124, 23 November 2000.

6 World Trade Organization, Sanitary and Phytosanitary Information Management System, Specific Trade Concern Number 85: Import restrictions on prawns and prawn products; revised generic IRA for prawns and prawn products, http://spsims.wto.org/en/SpecificTradeConcerns/View/19 (accessed 10 August 2017).

element in risk analysis'. Thailand further argued that the interim measures were more restrictive than necessary.[7]

5.11 In response, Australia noted that the interim measures were a response to a WSD outbreak. Further, 'investigations had revealed far more imported prawns were being used for bait than had been previously thought', leading Australia to ban the import of whole uncooked prawns weighing less than 15 grams.[8]

5.12 Over the following years, a number of concerns were raised with Australia at the CSPM by WTO member countries. Some of the concerns raised are summarised below:

- October 2001: Thailand expressed 'serious concern about the inclusion of Australia's domestic enforcement practices as a major element in Australia's risk analysis'. ASEAN argued Australia's measures were not based on scientific evidence and were overly restrictive;
- June 2002: Thailand, Malaysia and the Philippines requested information on how long the interim measures would apply, and their scientific basis. Australia advised that a draft risk analysis report would be released after July 2002, but the scientific concerns about WSSV remained;
- April 2003: Thailand observed that 'interim measures against the import of uncooked prawns and prawn products from ASEAN countries had been in place for over two years and there was no legitimate reason for the continuation of these emergency measures'. Australia replied that the measures were only on high-risk products, and that tests had shown the presence of WSSV in uncooked prawns from Thailand. Further, 'Biosecurity Australia had commissioned a study on bait use which provided clear support for the measures taken';
- June 2003: Thailand noted that the interim measures were still in place and that the IRA was unlikely to be concluded within a short period of time.[9]

5.13 In February 2007, Thailand 'again expressed serious concerns about the revised draft generic import analysis report on prawns and prawn product as notified by Australia'. Thailand was:

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7 World Trade Organization, Sanitary and Phytosanitary Information Management System, Specific Trade Concern Number 85: Import restrictions on prawns and prawn products; revised generic IRA for prawns and prawn products.

8 World Trade Organization, Sanitary and Phytosanitary Information Management System, Specific Trade Concern Number 85: Import restrictions on prawns and prawn products; revised generic IRA for prawns and prawn products.

The WSD outbreak referred to was the 2000 incident in Darwin aquaculture research facilities.

9 World Trade Organization, Sanitary and Phytosanitary Information Management System, Specific Trade Concern Number 85: Import restrictions on prawns and prawn products; revised generic IRA for prawns and prawn products.

> in particular concerned that there was no scientific justification for the proposed quarantine measures. The analytical methods employed suffered from a lack of empirical data, and the conclusions were not based on scientific data but tailored to fit the views of policymakers. Thailand considered that these measures were unnecessary and would create trade obstacles for its exports.[10]

5.14 Thailand further noted that the 'more than 6-year delay in completing the IRA was an undue delay', and if the measures imposed were in fact interim, they 'should have been reviewed within a reasonable time'. China expressed similar concerns, arguing that the measures were overly restrictive and that 'Australia had imported prawns from Asia for ten years with no evidence that the disease had been spread through trade'. China also argued against the heat treatment of imported prawns, as it would reduce marketability. These arguments were supported by Indonesia, Malaysia, the Philippines and Sri Lanka.[11]

5.15 Australia released a further revised draft IRA in 2007, arguing that it presented a comprehensive review of the science. The draft IRA concluded that stricter import control measures were needed, but these measures were yet to be determined. In June 2007, Thailand 'expressed serious concerns about Australia's revised IRA process, which was long and unpredictable'.[12]

5.16 Vietnam also raised concerns, stating that:

> To date, there were no reports of any disease outbreaks related to Vietnamese prawn exports. [Vietnamese] authorities had carefully studied Australia's draft risk analysis. Of the five diseases identified to be of concern in the IRA, three were not known to occur in Viet Nam. The other two diseases were widespread in South East Asia, yet had never been introduced into Australia despite years of prawn imports without the current quarantine restrictions. The risk management measures proposed in the draft IRA lacked scientific justification and would present a serious barrier to trade.[13]

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10 World Trade Organization, Sanitary and Phytosanitary Information Management System, Specific Trade Concern Number 85: Import restrictions on prawns and prawn products; revised generic IRA for prawns and prawn products.

11 World Trade Organization, Sanitary and Phytosanitary Information Management System, Specific Trade Concern Number 85: Import restrictions on prawns and prawn products; revised generic IRA for prawns and prawn products.

12 World Trade Organization, Sanitary and Phytosanitary Information Management System, Specific Trade Concern Number 85: Import restrictions on prawns and prawn products; revised generic IRA for prawns and prawn products.

13 World Trade Organization, Sanitary and Phytosanitary Information Management System, Specific Trade Concern Number 85: Import restrictions on prawns and prawn products; revised generic IRA for prawns and prawn products.

5.17 The draft IRA was further revised in September 2008, before the IRA was finalised by Biosecurity Australia in 2009.[14]

2009 Import Risk Analysis

5.18 In 2009, Biosecurity Australia released the final IRA. This IRA covered the import of prawns and prawn products into the country, excluding live prawns.

5.19 The IRA examined what pathogenic agents could be introduced into Australia through the importation of uncooked prawns and prawn products, intended for human consumption. The IRA recommended the importation of prawns, subject to 'compliance with risk management measures to manage the quarantine risks of a range of significant pathogenic agents to a very low level'. WSSV was considered a pathogenic agent.[15]

5.20 The IRA determined a number of acceptable risk management measures, including:

- sourcing all uncooked prawn product from a country or zone that Australian government authorities considered free of WSSV;
- removal of the prawn head and shell, and holding each imported batch on arrival in Australia under quarantine control, for testing and confirmation that the product was free of WSSV;
- importing highly processed product, with the prawn head and shell removed, and coated for human consumption in crumb, batter, wet or dry marinade, or marinated and placed on skewers (with the marinade in all cases clearly seen on the prawns); or
- cooking the product in a premises approved by, and under the control of, an appropriate authority in the exporting country, to a minimum time and temperature standard, resulting in no remaining uncooked meat.[16]

5.21 The IRA stipulated that, unless an importing country is free from prawn pathogens, all imported prawns must have heads and shells removed, be frozen and each batch tested on arrival in Australia, and found to be free of WSSV and YHV. Alternatively, the IRA required prawns to be 'highly processed', with the head and shell removed, and:

- coated for human consumption by crumb or batter;

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14 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 15.

15 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 11.

16 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, pp. 11-12.

- coated for human consumption in a wet marinade, where the marinade is not less than 12 per cent of the total product weight;
- coated for human consumption in a dry marinade, which must be clearly seen to cover the product;
- coated for human consumption by being marinated and placed on skewers, with the marinade clearly seen to cover the product; and
- the raw prawn meat processed into dumpling, spring roll, samosa, roll, ball or dim-sum type product.[17]

5.22 The IRA further stated that imported uncooked and highly processed prawns would be randomly inspected by quarantine officers to ensure the import complied with the import permit and health certificate.[18]

5.23 In determining that all imported uncooked prawn product should come from a country or zone considered free of WSSV, the IRA argued that Australian Government authorities must have knowledge of the activities of the relevant authority in the other country. The Government should be satisfied the authority can control disease, and undertake proper monitoring and surveillance for disease. A satisfactory assessment of the procedures from these countries would reduce the overall risk of WSSV from imported prawns.[19]

5.24 Overall, the IRA found the likelihood of release of WSSV 'via the unrestricted importation of non-viable, farm-sourced, frozen, uncooked whole prawns intended for human consumption is estimated to be high'.[20]

Reaction to draft and final IRAs

5.25 The committee was concerned to learn that prior to the finalisation of the IRA in 2009, testing had determined that WSSV was present in Australia. Some of these results are presented in the IRA.

5.26 For example, the IRA notes that WSSV was detected in 2004 in Australia, in imported frozen uncooked prawns intended for human consumption. In 2006, the Western Australian and Queensland governments tested raw, peeled imported

17 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, pp. 190-191.

18 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 11.

19 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 179.

20 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 112.

supermarket prawns. These tests found a 20 to 100 per cent prevalence of WSSV, in the 14 batches tested, with five prawns tested per batch.[21]

Queensland Government

5.27 In 2006, QDAF received from the Commonwealth a request for feedback on the revised draft IRA for prawns and prawn product. In response, QDAF undertook a limited testing program. QDAF advised the committee that where it held particular concerns with Commonwealth proposals regarding imported products, it would 'test and form a view' on that proposal.[22]

5.28 QDAF advised the committee that a small amount of its testing:

> indicated a high level of infection in imported product at that time and therefore [the Queensland Government] did not support the proposed approach to the import of green prawns.[23]

5.29 In correspondence seen by the committee, dated 16 February 2007, the Queensland Government's Department of Primary Industries and Fisheries (DPIF) provided its advice to Biosecurity Australia on the revised draft IRA. This advice contained the testing results undertaken by DPIF:

> To date the testing of sixteen batches of imported uncooked prawns has detected WSSV in 87.5 per cent of samples tested (some with severe viral infection loads) and TSV in 62.5 per cent of samples, (some severe) and not only in prawns from China but also Thailand and Indonesia. Although the two samples from Vietnam were negative to TSV they were both tested positive for WSSV. Prawns were sourced from supermarkets in Brisbane, Rockhampton, Mackay, Townsville and Cairns and were all different batches according to the packet information.[24]

5.30 DPIF argued that the testing results showed that WSSV was entering Queensland through imports from various countries, 'despite existing quarantine conditions intended to exclude WSSV'. DPIF supported a review of a number of quarantine policies, to ensure the effectiveness of Australia's biosecurity policy. DPIF argued that the reviews should consider:

- the validity of foreign-issued animal health certification;
- the efficacy of post arrival inspections;

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21 Biosecurity Australia, *Generic Import Risk Analysis Report for Prawns and Prawn Products*, October 2009, p. 112.

22 *Committee Hansard*, 27 June 2017, p. 21.

23 Dr Elizabeth Woods, Queensland Department of Agriculture and Fisheries, *Committee Hansard*, 27 June 2017, p. 20.

24 Queensland Department of Primary Industries and Fisheries, file copy of correspondence to Biosecurity Australia, Reference 07/02107, 16 February 2007, p. 4.

- the efficacy of WSSV testing on quarantined prawn products, including sampling rate, sample management and test methodology; and
- the efficacy of processes for the exclusion of prawn products (that fail quarantine conditions) from entering the Australian market.[25]

5.31 DPIF noted that:

> with the price of imported uncooked prawns dropping substantially and the tonnage of imports increasing there has been a heightened risk of cheap readily available product being purchased for other uses such as bait and berley. Despite a communication campaign by the [DPIF] to alert fishermen to the risk of such practices it is clear that use of imported prawns as bait and berley remains a risk.[26]

5.32 DPIF argued for the screening of all batches of imported prawns for exotic viruses, noting that this 'would go a long way towards ensuring that prawn product containing exotic viruses will no longer be readily available for misuse'.[27]

5.33 During the inquiry, QDAF confirmed its position that it did not support the IRA at the time of its development, and noted that it has 'consistently pointed out risks that are not apparent to the Commonwealth or have in our view been assessed differently by the Commonwealth'.[28]

Revision of the 2009 IRA

5.34 Over the course of the inquiry, various stakeholders argued for urgency in revising the 2009 IRA, especially given the WSD outbreak. Stakeholders argued for an appropriate assessment of biosecurity risks moving forward, in light of the lessons learned from the recent WSD outbreak and the possibility of varied incursion pathways.

5.35 The NSIA stated that while it was not against the importation of seafood, it was 'extremely concerned about the failures of border control and the incursion of the white spot disease into south-east Queensland'. The NSIA argued that the IRA had failed, and called for its comprehensive and urgent review with the full involvement of industry throughout the review process.[29]

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25 Queensland Department of Primary Industries and Fisheries, file copy of correspondence to Biosecurity Australia, Reference 07/02107, 16 February 2007, p. 4.

26 Queensland Department of Primary Industries and Fisheries, file copy of correspondence to Biosecurity Australia, Reference 07/02107, 16 February 2007, p. 1.

27 Queensland Department of Primary Industries and Fisheries, file copy of correspondence to Biosecurity Australia, Reference 07/02107, 16 February 2007, p. 1.

28 Dr Elizabeth Woods, Queensland Department of Agriculture and Fisheries, *Committee Hansard*, 27 June 2017, p. 25.

29 Mr Johnathon Davey, National Seafood Industry Alliance, *Committee Hansard*, 28 August 2017, p. 1; National Seafood Industry Alliance, *Submission 16*, pp. 7-8.

5.36 The APFA stated that the high prevalence of WSSV detected in Australia showed that the current arrangements under the IRA had failed comprehensively, repeatedly and on a large scale. The APFA argued there would 'always be breakdowns in the system due to human error, test failure, sampling errors and deliberate fraud', and called for the simplification and strengthening of import controls.[30]

5.37 The APFC called for the urgent review of the biosecurity regime for prawns and crustaceans, noting that the controls in place under the current IRA were insufficient to control risk, and were open to human failure and improper implementation. The APFC called for improved post-entry product surveillance, noting that prawn products did not have post-border controls similar to other commodities.[31]

5.38 The APFC further encouraged any biosecurity review to look at, among other things, emerging diseases in prawns and crustaceans; changing consumer behaviours with regard to prawn products; the proficiency of testing laboratories, and post-border disincentives to stop product substitution and mislabelling.[32]

5.39 With regard to revision of the IRA, Dr Ben Diggles argued that:

> The strong possibility that this disease incursion was caused by the use of imported prawns as bait signals an urgent need to revise the prawn IRA and reassess this and other potential pathways of aquatic animal disease introduction into Australia. The IRA has now not only failed, it is simply out of date. The risk profiles of diversion of prawns and other imported seafood products to bait and burley have either changed or were not properly identified in the first place.[33]

5.40 The SIAA noted that there were at least 35 viral, bacterial or other diseases affecting prawn farms globally, and that more would evolve, including in Australia. While supportive of appropriate import controls, the SIAA argued that imported prawns were not the only risk to biosecurity, and that:

> An over-reliance on border controls would inevitably lead to an endless procession of revised import risk analyses, revised import conditions, and further trade restrictions – with no guarantee that these diseases won't reach here by other pathways…these are aquatic diseases and Australia is surrounded by water.[34]

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30 Australian Prawn Farmers Association, *Submission 2*, p. 17.

31 Australian Council of Prawn Fisheries, *Submission 14*, p. 5.

32 Australian Council of Prawn Fisheries, *Submission 14*, pp. 18-19.

33 Dr Ben Diggles, *Field observations and assessment of the response to an outbreak of White Spot Disease (WSD) in Black Tiger Prawns* (Penaeus monodon) *farmed on the Logan River in November 2016*, Fisheries and Research Development Corporation, 21 February 2017, p. 47.

34 Seafood Importers Association of Australasia Inc., *Submission 13*, p. 13.

5.41 SIAA urged DAWR in its review of the IRA to undertake an assessment of all disease pathway risks, and not just importation. SIAA encouraged DAWR to 'look at which are the relevant points in the supply chain to apply necessary controls rather than focusing on just one potential pathway and placing almost all the control effort on just one point in the supply chain'.[35]

5.42 The ABFA agreed with this view, arguing that the reliance on border testing to manage disease risk was 'illogical' and did not account for new and emerging diseases that may not yet have tests in place.[36]

5.43 In reviewing the IRA, Dr Patrick Hone of the FRDC urged that effective, science-based systems were used to inform biosecurity measures. Dr Hone encouraged consideration of new and different processes being included in an updated IRA, rather than simply fixing the existing provisions.[37]

5.44 More broadly, there were calls to ensure that all IRAs were updated in a timely manner, rather than as a retrospective result of a disease outbreak. A number of submissions to the inquiry noted that the limited number of IRAs for particular seafood products were outdated, and did not have appropriate review mechanisms, thus increasing disease risk. For example:

- the ABFA noted that the IRA for barramundi products was 20 years old, generic and out of date;
- the NAC advised that the IRA for finfish was completed in 1999 and no longer reflects the breadth of finfish imports, and that no IRA exists for molluscs (including oysters); and
- the APFC noted that the prawn IRA appeared to have no review mechanism in place, outside of a high-profile failure such as occurred in late 2016 with WSD.[38]

Support for the IRA

5.45 Other evidence to the inquiry suggested that the development of the 2009 prawn IRA was sound. Dr Monckton, of Monckton Consulting, argued that:

> The scientific basis for the 2009 IRA was carefully and extensively debated by an expert panel with significant contributions from expert scientists overseas as well as local and public input. There was an expert scientific review panel to review the submissions from all stakeholders including the importers as well as the local prawn farmers and anyone or anybody who

35 Seafood Importers Association of Australasia Inc., *Submission 13*, p. 22.

36 Australian Barramundi Farmers Association, *Submission 12*, p. 3.

37 Dr Patrick Hone, Fisheries Research and Development Corporation, *Committee Hansard*, 28 August 2017, p. 12.

38 Australian Barramundi Farmers Association, *Submission 12*, p. 4; Australian Council of Prawn Fisheries, *Submission 14*, p. 11; National Aquaculture Council, *Submission 17*, pp. 4-5, 10.

> had to do with the importation and testing. While not a perfect document…it seemed to have most if not all the requirements to fulfill [sic] the requirements under the OIE and the acceptance of ALOP especially to have a low level of risk for any imported prawns.[39]

5.46 SIAA submitted that there was no conclusive evidence that the IRA had failed. SIAA argued that the provisions of the 2009 IRA 'would have been sufficient to ensure imported uncooked prawns remained a low risk to Australia's marine environment and fisheries – if they had been robustly enforced', and supplemented with pre-export testing.[40]

DAWR review of the IRA

5.47 The committee notes that on 16 May 2017, DAWR announced a review of the import conditions for prawns and prawn products, intended for human consumption. The review will consider the biosecurity risks from the imports of such products, and 'recommend appropriate import conditions to manage these'. The review will examine the IRA and other existing import conditions and policies.[41]

5.48 DAWR advised the committee that in undertaking the review, it would engage fully with the industry. To that end, DAWR would hold a consultation roundtable with stakeholders before the end of 2017, to 'ensure that all interested parties are informed, engaged and consulted'.[42]

Diseases in the IRA

5.49 Given the IRA was finalised in 2009, a number of submitters argued that the IRA should be updated to include new and emerging diseases not considered by the current IRA.

5.50 Evidence to the committee suggested that other disease agents not considered in the 2009 IRA included, among others, acute hepatopancreatic necrosis disease (AHPND), monodon slow growth syndrome, and Covert Mortality Disease.[43]

5.51 DAWR advised that it engages in ongoing monitoring of prawn diseases that may present a biosecurity risk to Australia. For example, in relation to AHPND,

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39 Monckton Consulting Pty Ltd, *Submission 10*, p. 6.

40 Seafood Importers Association of Australasia Inc., *Submission 13*, pp. 3, 16.

41 Department of Agriculture and Water Resources, *Review of import conditions for prawns and prawn products*, 16 May 2017, http://www.agriculture.gov.au/about/media-centre/media-releases/review-prawn-prawn-products (accessed 26 September 2017).

42 Ms Lyn O'Connell, Department of Agriculture and Water Resources, *Committee Hansard*, 11 September 2017, p. 2.

43 DigsFish Services Pty Ltd., *Submission 1*, p. 11 (includes a non-exhaustive list of new and emerging prawn diseases); Mr Alistair Dick, Gold Coast Marine Aquaculture, *Committee Hansard*, 27 June 2017, p. 6.

DAWR has reviewed scientific information and reached a preliminary conclusion that 'the current risk management measures for uncooked prawns, such as freezing, reduce the biosecurity risk of AHPND to an acceptable level'.[44]

Importing cooked prawns

5.52 Over the course of the inquiry, the committee received evidence from a number of witnesses that the best way to achieve Australia's ALOP from disease was to only import cooked prawns.

5.53 In its submission, the APFA stated that 'there does not appear to be any compelling reason why prawns must be imported to Australia in an uncooked state'. It was argued that other products, such as salmon, chicken and pork must be cooked prior to arrival in Australia, and there was no explanation as to why the same ALOP did not apply to prawns.[45]

5.54 The ABFA likewise asserted there were quarantine conditions for some imported meat products where cooking was required, and that this was permissible under the WTO and OIE rules. The ABFA argued, however, that prawns 'have a lower biosecurity threshold with raw product allowed', and that a higher risk burden should be introduced.[46]

5.55 Dr Diggles also argued that quarantine conditions requiring the cooking of imported meat products were within the rules of the WTO and the OIE, however the fishing and aquaculture industries were treated differently. Dr Diggles supported the importation of cooked prawn products, stating:

> By requiring cooking prior to entry, the processes of inspection at the border would be simplified, additional costs of testing for diseases would be eliminated, and other risk mitigations like processing (removal of heads/peeling/deveining) may no longer be required, resulting in a more streamlined inspection process at the border and potentially a cheaper product to the end consumer. Furthermore, the technology required to cook seafood is virtually no cost, imposing little burden on exporting countries, and we would no longer have this ridiculous situation whereby uncooked commodities enter Australia from WSSV positive overseas countries, while commercial fishers and aquaculturists in SE QLD have to cook their commodities prior to sending them interstate or up to North QLD.[47]

5.56 The NSIA held a similar view, and stated that cooking prawns was a 'simple, cheap and effective sanitary process that inactivates most pathogens' that present a

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44 Department of Agriculture and Water Resources, answers to questions on notice, 5 September 2017 (received 18 September 2017).

45 Australian Prawn Farmers Association, *Submission 2*, p. 18.

46 Australian Barramundi Farmers Association, *Submission 12*, p. 5.

47 DigsFish Services Pty Ltd., *Submission 1*, pp. 21-22.

threat to the environment and human and animal health. Further, the NSIA was of the view that cooking prawns was a low cost, low risk process that could be implemented quickly, and would reduce the costs associated with compliance testing and inspection. Importing only cooked prawns would 'likely be the only way to level the playing field and reduce risks to within the ALOP enjoyed by other non-seafood industries'.[48]

5.57 However, some submitters raised concerns about importing only cooked prawns. SIAA argued that while the import of cooked prawns would address some biosecurity concerns, to do so was to 'misunderstand the Australian market entirely'. SIAA continued that:

> Limiting supply to pre-cooked prawns would deprive foodservice businesses of their capacity to apply their culinary skills to add value through cooking – the very activity that underpins their competitive advantage, their revenue, and, some would argue, their purpose.
>
> There is a real danger that this would also inflict a major degrading of the quality of prawn meals available to consumers and jeopardise the premise that prawns are inherently high quality food…This in turn could lead to a slump in sales that would affect both local supply and imports.[49]

5.58 SIAA further argued that Australian-sourced uncooked prawns would not be able to fill the gap in the uncooked prawn market, as the production volume is less than the demand. This was confirmed by the FRDC, who noted that Australia would have to double its production of raw prawns to meet current market demand.[50]

5.59 DAWR made the point that only allowing the import of cooked prawns would not provide a '100 per cent guarantee' in preventing a white spot incursion, as there would remain other pathways for the disease to enter Australia. Further, importation of raw prawns and prawn product would be based on risk assessments, and if Australia could trade safely, 'then we should be trading'.[51]

5.60 This position on trade was also put forward by Minister Joyce. In correspondence to Mr Michael Crandon MP, Queensland Member for Coomera, Minister Joyce stated that:

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48 National Seafood Industry Alliance, *Submission 16*, pp. 9-10; 18.

49 Seafood Importers Association of Australasia Inc., *Submission 13*, p. 4.

50 Seafood Importers Association of Australasia Inc., *Submission 13*, pp. 4, 8; Dr Patrick Hone, Fisheries Research and Development Corporation, answer to question taken on notice, 28 August 2017 (received 5 September 2017).

51 Ms Lyn O'Connell, Department of Agriculture and Water Resources, *Committee Hansard*, 11 September 2017, p. 10.

> our two-way trading relationships are vital for Australian producers who rely on selling their products overseas and the government has an obligation to allow agricultural imports, where the science says it is safe to do so.[52]

'Highly processed' prawns

5.61 Throughout the inquiry, there was discussion as to whether the processing of prawns in certain ways reduces the viral load, or changes the likelihood of raw, imported prawns being used as bait. In particular, it was suggested that marinades on highly processed prawns were being washed off, and the clean raw prawns subsequently used as bait.

Removal of head and shell

5.62 The IRA contends that removal of the prawn head and shell reduces the viral load of infected prawns. DAWR has argued that shelled prawns being used as bait 'may result in a lower rate of viral introduction into the environment'.[53]

5.63 However, some evidence suggested that removing the prawn head does little to reduce the viral load. Dr Diggles summarised scientific evidence that removal of a prawn head does little to reduce the WSSV viral load, as 'viral load in individual prawns is nearly identical in either heads (49% of total virus) or tails (51% of total virus)'. The processing of green prawns (removing the head or shell) therefore reduces the viral load only by half.[54]

5.64 Mr Alistair Dick argued that while removing the head and shell of a prawn does not reduce the viral load, such an action could in fact increase the likelihood of a raw prawn being used as bait, and therefore increase the probability and risk of viral transfer.[55]

Marinated prawns

5.65 The NSIA argued that there was no scientific evidence that marinating or breadcrumbing prawns inactivates disease, or stops consumers from using prawns as bait or burley. The NSIA also questioned whether marinating and breadcrumbing were 'processing steps' that removed the need for disease testing. The NSIA contended that:

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52 The Hon Barnaby Joyce MP, correspondence to Mr Michael Crandon MP, 5 July 2017 (received 27 July 2017).

53 Department of Agriculture and Water Resources, *Report into the cause of white spot syndrome virus outbreak in the Logan River area of Queensland – December 2016, Interim report*, May 2017, p. 10.

54 Dr Ben Diggles, *Field observations and assessment of the response to an outbreak of White Spot Disease (WSD) in Black Tiger Prawns* (Penaeus monodon) *farmed on the Logan River in November 2016*, Fisheries and Research Development Corporation, 21 February 2017, p. 46.

55 Mr Alistair Dick, Gold Coast Marine Aquaculture, *Committee Hansard*, 27 June 2017, p. 2.

> this was simply misleading and heightened risks of disease introduction, instead of reducing them, by providing a loophole to avoid testing and allow entry of infected prawns into the retail sector.[56]

5.66 The APFA supported this view, stating that the term 'highly processed', as applied to marinated and breadcrumbed prawns, was a 'misnomer because it implies some form of heat or energy has been applied to the product, which would reduce or eliminate pathogens'. The APFA argued that as there was no scientific evidence that prawn pathogens are inactivated when highly processed, the importation controls presented a loophole for infected product to enter Australia. The APFA stated that this loophole should be closed.[57]

5.67 The SIAA submitted that it was unclear to what extent people were washing marinades off prawns. SIAA noted that despite this pathway being repeatedly mentioned by stakeholders, 'it is hard to imagine that a marinated product would be the first choice of anyone intending misuse when better suited products (e.g. un-marinated meat and cutlets) were available'. Nevertheless, the SIAA encouraged further research into the effectiveness of marinade in preventing the prawns being used as bait.[58]

5.68 The committee notes that as part of the enhanced import conditions in place from 7 July 2017, uncooked and marinated prawns are considered as one product class and subject to enhanced testing and import conditions such as seals intact inspection and pre-export disease testing.[59]

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56 National Seafood Industry Alliance, *Submission 16*, pp. 7-8.

57 Australian Prawn Farmers Association, *Submission 2*, p. 19.

58 Seafood Importers Association of Australasia Inc., *Submission 13*, p. 20.

59 Department of Agriculture and Water Resources, answers to questions on notice, 5 September 2017 (received 18 September 2017).