



NSW Aquaculture Assoc. Inc.
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16th January 2017

The Hon Josh Frydenberg
Minister for Environment and Energy
Ministerial Office:
Parliament House Office
M1:17, Parliament House
Canberra ACT 2600
Phone: 02 6277 7920

Dear Minister,

Re: Exotic dwarf Mexican Crayfish and your letter Ref: MC16-027975

Thank you for response dated 20th December 2016. Unfortunately, many of my colleagues and myself find your response unpalatable and confusing.

These are our concerns;

- Exotic dwarf Mexican crayfish are a pest species, the last thing Australia needs is another aquatic pest in its waterways
- They are fast growing and highly prolific, once released into Australian waters they will compete with native species to their detriment
- All exotic crayfish are capable of bringing Crayfish Plague (*Aphanomyces astaci*) to Australia this includes dwarf Mexican crayfish. Crayfish plague will destroy the Australian crayfish aquaculture industry and devastate Australia's aquatic ecology
- It is impossible to distinguish between domestically bred and newly imported dwarf Mexican crayfish so the risk to Australia is greatly increased by allowing the sales to continue, as it encourages further imports of this exotic species, greatly increasing the risk to Australia
- Allowing this exotic species to be sold can only act as a green light for further imports and sales of other exotic crayfish (many exotic species could get \$2000/animal in Australia) these high prices are very attractive to the unscrupulous; inaction on this first exotic species greatly increasing the risk to Australia
- Complete lack of cooperation and coordination between Federal Government Departments is a serious threat to the biosecurity of Australia.

Firstly, in your response you confirm that dwarf Mexican crayfish (genus *Cambarellus*) are not on the Live Import List and not eligible for live import. Further, you then acknowledge that exotic crayfish are being found and traded within Australia.

You confirm that the Department of Agriculture and Water Resources checked for Crayfish plague (*Aphanomyces astaci*) by sampling only one specimen with a negative result



additionally, concluding the specimens being sold were not imported but offspring bred in Australia.

By any worldwide standard, Australian standard or even scientific common practice a sample size of one, testing only one specimen for crayfish plague is substandard and inadequate when the whole ecology of Australia and the future of the Australian crayfish aquaculture industry is at extreme risk. The Department of Agriculture and Water Resources inadequacies are not in discussion here. The issue is the Department of Environment and Energy's failure to act on this critical issue.

Did your Department test any specimens for Crayfish Plague or even do any investigation at all, if so please provide a copy of your investigation report. From your response it seems your Department has not investigated, relying solely on the inadequate investigation conducted by DAWR.

This is a time when exotic crustacean diseases are in the press and the industry would have expected a greater degree of concern and alertness from the Federal Government. Australia was one of the few countries with a prawn farming industry which was free of white spot disease until recently. Now some Australian prawn farmers have the disease and hundreds of millions of dollars will be lost because Australia's biosecurity failed.

It is my understanding that National environment law is covered by the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) which is enforced by you and your department.

This legislation covers the import of all live animals. For the imports of live plants and animals the legislation: establishes a list of specimens suitable for live import. Only fish listed on the list of specimens taken to be suitable for live import (the live import list) can be imported into Australia. As dwarf Mexican crayfish are not on the live import list they are prohibited imports.

The EPBC Act refers to illegal imports.

<https://www.environment.gov.au/biodiversity/wildlife-trade/exotics> On your website it states: *Some of the exotic animals available in Australia have been imported illegally despite Australia's strict import laws. Possessing illegally imported animals (or their offspring) is an offence under national environment law. The penalty for illegal possession under national environment law is gaol of up to five years and/or a fine of up to \$110,000.*

Within the last year the trade of dwarf Mexican crayfish has started in Australia. Those trading knew they were doing something illegal and the trade was a clandestine one conducted on Facebook. You and your Department have been advised that offspring of illegally imported dwarf Mexican crayfish are currently being sold in Australia. The Department of Agriculture and Water Resources has confirmed this fact. Your Department is responsible for stopping the sale of offspring of illegal species, yet you and your Department are doing nothing.

I have a number of major concerns with the way this issue has proceeded to date. Firstly is the lack of cooperation and coordination between Federal Government Departments. When DAWR completed their investigation and found that the crayfish being sold were offspring



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and outside their jurisdiction why didn't they immediately refer the matter to the DEE? Why is one Government Department full of people paid to protect Australia incapable of communication with another Government Department full of people paid to protect Australia? Why does an unpaid citizen like myself have to be the communicator between departments. This complete lack of cooperation and coordination is a serious threat to the biosecurity of Australia.

Minister Joyce insinuated the dwarf Mexican crayfish may have been legally imported into Australia. When asked to provide information on when and how these crayfish were legally imported to the country he was unable to advise as to when or how the species got to Australia either legally or illegally. It should be required that those selling this illegal species provide proof of when the species was legally brought into the country and their offspring are from those crayfish. If they are also unable to provide that evidence, then the exotic crayfish they are selling must be considered illegally imported and they need to be prosecuted.

The Department of Environment and Energy's failure to act on this issue is unacceptable. Is your Department incapable of enforcing the EPC Act due to lack of resources, funding or some other reason? Or, are they just unwilling to do the job for which they are being paid to do by the Australian taxpayers?

One of our members advised of this latest sale occurring today in Queensland
<http://www.gumtree.com.au/s-ad/woolloomooloo/fish/mexican-dwarf-crayfish/1133244333>
Contact: Ryan,

It will only take one public prosecution to shut this illegal trade down. What are you and the Department of Environment and Energy going to do about this?

Your immediate response, so I can forward to the concerned wider scientific and aquaculture community would be appreciated.

Yours sincerely

Robert B McCormack
Secretary NSW Aquaculture Association Inc.