

From: Sarah Ross
Sent: Tuesday, 18 July 2017 2:45 PM
To: Economics, Committee (SEN)
Subject: RE: Asbestos imported in Products

Last Friday the AMWU presented to the Senate Committee in Melbourne. In addition to outlining a series of incidence where asbestos was illegally imported resulting in exposure of our members to asbestos, I noted that in November 2013 I had written to Customs and asked what steps were taken by customs/ ACBPS to stop asbestos at the border. Their response below was not encouraging - they did not outlining what processes they have implemented nor would they give assurances that products will be asbestos free.

The senate requested I forward the email – It is below.

Thank you
Regards

Sarah Ross
Education&OHS Officer
AMWU Vehicle Division

From: information@customs.gov.au
Sent: Friday, 10 January 2014 3:58 PM
To: Sarah Ross
Subject: RE: Asbestos imported in Products

Dear Sarah,

We apologise for the delay in responding to your query.

The Customs Act 1901 and the Customs (Prohibited Import) Regulations 1956, prohibit importation of all forms of asbestos without permission.

Importers are responsible for ensuring the goods they import are free from asbestos and must declare this on import documentation.

The Australian Customs and Border Protection Service (ACBPS) enforces the strict controls on the importation of hazardous and illegal goods such as asbestos.

Importers found to have imported goods containing asbestos without a permit face penalties of up to \$170,000 for individuals, \$850,000 for companies, or three times the value of the goods ? whichever is the greater.

ACBPS is currently investigating the matters involving the importation of train locomotives and wagons containing asbestos. We are working closely with a number of other government agencies. It would be inappropriate to comment further while these investigations are underway.

While ACBPS will not comment further on the train locomotive and wagons matter, and noting it is the responsibility of the importer to declare any goods containing asbestos, ACBPS adopts a comprehensive and multilayered approach to significantly reduce the risk posed by asbestos importation. ACBPS is not able, however, to guarantee that all imported goods will be free of asbestos.

Our comprehensive approach addresses the unlawful importation of goods containing asbestos by verifying compliance with the Customs Act 1901 and the Customs (Prohibited Import) Regulations 1956, which prohibit importation without permission of all forms of asbestos, through monitoring and intervention activities that are proportionate to the level of risk.

ACBPS works proactively with a range of federal, state and territory agencies to address concerns about the importation of goods containing asbestos, and our multi-layered approach includes education, campaigns, outreach activities and refining our targeting activity to account for high-risk countries of origin and suppliers. It was through this work that we first identified the risk with Great Wall and Chery motor vehicles, as well as a range of other products.

ACBPS also works closely with a broad range of industry sectors to ensure that goods are asbestos free before exportation to Australia. As a result of the outreach work we have undertaken, some companies have employed Australian expert hygienists to inspect and certify goods at their place of manufacture, prior to shipment to Australia. Some overseas suppliers have also changed their manufacturing and quality assurance practices, to ensure they are compliant with Australian laws.

Regards
Customs Officer | Customs Information & Support Centre
Trade Branch | Trade & Customs Division
Australian Customs and Border Protection Service
P: 1300 363 263 | F: 02 8339 6713 |
E: information@customs.gov.au
W: www.customs.gov.au

From: Sarah Ross
Sent: Monday, 25 November 2013 3:06:22 PM
To: information@customs.gov.au
Subject: Asbestos imported in Products

To Customs,

I am hoping you can assist me by providing information on what is done at Customs to ensure plant/equipment is not imported containing the prohibited substance, asbestos.

In 2012 it became obvious that Great Wall and Cherry Vehicles were being imported containing Asbestos gaskets ? a prohibited substance. Workers / maintenance workers were unnecessarily exposed. Great Wall underwent a process of removal of the asbestos.

More recently automotive workers at MTU Detroit Diesel were exposed to asbestos whilst working on SCT Imported Locomotives . It was found that the locomotives contained ?lagging? insulation which contained asbestos. These workers have been doing the job for 2 years . Again unnecessary exposure. The immediate issue has been addressed however there remains the question - how did this occur?

Can you please provide me with the steps taken to prevent prohibited substances from entering Australia. If it is not the responsibility of Customs to play a role in stopping the importation of Asbestos then whose responsibility is it? Any assistance you can provide is appreciated.

Yours Sincerely,

Sarah Ross
Education&OHS Officer
AMWU Vehicle Division