

**Rural and Regional Affairs and Transport Legislation Committee**  
**Questions on Notice**  
**Additional Estimates, Monday 23 February 2015 and Thursday 5 March 2015**  
**Agriculture Portfolio**

Senate No	Program/ Division or Agency	Senator	Broad topic	Question	Proof Hansard page & hearing date or Written question	Date received
1	ABARES	CAMERON	Enterprise Agreement	<p><b>Senator CAMERON:</b> Have you been conducting continuous improvement processes within the department over, say, the last 18 months?</p> <p><b>Mr Chapman:</b> As a business, I think we are always trying to improve the efficiency of how we conduct our business. It goes with the risk return and risk based intervention work we have been doing for a number of years and with the red tape reductions. So I think it is fair to say that improving the way we do our business is a constant element of work.</p> <p><b>Senator CAMERON:</b> What have you costed your red tape reduction within the department as?</p> <p><b>Mr Chapman:</b> I am not sure. I would have to take that on notice or get advice on that.</p>	25 23-2-15	
2	Agricultural Adaptation and Forestry Division	RICE	Climate science - RFAs	<p><b>Senator RICE:</b> I have one more question on climate, particularly on how climate science has progressed significantly in the years since the first RFAs were struck and climate has not been considered in the reviews so far. I</p>	139 23-2-15	

				<p>want to know how it is intended that the impacts of climate change and the value of forests for carbon sequestration are going to be taken into account in the review and progress reports to come.</p> <p><b>Mr McNamara:</b> We will have to take the question on notice.</p>		
3	Agricultural Adaptation and Forestry Division	LEYONHJELM	FSC certification	<p><b>Senator LEYONHJELM:</b> I have previously asked whether small importers who felt they had little option but to use FSC certification due to onerous due diligence requirements in the regulations would inevitably be contributing to WWF's coffers. In reply, the department stated that it was not aware of any evidence that suggested that the costs incurred in FSC certification financially benefited WWF International. Does FSC International make any payment to WWF International? If the department does not know, will the department find out and report the answer.</p> <p><b>Mr Padovan:</b> In our response we were not aware of any payments we have made. That is certainly something that we could take on notice.</p>	139-140 23-2-15	
4	Agricultural Adaptation and Forestry Division	RICE	Regional Forest Agreements	<p>In regard to the Hawke review of the EPBC Act in 2010, the commonwealth decided not to adopt the recommendations of the review with respect to Regional Forest Agreements, but acknowledged that accountability issues had been identified. The government stated it would deal with these issues as part of the</p>	Written	

				renewals process for the East Gippsland and Tasmania RFAs. How is this being dealt with?		
5	Agricultural Adaptation and Forestry Division	LEYONHJELM	FSC International	Does FSC International make any payment to WWF International? If so, what is the size, frequency and form of such payment?	Written	
6	Agricultural Policy Division	CAMERON	Hepatitis A outbreak	<b>Senator CAMERON:</b> Have you provided any of that advice over the period of this problem with the hepatitis A outbreak? <b>Dr Grimes:</b> I personally have not provided advice, but of course the department provides advice. I would have to check with the relevant officers what advices might have been provided in the last few days. But the minister is very well informed on these matters.	11 23-2-15	
7	Agricultural Policy Division	BACK	FIRB	<b>Senator BACK:</b> If the land, now being agricultural, was purchased by a foreign entity, not for the purposes of agriculture but for the purposes of mining, would it be captured under the agricultural provisions? <b>Ms Freeman:</b> I might have to take that on notice, unless Ms Jones can answer that. I would have to take it on notice. <b>Ms Jones:</b> No, I cannot. There are a number of details to be worked through that I think the Treasury portfolio would be best placed to answer.	136-137 23-2-15	

8	Australian Egg Corporation	RHIANNON	Free range eggs	<p>In relation to last year's (September) \$300,000 penalty imposed on Pirovic Enterprises by the Federal Court:</p> <ol style="list-style-type: none"> <li>1. Chairman of the ACCC (Australian Competition and Consumer Commission) stated that the Federal Court's finding that Pirovic had misled consumers by using egg cartons labelled "free range" with images of three hens roaming in open pastures when its 80,000 hens rarely saw the light of day. <ol style="list-style-type: none"> <li>a. Does the Australian Egg Corporation (AEC) consider this ruling clear guidance that eggs labelled free-range must be backed by farming conditions and practices under which hens actually move about on an open range each day?</li> </ol> </li> <li>2. Does the AEC agree with Justice Flick and Franko Pirovic's observation that Pirovic's offending practices were consistent with the practices of most other competitors that sold and promoted for sale eggs as 'free range'? <ol style="list-style-type: none"> <li>a. If not, explain exactly how this is not the case?</li> <li>b. Is the AEC auditing its member producers claiming free-range eggs for hens to ensure they meet the definition of free-range egg production as inferred by the Federal Court's decision?</li> <li>c. What is the AEC doing to ensure its member producers claiming free-</li> </ol> </li> </ol>	Written	
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				<p>range eggs for hens that do not move about on an open range daily, change their farming practices to ensure daily open ranging by their ‘free-range’ chickens?</p> <p>3. The Australian Egg Corporation is supposed to represent the interests of all its egg growers, including true free-range egg producers?</p> <ol style="list-style-type: none"> <li>a. Are voting rights for member producers something like one vote per chicken owned?</li> <li>b. How are the interests of free-range egg producers running a few hundred or even a few thousand birds protected, when just a few behemoths effectively own the AEC’s directions?</li> </ol> <p>4. Chair of the ACCC, Mr Sims, called for the maximum threshold to notify a collective bargaining arrangement should be reviewed to ensure that it is not restricting participation by small business.</p> <ol style="list-style-type: none"> <li>a. What actions is the AEC undertaking to review the maximum threshold as recommended by the ACCC?</li> </ol> <p>5. The Federal Court ruled that free range means the birds can and do go outside on most days. Which of those corporate egg producers label their eggs as ‘free-range’ yet run farming conditions similar to those of Pirovic’s farming practices that were found to not be ‘free-range’?</p> <p>6. May I have an update on which of the</p>		
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				<p>Australian Egg Corporation's members currently have complaints against them or are being taken to court for:</p> <ol style="list-style-type: none"> <li>a. misleading labelling of eggs as 'free-range' when their chickens can't or don't range freely outside every day?</li> <li>b. For animal welfare complaints?</li> </ol>		
9	Australian Fisheries Management Authority	CHAIR	Illegal fishing vessels	<p><b>CHAIR:</b> Could you provide this committee with the details of ships that you have done that to and, having done that, do you know who owned them? Or did you just get everyone off it and say, 'Put it to the bottom'?</p> <p><b>Mr Venslovas:</b> To answer your first question, yes, we can.</p> <p><b>CHAIR:</b> Do not be frightened to talk up. Just turn the volume up in your mouth.</p> <p><b>Mr Venslovas:</b> Normally I am accused of being too loud.</p> <p><b>CHAIR:</b> No, you can be as loud as you like.</p> <p><b>Mr Venslovas:</b> To answer the first part of your question, we can provide details of those vessels that have been confiscated and disposed of or destroyed by the Australian authorities. In relation to the application of the legislation and how it works, when a foreign fishing vessel is detected illegally operating inside Australian waters—that is, inside the Australian fishing zone—legislative forfeiture provisions apply under the act where the vessel is automatically forfeited to the Commonwealth, and the onus is on the owner to then take action in a civil court to challenge that action. That is a</p>	51 23-2-15	

				separate legal process to the criminal prosecution of the master, which is dealt with in the criminal courts. If there is no successful challenge launched by the owners, the vessel is condemned as forfeited after 30 days and is available for disposal by the Commonwealth.		
10	Australian Fisheries Management Authority	CHAIR	Ownership of boat	<p><b>CHAIR:</b> So I want to know: who owns the boat?</p> <p><b>Dr J Findlay:</b> Seafish Tasmania owns the boat in Australia and—</p> <p><b>CHAIR:</b> No, they control the boat. Who owns the boat?</p> <p><b>Dr J Findlay:</b> I told you. Parlevliet &amp; Van der Plas owns the boat.</p> <p><b>CHAIR:</b> Could you put all of that onto paper for me so I can do a tax-research issue on it?</p> <p><b>Dr J Findlay:</b> I think so, if I could take that on notice.</p> <p><b>CHAIR:</b> If you are going to approve this thing you have to know who you are approving. So please give me the details of whoever in Tassie is leasing it or has the rights to it—or is sharing equity or whatever they are doing—and the company and their ID that it is registered under, and their registration, so I can get the Parliamentary Library to do a bit of research for me.</p> <p><b>Dr J Findlay:</b> I do not think that is a problem. We can do that. I think it is a matter of public record anyway.</p>	55-56 23-2-15	

11	Australian Fisheries Management Authority	WHISH-WILSON	South-east Asian portside control	What steps has AFMA taken to improve the level of South-east Asian portside controls to stop the offloading of fish illegally caught in the Southern Ocean?	Written	
12	Australian Fisheries Management Authority	WHISH-WILSON	Southern Bluefin Tuna (SBT) quota	<ol style="list-style-type: none"> <li>1. What evidence did AFMA use to support the decision to increase Australia's SBT quota in October 2013?</li> <li>2. Did the Parliamentary Secretary for Agriculture, Senator Colbeck, discuss with AFMA the pending assessment of the SBT tuna quota prior to the decision to increase Australia's SBT quota in October 2013?</li> <li>3. Did the Parliamentary Secretary for Agriculture, Senator Colbeck, express a view to AFMA regarding the pending assessment of the SBT tuna quota prior to the decision to increase Australia's SBT quota in October 2013?</li> <li>4. Did the Australian Southern Bluefin Tuna Industry Association discuss with AFMA the pending assessment of the SBT tuna quota prior to the decision to increase Australia's SBT quota in October 2013? If so, is this standard practice?</li> </ol>	Written	
13	Australian Fisheries Management Authority	WHISH-WILSON	Small Pelagic Fishery (SPF)	<p>In regards to the SPF and AFMA's announcement this month that it received a new notification that Seafish Tasmania Pty Ltd has nominated the <i>Geelong Star</i> to fish its concessions in the Small Pelagic Fishery:</p> <ol style="list-style-type: none"> <li>1. Has AFMA made a decision to abandon the specific recommendation of the</li> </ol>	Written	



				<p>recent expert panel report to require 100% coverage by independent observers in the SPF?</p> <ol style="list-style-type: none"> <li>2. Has the Parliamentary Secretary to the Minister for Agriculture, Senator Richard Colbeck, pre-empted AFMA's considered decision with his recent announcements regarding the <i>Geelong Star</i>?</li> <li>3. Given the expert panel was clear on the need for 100% observer coverage, does AFMA have faith that any "move-on" provisions, protected species bycatch mitigation, or discards policies are adequate?</li> <li>4. Is it true that AFMA's most recent review of the SPF recommended that target exploitation rates for the SPF should be species-specific and possibly even stock-specific, and that Tier 2 exploitation rates should be well below 7.5% for two SPF species targeted by the <i>Geelong Star</i>?</li> <li>5. Will the <i>Geelong Star</i> have to abide by these recommendations?</li> <li>6. Has the Parliamentary Secretary to the Minister for Agriculture, Senator Richard Colbeck, pre-empted AFMA's considered decision with his recent announcements regarding the <i>Geelong Star</i>?</li> </ol>		
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14	Australian Pesticides and Veterinary Medicines Authority	BULLOCK	Generic products	<p>Prior to your decision in July 2014 to apply a new interpretation of s 162 (1) of the Agvet Code so as to reject applications for a generic product that relied on the CCI of a reference product:</p> <ul style="list-style-type: none"> <li>• On how many occasions did the owner of the CCI initiate, threaten or otherwise indicate that they may take legal action against the Authority or any of the persons specified in s162 (1) of the Code for any action involved in the processing of an application for a generic product that relied on the CCI of a reference product?</li> <li>• On how many occasions did any law enforcement authority question or otherwise take any action in regard to any alleged breach of s 162(1) of the Code for any action involved in the processing of an application for a generic product that relied on the CCI of a reference product?</li> </ul>	Written	
15	Australian Pesticides and Veterinary Medicines Authority	BULLOCK	Generic products	Who first suggested to you that s162 (1) of the Code prohibited the Authority from using CCI for a reference product in the processing of an application for a generic product?	Written	
16	Australian Pesticides and Veterinary Medicines Authority	BULLOCK	Generic products	Apart from seeking legal advice who else did you consult with on this matter prior to implementing a change of practice?	Written	

17	Australian Pesticides and Veterinary Medicines Authority	BULLOCK	Generic products	From whom did you seek legal advice on this matter?	Written	
18	Australian Pesticides and Veterinary Medicines Authority	BULLOCK	Generic products	<p>On 20 November 2014 you stated that as of 14 November:</p> <p><i>there were 164 affected agricultural applications on hand. In 48 of those we were waiting on a response from the applicant; 76 had responded and we were assessing that response; and in 40 the applicant had provided additional data or consent to access the CCI and the application was proceeding. That is for agricultural chemicals. For veterinary chemicals, as at 7 November we had 76 affected veterinary applications. In 31 we were waiting on the response from the applicant; in 14 we were assessing the response; and in 31 the applicant had provided additional data or consent to access CCI and the application was proceeding.</i></p> <p>Could you provide us with an update on those figures now three months on?</p>	Written	
19	Australian Pesticides and Veterinary Medicines Authority	BULLOCK	Generic products	How many generic products were registered in each of the four six month periods from January 2013-December 2014 (i.e Jan-Jun 2013; Jul-Dec 2013; Jan-Jun 2014; Jul-Dec 2014)?	Written	

20	Biosecurity – Animal Division	CHAIR	Importation of fresh pork and beef	<p><b>CHAIR:</b> Just as a parting gift, I do not suppose Canada or the US have ever grumbled or rumbled about bringing fresh pork or beef into Australia again, have they?</p> <p><b>Ms Mellor:</b> I do not think so.</p> <p><b>CHAIR:</b> Just let me know if they do.</p> <p><b>Ms Mellor:</b> Yes. We have the animal division at 4.45 pm.</p>	109 23-2-15	
21	Biosecurity – Animal Division	BACK	BSE content	<p><b>Senator BACK:</b> This is a product of the Coopers company, I think, that was suspended because of the BSE content being manufactured in America. Could that product not have been manufactured in a country other than America that does not have the BSE cloud hanging over its head?</p> <p><b>Ms Arthy:</b> That is beyond my area of expertise. I will check whether my colleague has the answer.</p>	140 23-2-15	
22	Biosecurity – Plant Division	SIEWERT	Review of possible entry pathways for Red Imported Fire Ants (RIFA)	<p><b>Senator SIEWERT:</b> I wrote to the minister, who did answer my questions, around the incursion in New South Wales of red imported fire ants, which, I understand from the response, is not related to any previous incursions. Is that a correct understanding? He also said that you were undertaking a review of the possible entry pathways in order to re-evaluate the risk of each pathway. I am just wondering where that review is up to and the timeline for the process.</p> <p><b>Ms Mellor:</b> We have initiated some work on pathways—so vessels, containers, machinery et cetera—in which ants may be a problem</p>	131 23-2-15	

				<p>and from where. These have a different genetic make-up than the ants that were found in Queensland some years ago. So the compliance people are actually now doing an analysis. Even though red imported fire ants are sourced in Argentina, it does not mean that that is where the container or whatever came from. So they are just trying to work out at the moment where some of the risk pathways are that are now emerging by virtue of the different genetics. As a result of that, we are reviewing our surveillance plans in ports around Australia. In terms of the timing of that review, I would have to take that on notice and come back to you. It is work that has been scoped already, and I do not know exactly what point of progress it is at.</p> <p><b>Senator SIEWERT:</b> If you could take it on notice, because the letter does not give a lot—it was good in that it at least let me know that that was going on, but it would be appreciated if you could give me a timeline of when you expect it to be completed. As I understand it, the letter also says that the nest has been eradicated.</p> <p><b>Ms Mellor:</b> That is right.</p>		
23	Biosecurity – Plant Division	BACK	Mixed consignments of goods into Thailand	<p><b>Senator BACK:</b> Look I am just interested in this issue with the Thai government in terms of mixed consignments of horticultural produce. Can you please give me an update on where we are with that issue: oranges and mandarins, apples and pears.</p> <p><b>Ms Mellor:</b> I will ask Ms van Meurs and Ms</p>	131-132 23-2-15	

			<p>Calhoun to assist you with that.</p> <p><b>Ms van Meurs:</b> We are aware that the Thai government has raised some concerns about mixed consignments of goods into Thailand. We have asked our counsellor to work with the Thai authorities to clarify the position. We have also written to the Thai authorities to clarify the position. At the moment, it seems that there is some sort of confusion around the same consignments entering Thailand, so we are just trying to resolve that at the moment.</p> <p><b>Senator BACK:</b> What was the catalyst that caused their concern in the first place?</p> <p><b>Ms Calhoun:</b> We are still working through the exact issues of what the catalyst was there. We understand that the container that went needed to be treated under the same conditions. We were of the understanding that we could put it on the same certificate and send it. When it arrived in the port, there were some questions around how that is managed, which is what we are trying to clarify with the Thais at the moment.</p> <p><b>Senator BACK:</b> So there has not been a question of breakdown of phytosanitary standards?</p> <p><b>Ms Calhoun:</b> No, there has not. They were treated to the conditions which we certified, and my understanding is that both the consignments have been cleared subsequently.</p> <p><b>Senator BACK:</b> At the moment, then, mixed products are not being accepted but</p>		
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				<p>individually presented products are.</p> <p><b>Ms Calhoun:</b> That is right.</p> <p><b>Senator BACK:</b> Secretary, it would be good if, when it has been resolved, we can get some feedback. I would be appreciative.</p>		
24	Biosecurity – Plant Division	BULLOCK	Plants that may threaten the environment	Of the plants on your watch list is there any plant that, while not posing a threat to human, animal or plant health could cause such significant damage to Australia’s environment, biodiversity or ecosystems as to constitute a national emergency?	Written	
25	Biosecurity – Plant Division	BULLOCK	Manual of Importing Country Requirements	How many complaints have you received from exporters about the accuracy of information in the Manual of Importing Country Requirements?	Written	
26	Compliance Division	CAMERON	Food inspection managers – loss of jobs	<p><b>Senator CAMERON:</b> How many food inspection managers have lost their jobs as part of that 279.51?</p> <p><b>Ms Mellor:</b> Regarding the people who run the program, there are approximately 10 FTE. That is not the people who order things into inspection; that is the people who run the program.</p> <p><b>Senator CAMERON:</b> So 10 people who ran the food administration program have lost their jobs.</p> <p><b>Ms Mellor:</b> No, sorry, there are 10 FTE in that program.</p> <p><b>Senator CAMERON:</b> Were there 10 as at 30 June 2013?</p> <p><b>Ms Mellor:</b> It is still sitting at around 10, and</p>	9 23-2-15	

				<p>has been—</p> <p><b>Senator CAMERON:</b> So there have been no job losses in that area?</p> <p><b>Ms Mellor:</b> I will have to come back to you on that.</p> <p><b>Senator CAMERON:</b> So there are 10 what are colloquially called food administration managers and you do not think there has been any reduction in that.</p> <p><b>Ms Mellor:</b> I will confirm that.</p>		
27	Compliance Division	CAMERON	Reduction of staff in food administration area	<p><b>Senator CAMERON:</b> What I am trying to establish—and there is no secret in this—is: have there been any reductions of staff in the food administration area that would weaken our capacity to identify problems with berries or any food contamination problems from imported goods?</p> <p><b>Ms Mellor:</b> Again, I would have to check about the movement in numbers and whether there has been a reduction. It is a cost recovered program; it is not something that is funded out of general appropriations. I could not tell you. The system itself, the Imported Food Inspection Scheme, sets the rate of inspection, and so the rate determines the staffing.</p>	10 23-2-15	
28	Compliance Division	CAMERON	Discussions with minister – health and safety	<p><b>Senator CAMERON:</b> I want to be exactly sure that you have. I am not questioning your honesty or anything like that, not for one minute, but I think we are entitled to understand the process that you, as the secretary, have undertaken to ensure the</p>	11 23-2-15	



				<p>health and safety of the Australian consumers. Have you had discussions with the minister on this issue?</p> <p><b>Dr Grimes:</b> Indeed, we have had discussions with the minister on this matter.</p> <p><b>Senator CAMERON:</b> Have you provided any advice to the minister on this issue?</p> <p><b>Dr Grimes:</b> Yes, we have provided advice to the minister on this issue.</p> <p><b>Senator CAMERON:</b> When did you provide advice to the minister?</p> <p><b>Dr Grimes:</b> We would have provided advice on a number of occasions over the last week.</p> <p><b>Senator CAMERON:</b> I am not asking for what the advice is, but could you provide details of when the advice was provided? You can take that on notice.</p> <p><b>Dr Grimes:</b> I would have to take that on notice. It would take the form of both discussions and formal advice through briefing.</p> <p><b>Senator CAMERON:</b> How many pieces of formal advice have you given? Would that be advice in writing?</p> <p><b>Dr Grimes:</b> We have certainly given advice to the minister in writing on these matters. I would have to take it on notice to give you a precise number of advices. But we have most definitely provided advice.</p>		
29	Compliance Division	SIEWERT	FSANZ and berries	<p><b>Senator SIEWERT:</b> In terms of the advice when FSANZ first set the risk level on berries, did they seek your advice on that? I know it was a while ago. I am pretty certain</p>	13 23-2-15	

				<p>that you would have been looking into this in a bit of detail.</p> <p><b>Ms Mellor:</b> I would have to check. I really do not know.</p>		
30	Compliance Division	CAMERON	Reducing red tape – Compliance Division	<p><b>Senator CAMERON:</b> Can you provide details of any instructions you have given to the compliance division in relation to reducing red tape and reducing costs in the compliance division—details of what you or any of your officers have said?</p> <p><b>Dr Grimes:</b> We would have to take a question like that on notice. It is very broad, Senator.</p> <p><b>Senator CAMERON:</b> I am happy for you to take that on notice. I think it is an important issue that we need to deal with. I think I have chased this down as far as I can go in the broad area. I will come back on some of the details.</p>	15 23-2-15	
31	Compliance Division	MILNE	Contaminated berries scare in Europe	<p><b>Senator MILNE:</b> Given that you follow it and, you would assume, that the department and FSANZ follow it, what happened with hepatitis A as a result of the contaminated berries scares in Ireland, Italy, France and Norway last year? Those scares were all over the internet—hepatitis A from contaminated berries. It happened in the United States as well. Did anyone in the department or the minister's office raise a red flag about the level of surveillance of imported berries at the time this was identified as a problem in Europe?</p>	15-16 23-2-15	

				<p><b>Senator CAMERON:</b> Or did you just keeping cutting jobs and food compliance?</p> <p><b>Senator Colbeck:</b> I think that is a very unfair assertion to make given that, as Ms Mellor has said, this a cost recovered program, so as imports or product coming through increase, the resources go with it. Your assertion is therefore quite unfair. It is a pretty crass political point, to be honest. I think yours is a good question, Senator Milne. I would have to take that on notice and I am sure the department would as well.</p> <p><b>Senator MILNE:</b> I would appreciate it if you did take it on notice.</p>		
32	Compliance Division	MILNE	Contaminated berries outbreak in Europe	<p><b>Senator MILNE:</b> The specific question is as follows. There were several berry contamination outbreaks in Europe which led to hepatitis A. In several countries the European Union did a study of that. There were major reports. Senator Colbeck mentioned the United States, but I am more familiar with the European experience. As early as April last year, there were strong reports out of the European Union after they did the investigation. What I am asking specifically is: what did Australia do in response to seeing a red flag raised in the European Union? There were not just accusations but reports about the considered view of the food authorities there. They introduced a software program to look at the lab through to the source et cetera. What did Australia do? And when did we do it? We</p>	17 23-2-15	

				<p>were cognisant of the fact that it was happening in Europe; therefore, we should have been doing a similar sort of thing.</p> <p><b>Dr Grimes:</b> As I indicated before, we rely primarily on advice that we get from FSANZ and that question probably is best addressed to FSANZ. We can check to see whether there was any work done at our end on that matter. We do rely very heavily on the advice that we are provided by FSANZ.</p> <p><b>Senator MILNE:</b> In other words, if FSANZ do not act the Australian government does not act to protect the community.</p> <p><b>Dr Grimes:</b> I would not describe it in those terms. We would have to check what records we have got at our end of any involvement around those incidents at that time.</p>		
33	Compliance Division	CHAIR	Chronology of events	<p><b>CHAIR:</b> Would it assist the committee process if you were able to table this chronology of events?</p> <p><b>Ms Vivian:</b> I can table it, but it has handwritten things over it, so what I would like to do is tidy it up.</p> <p><b>CHAIR:</b> If you could tidy it up.</p>	80 23-2-15	
34	Compliance Division	CHAIR	Testing of antibiotics in prawns coming from Vietnam	<p><b>CHAIR:</b> But we should learn from the prawns episode. Do we test for antibiotics in the prawns coming in from Vietnam and other places?</p> <p><b>Ms Mellor:</b> Yes, we do.</p> <p><b>CHAIR:</b> What is the regime of testing? I will take that on notice.</p> <p><b>Senator SIEWERT:</b> Hang on! I want to stay</p>	90 23-2-15	

				<p>on this.</p> <p><b>CHAIR:</b> So do I.</p> <p><b>Senator SIEWERT:</b> This is why I jumped in before.</p> <p><b>CHAIR:</b> So do I. Because they are cunning enough to sell those prawns somewhere where there is not the surveillance. They are still producing them with the antibiotic contamination and selling them to places that do not wake up to the fact that they are copping them. Whereas Japan woke up to the fact, so they hunted them out of Japan and sold them somewhere else. The same thing will happen here. You have to go and have a bloody look.</p> <p><b>Senator SIEWERT:</b> Chair, I want to go back to the question that I asked. Could you take on notice whether it is just a practice that has never happened or whether, under your act, you can act without that advice?</p> <p><b>Ms Mellor:</b> Yes.</p> <p><b>Senator SIEWERT:</b></p>		
35	Compliance Division	SIEWERT	FICA	<p><b>Ms Mellor:</b> There is another company. Most of these companies do not just import berries. A lot of them import different food lines.</p> <p><b>Senator SIEWERT:</b> So the FICA is—</p> <p><b>Ms Mellor:</b> The FICA is about the company and its arrangements.</p> <p><b>Senator SIEWERT:</b> It is the whole lot.</p> <p><b>Ms Vivian:</b> We do need to check something. One of the other companies on a FICA imports berries. I did say Chinese berries, and my staff will check, but I am just not quite</p>	91 23-2-15	

				<p>sure whether they do import from China.  <b>Senator SIEWERT:</b> You are not sure whether it is one of the other 30.  <b>Ms Vivian:</b> Yes.  <b>Senator SIEWERT:</b> So, potentially, we have another company that is importing berries under a FICA that is doing its own assessment.  <b>Ms Mellor:</b> It is providing us with results and subject to an audit regime.  <b>Mr Ironside:</b> That is right.</p>		
36	Compliance Division	CHAIR	Testing	<p><b>CHAIR:</b> At what point do they test? The freezer container comes in. Do they take the sample as they are unloading it or when it is down at the freight forwarders?  <b>Ms Vivian:</b> I would have to confirm, but I would think that it comes in on the containers, is put on a ship and is taken to their warehouses. I imagine that is where they would have the—  <b>CHAIR:</b> This committee has had lots of fun with import risk stuff, so we might accept an invitation from the appropriate departmental authorities to go and have a look to see whether it passes the man-in-the-street test.</p>	96 23-2-15	
37	Compliance Division	SIEWERT	Microbial testing	<p><b>Senator SIEWERT:</b> He was talking about viruses.  <b>CHAIR:</b> I will have to go back to that.  <b>Senator SIEWERT:</b> So at the moment, despite the fact that you have just said that Patties was doing some microbial testing, the other importers do not do that because they</p>	97 23-2-15	

				<p>have not got a figure?</p> <p><b>Senator Colbeck:</b> No, I do not think you can make that statement, Senator.</p> <p><b>Senator SIEWERT:</b> That is why I am asking. That is what I understood—</p> <p><b>Senator Colbeck:</b> That is an interrogation of their systems, which would be part of a discussion. So I am not sure we can completely answer the question.</p> <p><b>Ms Vivian:</b> No, we could not—</p> <p><b>Senator Colbeck:</b> We will have to take that on notice.</p>		
38	Compliance Division	SIEWERT	Screening of cruise ships	<p><b>Senator SIEWERT:</b> From what I just understood, you are not providing screening of cruise ships into Tasmania.</p> <p><b>Ms Mellor:</b> It depends on whether it is a first port. If it is a first port, we will provide screening. So if it is the first place that an international ship stops, we will do that, and possibly under arrangement. But if it is not a first port, it is not this department's responsibility.</p> <p><b>Senator SIEWERT:</b> Okay. So you are still checking ships if they are first port?</p> <p><b>Ms Mellor:</b> Yes.</p> <p><b>Senator SIEWERT:</b> If they are coming direct from New Zealand, are they screened as first port?</p> <p><b>Ms Mellor:</b> They should be, but let me check that. I am just not conscious of whether this department is doing it, whether we are asking Primary Industries down there to do it or whether we have got it under another</p>	99-100 23-2-15	

				<p>arrangement, say with Customs. I just need to check that.</p> <p><b>Senator SIEWERT:</b> If you could, that would be great. Presumably, if the state department is picking it up, that will come as part of your response in terms of what the state department is contributing.</p> <p><b>Ms Mellor:</b> Yes. We will get you information on the agreement.</p> <p><b>Senator SIEWERT:</b> I am also told that, on occasions, inspections by state government staff of cruise ships have turned up kilograms of fruit and vegetables with passengers that has not been screened.</p> <p><b>Ms Mellor:</b> It may well have come from Melbourne. Again, we have delved into that.</p>		
39	Compliance Division	XENOPHON	Berry outbreaks overseas	<p><b>Senator XENOPHON:</b> I know this has been dealt with extensively this afternoon, but Senator Milne asked a question earlier today about the outbreaks overseas. If there were an outbreak in respect to a particular type of food—in this case berry outbreaks were reported at the Centers for Disease Control and Prevention back in May 2013, there were Hep A outbreaks in Canada in 2012, and also again in May 2013 there were outbreaks in Europe. To what extent does the department look out for that and monitor any outbreaks overseas and then make inquiries as to whether the source of those outbreaks could in any way be related to products that could be coming into our country? In other words, what protocols are there? To summarise it, do</p>	103 23-2-15	



				<p>you monitor any outbreaks overseas, what protocols are there for monitoring those and what action, if any, does that trigger in respect to any overseas outbreaks?</p> <p><b>Mr Pythian:</b> For Australia internationally, under the World Health Organization, there is the INFOSAN network. FSANZ is the emergency contact point for that network, and they will be able to discuss that in greater detail than I can.</p> <p><b>Senator XENOPHON:</b> So you cannot tell us whether FSANZ advised you of previous outbreaks—for instance, in respect of berries in 2012 in Canada and in 2013 in the United States and in Europe?</p> <p><b>Mr Pythian:</b> We meet regularly with FSANZ, almost every month.</p> <p><b>Senator XENOPHON:</b> That was not my question. Can you take on notice whether you were advised of the previous outbreaks in respect of Hepatitis A berry contamination?</p> <p><b>Mr Pythian:</b> Yes, I can take it on notice.</p>		
40	Compliance Division	XENOPHON	FSANZ - gatekeeper	<p><b>Senator XENOPHON:</b> So you do not do that independently. As Dr Grimes said, you rely on FSANZ to be the gatekeeper for that? Is that nod? Is that a 'yes'?</p> <p><b>Dr Grimes:</b> That is certainly my understanding.</p> <p><b>Senator XENOPHON:</b> Sorry—'certainly your understanding'—is that the actual protocol, though?</p> <p><b>Dr Grimes:</b> I would have to take that on notice. I would have to check.</p>	104 23-2-15	

				<p><b>Senator XENOPHON:</b> So you do not know the protocol?</p> <p><b>Mr Phythian:</b> There is a memorandum of understanding between the Department of Agriculture and the Department of Health, and under that sits an annexe. It is specifically between the imported foods section and FSANZ.</p> <p><b>Senator XENOPHON:</b> Is that publicly available?</p> <p><b>Mr Phythian:</b> I think it is on our website.</p> <p><b>Ms Mellor:</b> It should be on our website. If it is not, we can make it available.</p>		
41	Compliance Division	SIEWERT	Interception of seeds	<p><b>Senator SIEWERT:</b> Over the last 12 months how many times have you intercepted seeds coming in privately, not commercial importation, through ordering online?</p> <p><b>Ms Hinder:</b> It could be tricky to get it down to that granularity, but let us take it on notice and see what we can do. I suspect we will not be able to split between commercial and non-commercial, just because of the way people do it.</p> <p><b>Senator SIEWERT:</b> I take your point.</p>	105 23-2-15	
42	Compliance Division	BULLOCK	Hepatitis A and Ready to Eat Berries	<p>Since the multistate outbreak of Hepatitis A in Australia in 2009 associated with semidried tomatoes which affected around 280 people what steps were taken to prevent a repeat outbreak associated with any of the foods known to be the most common risks for Hepatitis A infection, including berries?</p>	Written	

43	Compliance Division	BULLOCK	Hepatitis A and Ready to Eat Berries	After the outbreak of Hepatitis A in several European countries associated with frozen berries which affected some 1,318 people between January 2013 and April 2014 what steps were taken to protect Australians from a similar outbreak?	Written	
44	Compliance Division	BULLOCK	Hepatitis A and Ready to Eat Berries	Have any steps been taken to recommend that consumers boil frozen berries before consumption as recommended by authorities in Ireland and Italy?	Written	
45	Compliance Division	BULLOCK	Hepatitis A and Ready to Eat Berries	What certification, if any, is currently required in relation to imported frozen berries regarding adherence to hygienic standards during harvesting and processing?	Written	
46	Compliance Division	BULLOCK	Hepatitis A and Ready to Eat Berries	What steps have been taken since the publication in 2012 by the Codex Alimentarius Commission of the <i>Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food</i> including its Annex II on the <i>Control of Hepatitis A Virus (HAV) and Norovirus (NoV) in Fresh Produce</i> to ensure that all fresh produce, including ready to eat berries, imported into Australia are produced in full accordance with these guidelines?	Written	
47	Compliance Division	BULLOCK	Hepatitis A and Ready to Eat Berries	Have any steps to be taken to (a) identify the quality control contractors used at the factories in China which supplied the berries implicated in the current outbreak of Hepatitis A in Australia; (b) ascertain which	Written	

				other imported products coming into Australia have been produced or packaged at factories certified by those quality control contractors as complying with the relevant hygienic standards; and (c) to implement measures to ensure that imported products from these factories are actually safe?		
48	Executive	CAMERON	File notes	<p><b>Senator CAMERON:</b> Dr Grimes, have you collated your file notes in relation to any correspondence between you, any of your officers and Minister Joyce and his office in relation to this issue?</p> <p><b>Dr Grimes:</b> I have not collated the documents in the way that you describe. Obviously, I maintain some documents but I have not collated them in the way that you describe.</p> <p><b>Senator CAMERON:</b> Do you have documents here in relation to your engagement with Minister Joyce's office on this?</p> <p><b>Dr Grimes:</b> I have some documents—whether they are appropriate for tabling would need to be properly considered.</p> <p><b>Senator CAMERON:</b> Could you take on notice the tabling of all your file notes in relation to correspondence between you, any of your officers, Minister Joyce or any of his staff in relation to the <i>Hansard</i> issue.</p> <p><b>Dr Grimes:</b> I would have to take that on notice.</p> <p><b>Senator CAMERON:</b> I am talking about the changes to <i>Hansard</i> as a different aspect to</p>	7-8 5-3-15	

				<p>freedom of information even though they are related.</p> <p><b>Dr Grimes:</b> Yes, I understand that and will have to take that on notice.</p> <p><b>Senator IAN MACDONALD:</b> I just want to understand what is being requested. What are file notes? Do you know what Senator Cameron is talking about?</p> <p><b>Dr Grimes:</b> I will review the question and then ensure that we check to see whether there are any documents that are within the scope of the question.</p> <p><b>CHAIR:</b> You do not have a little black notebook you make file notes in, don't you?</p> <p><b>Dr Grimes:</b> I take notes in a variety of ways. I understand the senator's question—</p> <p><b>CHAIR:</b> You don't have a little black notebook?</p> <p><b>Dr Grimes:</b> I have got various notebooks. I understand the question that has been asked and we will review the—</p> <p><b>CHAIR:</b> Can you also include in that, Dr Grimes, any conversations you may have had with any members of parliament on this issue, if you have file notes? Have you spoken to Senator Cameron or Senator Siewert or me?</p> <p><b>Senator CAMERON:</b> I can tell you he has not.</p> <p><b>Dr Grimes:</b> No, I have not. My only conversation was with you.</p>		
49	Executive	CAMERON	Actions taken prior to change in Hansard	<b>Senator CAMERON:</b> Dr Grimes, what actions did you take prior to the edits becoming public on Monday 27 October	10 5-3-15	

				<p>2014?</p> <p><b>Dr Grimes:</b> I had discussions with officers in the department.</p> <p><b>Senator CAMERON:</b> Can you provide dates?</p> <p><b>Dr Grimes:</b> Yes. I think I have taken it on notice that I would be able to provide those.</p> <p><b>Senator CAMERON:</b> And the time, where you had those discussions and with whom you had the discussions.</p> <p><b>Senator Abetz:</b> And I am sure you do not need the actual names, just the officer—</p> <p><b>Senator CAMERON:</b> Yes, the officers. You indicate in your correspondence dated 2 March that you consider that without your intervention there was a great danger to the committee of being inadvertently misled. That was on the FOI issue.</p>		
50	Executive	CAMERON	Meeting with minister	<p><b>Senator CAMERON:</b> What can you tell me, Dr Grimes, about the meeting with the minister, from your perspective?</p> <p><b>Dr Grimes:</b> Simply that I raised with issue with the minister. I think it is appropriate to take other matters on notice.</p> <p><b>Senator CAMERON:</b> We are not sure whether your officers actually saw the minister give the response. I would be surprised if anyone in your department did not monitor the minister on his feet in question time. Do you allocate officers?</p> <p><b>Senator Abetz:</b> That has been taken on notice.</p> <p><b>Dr Grimes:</b> That is correct; that has been</p>	11 5-3-15	

				taken on notice.		
51	Executive	CAMERON	Correspondence between the department and the minister's office	<p><b>Senator CAMERON:</b> You have said that you would take on notice any correspondence between your department and the minister's office or the minister in relation to this.</p> <p><b>Dr Grimes:</b> Yes.</p> <p><b>Senator CAMERON:</b> But do you have any knowledge of any discussions or correspondence between the 20th and the 22nd?</p> <p><b>Dr Grimes:</b> I only have broad knowledge of any discussions that had happened, and it would probably be appropriate to refer it to the relevant officers or take the matters on notice.</p>	11 5-3-15	
52	Executive	CAMERON	Advice to minister's office that the minister had made a mistake	<p><b>Senator CAMERON:</b> So between the 22nd and the 27th you were aware of these 'discrepancies'. If you did not have discussions, were there active discussions between your department and the minister's office? First of all, who advised the minister's office that the minister had made a mistake?</p> <p><b>Senator Abetz:</b> That would be a matter I will have to take on notice to find out how the minister became aware of the error in what he said in his answer.</p> <p><b>Senator CAMERON:</b> I am asking the secretary whether any of his officers advised the minister's office of the problem with this initial answer.</p>	12 5-3-15	

				<p><b>Senator Abetz:</b> Unless the <i>Hansard</i> is changed, you will find that your question was about the minister and the minister's office first becoming aware. You have now changed the question.</p> <p><b>Senator CAMERON:</b> I can ask any question like.</p> <p><b>Senator Abetz:</b> Of course you can. But I do not want the suggestion to be that your previous question was exactly the same as the one you have just asked.</p> <p><b>Senator CAMERON:</b> I am happy for you to take that on notice.</p>		
53	Executive	CAMERON	Contact made by the department to the minister's office	<p><b>Senator CAMERON:</b> I am just asking a different question. Dr Grimes, did anyone from your department contact the minister's office to advise that what the minister had put on the public record in question time on the 20th was incorrect?</p> <p><b>Dr Grimes:</b> There were discussions between the department and the office. I would have to take the rest on notice.</p> <p><b>Senator CAMERON:</b> When did those discussions first take place?</p> <p><b>Dr Grimes:</b> They took place over the period from the 22nd to 27th. We will have to take the details on notice.</p>	12-13 5-3-15	
54	Executive	CAMERON	Discussions between the minister's office and the department	<p><b>Senator CAMERON:</b> Were there any discussions between the minister's office and the department prior to the <i>Hansard</i> being changed?</p> <p><b>Senator Abetz:</b> That has already been taken on</p>	16 5-3-2015	



				notice. Dr Grimes, I think, was not aware, but he was willing to take that on notice		
55	Executive	CAMERON	Discussions between the minister's office and the department	<p><b>Senator STERLE:</b> Just one other—I am just trying to work out, if I can, with Mr Grimes: you have clearly stated Mr Grimes that you met or had a conversation with the minister on the 27th around lunchtime, which I would assume was before question time—it is not hard to work that out. But Minister Joyce said on the 24th of February, Tuesday, that he had stated quite clearly—I will quote him; he said: I have stated quite clearly I had no knowledge of the change and, once it did become known to me, I asked for it to be changed back. On the 24th. But you said no-one had spoken—did you say no-one had spoken to him or you had not spoken to him until the 27th just before question time?</p> <p><b>Dr Grimes:</b> I spoke to him on the 27th.</p> <p><b>Senator STERLE:</b> So did any of your staff speak to Senator Joyce or his office before?</p> <p><b>Dr Grimes:</b> I have no knowledge.</p> <p><b>Senator CAMERON:</b> I think you have taken that on notice.</p> <p><b>Dr Grimes:</b> All of those matters have been taken on notice.</p>	17 5-3-2015	
56	Executive	CAMERON	Details of the multiple actions taken	<p><b>Senator CAMERON:</b> Dr Grimes, can I take you back to your letter of the 2nd March—I did ask you this earlier but you moved on a bit quickly—to the last paragraph on the first page. You said, 'This includes specific information relating to the original alterations made to</p>	17-18 5-3-15	

			<p><i>Hansard</i> and multiple actions I took personally at the time to seek rectification, including a personal meeting with the minister before the alterations became public.' What were those multiple actions?</p> <p><b>Dr Grimes:</b> We have covered those already.</p> <p><b>Senator CAMERON:</b> Just cover them again, because I am still not clear.</p> <p><b>Dr Grimes:</b> They have been covered already.</p> <p><b>Senator CAMERON:</b> Can you just take me through them again.</p> <p><b>CHAIR:</b> I do not think time allows us to do that. You could put them on notice.</p> <p><b>Senator CAMERON:</b> Chair!</p> <p><b>CHAIR:</b> Dr Grimes has said he has been through the damn things.</p> <p><b>Senator STERLE:</b> We have got time.</p> <p><b>Senator CAMERON:</b> Dr Grimes, take me through it again.</p> <p><b>Dr Grimes:</b> I think we have already gone through it. Any further matters we will take on notice. I think those matters have been adequately covered.</p> <p><b>Senator CAMERON:</b> I am not clear and I am asking you to go through them again.</p> <p><b>Senator Abetz:</b> I think the witness said—</p> <p><b>Senator CAMERON:</b> If I am not clear on the response, I am entitled to get it clarified. What is the problem?</p> <p><b>Senator Abetz:</b> And the witness has said he will take that on notice.</p> <p><b>Senator CAMERON:</b> No, he didn't. He said he would answer and he would take other things on notice.</p>		
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				<p><b>Senator Abetz:</b> Unless the <i>Hansard</i> has changed, I am sure it will indicate he had answered that already and he said he would take it on notice.</p> <p><b>Senator CAMERON:</b> If you are taking that on notice, can you provide details of the multiple actions you took, when you took them, who you took them with, any correspondence and any phone calls to those multiple actions.</p> <p><b>Dr Grimes:</b> We will take those matters on notice.</p>		
57	Exports Division	BULLOCK	New American Food Safety Modernization Act	<p><b>Senator BULLOCK:</b> I was going to ask a very modest question about the implications for Australia of the regulations to the new American Food Safety Modernization Act, but I am sure that has been subsumed into the enormity of Senator Cameron's questions. I just thought I would let you know I will be looking out for that when I read the answers to his questions on notice.</p> <p><b>Senator Colbeck:</b> It might be worth taking it as a separate question on notice. We will take it as a specific question on notice.</p>	76 23-2-15	
58	Exports Division	RHIANNON	Macro Meats in Russia	<p><b>Senator RHIANNON:</b> Considering what happened with Macro Meats in Russia, how are you responding to that experience with what is now being attempted in China?</p> <p><b>Mr Read:</b> In terms of the incidents in Russia, we have done thorough reviews of the systems that are operating at that particular plant. I do not have the detail with me, but there were a range of corresponding corrective actions put in</p>	77 23-2-15	

				<p>place to reduce the likelihood of that sort of occurrence again.</p> <p><b>Senator RHIANNON:</b> Could you take on notice what those corrective actions were, please?</p> <p><b>Mr Read:</b> Certainly.</p>		
59	Exports Division	RHIANNON	Contamination of Kangaroo meat since 2013	<p><b>Senator RHIANNON:</b> Which countries have raised concerns about the contamination of kangaroo meat since 2013?</p> <p><b>Mr Read:</b> Can we take it on notice?</p> <p><b>Senator RHIANNON:</b> If you could take that on notice and as part of that what are the specific concerns raised by each country, and also how you have responded to that? What is being done now to reopen the kangaroo products market in Russia?</p> <p><b>Mr Read:</b> We are communicating with Rosselkhoznadzor, which is a veterinary agency in Russia, as to the corrective actions that have been put in place with the Australian plant.</p> <p><b>Senator RHIANNON:</b> You spoke in the past tense, I think, so you are saying corrective actions have already been implemented?</p> <p><b>Mr Read:</b> Correct.</p> <p><b>Senator RHIANNON:</b> And they are satisfactory?</p> <p><b>Mr Read:</b> Yes.</p> <p><b>Senator RHIANNON:</b> And what were they?</p> <p><b>Mr Read:</b> As I said, I do not have those details, but we will provide those on notice.</p>	77-78 23-2-15	

60	Exports Division	RHIANNON	Contamination of kangaroo meat since 2013	<p><b>Senator RHIANNON:</b> Sorry; can I just clarify? I thought it was about the meat. There was contamination before it was exported from Australia. Are you saying that the contamination occurred in Russia?</p> <p><b>CHAIR:</b> No.</p> <p><b>Mr Read:</b> The issue in Russia, and again it is on notice, as I recall—and I may need to correct this—I think there was a micro-detection issue on the product. I think we have gone back to the plant because the obligations in terms of the product run right through to the point of harvest. We have looked at that full supply chain and identified areas where we can actually get improvements to lower some of those micro-levels that may well have been present. We will provide that information on notice.</p> <p><b>Senator RHIANNON:</b> So it was from Australia, and that is what you think. You will take it on notice to clarify what you have done to eliminate that problem?</p> <p><b>Mr Read:</b> Correct.</p>	78 23-2-15	
61	Exports Division	Rhiannon	ESCAS Report	<p><b>Dr Clegg:</b> Animals Australia and the RSPCA are the two agencies that have reported animal welfare incidents under ESCAS arrangements.</p> <p><b>Ms Evans:</b> I think I also need to clarify that your statement about the proportion the detection of non-compliance as being predominantly by animal welfare groups, according to our statistics, is not quite right. report that we released in January provides some statistics on that. We have only 19 per</p>	111-112 23-2-15	

				<p>cent coming from external or third parties. The largest share is determined by the department and the next largest share is self-reported by the exporters.</p> <p><b>Senator BACK:</b> What are those figures?</p> <p><b>Ms Evans:</b> I am looking at the page 24 of the ESCAS report that was released in January. 47 per cent of the detection of ESCAS noncompliances were Department of Agriculture determined; 32 per cent are self-reported; 19 per cent are by the external or third-party reporters; and the balance, which is just three per cent, is from the auditors themselves.</p> <p><b>Senator RHIANNON:</b> But is it not the case that the animal-welfare-related incidents, which are essentially what we are addressing, they are the ones that fall into the 'other' category, and the 'other' category is what covers the animal welfare groups? That is why I used the expression, 'The vast majority of welfare breaches have been detected by animal welfare groups.' Isn't that the case?</p> <p><b>Ms Evans:</b> We would have to take that on notice, because you are taking a breakdown of the statistics, which we may not have to hand. Certainly, we looked at the system overall and those compliance statistics that I just read out relate to the system overall.</p> <p><b>Senator RHIANNON:</b> Just to go through it, the figures that I have was that 22 per cent are reported by others, that is with regard to noncompliance incidents. This is from the ESCAS report 2015—I think that is the one</p>		
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			<p>that you are talking about too.</p> <p><b>Ms Evans:</b> It is. Are you able to give me a page reference so that I can look at the same statistics as you?</p> <p><b>Senator BACK:</b> The 19 plus three is 22.</p> <p><b>Senator RHIANNON:</b> That is the 22. Then I understand that the vast majority of animal welfare breaches are by the others. When you talk about noncompliance, there is lots of noncompliance.</p> <p><b>Ms Evans:</b> Again, I would have to take that on notice.</p> <p><b>Senator RHIANNON:</b> Thank you. I just wondered why that was not discussed in the ESCAS report. That would seem to be quite significant, analysing this data. I have given an interpretation. You might challenge the interpretation—that is fair enough, and I look forward to the answers to questions on notice. But this has not been analysed within the ESCAS report, which seems surprising, considering that, in essence, this is what it is all about. Why was it not explored? This is where we get to the heart of the matter.</p> <p><b>Ms Evans:</b> The report is simply a presentation of the facts, rather than going terribly much beyond that. Perhaps Dr Clegg may want to add to that. Otherwise we can, again, take that on notice, to go back and have a look at that particular question.</p> <p><b>Senator RHIANNON:</b> Just to add to that, could you clarify if it is the case that the majority of the animal-welfare-related incidents fall into the 'other' category, when we are</p>		
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				<p>looking at noncompliance.</p> <p><b>Dr Clegg:</b> They do not. What it says on the next page, page 24, is that 'all 11 recorded instances of noncompliance reported to Agriculture by third parties were for animal welfare problems within the supply chain.' The significant animal welfare issues that have been uncovered, say, in Jordan, Kuwait and Gaza have been by Animals Australia. They are for animal welfare issues. They are not in the 'other' category.</p> <p><b>Ms Evans:</b> I think I have understood the question from the Senator, Dr Clegg. We can take that on notice and provide that clarity on notice. Dr Clegg was just clarifying what the report does say, which is that the instances that were reported by Animals Australia and the like were all of animal welfare. We understand that. You have asked a separate question, which is, what share overall does that represent for just animal welfare issues per se, as opposed to our broader system noncompliance issues? We need to go back and have a look at that smaller concept of noncompliance and check what proportion that is.</p>		
62	Exports Division	RHIANNON	Categorisation of non compliance	<p><b>Senator RHIANNON:</b> In terms of how you approach this, you have your ESCAS system. You have come under a lot of criticism for it. You are out there using the penalties to the best of your ability. What judgements are you making, either giving me examples or if there are guidelines you can share with us, that when you have repeat offenders or just very bad</p>	115 23-2-15	



				<p>incidents, in determining when you need to go to a high level of penalties?</p> <p><b>Dr J Cupit:</b> We use guidelines that are available on our website. We can point you to those and provide those to you. That relates to how we categorise noncompliances—minor, major and critical noncompliances. That information is then used for each assessment for an application to export. For example, if we have a range of conditions, we do not decrease those conditions; we add to them in general times. So we are actually continuing to increase those conditions each time for each consecutive export to that market.</p>		
63	Exports Division	RHIANNON	Shipments of Kangaroo meat to Russia	<ol style="list-style-type: none"> <li>1. May I please have the results of the tests for kangaroos that found Russian shipments of kangaroo meats were contaminated for a third time in 2014?</li> <li>2. If the actual results are not available, may I please have details about the type and levels of contamination found in those kangaroo meat shipments to Russia?</li> <li>3. May I have details of the resources, funding and personnel currently being engaged to address the current Russian ban on imports of kangaroo meat?</li> <li>4. May I have an update of which other countries have raised concerns about kangaroo contamination? Has any other contamination been found?</li> </ol>	Written	

64	Exports Division	RHIANNON	Kangaroo meat testing	<ol style="list-style-type: none"> <li>1. I have previously been advised that kangaroo meat for human consumption is not tested for zoonotic diseases such as Toxoplasma gondii or and that this is not a requirement for any importing country. Is this still currently the case?</li> <li>2. Since 2013, which countries have raised concerns about contamination in kangaroo meat? What are the details of those concerns?</li> </ol>	Written	
65	Exports Division	RHIANNON	ASEL Standards in WA	<ol style="list-style-type: none"> <li>1. Under the Australian Standards for the export of livestock (ASEL) who is responsible for on board ship inspections of livestock vessels in Western Australian ports? <ol style="list-style-type: none"> <li>a. How independent are these inspections?</li> <li>b. Aare they paid for by the exporter?</li> <li>c. If so does this mean there is a conflict of interest?</li> </ol> </li> <li>2. How often are such inspections supposed to be performed?</li> <li>3. How many were performed in the past year, on which ships and by whom?</li> <li>4. How many inspectors are there in WA who are authorised to perform on board ship inspections?</li> <li>5. May I have an up to date list of reported concerns/complaints recorded from such inspections, the details and outcomes?</li> </ol>	Written	
66	Exports Division	RHIANNON	ESCAS Report	<ol style="list-style-type: none"> <li>1. In the ESCAS Report Summary (page 3), it states that: 'Before ESCAS was introduced the Australian Government had little</li> </ol>	Written	

				<p>knowledge about the fate of animals once they arrived in the importing country.’</p> <ol style="list-style-type: none"> <li>a. Does this mean Government agencies have been unaware of repeated reports since 2002 by Animals Australia of cruelty to animals in importing countries, one of which resulted in the cattle trade to Egypt being severely regulated?</li> </ol> <p>2. Regarding the Government’s report on the ESCAS review, <b>why were the following issues <u>not</u> addressed</b>, given their ongoing detrimental impact on the welfare of animals in importing countries:</p> <ol style="list-style-type: none"> <li>a. Considering the ineffective or non-existent animal welfare legislation in importing countries, which prevents Australia being able to impose any animal welfare requirements on these sovereign nations why <i>was this not addressed</i>?</li> <li>b. The very basic nature of the OIE recommendations (misleadingly described throughout the report as ‘international animal welfare standards’), which fall far below Australian animal welfare standards for the handling and slaughter of livestock, and are not compulsory in importing countries why was this not addressed?</li> </ol> <p>3. Considering the ESCAS Report 2015 sets out that 47% of non-compliance incidents have been detected by the Department of Agriculture, 31% reported by exporters and</p>		
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				<p><u>22% reported by “others”, why have details of “other” not been included?</u></p> <ol style="list-style-type: none"> <li>a. <u>Is it correct that all animal-welfare related incidents fall into the “other” category?</u></li> <li>b. Is it correct that since the implementation of ESCAS in 2011, the vast majority of animal welfare breaches have been detected by Animals Australia (an independent, not for profit charity) and other animal protection groups, rather than through ESCAS?</li> <li>c. Why is this important factor not discussed by the ESCAS Report 2015?</li> <li>d. What is the acknowledgement of the significant role played by private charitable organisations, such as Animals Australia, in leading investigations into animal welfare abuse?</li> <li>e. Considering that there are a number of export locations that have not been investigated by Animals Australia (probably due to resource constraints), which in turn means that the rate of compliance with animal welfare requirements in these places is unknown, and considering that the ESCAS Report 2015 acknowledged the extent of non-compliance in overseas/importing markets cannot be determined, what is being done to improve the monitoring and</li> </ol>	
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				<p>enforcement of animal welfare compliance as part of the live export trade?</p> <p>4. Considering the Department of Agriculture’s 2013-14 Annual Report indicates that the Live Animal Exports Division has an ongoing role of consulting with the government and industry representatives is the Division prepared to also consult with animal protection groups on an ongoing basis given their prominence in discussions on the live export trade and their role in on-the-ground investigations into animal welfare breaches?</p> <p>a. <i>Considering the ESCAS Report 2015 (p46) notes that only 3 animal protection groups were consulted, compared to approximately 25 animal industries are there plans to expand the number of animal protection groups that will be consulted?</i></p> <p>b. If not, why not?</p> <p>5. Considering around 80,000 dairy animals (or “breeder” animals) exported live from Australia per year are not covered under ESCAS, meaning there is no guarantee these animals will not end up in unapproved supply chains/slaughterhouses.</p> <p>a. What is being done to ensure the protection of the welfare of these animals in destination countries?</p> <p>b. What advice or information does the Department have about the animal</p>		
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				<p>welfare outcomes of these animals?</p> <p>c. Considering the ESCAS Report 2015 does not adequately acknowledge the welfare concerns of animals aboard vessels, and mortality reports used by the industry are an inadequate measure of animal welfare on their own and the ESCAS Report 2015 acknowledges there is a reluctance within the live export industry to self-report problems, is there consideration or discussion about the need for an Independent Officer of Animal Welfare?</p> <p>d. Will the work of private charitable organisations and industry self-reporting continue to be relied upon to expose breaches of animal welfare requirements?</p>		
67	Export Division	RHIANNON	Kangaroo meat testing	<p>I have previously been advised that kangaroo meat for human consumption is not tested for zoonotic diseases such as <i>Toxoplasma gondii</i> or and that this is not a requirement for any importing country. Is this still currently the case?</p> <p>Since 2013, which countries have raised concerns about contamination in kangaroo meat?</p>	Written	

68	Export Division	RHIANNON	Kangaroo export countries - lobbying	<p>Please advise which countries are currently being lobbied to open up their markets to kangaroo product imports, and where those negotiations are up to?</p> <p>What are the threats and barriers currently identified regarding the export of kangaroo products to China? May I be advised of the strategies being employed to overcome those barriers?</p>	Written	
69	Export Division	RHIANNON	Shipments of kangaroo meat to Russia	<ol style="list-style-type: none"> <li>1. May I please have the results of the tests for kangaroos that found Russian shipments of kangaroo meats were contaminated for a third time in 2014?</li> <li>2. If the actual results are not available, may I please have details about the type and levels of contamination found in those kangaroo meat shipments to Russia?</li> <li>3. May I have details of the resources, funding and personnel currently being engaged to address the current Russian ban on imports of kangaroo meat?</li> <li>4. May I have an update of which other countries have raised concerns about kangaroo contamination? Has any other contamination been found?</li> </ol>	Written	
70	Finance and Business Support Division	BULLOCK	Intangible assets	<b>Senator BULLOCK:</b> On the subject of intangible assets, they are going to grow from \$66 million this year to \$107 million in 2017-	29 23-2-15	

				<p>18. What are the intangible assets that are going to jump 50 per cent in three years?</p> <p><b>Ms Evans:</b> They are mostly related to our IT investments. If you want more detail than that I might have to take it on notice.</p>		
71	Finance and Business Support Division	BULLOCK	Administered personal benefits	<p><b>Senator BULLOCK:</b> It is a big increase, so I will take it on notice. Administered personal benefits is up from \$73.6 million to \$172.5 million, between this year and 2016-17. What are the main components of that figure? It is a big increase.</p> <p><b>Ms Evans:</b> We will have to take that one on notice to confirm it. My understanding is that it once again relates to the change in the Farm Household Allowance, but I want to be sure before we give that as the final answer.</p>	29 23-2-15	
72	Finance and Business Support Division	STERLE	Discretionary Grants	<p>Can the following details be provided for each discretionary grant program in the Minister's portfolio including Fisheries and Forestry.</p> <p>a. name of the discretionary grant program;</p> <p>b. total funding on a year-by-year basis over the current forward estimates;</p> <p>c. committed funding on a year-by-year basis over the current forward estimates;</p> <p>d. contracted funding on a year-by-year basis over the current forward estimates;</p> <p>e. uncommitted funding on a year-by-year basis over the current forward estimates;</p> <p>f. when the current round of funding is scheduled to cease; and</p> <p>g. how many rounds of funding are scheduled after the end of the current round.</p>	Written	



73	Governance	EDWARDS	Agencies that did not appear but were called	<p><b>Senator EDWARDS:</b> Are all the agencies that did not appear but were called listed in there?</p> <p><b>Mr Glyde:</b> They are. I can read them out if that would help.</p> <p><b>Senator EDWARDS:</b> Yes, that would be helpful.</p> <p><b>Mr Glyde:</b> There was the Australian Fisheries Management Authority; Animal Health Australia; Rural Industries Research and Development Corporation; Cotton Research and Development Corporation; Fisheries Research and Development Corporation; Grains Research &amp; Development Corporation; Horticulture Australia Ltd; Landcare Australia Ltd; Australian Livestock Export Corporation Ltd, otherwise known as LiveCorp; Plant Health Australia; and Forest and Wood Products Australia Limited. The cost varied depending on travel and time that they were here.</p> <p><b>Senator EDWARDS:</b> I note that on page 75 of the previous estimates transcript you have predicted that it would have cost the relevant agencies around \$80,000 in unproductive time. That was back then. But are you now saying that that figure is different?</p> <p><b>Mr Glyde:</b> No. That estimate was really based on the costs of having departmental witnesses here all day coming up at a particular time and then either not getting on or getting on much later than had been predicted. In that question on notice answer we estimated that after having a detailed calculation the estimated salary costs of having the departmental witnesses available</p>	19-20 23-2-15	
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				<p>all day was of the order of \$70,000. So our first estimate was in the ballpark.</p> <p><b>Senator EDWARDS:</b> It was not far from the mark. Have all those agencies been called again for this session of estimates?</p> <p><b>Mr Glyde:</b> Not all of them. I would have to go back and check against today's agenda.</p>		
74	Governance	STERLE	Serana Issue	<p><b>Senator STERLE:</b> Can I ask who is conducting the internal probe? It is an internal probe, isn't it?</p> <p><b>Dr Grimes:</b> I would not describe it as an internal probe. We have completed, indeed, an internal investigation in relation to allegations that there was inappropriate and unlawful disclosure of commercial information.</p> <p><b>Senator STERLE:</b> So you have completed that.</p> <p><b>Dr Grimes:</b> That has been completed.</p> <p><b>Senator STERLE:</b> So can I ask—</p> <p><b>Dr Grimes:</b> You can ask the question, yes.</p> <p><b>Senator STERLE:</b> Tremendous. I want to know what came out of the internal investigation.</p> <p><b>Dr Grimes:</b> That did not find any unlawful actions or inappropriate actions on behalf of the department in the disclosure of the commercial information.</p> <p><b>Senator STERLE:</b> Will it be a public document?</p> <p><b>Dr Grimes:</b> I would have to take it on notice and see whether the document could be released. I will have to take that on notice and give that proper consideration.</p>	98-99 23-2-15	

				<p><b>Senator STERLE:</b> Okay. I will leave it at that. If you could do that for me—and who did the investigation, as well, if you could.</p> <p><b>Dr Grimes:</b> I can take those questions on notice and see what we can provide.</p>		
75	Governance	CAMERON	Monitoring of question time	<p><b>Senator CAMERON:</b> When your minister is on his feet in the House of Representatives answering a question from the shadow minister, or anyone in the House of Representatives, do you monitor the minister's response?</p> <p><b>Dr Grimes:</b> As a general rule the department would seek to monitor responses that are being provided in the House.</p> <p><b>Senator CAMERON:</b> Did you monitor the response from Minister Joyce on Monday. Minister Joyce answered a question from Mr Fitzgibbon on Monday the 20th. Are you are aware of that?</p> <p><b>Dr Grimes:</b> Yes, I am aware of that.</p> <p><b>Senator CAMERON:</b> Was that monitored?</p> <p><b>Dr Grimes:</b> I am not aware of whether it was monitored or not at the time.</p> <p><b>Senator CAMERON:</b> When did you first become aware then of this? Can you take on notice as to whether it was monitored?</p> <p><b>Dr Grimes:</b> Yes, I am happy to take that on notice.</p>	8 5-3-15	
76	Governance	CAMERON	Viewing of question time – what minister said	<p><b>Senator CAMERON:</b> Has anyone in the department viewed the video of what the minister said?</p> <p><b>Dr Grimes:</b> I am not aware of if anyone has—</p> <p><b>Senator CAMERON:</b> Can you take that on</p>	8-9 5-3-15	

				notice? <b>Dr Grimes:</b> Yes. I am happy to take that on notice.		
77	Governance	MOORE	Boards – Gender Balance	<p>The Gender Balance on Australian Government Boards Report 2013-14 shows that for the 21 boards within the agriculture portfolio that 36.8% of members are women down from 40% in 2013 and that women comprised only 30% of appointments in the 12 months to June 2014.</p> <ol style="list-style-type: none"> <li>1 Why did the proportion of women board members decline in the 12 months to June 2014?</li> <li>2 Why did women comprise only 30% of appointees in the 12 months to June 2013?</li> <li>3 What actions has the Department taken since June 2014 to increase the number of women appointees?</li> <li>4 On the Department's web site there is a list of vacant board positions that appears to be out of date. <a href="http://www.agriculture.gov.au/about/portfolio-agencies/balance-database/vacancies">http://www.agriculture.gov.au/about/portfolio-agencies/balance-database/vacancies</a> Is the list correct? If it is not, what steps are been taken to correct it and when will it be updated?</li> <li>5 How many women have to boards based on their information placed in the Department's Balance database in each of the last four financial years?</li> <li>6 How many women have recorded their details on the Balance database for each of the last four financial years?</li> <li>7 In what public conferences or forums does</li> </ol>	Written	

				<p>the Department promote the Balance database?</p> <p>8 What steps does the Department take to encourage women to put their details on the Balance database?</p>		
78	Governance	EDWARDS	Cost of agencies attendance	Provide an estimate of the costs of bringing witnesses to Additional Estimates and not appearing due to time over runs. Include costs such as wages, travel and accommodation.	Written	
79	Grains Research Development Corporation	BULLOCK	Organisational Structure	How is the proposal for the GRDC to become an industry owned corporation, or in the interim a hybrid organisation, progressing?	Written	
80	LiveCorp Australia	ACTING CHAIR	Update of R&D projects	<p><b>ACTING CHAIR:</b> As usual. And, if you start going on like a politician, I will start pulling faces at you! I will ask one. Can you just give us an update on R&amp;D projects that ALEC are working on?</p> <p><b>Mr Galvin:</b> That LiveCorp and MLA are working on, on their joint program?</p> <p><b>ACTING CHAIR:</b> Yes, please.</p> <p><b>Mr Galvin:</b> I will hand over to Sam Brown, the CEO.</p> <p><b>ACTING CHAIR:</b> Okay, Sam, you know the story, mate: nice and quick, sharp, straight to the point. Go for it.</p> <p><b>Mr Brown:</b> There are a range of projects that we are working on, short term, medium term and long term. I think the higher level ones are certainly the work we are doing on the livestock global assurance program, the work—</p> <p><b>ACTING CHAIR:</b> That is a quality assurance</p>	116 23-2-15	

				<p>program, is it?</p> <p><b>Mr Brown:</b> Very similar to it. It can be referred to as a quality assurance program, yes. We have been doing work on salmonella vaccines. We have a lot of work that we have been doing in benchmarking, as well as animal welfare indicators. We have also been undertaking a lot of work most recently in DVD productions and SOP in work instruction training for animal handling and point-of-slaughter training. We have been working hard on translating these across the languages of countries that we supply livestock to. And there are many more projects, around 34, that we will be managing over this current year.</p> <p><b>ACTING CHAIR:</b> 34? Very good. Just take them on notice anyway, Mr Brown, and let us know what is going on.</p> <p><b>Mr Brown:</b> That is no problem.</p>		
81	LiveCorp Australia	WHISH-WILSON	Live Animal Exports	<ol style="list-style-type: none"> <li>1. Are you aware of any irregularities regarding the loading of the <i>Ghena</i> with live cattle in South Australia during January 2015?</li> <li>2. What is considered to be a 'normal' period in which live cattle are kept in trucks waiting to board a ship?</li> <li>3. Is the air temperature a factor when considering how long cattle should be kept in trucks waiting to board a ship?</li> <li>4. Are there any changes in procedure regarding the loading of cattle that should be undertaken when the air temperature is extremely high?</li> </ol>	Written	

82	LiveCorp Australia	RHIANNON	Loading of the Ghana with live cattle in SA	<ol style="list-style-type: none"> <li>1. Were there any irregularities regarding the loading of the Ghana with live cattle in South Australia during the first weekend of January this year? <ol style="list-style-type: none"> <li>a. If yes, may I have the details, procedures and outcomes.</li> </ol> </li> <li>2. What is considered to be a 'normal' period in which live cattle are kept in trucks waiting to board a ship?</li> <li>3. Is the air temperature a factor when considering how long cattle should be kept in trucks waiting to board a ship? <ol style="list-style-type: none"> <li>a. If not, why not?</li> <li>b. Please supply details of the standards, including temperature standards, required for transporting cattle in trucks and in holding cattle in trucks prior to loading?</li> </ol> </li> <li>4. Are there any changes in procedure regarding the loading of cattle that should be taken when the air temperature is extremely high, for example 40c? <ol style="list-style-type: none"> <li>a. What are those procedures and guidelines?</li> <li>b. How is this policed?</li> </ol> </li> </ol>	Written	
83	Office of General Counsel	CAMERON	FOI request	<p><b>Senator CAMERON:</b> Senator Colbeck, has this issue been finalised in the minister's office?</p> <p><b>Senator Colbeck:</b> That would be a matter for the minister's office. I do not manage his office and he does not manage mine.</p> <p><b>Senator CAMERON:</b> But you are here representing the minister.</p> <p><b>Senator Colbeck:</b> Correct. I will have to take it</p>	33 23-2-15	

				<p>on notice. I am not aware of the procedures within the minister's office.</p> <p><b>Senator CAMERON:</b> I would appreciate it if you could just answer me without this sort of stuff.</p> <p><b>Senator Colbeck:</b> Seriously, I do not know. I will take it on notice.</p>		
84	Office of General Counsel	CAMERON	FOI training – minister's office	<p><b>Senator CAMERON:</b> Has anyone in the minister's office taken up the offer of training?</p> <p><b>Ms Luscombe:</b> Not to my knowledge at the moment.</p> <p><b>Senator CAMERON:</b> So the minister's office is still on its own?</p> <p><b>Ms Luscombe:</b> I can take that on notice and provide the answer to you. I could not be exactly sure.</p>	34 23-2-15	
85	Office of General Counsel	CAMERON	Correspondence between the minister's office and department on FOI request	<p><b>Senator CAMERON:</b> Well, there might be some doubts as to what you have done or what I have got. Can you provide details of all correspondence between any of your officers and the minister's office on this FOI request.</p> <p><b>Ms Luscombe:</b> The department did receive an FOI request for the processing of the FOI request that you are referring to, and we have finalised that request as well.</p> <p><b>Senator CAMERON:</b> I am asking you to provide the Senate—</p> <p><b>Dr Grimes:</b> We can take that on notice—any correspondence that relates to the handling of the FOI request.</p> <p><b>Senator CAMERON:</b> Why would you need to take it on notice when I am simply asking for</p>	34-35 23-2-15	



				<p>correspondence between the minister's office and the department in relation to an FOI request?</p> <p><b>Dr Grimes:</b> I cannot speak for Ms Luscombe, but I imagine the reason is that she does not have the correspondence with her at the moment. I am not sure.</p> <p><b>Ms Luscombe:</b> I do not.</p> <p><b>Dr Grimes:</b> So we will take it on notice to obtain the correspondence so that we can provide it to you. We will have got to go back and obtain the correspondence and then provide it to you.</p> <p><b>Senator CAMERON:</b> You will obtain it and you will provide it?</p> <p><b>Dr Grimes:</b> Yes. You have asked that very clearly. We will take that question on notice and provide that corresponds to you.</p> <p><b>Senator CAMERON:</b> Could you also provide details of the times and dates of telephone conversations between your department and the minister's office in relation to this FOI request.</p> <p><b>Ms Luscombe:</b> Yes, certainly.</p> <p><b>Senator CAMERON:</b> You said you were not aware that the minister's office had requested any training. Could you clarify that on notice and also whether any advice has been provided to the minister's office in a non-formal manner about how to properly deal with an FOI request.</p> <p><b>Ms Luscombe:</b> Yes, I am very happy to do that. Senator Cameron, could I correct the record. The 'Laura' that you referred to may have been the departmental liaison officer.</p>		
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86	Office of General Counsel	CAMERON	FOI request – correspondence between liaison officer in the minister’s office	<p><b>Senator CAMERON:</b> I have asked about correspondence between the minister's office and the department. I would also need you to answer all the same questions going to the liaison officer—what discussions took place with the liaison officer, when they took place and any correspondence between the liaison officer and the department on this FOI request. When your department makes reference to a shadow minister or a minister, is it normal for the shadow minister just to be called 'Fitzgibbon' and the minister to be called 'minister'? Is there an issue here in terms of—</p>	35 23-2-15	
87	Office of General Counsel	CAMERON	FOI request – acceptance of Chief of Staff	<p><b>Senator CAMERON:</b> The issue of whether Ms Hallam actually accepted—</p> <p><b>Senator Colbeck:</b> My advice from Ms Hallam is that she did not accept the document.</p> <p><b>Senator CAMERON:</b> Well, can you then provide details of how that non-acceptance took place?</p> <p><b>Senator Colbeck:</b> I will have to take that on notice, as you might understand.</p> <p><b>Senator CAMERON:</b> If there were telephone calls I would like to know the times and when they took place and I would like to know if there are emails or any correspondence that says, 'We don't accept this.' Why wouldn't the minister's office accept an FOI request that goes to this issue?</p> <p><b>Senator Colbeck:</b> I will have to take that on notice. I am not aware of the circumstances. I understand the broader issue because, as the secretary said, it has been in the public arena.</p>	36 23-2-15	

				<p>You have had a quite detailed conversation with the department around the processes backwards and forwards. All I am trying to do is to clarify a point which you have raised. I have had some advice from the minister's office and I am putting that on the record for your information. I am saying to you that, subsequently, Mr Fitzgibbon has put the question relating to that matter on notice to the minister in the House of Representatives and the minister will obviously respond through that process.</p>		
88	Office of General Counsel	CAMERON	FOI request – minister’s office non acceptance	<p><b>Senator CAMERON:</b> That does not go to the minister making a unilateral decision not to respond to a request, does it?  <b>Senator Colbeck:</b> Not as I understand it.  <b>Senator CAMERON:</b> In that context, could you explain why the minister unilaterally decided that his office would not proceed with an FOI request, when the minister has obligations under the act? Could you take that on notice.  <b>Senator Colbeck:</b> I will.</p>	36 23-2-15	
89	Office of General Counsel	CAMERON	FOI request – status	<p><b>Senator CAMERON:</b> In relation to the actual request itself: where is it up to now, other than buried somewhere in the minister's office? Where exactly is this FOI request up to?  <b>Senator Colbeck:</b> I will have to take that on notice, Senator. But, as I indicated to you, there is another process that is being undertaken to provide a response and—</p>	36 23-2-15	

90	Office of General Counsel	CAMERON	FOI request – when did minister’s office receive referral from department	<p><b>Senator CAMERON:</b> Okay. Can you then advise me when, on what date, the minister's office received the referral from the department? You can tell me that?</p> <p><b>Ms Luscombe:</b> I would have to take that on notice. As soon as we identified that there had been a misunderstanding about accepting the transfer or not, we immediately notified the applicant. We apologised, we noted that obviously it needed to be redirected and we told the applicant how to actually make that occur. And I understand that that is what happened.</p> <p><b>Senator CAMERON:</b> Okay. So can you give me the details of when you forwarded the FOI to the minister's office? And, Minister, if you could advise when the minister's office made a decision not to proceed.</p>	37 23-2-15	
91	Office of General Counsel	HEFFERNAN	FOI	<p><b>CHAIR:</b> Just to clarify in my thick head again: you cannot remember or do not know whether, when Mr Fitzgibbon made an FOI and it went to your department—it should have gone to the minister, in the judgement of the department—you sent it on to the minister or whether you wrote back to Mr Fitzgibbon and said: 'Mate, you have sent it to the wrong hole. Send it over there.' Is that right?</p> <p><b>Ms Luscombe:</b> I would need to look at the documents. There would have been, potentially, an FOI alert. I do not have that information with me.</p>	37 23-2-15	

92	Office of General Counsel	CAMERON	FOI request – transfer in writing	<p><b>Senator CAMERON:</b> When did you seek to confirm the transfer in writing?</p> <p><b>Ms Luscombe:</b> I do not have the date but, presumably, it would have been straight after that.</p> <p><b>Senator CAMERON:</b> Straight after 5 November?</p> <p><b>Ms Luscombe:</b> I would have to confirm that, but it would make sense that it would be.</p>	38 23-2-15	
93	Office of General Counsel	CANAVAN	FOI request – document between ministerial advisers	<p><b>Senator CANAVAN:</b> And the document that Senator Heffernan was quoting from earlier was a document between ministerial advisers? Is that right? That is the one we are tabling right now?</p> <p><b>Ms Luscombe:</b> Yes, I think that is correct.</p> <p><b>Senator CANAVAN:</b> Was that document that you are tabling now in scope of the original FOI request?</p> <p><b>Ms Luscombe:</b> That is the question, I suppose, where it is not entirely—the scope of the request was not addressed to the department.</p>	5 5-3-15	
94	Office of General Counsel	CANAVAN	Guidance – FOI process	<p><b>Senator CANAVAN:</b> I am not an FOI expert. Is there any guidance provided through the FOI process about what is in or out of scope, given the date of acceptance or creation of the document?</p> <p><b>Ms Luscombe:</b> Yes. There is the Office of the Australian Information Commissioner guidance and, obviously, the act—there is guidance on it.</p> <p><b>Senator CANAVAN:</b> What does it say about this particular issue?</p> <p><b>Ms Luscombe:</b> I might need to confer with my</p>	7 5-3-15	

				colleagues to ensure that I give the appropriate approvals, because this does pertain to legal advice.		
95	Rural Industries Research and Development Corporation	RHIANNON	Kangaroo markets	<p>1. California is currently re-examining its ban on the import of kangaroo products, with its 5 year sunset legislation recently introduced. The RIRDC 2010 report <i>California, New York, the World and Kangaroos</i> recommends that “<i>in consultation with DFAT and the Australian Counsel General in Los Angeles ... further work be initiated at the end of 2014 .... To seek to have a further Bill passed ... which carries no sunset clause</i>”. It further states that “<i>A similar level of activity is likely to be needed, meaning once again attempting to convince an uninformed audience that it is possible, and in fact necessary, to protect the environment by killing native wildlife</i>” [as preparation for the upcoming 2015 Californian legislation].</p> <p>The report also stated that “<i>Extensive supportive documentation on the [kangaroo] industry was supplied by the project [the Californian lobbying effort by KIAA, RIRDC &amp; Govt] including “co-ordination of written support for the kangaroo harvest from appropriate Federal Ministers</i>”:</p> <ol style="list-style-type: none"> <li>a. May I have a copy of that written support?</li> <li>b. May I have the details and records that are relevant to the “consultation”</li> </ol>	Written	

				<p>between the Kangaroo Industry Association of Australia (KIAA), DFAT and the Australian Counsel General in Los Angeles since the 2010 Californian legislation was passed?</p> <p>c. May I have details of all the “further work” by government personnel that was initiated since 2010 “<i>to seek to have a further Bill passed</i>”?</p> <ol style="list-style-type: none"> <li>i. This includes meetings, information packages, reports – dates etc.</li> <li>ii. Activity undertaken any Australian or other government officials or MPs</li> <li>iii. Lobbyists and researchers</li> <li>iv. Kangaroo industry representatives.</li> <li>v. Representatives of Californian industries where partnering Australian interests.</li> </ol> <p>d. Which materials were funded by the RIRDC (Rural Industries Research Development Corporation)?</p> <p>e. Are recipients of materials, papers and documents made aware of which lobbying materials are funded or commissioned by the KIAA (Kangaroo Industry Association of Australia) – such as RIRDC reports? If not, why not?</p> <p>f. May I have a copy of the science and information provided to Californian interests to support the statement that</p>	
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				<p>shooting kangaroos is “<i>necessary to protect the environment</i>”?</p> <ol style="list-style-type: none"> <li>i. Does the Australian government check the veracity of this science so the methodology is checked by government to ensure it’s correct?</li> <li>2. What information is provided to overseas markets to address concerns about the contamination of kangaroo meat? Could you please supply the documentation that deals with this issue?</li> <li>3. Are Californian interests advised that kangaroo meat for human consumption is not tested for zoonotic diseases known to be present in kangaroo meat – such as Toxoplasma Gondii or Salmonella Sp ?</li> <li>4. Which countries are currently being lobbied or encouraged to import kangaroo products? Please supply the answer in terms of which products (eg skins, meat etc) are being promoted in which country.</li> <li>5. Please provide updates on the work being undertaken to open up trade in kangaroo products in the Chinese market: where are the discussions up to; what specific barriers have been identified; what specific funding, personnel and strategies have been/are undertaken?</li> </ol>		
96	Rural Industries Research and Development Corporation	RHIANNON	Cruelty to joeys	The current federal Code of Practices for the Humane Shooting of Kangaroos and Wallabies stipulates that kangaroo joeys must be killed by a forceful blow to the head; or stunned and then	Written	



				<p>decapitated; and at-foot joeys should be shot. The RIRDC's recent report Improving the humaneness of commercial kangaroo harvesting finds that: shooters rarely euthanize young-at-foot dependent joeys, leaving them to die in the field for up to 10 days, and that many shooters swing pouch joeys against their ute tray to kill them. However, in the study's experiments testing the effectiveness of bolt guns to kill joeys, not one of the 23 live joeys was killed outright; 13 out of 23 joeys were not rendered completely insensible, and all joeys had to be consequently euthanized by other means (p54).</p> <p>Given that joeys are not killed immediately or at all via careful blunt head trauma in a controlled situation, is the RIRDC concerned at the clear cruelty and trauma being suffered by joeys in the field?</p> <ol style="list-style-type: none"> <li>a. Will the RIRDC be advising importing governments of these research results? If not, why not?</li> <li>b. Has the RIRDC included the results of this 2014 paper in its advice to the Californian government which is deliberating on whether to continue allowing kangaroo product imports? If not, why not?</li> <li>c. Will the RIRDC be ensuring the current Code of Practice is amended? If not, why not?</li> </ol>		
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97	Service Delivery Division	CHAIR	Reduction in staff	<p><b>CHAIR:</b> I just seek clarification, with your indulgence, Senator. Are the 2,000 or so people looking at product coming in as well as going out?</p> <p><b>Ms Mellor:</b> They can do. There are some staff who operate in both exports and imports.</p> <p><b>CHAIR:</b> So can you break that up into imports and exports? Do some of these people go to sleep at their desks during the day? What do they actually do?</p> <p><b>Ms Mellor:</b> I will have to take that on notice. I think the key point here is that what we have done in that reduction is looked at where risk is in terms of different channels like mail, airports, cargo vessels et cetera. We have looked at middle management and management roles and, as the secretary says, how we can find efficiency in the way we deliver service to risk and then applied our mind to where we can actually reduce the resourcing.</p> <p><b>CHAIR:</b> But the point I am trying to make is that, from the field and having been on this committee for God knows how many years, it is totally obvious that we spend a lot more trouble looking at what we are sending out rather than at what we are bringing in. Do not ask me why. Surely you could give us a bit of an idea how much we spend looking at what we are sending out versus what we are bringing in.</p> <p><b>Dr Grimes:</b> I think the complexity may be where staff are performing both functions or could be performing both functions during the course of the year—so for part of the year they are performing one function and for another</p>	7 23-2-15	
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				part of the year they are performing another. Trying to disentangle those numbers so we do not mislead you and we have accurate numbers I think is the issue at hand. The reason, I think as Ms Mellor indicated, would probably have to be taken on notice.		
98	Service Delivery Division	SIEWERT	Breakdown of areas of positions gone	<p><b>Senator SIEWERT:</b> Are we able to get a breakdown of the areas of the 280 positions that have gone, because we got advised—</p> <p><b>Ms Mellor:</b> I think we have done that for you before, so we will just take our questions on notice.</p> <p><b>Senator SIEWERT:</b> So it is still the same? They are the same numbers we got?</p> <p><b>Ms Mellor:</b> I think we need questions on notice about airports, mail et cetera. And you also asked for it in the past by which region, I think we have provided that on notice to the committee before.</p> <p><b>Senator SIEWERT:</b> Okay, I will go and find it.</p>	13 23-2-15	
99	Service Delivery Division	CAMERON	Approval process – enterprise agreement	<p><b>Senator CAMERON:</b> When did you start going through the approval process?</p> <p><b>Ms Russ:</b> I would have to look exactly, but toward the end of last year, the second quarter of last year.</p> <p><b>Senator CAMERON:</b> The second quarter of last year.</p> <p><b>Ms Russ:</b> Sorry, the fourth quarter of last year.</p> <p><b>Senator CAMERON:</b> Can you get me a specific date when you started the formal process of seeking approval?</p>	30 23-2-15	

				<b>Ms Russ:</b> Yes, I will have to take that on notice.		
100	Service Delivery Division	SIEWERT	Cuts to federally funded services in Tasmania	<p><b>Senator SIEWERT:</b> I want to chase up some of these, if possible. Tell me if this is where I ask them or if it is later on. Senator Milne, if you remember, was here this morning waiting patiently. She asked about cuts to federally funded biosecurity services in Tasmania—which is \$1.2 million. Do you understand?</p> <p><b>Ms Mellor:</b> It is actually in Service Delivery Division, but the First Assistant Secretary is here, so would you like us to answer those questions?</p> <p><b>Senator SIEWERT:</b> Do mean those from this morning?</p> <p><b>Ms Mellor:</b> Yes.</p> <p><b>Senator SIEWERT:</b> She did actually ask.</p> <p><b>Ms Mellor:</b> I know. She was waiting, if it is a matter for you. Some of this department's services were delivered under a service level agreement or MOU by the Tasmanian Department of Primary Industries. We conducted a review of that arrangement because the number of services were dropping and we needed to review how we would continue or fund that, and it is as a result of that review that the services are dropping, particularly for quarantine. So, there are no international flights, for example, or rare or infrequent international flights, and there are different first port arrangements. The shipping does not necessarily go directly to Tasmania.</p>	99 23-2-15	

				<p>So the services that we needed to fund through the Tasmanian government were dropping. We had a look at it and have been in negotiation and dialogue with that department for some time.</p> <p><b>Senator SIEWERT:</b> The Tasmanian department?</p> <p><b>Ms Mellor:</b> Yes.</p> <p><b>Senator SIEWERT:</b> Can you take on notice, then, where the \$1.2 million cuts here have happened. Is it just staff?</p> <p><b>Ms Mellor:</b> It is more than staff. It is IT. It is cars. It is a range of things.</p> <p><b>Senator SIEWERT:</b> Can you take that on notice?</p> <p><b>Ms Mellor:</b> Yes.</p> <p><b>Senator SIEWERT:</b> Also, out of that amount, how much is the department picking up?</p> <p><b>Ms Mellor:</b> Yes, because we are actually doing some things ourselves there on an intermittent basis. Yes, we can do that.</p>		
101	Service Delivery Division	SIEWERT	Reduction in staff	<p><b>Senator SIEWERT:</b> It is not necessarily okay, but I understand what you are saying. I was told to ask some more here about the staff numbers that have gone down from compliance. In terms of the list I asked about this morning, the figures that I have here do not match up with the figures that I was given this morning. I have the list, and they do not match up to 280. This is to October, and the figures you gave us—</p> <p><b>Ms Mellor:</b> Were to December, were they not?</p> <p><b>Senator SIEWERT:</b> No, I understood they</p>	100-101 23-2-15	

				<p>were to June—maybe they were to December, sorry.</p> <p><b>Senator Colbeck:</b> There were two figures given this morning. One figure was the changeover from the old system and the other figure was later.</p> <p><b>Senator SIEWERT:</b> Yes. The second figure was 1,758.68, which is different from the June figure. That was the December figure. I understood the 280 was a June figure. We identified that drop. Anyway, the figures do not match up with the figures you gave us in October.</p> <p><b>Senator Colbeck:</b> You are probably right, because it is three different dates you are looking at.</p> <p><b>Senator SIEWERT:</b> Yes, but if the December one—none of them match up anyway. Sorry, the October one is less than the June one, if that 280 was June.</p> <p><b>Mr Williamson:</b> Perhaps I will recap on the figures, just to be clear about the evidence we can give you today, in terms of the numbers we have at hand right now, and their full-time equivalents. That excludes casuals. For border compliance division, for 30 June 2013, there were 2,062 full-time equivalents. On 30 June 2014 there were 1,782.5 FTEs. Then we go to the compliance division. As of 31 December 2014 there were 1,758.68 FTEs.</p> <p><b>Senator SIEWERT:</b> That is a drop of even more than the 280.</p> <p><b>Mr Williamson:</b> Comparing across the old border compliance division and the new</p>		
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				<p>compliance division, that is not necessarily comparing like for like.</p> <p><b>Senator SIEWERT:</b> That is where we are having problems. How do we get a picture of what is now the staffing level for compliance compared with the previous system? How do we tell if, with a job, you have put more on or taken more off or it is the same?</p> <p><b>Dr Grimes:</b> With a question like that, we have to take it on notice. We have to go into our systems and see if we can track people in the way you have described.</p> <p><b>Senator SIEWERT:</b> Yes, I understand that. The bottom line is that at the moment, below that, there are 300-odd less, comparing those figures.</p> <p><b>Dr Grimes:</b> Our systems are based on recording people according to the branches and divisions they are in. But there is compositional change as people are moved between that, as we make some restructuring. The issue is: do we have data that allows us, at that level of detail, to go back over time?</p> <p><b>Senator SIEWERT:</b> Perhaps you could take on notice updating that question from Senator Ludwig, from October.</p> <p><b>Ms Mellor:</b> Yes.</p> <p><b>Senator SIEWERT:</b> Thank you.</p>		
102	Sustainability and Biosecurity Policy Division	EDWARDS	Landcare Advisory Committee	<p><b>Senator EDWARDS:</b> You brought up Landcare. There is a fair bit of confusion out there about the various Landcare entities and what their roles are. What is the role of the new Landcare Advisory Committee?</p>	20 23-2-15	

				<p><b>Mr Glyde:</b> I am sorry, I do not have that information. It would be something that we would cover under the sustainability biosecurity policy division which is appearing later in the day. They can give you more information.</p> <p><b>Senator EDWARDS:</b> Okay.</p> <p><b>Mr Glyde:</b> I will put them on notice if you like.</p>		
103	Sustainability and Biosecurity Policy Division	BACK	Emergency Animal Disease Response Agreement – horse industry	<p><b>Senator BACK:</b> Would you go back to horse imports for a moment—and I recall your time at Animal Health Australia. Someone drew to my attention the other day that it was 2010 that the Emergency Animal Disease Response Agreement was signed for the horse industry. I think in that legislation there was to be a five-year review. How time flies. Would it fall now under your responsibility to undertake that review?</p> <p><b>Dr Bond:</b> No.</p> <p><b>Senator BACK:</b> Mr Glyde, since the officers have gone, I just wonder if you would be kind enough to take on notice—</p> <p><b>Mr Glyde:</b> That is very kind of you; I will take it on notice.</p> <p><b>Senator BACK:</b> Fortunately, we have not had occasion to call upon the EADRA, but I am keen to know what, if anything, is being done at the moment to honour that five-year review process.</p> <p><b>Mr Glyde:</b> Sure.</p>	125 23-2-15	



104	Sustainability and Biosecurity Policy Division	SIEWERT	Regional NRM bodies	<p><b>Senator SIEWERT:</b> I want to go to NRM. First off I would like to ask about the regional NRM bodies stream. That went out, I understand, for application on 4 December. Am I looking at the wrong person?</p> <p><b>Mr Thompson:</b> You are looking at the wrong person. We have had some changes.</p> <p><b>Senator SIEWERT:</b> Okay. Sorry.</p> <p><b>Mr Thompson:</b> Yes, the regional applications went out just before Christmas.</p> <p><b>Senator SIEWERT:</b> And they closed on 5 December?</p> <p><b>Mr Thompson:</b> They closed, yes. There are two streams in there. Some of them were groups seeking new contracts. Others were renegotiating their existing contracts.</p> <p><b>Senator SIEWERT:</b> The renegotiation of existing contracts—they were New South Wales, were they not? They were only—</p> <p><b>Mr Thompson:</b> New South Wales were only renewed for 12 months because of the change in their status.</p> <p><b>Senator SIEWERT:</b> Which category do they fall into?</p> <p><b>Mr Thompson:</b> They would be new contracts, I think, because they are with new bodies.</p> <p><b>Ms Standen:</b> Their contracts were extended until February this year to allow time for them to put in applications for new contracts and for that to be settled.</p> <p><b>Senator SIEWERT:</b> That was just for New South Wales?</p> <p><b>Ms Standen:</b> No, there were some other regions included in that, but for different</p>	128-129 23-2-15	
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				<p>reasons—that is, they only had their contracts extended by 12 months. That included the Perth Region NRM, the Territory NRM, the East Gippsland Catchment Management Authority and the Queensland Murray-Darling Committee.</p> <p><b>Senator SIEWERT:</b> All those contracts were extended to February while you make the assessment decisions?</p> <p><b>Ms Standen:</b> That is right.</p> <p><b>Senator SIEWERT:</b> When are those assessment decisions due?</p> <p><b>Ms Standen:</b> I will have to take that on notice.</p> <p><b>Senator SIEWERT:</b> By the time you get back to me on notice, you will be a fair way down the track. Can you provide more information tonight?</p> <p><b>Mr Thompson:</b> We may be able to, but when the contracts are finalised they will appear on our contracting list, so that will be public.</p>		
105	Sustainability and Biosecurity Policy Division	SIEWERT	Applications	<p><b>Senator SIEWERT:</b> Mr Thompson, you made a comment about existing ones seeking to renegotiate?</p> <p><b>Mr Thompson:</b> There are a number of NRM organisations, other than the New South Wales ones plus the four we mentioned, who had contracts until 2017-18. They have either had the option of applying under the new guidelines or they are renegotiating their old contracts to meet the new requirements under the new program.</p> <p><b>Senator SIEWERT:</b> So everybody has to renegotiate or—</p>	129 23-2-15	

				<p><b>Mr Thompson:</b> Renegotiate or re-apply—whichever suits them.</p> <p><b>Senator SIEWERT:</b> Where are we up to there?</p> <p><b>Mr Thompson:</b> Those negotiations are well underway and we expect to have them finalised in the coming months. There are quite a few of them—about 40—and we have to work through them. But they already have existing contracts through until 2017-18. Our aim is to try to have them wrapped up in the next few months because the sooner we get that done the sooner they can move forward with their new arrangements.</p> <p><b>Senator SIEWERT:</b> How many of those 40 applied for a new contract rather than fiddling around with the old one?</p> <p><b>Ms Standen:</b> Those are not details we have to hand at the moment, so we will have to take that on notice.</p> <p><b>Senator SIEWERT:</b> If you could, that would be appreciated.</p> <p><b>Mr Thompson:</b> With the numbers, it is 56 minus 19.</p> <p><b>Senator SIEWERT:</b> That is what I presumed you were doing, so I will not hold you to that.</p> <p><b>Mr Thompson:</b> It is not exactly 40 but it is of that order.</p>		
106	Sustainability and Biosecurity Policy Division	SIEWERT	Staff leaving regional organisations	<p><b>Senator SIEWERT:</b> Thank you. I have more questions in this area but I will hand over on the NRM shortly, Chair. In terms of the numbers of staff that are leaving regional organisations as a result of this process, have</p>	131 23-2-15	

				<p>you done an audit under this new process that you are doing now, in terms of the new contracts and renegotiating the old contracts? Has there been any audit done on the number of staff that have been lost by regional organisations?</p> <p><b>Mr Thompson:</b> I do not believe we have done an audit of that. Senators have asked questions about this before. The only way we can do that is by going and asking all the regions, because the staff are employed by them. Regional budgets were reduced during this process and to meet the need for community grants that have had to reduce some in some areas. So there would be some reduction in staff; we know that, but we do not have those numbers.</p> <p><b>Senator SIEWERT:</b> That is why I am asking, and I would have thought it would have been a good opportunity to get a handle on that while you were renegotiating the contracts. That is why I ask now. I have sought this information before, I acknowledge that. I am asking now because you are undertaking this process now.</p> <p><b>Mr Thompson:</b> I would have to take that on notice as to whether we are doing that. I am confident that we have not undertaken that survey of the regions as we have in the past.</p> <p><b>Senator SIEWERT:</b> You have not?</p> <p><b>Mr Thompson:</b> We have not done it in the past and we have not done one in recent time. Whether people are collecting some of that information as part of contract negotiations I could not say. I will take that on notice.</p>		
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107	Sustainability and Biosecurity Policy Division	BULLOCK	Animals that may threaten the environment	Of the animals on your watch list is there any animal that, while not posing a threat to human, animal or plant health could cause such significant damage to Australia's environment, biodiversity or ecosystems as to constitute a national emergency?	Written	
108	Sustainability and Biosecurity Policy Division	BULLOCK	International fisheries organisations	Item 5.3.1 in your operational plan for 2014-15 states that you "engage at international meetings to ensure agreed outcomes can be implemented by Australia". I understand that AFMA personnel participate at various meetings of five separate international fisheries organisations. In relation to each of these five fisheries organisations could you clarify the extent to which Australia's membership protects or advances the interests of the Australian fisheries industries? What other national interests, such as assisting developing States in the relevant regions or advancing broad environmental goals, are addressed by our membership of these organisations?	Written	
109	Sustainability and Biosecurity Policy Division	Whish-Wilson	Borthwick Review	In regards to the Review of Commonwealth Fisheries: Legislation, Policy and Management (Borthwick Review): <ol style="list-style-type: none"> <li>1. What has been done under the current Government to address the recommendations of the Borthwick Review?</li> <li>2. What has been done to update the overarching fisheries framework to include a new pillar "addressing ecosystem impacts in a fisheries context" as recommended by</li> </ol>	Written	

				<p>the Borthwick Review?</p> <p>3. Is AFMA aware of any specific efforts, and has AFMA been asked to support any ministerial directions or legislative amendments, to address ecosystem impacts under the fisheries framework as was recommended by the Borthwick Review?</p> <p>4. What has been done under the current Government to follow the Borthwick Review recommendation to clarify the application of the precautionary principle?</p>		
110	Trade and Market Access Division	CAMERON	FTAs – domestic subsidies	<p><b>Senator CAMERON:</b> Yes. I want more details on the issues that are raised, which are the domestic subsidies that are in place in these countries where we will get so-called free-trade agreements—but those bilaterals. What are the domestic subsidies? What are the support measures that are in place—support measures for agricultural industry in that country that we are trying to compete with? What are the import licensing arrangements that are a barrier to our exports? What are the domestic regulations and taxes that make it difficult for us to compete? What are the food safety and biosecurity measures, including inspection certification and audit issues, that are a problem? Also, what are the requirements for labelling registration, microbiological testing and quality that are a problem for us?</p> <p><b>CHAIR:</b> Would it assist the committee in the need to get to compliance, if you were to kindly ask to put those on notice, because they are complex questions.</p>	70 23-2-15	

				<p><b>Senator CAMERON:</b> I am happy to put them on notice, but I do not want another research project when I get the answer back.</p> <p><b>Senator Colbeck:</b> We will take that on notice. But that does sound like a research project. The information is publicly available. We have directed you to where you can find that information. As I said before, I am not going to have the agency be a research—</p> <p><b>Senator CAMERON:</b> I will tell you what the Senate will not allow, Minister. The Senate will not allow you to cut across the estimates process. What we will do is make sure that we get questions answered.</p> <p><b>Senator Colbeck:</b> And we will take that on notice.</p>		
111	Trade and Market Access Division	CAMERON	Public statement	<p><b>Senator CAMERON:</b> It is your understanding of the clause that there will be a renegotiation of the agreement?</p> <p><b>Senator Colbeck:</b> I am pretty certain that there are public statements to that effect on the public record, Senator Cameron, from the trade minister.</p> <p><b>Senator CAMERON:</b> That would be handy. I would be pleased to see those statements from the trade minister, if they are is available, to back up what you have just described. It would be handy.</p> <p><b>Mr Murnane:</b> Certainly.</p>	71 23-2-15	
112	Trade and Market Access Division	CAMERON	Technical barriers to trade	<p><b>Senator CAMERON:</b> Has either the export division or trade and market access done any analysis on this or are you depending on the</p>	72 23-2-15	

				<p>meat industry?</p> <p><b>Mr Murnane:</b> We have not done our own analysis on those broad technical barriers to trade.</p> <p><b>Senator CAMERON:</b> Why not?</p> <p><b>Mr Read:</b> If the question is: are we aware of all the technical barriers to trade—</p> <p><b>Senator CAMERON:</b> No, that is not the question.</p> <p><b>Mr Read:</b> then we have that work. We understand what all the barriers to trade are—</p> <p><b>Senator CAMERON:</b> You understand what the barriers are?</p> <p><b>Mr Read:</b> from an export certification perspective.</p> <p><b>Senator CAMERON:</b> Can you, Mr Murnane, save me some work and provide details? If you understand the export barriers, can you provide a response to that question, in terms of: what are all the aspects and the value of these barriers across the various nations that we trade with?</p>		
113	Trade and Market Access Division	CAMERON	FTA China – labour mobility	<p><b>Senator CAMERON:</b> Mr Murnane, I have got a couple of quick questions. When you negotiated the agreement with China, what are the implications for agricultural workers in Australia of the labour mobility clause?</p> <p><b>Mr Murnane:</b> I think I might need to take that on notice. In the discussion, in the part of the negotiations that I was involved in, as I think we have spoken about here before, we were</p>	73 23-2-15	



				<p>talking about the tariff quotas for the export of Australian product into China. That was the part of the negotiation that I was involved in.</p> <p><b>Senator CAMERON:</b> So the agriculture department has not raised the issue in terms of the China free trade agreement of the implications for agricultural workers' employment and job security within Australia? Has no-one done that? Has that not been an issue for the agriculture department?</p> <p><b>Ms Evans:</b> We are not saying we are not involved in that. Simon Murnane is simply stating that the part of the negotiations that he was involved in related to the trade and market access issues. The question of the labour mobility is one that you might better take up with the Agriculture Policy Division, which is on later on.</p> <p><b>CHAIR:</b> So, in those discussions, did you reflect upon the culture of facilitation in the playing field of trade? Last year the World Bank tells me there was about—</p> <p><b>Senator CAMERON:</b> Chair, please, can I just finish this point, and then you can go for your life, as you will. I am really interested in employment in Australia arising from this China free trade agreement. You have said—I cannot remember the exact words—that the department would have been dealing with these issues.</p> <p><b>Ms Evans:</b> That is right. We would have been consulted on those aspects of the free trade agreement as well.</p> <p><b>Senator CAMERON:</b> I am simply asking:</p>		
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				<p>what was the department's analysis of the implications of a labour mobility agreement as part of the China free trade agreement? I think it is a reasonable issue. Agricultural workers are not the most well paid in the country. They suffer lots of problems with seasonality and the like, and if we get further issues of labour mobility from China making their jobs more insecure, I am asking: have you looked at that and what are the issues?</p> <p><b>Ms Evans:</b> I think you are asking questions that go to what advice we may have provided government at the time.</p> <p><b>Senator CAMERON:</b> No, I am not. It is not about advice to government. I am asking you: what are the implications? The Senate is entitled to understand what the implications are of a labour mobility clause on agricultural workers. It has got nothing to do with advice; it is a practical, real issue.</p> <p><b>Dr Grimes:</b> On whether we have done any work on that question, specifically?</p> <p><b>Senator CAMERON:</b> I suppose, if you had not done any work, I would be appalled. Secondly, if you have done work, I would like to know what the issues are.</p> <p><b>Dr Grimes:</b> It sounds like this might be a question that we have to take on notice and check to see what work has been undertaken and then provide you with advice.</p>		
114	Trade and Market Access Division	CHAIR	Sub-contracting arrangements China has with	<p><b>CHAIR:</b> Are you aware of the sub-contracting arrangements that China has with Bangladesh?</p> <p><b>Mr Murnane:</b> No, I am not.</p>	74 23-2-15	

			Bangladesh	<p><b>CHAIR:</b> It is about time you got yourself up-to-date with the game. As you would be aware, 80 per cent of the population of Bangladesh—160 million of them—earn about \$34 a month. China is coming to labour-hire arrangements with portions of Bangladesh to try to reduce further their cost of labour.</p> <p><b>Senator CAMERON:</b> South Africa—all over Africa—is doing the same thing.</p> <p><b>CHAIR:</b> If you do not know that, you had better bloody well find out!</p> <p><b>Mr Murnane:</b> I was about to go on to say, and I am happy to take this on notice and check—</p> <p><b>CHAIR:</b> Good.</p> <p><b>Mr Murnane:</b> I do have a recollection that Minister Rob has said the provisions of the agreement will not undercut Australian provisions, but I am happy to take that on notice.</p>		
115	Trade and Market Access Division	CAMERON	Wage and conditions	<p><b>Senator CAMERON:</b> When you said that Minister Rob had indicated they will not undercut Australian wages and conditions, is that what you were saying?</p> <p><b>Mr Murnane:</b> That is my understanding but, as I said, I will check that.</p> <p><b>Senator CAMERON:</b> Could you check what that means? Does that mean the award rate? Does that mean the going rate or the market rate? Does that mean that Chinese workers can come in if they are paid the minimum rate? That is the issue.</p> <p><b>Dr Grimes:</b> We will see how much we can help. We do want to help. We are going well</p>	74 23-2-15	

				beyond agricultural estimates with those questions, but we would be happy to take that on notice and see what we can provide.		
116	Trade and Market Access Division	RUSTON	Southeast Asian Trading Partners	<p><b>Senator RUSTON:</b> Do we have much, in terms of these protocols, waiting in the wings for approval in the opposite direction, in terms of trade?</p> <p><b>Dr V Findlay:</b> Yes, we do. We have a number of import requests across our Southeast Asian trading partners and we are working through those as we speak to make sure that we have a proper relationship, a balanced relationship, with those key trading partners.</p> <p><b>Senator RUSTON:</b> Is the information in relation to those a matter of public record? Can we get that, or is that something that is confidential?</p> <p><b>Dr V Findlay:</b> I would be happy to provide that. We have provided a written summary to industry and we also undertook two teleconferences where we provided that information openly and publicly.</p>	76 23-2-15	
117	Trade and Market Access Division	RHIANNON	Importing of Kangaroo products	<p><b>Senator RHIANNON:</b> Which countries currently import kangaroo products?</p> <p><b>Dr V Findlay:</b> There are 68 countries. Just let me find my list, but I am not sure you want me to read out all 68.</p> <p><b>Senator RHIANNON:</b> No, I do not want you to read them out. Could you take it on notice, and could it include what kangaroo product is imported, the weight of the imports for each of those products and the financial value of each</p>	77 23-2-15	

				product, and could that be since June 2013? <b>Dr V Findlay:</b> Yes, we have that information available.		
118	Trade and Market Access Division	RHIANNON	Californian imports of kangaroo product	Please provide specific details about Australian resources, personnel and government representations to the Californian legislature to renew the lifting of its ban on the import of kangaroo products?	Written	