

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 17**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Australian Quarantine and Inspection Service Inspection

**Proof Hansard page:** 38-39

**Senator WILLIAMS asked:**

**Senator WILLIAMS:** This fellow I am talking about imported a Caterpillar D4 dozer in October last year and it landed in Brisbane. He was charged over \$2000, which included \$1,140 for the steam cleaning, \$450 cartage, and \$148 AQIS fee. I would like to table, if I could, please, Chair, the dirt in the pre-cleaner. This is after it has been cleaned, inspected by AQIS and then approved to come out to Inverell where I live. The pre-cleaner on the air cleaner was not even cleaned out. There is a photograph of the dirt in it as well as another photograph of more dirt. It had wasps nests underneath the machine. I do not know whether they were formed since it has been in Australia or whether they were imported as well. It had a lump of wood jammed in the drawer bar that I have seen photographs of. The plastic pre-cleaner on top of the air cleaner tube, which you can just see the dirt in it from outside, had dirt in it. I have tabled the photographs. When he pulled the air cleaner element out that also had dirt in it. You said you are very specific about the cleaning of the machines. How can this be?

**Mr Chapman:** I would need to get the particular details of that importation, but the requirements are quite clear. Without knowing the specific details of this case it is a bit hard for me to comment on it.

**Senator WILLIAMS:** The AQIS inspected the machine after cleaning and then approved it to go out to the countryside of New South Wales.

**Dr O'Connell:** What Mr Chapman is saying is that he will have to have a look at this specific case to verify what actually occurred. He is being faced with a proposition without any—

**Senator WILLIAMS:** I will be glad for you to look at the case, Mr O'Connell—

**Dr O'Connell:** We will.

**Answer:**

On 22 October 2011 a D4 Dozer imported by Mr John Howard arrived at Fishermans Island, Brisbane from the USA.

On 24 October 2011 a Department of Agriculture, Fisheries and Forestry (DAFF) Biosecurity officer undertook an initial inspection on the D4 Dozer. The Dozer did not meet import conditions which required it to be free from biosecurity risk material on entry. The Dozer was therefore directed for cleaning at a local Quarantine Approved Premises (QAP).

On 18 November 2011, following cleaning at the QAP, the Dozer was inspected and released from the QAP by a DAFF Biosecurity officer in Brisbane.

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 17** (continued)

On 28 November 2011 Mr Howard contacted DAFF Biosecurity stating that there was a hornets' nest with live insects on the roof lining in the cabin of the D4 Dozer. Mr Howard advised that the nest was about the size of half an egg. Mr Howard was unsure if it was of Australian origin. DAFF Biosecurity asked Mr Howard to freeze the nest to kill the insects and securely post it to the DAFF Biosecurity office.

On 8 December 2011 DAFF Biosecurity identified the wasp/insect specimens and contacted Mr Howard to confirm that they did not constitute a biosecurity risk. DAFF entomologists confirmed that a nest of this size was likely to have formed within the previous ten days, ie. *after* arrival into Australia.

On 8 December 2011 Mr Howard informed DAFF Biosecurity that he found a wooden block and plastic bags on the machine. Mr Howard was asked to provide photos and any import documentations to DAFF Biosecurity. DAFF Biosecurity confirmed that the plastic bags and wooden block posed no biosecurity risk.

On 12 December 2011 Mr Howard discussed soil on the D4 Dozer with DAFF Biosecurity. It was agreed that it was local contamination from unloading the Dozer from the tilt tray on Mr Howard's property.

The dust was found in the pre-cleaner of the D4 Dozer was fine dust which was assessed as posing a negligible biosecurity risk.

The fees charged by the QAP for cleaning the Dozer are not DAFF fees.

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 24**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Quarantine Risk From Korea

**Proof Hansard page:** 50

**Senator COLBECK asked:**

**Senator COLBECK:** I would like to continue on a similar theme in relation to some of the import risk issues. I want to refer back to question 181 in relation to some imports from Korea of products that were regarded as a significant quarantine risk. I do not think I am gilding the lily in any respect in that context. Are we confident that the flow of product from Korea has now been properly intercepted and stopped?

**Mr Chapman:** Yes. We had a very extensive investigation into a number of importers who were identified as bringing in products for which they did not have the required import permit.

**Senator COLBECK:** What sort of products are we talking about?

**Mr Chapman:** It was a range of food products. They were all food products—ice creams, dim sims and spring rolls. They were all food products of various sorts. Some of them contained meat products—pork, chicken and beef. Some were cooked and some were uncooked, but all prepared end products such as dim sims.

**Senator COLBECK:** Chilled?

**Mr Chapman:** They all came in frozen.

**Senator COLBECK:** But raw?

**Mr Chapman:** No. There was a very wide range, as I said, from ice-creams to dim sims. Some of the dim sims or those sorts of products had cooked product in them; others had uncooked product.

**Senator COLBECK:** So, there was no raw chicken?

**Mr Chapman:** **I would need to check on that, but I would suspect that there was uncooked chicken meat in some of the products.**

**Answer:**

The investigation and subsequent recovery detected raw chicken products amongst the commodities illegally imported.

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 25**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Quarantine Risk from Korea

**Proof Hansard page:** 51

**Senator COLBECK asked:**

**Senator COLBECK:** We do not know the context, or the time frame of the delivery of that product, or any other product that might have gone through the system before we actually found out what was happening.

**Mr Terpstra:** That is correct. The reason for that is that we are dealing with illegal activity where the modus operandi is about either misdescribing or importing product that is simply not on a manifest.

**Senator COLBECK:** What happened to that 100 tonnes of product once we got hold of it?

**Mr Terpstra:** Illegal product is all destroyed.

**Senator COLBECK:** How much did it cost to find it all—to round it all up?

**Mr Terpstra:** **I do not actually have a final figure on the cost of this particular operation, but I am certainly happy to that on notice.**

**Answer:**

The costs associated with detection, storage and analysis of illegally imported Korean goods to date is \$298 427.00, excluding staff salary costs.

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 26**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Quarantine Risk from Korea

**Proof Hansard page:** 53

**Senator HEFFERNAN asked:**

**ACTING CHAIR:** Can you provide the exact dates of these seizures, the officials involved and the details on each shipment?

**Mr Terpstra:** Certainly. We will have a look at the sensitivities associated with the ongoing nature of the investigations. Anything that we are able to provide within that process with the consent of the minister—

**Answer:**

Seizures of Korean risk material occurred over a time period commencing 20 December 2010 to 16 February 2011 in Queensland, 22 February 2011 to 22 June 2011 in NSW and 11 February 2011 to 13 May 2011 in Victoria. Some subsequent follow up action took place on 2 September 2011 in Victoria.

All officials involved were Department of Agriculture, Fisheries and Forestry employees and were appointed quarantine officers.

Goods that were seized at the time of importation were generally part of a larger consignment of compliant Asian groceries. Seized goods included raw chicken product, processed and semi processed pork, processed meats (such as beef), dairy products, and pastes. Other items of contraband such as tobacco were referred to the Australian Customs and Border Protection Service.

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 27**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Quarantine Risk from Korea

**Proof Hansard page:** 53

**Senator HEFFERNAN asked:**

**Senator HEFFERNAN:** When did you discover there was meat from a country that has got foot-and-mouth?

**Mr Terpstra:** I would have to check the date when that discovery was actually made.

**Senator HEFFERNAN:** You might also check if that is the day you released it to the industry.

**Answer:**

The initial detection of illegally imported foods was 20 December 2010 not 23 December as previously advised (please also refer to QoN 26 Quarantine Operations from the Additional Estimates in February 2012).

Please refer to the answer to QoN 28 Quarantine Operations from the Additional Estimates hearing in February 2012 concerning public release of information concerning Korean imports.

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 28**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Quarantine Risk from Korea

**Proof Hansard page:** 53–54

**Senator HEFFERNAN asked:**

**Senator HEFFERNAN:** Can you provide the media release?

**Mr Chapman:** Yes.

**Answer:**

Yes, please see attached. Media release is also available at [www.daff.gov.au/about/media-centre/dept-releases/2011/importers-facing-prosecution-for-illegal-korean-food](http://www.daff.gov.au/about/media-centre/dept-releases/2011/importers-facing-prosecution-for-illegal-korean-food).

# Importers facing prosecution for illegal Korean food

4 April 2011  
DAFF11/006D

A group of food importers and retailers has been investigated by the Australian Quarantine and Inspection Service (AQIS) for importing and selling Korean food illegally.

Mr Tim Chapman, General Manager of AQIS Quarantine Operations, said AQIS officers intercepted a shipment of food from Korea that was not allowed to be imported, and did not meet Australian food safety standards.

“On further investigation, AQIS identified a number of importers who had routinely imported food containing meat and dairy products that did not meet Australia’s import conditions,” Mr Chapman said.

“When we identified all of the importers who were bringing in the non-compliant food, we were then provided with a list of the retail stores they supplied. On further investigation we identified several more retailers.”

AQIS visited the retail stores and recovered all non-compliant food products.

Where quarantine conditions have not been met, AQIS is authorised to investigate, seize and destroy illegally imported food under the *Quarantine Act 1908*. The importers are now facing prosecution.

Mr Chapman said there are strong reasons why some foods cannot be imported to Australia.

“Some foods and other products could bring in exotic pests or diseases that can be harmful to our agriculture, various industries and our unique environment,” Mr Chapman said.

“It is crucial that all importers and retailers are aware of, and comply with, Australia’s import conditions.”

Import conditions can be found by using AQIS’s Import Conditions database. This database allows importers to search for the product they wish to import and determines if they need to apply for an import permit.

Imported products that do not meet import conditions may be exported, destroyed or treated at the importer’s expense.

## **FOR MORE INFORMATION:**

A fact sheet providing advice to importers and retailers of Korean food is available on the [AQIS website](#). A [Korean language version](#) is also available.

Importers and retailers requiring further information are welcome to phone AQIS on **(02) 6272 5447** or visit an [AQIS office](#) in their area.

Food safety standards must also be met and these are administered by [Food Standards Australia New Zealand \(FSANZ\)](#).

**Rural and Regional Affairs and Transport Committee**  
ANSWERS TO QUESTIONS ON NOTICE  
Additional Estimates February 2012  
**Agriculture, Fisheries and Forestry**

**Question: 29**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Quarantine Risk from Korea

**Proof Hansard page:** 54-55

**Senator HEFFERNAN asked:**

**Senator HEFFERNAN:** But you got information that allegedly there was illegal trafficking. What, did you then take a few months to get your head around the paperwork before you went and had a look or did you have a look at what he was importing the next day?

**Dr Cloney:** Exactly. It takes analysis to interview the particular person, record the interview, go and verify some of the information. We immediately notify the program so the program knows what is going on, but we have a 1800 number and we get hundreds and hundreds of allegations every year; some prove to be worthwhile, others do not, but we need to—

**Senator HEFFERNAN:** Was there a whistleblower in this case?

**Dr Cloney:** make the investigation—

**Senator HEFFERNAN:** Was there a whistleblower?

**Dr Cloney:** Was there a whistleblower?

**Senator HEFFERNAN:** How did you discover this one?

**Mr Chapman:** It was discovered by one of our audit inspections that we do to confirm that importers are doing what they are supposed to be doing.

**Senator HEFFERNAN:** That is a meaningless answer. Is it meant to be?

**Dr O'Connell:** Quarantine approved premises get audited by our people and in this case the audit showed that there was illegal activity—as simple as that.

**Senator HEFFERNAN:** But this does not really add up. It has been going on for 12 months. You discovered that when?

**Mr Chapman:** We discovered it on 23—

**Senator HEFFERNAN:** You discovered it had been going on for 12 months in December.

**Dr O'Connell:** No, you are not—

**Senator HEFFERNAN:** When did you discover it had been going on for 12 months?

**Mr Terpstra:** The information we were given was subsequent to that time, at a subsequent interview with—

**Senator HEFFERNAN:** But when?

**Mr Terpstra:** I cannot give you an exact date but it would have been—

**Senator HEFFERNAN:** Well, take it on notice.

**Mr Terpstra:** mid-January, or thereabouts.

**Senator HEFFERNAN:** You discovered in mid-January that this has been going on for 12 months?

**Mr Terpstra:** **Approximately that time.**

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question:** 29 (continued)

**Answer:**

The original inspection took place on 20 December 2010 not 23 December as previously advised. On 21 December 2010 investigators interviewed the importer of this consignment who disclosed that he had been importing such goods for about 12 months. This information led to a number of other investigation and recovery actions including the execution of 16 search warrants that were undertaken as part of the full process of discovery.

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 30**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Foot and Mouth Disease

**Proof Hansard page:** 56-57

**Senator HEFFERNAN asked:**

**Senator HEFFERNAN:** You would not be able to establish if there was an outbreak of foot-and-mouth because you would not have disclosed.

**Mr Chapman:** There was certainly no intention to keep it quiet. Considering the fact that foot-and-mouth in Korea had been in the news, it would have been my expectation that interested parties would have taken note of the media release. We have had discussions with the National Farmers Federation and Australia Pork Limited and I think that—

**Senator HEFFERNAN:** Prior to the release?

**Mr Chapman:** No, post the release, but at the time the nature of the product meant—which as I said was processed foodstuffs designed for human consumption—

**Senator HEFFERNAN:** In raw form?

**Mr Chapman:** I am sorry, the nature of the product was such that, to be honest, I did not think, ‘I will go out and speak to Australian Pork Limited about that immediately.’ I have since had discussions with them and they understand that because we are talking about dim sims and spring rolls, which are items we seize every day of the week, they do not have an interest in those every-day-of-the-week seizures. I think that because of the way that it was reported in the media they had a concern that in fact we were talking about large amounts of uncooked pig meat which might have come in, whole pig meat for further processing or whatever. That was not the case and they understand that. Similarly, in the discussions I had with the National Farmers Federation, they understood that this was processed product designed for human consumption. It was not a clear and present danger to the cattle and pork industries in Australia.

**Senator HEFFERNAN:** But it was uncooked. It might have been processed, but it was uncooked.

**Mr Chapman:** No. Some of it was cooked product, some of it was milk product—

**Senator HEFFERNAN:** Which means some of it was not. You are just saying, as a bureaucrat would, that must mean on the other side of it that some of it was uncooked. Can you just own up that some of it was uncooked?

**Dr O'Connell:** Mr Chapman has just said that.

**Senator HEFFERNAN:** No, he did not. He said some of it was cooked

**Dr O'Connell:** And then he followed on by saying some of it was milk product and some of it was uncooked—

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question:** 30 (continued)

**CHAIR:** I will just remind senators that at 3.15 we will be going to Wheat Exports Australia. Senator Colbeck and Senator Back may have some questions—

**Senator HEFFERNAN:** I will put this on notice.

**Answer:**

Some of the product contained uncooked meat.

**Rural and Regional Affairs and Transport Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates February 2012

**Agriculture, Fisheries and Forestry**

**Question: 197**

**Division/Agency:** Biosecurity – Quarantine Operations Division

**Topic:** Import Permit Rejections

**Proof Hansard page:** Written

**Senator COLBECK asked:**

1. What are the 10 import permits that have triggered the most rejections in the last 12 months?
2. What were the reasons for the rejections and what remedial action was taken after the rejections?

**Answer:**

1. A total of 518 756 import consignments, consisting of in excess of 3 million individual product lines, were referred to Department of Agriculture, Fisheries and Forestry Biosecurity between 1 January 2011 and 31 December 2011 for more detailed assessment and/or treatment. Of the 518 756 consignments, a total of 57 596 were rejected or delayed because of they did not meet Australian import requirements.

<b>Quarantine Directions</b>	<b>Number of Consignments</b>	
Destruction	7154	Includes autoclave, deep burial, incineration
Devitalisation	115	Involves seeds being sprayed or dipped in herbicide
Fumigation	24 630	Gassing with Methyl Bromide or Ethylene Oxide for set time/temperatures
Heat Treatment	1004	Dry or damp (steam) application of heat at specific temperature, time and/or pressure combinations eg. moist heat 85c for 48 hrs
Irradiation	2924	Gamma irradiation eg. IR-25 kGray
Other treatments	20 223	Cleaning, cold storage, autoclaving, disinfection, removal of bark or packaging
Export	1546	To country of origin or another country
<b>Total</b>	<b>57 596</b>	

2. The goods that were rejected or delayed pending treatment included (but are not limited to) the following product lines: 5654 passenger vehicle consignments; 2986 cut flower and flower bud consignments; 2514 wooden article consignments; 1295 consignments of yachts and other recreational boats; 1469 consignments of toys; 828 consignments of fresh/chilled vegetables;

**Rural and Regional Affairs and Transport Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
Additional Estimates February 2012  
**Agriculture, Fisheries and Forestry**

**Question:** 197 (continued)

3. 600 consignments of live plants; 482 consignments of seeds, fruit or spores for sowing; 494 consignments of bakery goods (bread, cakes, pastries etc).