



Parliament of the Commonwealth of Australia

An Appropriate Level of Protection?

The Importation of Salmon Products:
A case study of the Administration of Australian Quarantine
and the Impact of International Trade Arrangements

**Report by the
Senate Rural and Regional Affairs
and Transport Legislation Committee**

June 2000

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The Senate
Parliament House
Canberra ACT 2600

Telephone (02) 6277 3511
Facsimile (02) 6277 5811
Internet www.aph.gov.au/senate
Email rrat.sen@aph.gov.au

TERMS OF REFERENCE

On 11 August 1999, the Senate referred the following matter to the Rural and Regional Affairs and Transport legislation Committee for inquiry and report by the last sitting day of the Senate in October 1999. (Various extensions of time to the reporting date were granted, with a final reporting date of on or before 8 June 2000).

The effectiveness of the legal and regulatory regimes governing the Australian Quarantine and Inspection Service (AQIS) and the need to ensure transparency, consistency, scientific rigour and the highest standards of protection of the environment, the local fish population and the fishing and recreational fishing industries of Australia, having regard, in particular, to the administrative procedures and decision-making processes involved in the recent AQIS decision to allow the importation of salmon products into Australia.

CONDUCT OF THE INQUIRY

On 11 August 1999, the Senate referred the inquiry into the importation of salmon products to the Senate Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by October 1999. Various extensions of time to the reporting date were granted, with a final reporting date of 11 May 2000. The terms of reference were advertised in the press on 18 August 1999.

A total of 66 written submissions were received. A list of the submissions is at Appendix 1. A large number of non-government organisations sent submissions (49). A number of these are from professional associations or clubs (19). Other submissions came from industry (20), members of parliament or political parties (3), and academics (5).

Hearings were held in Canberra on 24 September, 11 November, 22 November 1999 and 18 February 2000 and in Hobart on 5 October 1999. Oral contributions were taken from 25 witnesses or groups of witnesses (see Appendix 2), and 409 pages of evidence were taken. The *Hansard* of the hearings is available at the Hansard site at www.aph.gov.au.

The Committee also expresses its gratitude to Mr Gerard Brennan, solicitor and formerly Legal Adviser to the Department of Foreign Affairs, and to Professor Malcolm Nairn, Chairman of the Quarantine and Exports Advisory Council, for their valuable input to the Committee's deliberations.

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ABBREVIATIONS

ABARE	Australian Bureau of Agricultural and Resource Economics
AFFA	Agriculture Forestry and Fisheries Australia
AGD	Amoebic Gill Disease
AGS	Australian Government Solicitor
ALOP	Appropriate Level of Protection
AQIS	Australian Quarantine and Inspection Service
AQPM	Animal Quarantine Policy Memorandum
BKD	Bacterial Kidney Disease
BRS	Bureau of Resource Sciences
CVO	Chief Veterinary Officer
DFAT	Department of Foreign Affairs and Trade
DSB	Dispute Settlement Body
DSU	Dispute Settlement Understanding
EC	European Community
EEZ	Exclusive Economic Zone
GATT	General Agreement on Tariffs and Trade
IHNV	Infectious haematopoietic necrosis virus
IPNV	Infectious pancreatic necrosis virus
IRA	Import Risk Analysis
ISAV	Infectious salmon anaemia virus
ISA	Infections salmon anaemia
MOU	Memorandum of Understanding
NFF	National Farmers' Federation

OIE	Office Internationale des Epizooties [International Animal Health Organisation]
OIL	Office of International Law [Attorney-General's Department]
RAP	Risk Assessment Panel
SPS	Agreement on Sanitary and Phytosanitary Measures
TBT	Agreement on Technical Barriers to Trade
TSGA	Tasmanian Salmonid Growers' Association
WTO	World Trade Organisation