



Apple & Pear Australia Ltd.

## ***Background***

New Zealand applied to export apples to Australia in December 1995 and since that time, Apple and Pear Australia Ltd (APAL) and its predecessor Australian Apple and Pear Growers Association have worked hard and smart to ensure that if New Zealand apples are exported to Australia, that exotic pests and diseases present in New Zealand but not in Australia do not get exported to Australia as well.

It took till November 2006 for the *Final import risk analysis report for apples from New Zealand* to be published and in March 2007 the Director of Quarantine announced importation of apples from New Zealand was allowed subject to a range of phytosanitary measures.

The Australian apple and pear industry demanded even stricter conditions to be applied but in December 2007 New Zealand lodged a dispute with the World Trade Organisation (WTO) on the basis Australian measures were inconsistent with Australia's international obligations under the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement).

This was a critical step. It effectively took the decision making process out of the hands of the Australians and New Zealanders and put all power into the WTO, an international body that is committed to free trade, not fair trade.

Australia was confident that the New Zealand science on fire blight would not stand up to scrutiny and was not adverse to the direction the issue had taken.

Again APAL worked hard to support the substantial effort the Australian government put into defending Australia's right to set an appropriate level of protection for the apple and pear industry.

However, in August 2010, the WTO ruled that Australia's phytosanitary measures for New Zealand apples were not justified.

The Australian government appealed however that appeal was lost in November 2010 and as there are no further avenues for appeal Australia, as a member of the WTO, is obliged to implement the independent reports of the WTO.

In December the Australian and New Zealand Governments agreed that a review would be completed on 17 August 2011 (otherwise WTO would have appointed an Arbitrator to do so).

On 4 May 2010 Biosecurity Australia released a Draft of Non-Regulated Review of New Zealand Apple Imports for public consultation in which it stated that the New Zealand

standard orchard practices were as sufficient quarantine standard to protect Australia from a number of extremely damaging pests and diseases that are not present in Australia.



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Since that time APAL has been canvassing all options left to make changes and that is via the political process. They include responding to the review of the IRA with a detailed technical response, via a media / public relations campaign, through lobbying politicians (growers can help greatly with this process by contacting local members)

### ***Current situation***

Biosecurity Australia has relied on New Zealand's so called "standard orchard practices" as the quarantine standard sufficient to protect Australia from a number of extremely damaging pests and diseases that are not present in Australia.

The practices include:

- Application of the integrated fruit production system, or an equivalent, to manage pests and diseases in orchards
- Testing to ensure that only mature fruit is exported to Australia
- Maintenance of sanitary conditions in dump tank water
- High pressure water washing and brushing of fruit in the packing house
- A minimum 600 fruit sample from each lot of fruit packed is inspected and found free of quarantine pests for Australia. (A 'lot' of fruit is defined as a single variety picked at one orchard on in a single day).

However, all horticultural industries in virtually all countries have standard practices designed to minimize the risk and spread of pests and diseases but the efficacy of those practices depends on many factors that are not always in the control of the orchardist or industry personnel.

### ***Our concerns***

The standard practices, like any other code of practice, are open to the issues of:

- Human interpretation and application of the standard practices, which invariably differ from grower to grower and region to region
- Human abuse or avoidance of procedures; without a significant level of auditing there is no way of judging compliance to the standard orchard practices

(In New Zealand there appears to be no single organisation that manages/audits the process across ALL export orchards to ensure accuracy and consistency, and deal with non-compliance.)



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- Climatic events, particularly the one in ten year or longer events that are managed on an as needs basis
- Pest pressure, both on-farm and from neighbouring properties
- Choice and efficacy of application of control agents
- Orchard canopy and design

### ***What the Australian apple industry wants***

APAL believes the following changes should be implemented before the draft recommendations in the review of the IRA for apples from New Zealand are accepted.

- **That where a pre-harvest outbreak of fire blight is detected, fruit from that block or orchard should be excluded from export to Australia**
- **When a heavy infestation of apple leaf curling midge or leaf rollers occurs in an orchard, that either the fruit be excluded or fumigated**
- **That from each consignment, 600 cartons be inspected to ensure that no trash is entering the country via the cartons. Trash is leaves and small twigs that are universally recognised as carriers of fire blight. Should cartons contain trash, those suppliers should be excluded from exporting to Australia until a review of procedures is completed.**
- **That high-risk areas for European canker such as Auckland and Otago be excluded from exporting to Australia.**
- **That should there be a regional outbreak of fire blight, trade be suspended until a review of procedures is completed and alternative protocols are established.**

We believe these practices are consistent with practices applied by other countries to implement their sanitary-phytosanitary agreements.

Indeed, the draft report accepts that to prevent codling moth becoming established in Western Australia, "three alternate measures for codling moth are recommended:

- Sourcing fruit from pest free areas, pest free places of production or pest free production sites;
- sourcing fruit from areas of low pest prevalence;
- or methyl bromide fumigation.



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- Visual inspection was not assessed as an effective measure [for codling moth by BA] due to the potential for infestations to be undetectable by visual means.”

Given this expectation for a low level pest for Western Australia, there is a compelling argument for similar conditions to be applied for high risk pests. It is very similar to conditions to which Australia must conform when it sells fruit to countries such as China, Taiwan, Japan, USA etc. Those countries send their inspectors to Australia (at Australia’s expense) before fruit can be cleared for export.

So Australia needs a process whereby the above conditions can be checked and audited by Australian AQIS inspectors and not left in the hands of those who stand to benefit from the export of apples.