

AGRICULTURE AND FOOD — AUSTRALIAN NATIONAL APPLE BREEDING PROGRAM —
ANABP 01 — FRUIT WEST

5268. Mr M.P. Murray to the Minister for Agriculture and Food:

I refer to the commercialisation of ANABP 01 (the Black Apple) and the Minister's decision to appoint the Fruit West cooperative to carry out this action, and I ask:

- (a) why was Fruit West given this responsibility;
- (b) what prior experience did Fruit West have in commercialising new varieties of fruit;
- (c) were expressions of interest formally called for by the State Government to assess whether other entities had an interest in carrying out the commercialisation;
- (d) was the Department of Agriculture and Food considered for the responsibility, and if not, why not;
- (e) was Fruit West determined at the time of the decision to have appropriate financial resources to undertake the commercialisation;
- (f) at the time of choosing Fruit West for this responsibility, how many staff were employed at Fruit West and did any of those staff have experience in commercialising new varieties of fruit;
- (g) how did Fruit West propose it would ensure that the intellectual property rights associated with ANABP 01 would be secured, and could the Minister provide documentation of this proposal; and
- (h) when did Fruit West apply for the commercialisation responsibility, to which entity or individual was the application made, which individual or entity assessed the application, and will the Minister provide documentary evidence of this application?

Mr D.C. Nalder replied:

- (a) Fruit West Co-operative Ltd (FWCL) expressed an interest in managing ANABP 01 in correspondence to DAFWA in 2012. DAFWA deemed, based upon information it received from FWCL, that FWCL was both capable of managing the commercialisation process in Australia, and sufficiently representative of the Western Australian Industry to justify appointment as the exclusive licensee in Australia. This was approved by Horticulture Australia Ltd (now Horticulture Innovation Australia Ltd).
- (b) In assessing FWCL's request for the opportunity to commercialise ANABP 01, DAFWA sought, and received, information from FWCL that FWCL had direct access to the skills and expertise required for successful commercialisation.
- (c) No.
- (d) No. It is neither Government policy, nor a core function of DAFWA, to directly commercialise intellectual property including plant varieties.
- (e) Yes.
- (f) The WA Government does not keep employment records on behalf of FWCL. In assessing FWCL's request for the opportunity to commercialise ANABP 01, DAFWA sought, and received, information from FWCL that FWCL had direct access to the skills and expertise required for successful commercialisation.
- (g) The intellectual property in the variety is owned by the Western Australian Agriculture Authority (WAAA), not FWCL.
- (h) FWCL expressed an interest in managing ANABP 01 in correspondence to DAFWA in September 2012. DAFWA sought additional information from FWCL, which was assessed by DAFWA. In January 2013, FWCL was informed that they were considered a suitable licensee for the variety. The application documentation is Commercial-in-Confidence.