

GOVERNMENT RESPONSE TO THE REPORT OF THE ECONOMICS AND INDUSTRY STANDING COMMITTEE

“THE INQUIRY INTO THE PRODUCTION AND MARKETING OF FOODSTUFFS” REPORT NO. 4 IN THE 37th PARLIAMENT

The Government response has been prepared in accordance with Standing Order 277(1) of the Standing Orders of the Legislative Assembly.

Background

The Economics and Industry Standing Committee (EISC) reviewed a number of issues related to the production and marketing of foodstuffs. The Committee tabled its final report to the Legislative Assembly on the 30 March 2006.

The report makes 11 recommendations to which the Government has responded, supporting all recommendations.

Recommendation 1

The Committee recommends that the Australian Government evaluate the risk of DDT and its metabolites being present in food imported into Australia and, depending on the risk, reinstitute AQIS testing for DDT.

Government Response

The Government supports this recommendation and notes that FSANZ is currently reviewing its Imported Foods Inspection Scheme, which incorporates pesticide residue screening. The Government through the Department of Agriculture and Food Western Australia (DAFWA) has contributed to the review, requesting FSANZ to consider expanding its pesticide screening of imported foods to include certain organochlorines such as DDT. The Government will continue to lobby for a satisfactory outcome and will ensure that this issue is addressed at the next meeting of the State Plant Residue Coordinators. A collaborative approach utilising the existing complementary skills of Chemistry Centre (WA) and AQIS (WA) for addressing these issues in Western Australia will be explored (Refer to the Government Response to Recommendation 6).

Recommendation 2

The Committee recommends that strategies be developed by the Department of Health to improve its coordination of food safety in Western Australia through:

- *More effective guidance and/or training and dissemination of information to local government Environmental Health Officers; and*
- *Regular auditing of local governments to ensure their responsibilities with regard to food safety are being adequately discharged.*

Government Response

The Department of Health (DOH) supports this recommendation and has implemented procedures to address the issue. Seminars have commenced, where topical issues relating to health and safety of food are addressed. In addition, circulars and newsletters have been distributed and will continue to routinely convey information of interest to Environmental Health Officers.

When the *Food Bill 2005* receives assent, and the new Public Health Act is introduced, a significant educational program for stakeholders, and especially Local Government, will commence. This will include the preparation of Guidelines, and conducting of seminars on the new requirements throughout regional Western Australia. Preparations for this initiative are already well advanced.

The Government also supports the need for regular auditing of regulatory authorities, in this case Local Governments. The DOH has foreshadowed this by including a clause in the *Food Bill 2005* which requires Local Governments to report on their performance and activities regarding the administration of the food legislation. This facilitates scheduled assessments of Local Governments by the DOH utilising a risk-based concept, providing a superior indicator of food safety systems implemented by Environmental Health Officers at the local level.

Recommendation 3

The Committee recommends that the Department of Health pesticide residue survey of fruit and vegetables be modified as follows:

- *Surveys should be conducted on an annual basis;*
- *The range of chemicals tested should include pesticides that have been banned in Australia but may be used in other countries, particularly those with long-term health effects;*
- *Samples should include imported and locally grown produce, and should be traced back to the source; and*
- *Information on follow-up for violations should be reported with survey results.*

Government Response

The Department of Health supports the need for ongoing monitoring of pesticide residues in fruit and vegetables. This carries significant resource implications, which will be balanced against other emerging threats to public health and safety and environmental health. The Government will also examine options with respect to educational programs, which will influence and improve the pattern of use of pesticides by growers.

Annual surveys impose a high burden on stakeholders, including Local Government officers undertaking the sampling on behalf of the DOH, and chemical laboratories that undertake the subsequent analysis. Surveys are only an indicator of the compliance at that time and not the ongoing performance of the grower. The DOH has been actively promoting that industry move towards the use of management plans such as Food Safety Programmes or HACCP plans, which are considered best practice, and in accordance with international developments in this area.

The DOH with the Chemistry Centre (WA) is presently undertaking a significant survey of fruit and vegetables, and especially focussing on imported produce. Analysis of an extensive range of chemical residues has been requested, including those pesticides deregistered in Australia but possibly remaining in use in other countries. Future surveys by the DOH will again routinely include these pesticides, although previous surveys have not detected significant risks to public health from these residues of this nature.

The present survey is also targeting selected heavy metals, with limited microbiological assessment also completed. This will provide a clearer picture of the extent of any contamination which might be occurring during the food supply chain.

The origin of all produce will be recorded, and a trace-back system to individual growers is possible where breaches are identified. Follow up of breaches has occurred with previous surveys and will continue to be an integral part of the DOH survey initiative.

To meet the requirements of the Economic and Industry Standing Committee's recommendation, pesticide and residue surveys which include a range of chemicals that are banned in Australia that may still be used in other countries, will be conducted annually.

Recommendation 4

The Committee recommends that training in chemical use be made mandatory for all farm workers who handle and/or use chemicals, including itinerant workers and people from non-English speaking backgrounds. In support of this recommendation, additional resources should be allocated to develop training programs to cater for itinerant workers and people from non-English speaking backgrounds.

Government Response

The Government supports this recommendation and notes that implementation of the recommendation will be via the *Biosecurity and Agriculture Management Bill 2006*. It is the Government's intention that once the Bill is passed regulations will be drafted to support the implementation of the mandatory training requirements for commercial users of agricultural chemicals.

The Government confirms that there are already chemical handling and safety training programs available. At present a significant provider of such training is Chemcert WA Inc., however this does not preclude any other training providers from entering the market if the courses provided are equivalent to the level prescribed in the regulations currently being developed.

Recommendation 5

The Committee recommends that the Australian Quarantine and Inspection Service expands its pesticide screen for imported food products to include pesticides with potential long-term health effects, such as the organochlorine pesticides.

Government Response

The Government supports this recommendation. The Government supports that existing screening capability and instrumentation at the Chemistry Centre (WA), in place for food security and food monitoring program activities, be utilised in collaboration with AQIS for imported food monitoring. This would strengthen the food security, food monitoring and imported food programs and avoid duplication of expensive analytical capacity. (Refer to the Government Response to Recommendation 6)

Recommendation 6

The Committee recommends that the Western Australian Government lobby Food Standards Australia New Zealand to amend its advice to AQIS, expanding its pesticide screen for imported food products to include pesticides and potential long-term effects.

Government Response

The Government supports this recommendation and will seek to have the Australian Government address this issue. The Government will request that FSANZ review its advice to AQIS in consideration of the following in relation to the pesticide screening of imported foods:

- The need to evaluate the risk of DDT and other organochlorines based on the range of chemicals currently or historically used in countries from where Australia's imports have increased in recent years and the consequential amendment of the pesticide screen of imported foods accordingly;
- Amending the imported food pesticide screen so that it is equivalent to State pesticide screens and Quality Assurance screening programs; and
- Releasing quarterly figures on imported foods inspection results.

Recommendation 7

The Committee recommends that the AQIS release quarterly figures on imported food inspection results.

Government Response

The Government supports this recommendation. (Refer to the Government Response to Recommendation 6)

Recommendation 8

The Committee recommends that the Government, in close consultation with industry and consumers, further refine and implement a voluntary Buy WA Food First certification and marketing scheme based on the model outlined in this report.

Government Response

The Government supports this recommendation. The Department of Agriculture and Food Western Australia (DAFWA) will develop and administer the proposed food marketing scheme.

After recently seeking advice from the Australian Competition and Consumer Commission (ACCC) concerning Place of Origin claims under the Trade Practices Act (1974), the Government has clarified the criteria for use of the *Buy WA First* logo. An interdepartmental working group consisting of officers from the Department of Agriculture and Food WA (DAFWA) and the Department of Industry and Resources will undertake industry and consumer consultation on the Economic and Industry Standing

Committee's proposed model of the *Buy WA Food First* scheme and the existing *Buy WA First* campaign, to ensure that the needs of both industry and consumers are met.

DAFWA will develop and implement a new *Buy WA Food First* scheme based on feedback from the consultation process. The scheme will be funded by DAFWA with a budget of \$300,000 to establish the scheme.

Recommendation 9

The Committee recommends that the Department of Agriculture and Tourism Western Australia, in consultation with the Regional Development Commissions and other potential stakeholders, identify strategies to increase access to unskilled seasonal labour in the agricultural sector through increased backpacker tourism to regional Western Australia.

Government Response

The Government supports this recommendation and confirms that the Department of Agriculture and Food Western Australia, Tourism WA and the Regional Development Commissions are currently developing initiatives to increase the availability of unskilled labour in the agricultural sector. The Agencies will develop a coordinated approach with industry stakeholders to ensure that seasonal primary industry labour opportunities are lodged on the National Harvest Labour Information Service, and further develop strategies to market Western Australia as a desirable tourism and migration destination.

Recommendation 10

The Committee recommends that the Western Australia Government lobby the Australian Government to undertake an urgent review of the current skilled migrant visa system to identify visa programs that could be used more effectively to address the skilled labour requirements of the agriculture sector.

Government Response

The Government supports this recommendation and notes that it has lobbied for amendments to various visa programs to better address Western Australia's skills and labour shortages. Some of the recommendations and amendments to visa programs that the Government has been lobbying for since 2004 have been accepted at the Federal level. The Government notes that a review of the skilled visa system was undertaken in May 2005 however the Government will continue to pursue outstanding issues by lobbying the Australian Government through its representation on the Commonwealth Joint Standing Committee and the Commonwealth and State Officers Working Group.

The Government notes that the Department of Employment and Workplace Relations (DEWR) process for classification of skills needs to better include primary production industry skills. The Government will work with DEWR to address this issue.

Recommendation 11

The Committee recommends that the Australian Government prioritises the passage of the Trade Practices Legislation Amendment (No. 1) Bill currently before the Australian Parliament, and brings forward the introduction of the Trade Practices Legislation Amendment (Small Business Protection) Bill, to promote certainty in the market.

Government Response

The Government supports this recommendation and has written to the Australian Government in June 2004, July 2005, and September 2005 endorsing these Bills. The Government will continue to address this issue at the Federal level, to ensure that the Australian Government is informed of the Committee's recommendation contained in this Report.

I would like to commend the Committee on the thorough research it has conducted and the production of a very comprehensive report. In accordance with Standing Order 277(1) of the Standing Orders of the Legislative Assembly, I table this paper in response to the EISC Report on *The Inquiry Into The Production and Marketing of Foodstuffs*.

Kim Chance MLC
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