



22 February 2019

Mr Lloyd Klumpp  
General Manager | Biosecurity Tasmania  
Department of Primary Industries, Parks, Water and Environment  
GPO Box 44  
HOBART TAS 7001

By Email: [biosecuritybill@dpiuwe.tas.gov.au](mailto:biosecuritybill@dpiuwe.tas.gov.au)

Dear Mr Klumpp

**RE: TASMANIA'S DRAFT BIOSECURITY BILL 2019**

The Australian Seed Federation (ASF) is the peak industry body for the Australian seed industry at the local, state, national and international level. The membership of ASF comprises stakeholders from all sectors of the seed supply chain including plant breeders, seed growers, seed processors and seed marketers. The ASF also represents its members internationally, as a member of the International Seed Federation (ISF) and the Asia Pacific Seed Association (APSA).

The ASF welcomes the opportunity to provide comments on Tasmania's draft Biosecurity Bill 2019 and bring to your attention sections with which we would appreciate greater clarification.

Of general concern is s3(c)(iii) which quite rightly "supports an evidence-based approach to the assessment, prevention and management of biosecurity risks and biosecurity impacts"; and yet is followed immediately by s3(c)(iv) which states the framework "does not require a biosecurity risk to be proven with full scientific certainty before taking reasonable and practical measures." These two objects of the framework appear incongruous and at odds to one another.

Further, ss10 (c) and (d) in relation to plant diseases and invasive pests use the language "regardless of whether the disease, or cause of the disease, is known or identified"; and "regardless of whether the species, or subspecies, of the invasive pest is known or identified" respectively. This language is inconsistent with the object expressed in s3(c)(iii) of the draft Bill supporting an evidence-based approach.

Section 11 could be interpreted as permitting the Tasmanian government to prohibit a weed or disease even if that weed or disease is already present in Tasmania.

Only the term 'non-indigenous' is defined in the draft Bill, the text is silent on the definition of 'indigenous'. In s16 for example, the reference to 'indigenous' is therefore left open to interpretation. If 'indigenous' is taken to mean all pests current present in Tasmania that would be acceptable. If 'indigenous' only refers to native species or disease present before 1770 then it is more restrictive.

ASF members have raised concerns regard the language in s26(2) of the draft Bill that permits the Tasmanian government to declare a place quarantined even though “It is not necessary, in order to form a reasonable suspicion under this section that an animal, plant, place or other thing is infested with a pest, for the animal, plant, place or other thing to be exhibiting signs of infestation with the pest.” This language is again at odds with the object of the draft Bill supporting an evidence-based approach.

ASF members have expressed the following general concerns with Biosecurity Tasmania’s existing policies and procedures, not specific to the draft Bill:

1. ASF members are required to complete a nematode test on all seed entering Tasmania for ‘*Anguina funesta*’ when we are not aware of whether there have been any studies done to determine if it is already present in the state. The nematode itself is not a threat unless it also carries the bacterium *Rathayibacter toxicus*, a bacterium that is not present in all our grass seed production regions, other than Western Australia and some parts of South Australia.
2. ASF members are unable to send seed that was produced in Tasmania back to Tasmania without it being free of soil (i.e. Tasmanian soil that it came with). Tasmania are imposing a soil exclusion even though this is not the case between Victoria, South Australia, New South Wales, Queensland, the ACT and the Northern Territory.

The ASF is concerned that the broad nature of some of the language used in the draft Bill will allow Biosecurity Tasmania to continue to make decisions on quarantine pests without reasonable scientific basis for exclusions, and at odds with the proposed ‘evidence-based approach’.

Please do not hesitate to contact the Australian Seed Federation on 02 6282 6822, or by email ([enquiry@asf.asn.au](mailto:enquiry@asf.asn.au)) should you have any questions or require further information regarding any aspects of these comments.

Yours sincerely

Osman Mewett  
**General Manager**