15 February 2016

Submission: Regulation of Australian Agriculture
Productivity Commission
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Dear Sir/Madam

My name is Herta Klein. I am a registered beekeeper in the State of Queensland.

Access to technologies and chemicals

Is the approval process for GM crops effective and efficient?
No.
Honey in its natural state in not a GM Food. However, when bees collect nectar and or pollen from GM crops in Australia such as canola, soybean, sunflower, corn, cotton and poppy, there is potential for Australian honey to classified as a GM food in the EU. Only when the pollen in the honey is from a registered food crop, is its export permitted into the EU.

According to the Australian Honey Bee Industry Council (AHBIC) only one variety of GM canola is currently registered as a food in the EU.

If not, how can it be improved?

The EU market is a potentially lucrative target market for Australian honey. In order to improve Australia's farm export competitiveness and not shut the door on this market sector, it would make more sense to only allow the registration of GM food crops and varieties such as canola, soybean, sunflower and corn in Australia that were already registered as GM food crops in the EU.

Agricultural and veterinary chemicals

Does the regulatory system for avg. chemicals align regulatory effort with risk?

No.
Under-reporting of chemical misuse, adverse effects and unintended effects on non-target species are serious issues which the Australian Pesticides and

Veterinary Chemicals Authority (APVMA) identified in its February 2014 Overview Report: Neonicotinoids and the health of Australian Honey Bees see https://archive.apvma.gov.au/news_media/docs/neonicotinoids_overview_report_february_2014.pdf .

While the APVMA is responsible for the registration of, permit approval of and labelling (the wording on the labels) of agricultural chemicals, and is the reporting agency for adverse and unintended effects when the chemicals were used as per the label instructions (a most difficult option for third-parties such as beekeepers to prove who are not privy to how which chemicals were when applied to what), the State governments are in theory responsible for the enforcement of misuse. However, the State governments appear unable and unwilling to investigate such matters in a timely manner and to exercise any powers of enforcement.

The situation of beekeepers reporting incidents to State government is on the whole frustrating and results in no tangible outcomes. The beekeeper has incurred a financial loss with little hope of any eventual financial compensation. There appear to be no statistics available on the outcomes of such reporting that I have been able to find.

By what seems like means of desktop extrapolation (otherwise know cut-and-paste written responses), beekeepers receive bizarre recommendations such as to keep their bees from foraging on non-target crops. Personally, I think herding cats would be a simpler exercise. The recommendation to beekeepers to register their hives on specific crop websites whether made by a State government agency, the APVMA, AHBIC or the Rural Industries Development Corporation (RIRDC) has clearly not been thought through and considered from the commercial perspective of beekeepers.

I oppose the latter on the grounds that information on hive locations and numbers does not belong in the public domain because:

1. The information by its very nature is commercial-in-confidence;
2. The risk of hive theft increases;
3. The risk of hive loss due to targeted poisoning and vandalism by parties who may feel offended by beekeepers reporting chemical misuse increases; and
4. The risk of spontaneous vandalism to hives increases.

A key element that neither the Commonwealth nor the State governments appear to even consider is to what extent the integrity of the human food chain and the reputation of Australia's agriculture is compromised through excessive usage of agricultural chemicals, the misuse of such chemicals and the cumulative impact of spray drift on non-target food crops and livestock.

How can a better system be achieved?

The situation requires better coordination and leadership across multiple levels of government. I suggest that an existing Commonwealth Government agency needs to take leadership and where necessary amend regulations and review the key performance indicators of enforcement. Perhaps COAG meeting or two may be necessary.

The bottom line is that the current system does not work. With recent global consumer concerns about chemical residues in food including honey, such topics are likely to impact negatively on Australia's farm export competitiveness if not carefully and promptly addressed.

Also, I feel strongly that the research reports submitted by agricultural chemical companies should never be treated as commercial-in-confidence. All information and supporting data should be available for professional and peer scrutiny. I accept that the public doesn't need to know what they actually pad for the reports.

Is there scope for Australian regulators of avg. chemicals to recognise the tests and standard developed by overseas counterparts?

Yes.
In terms of the registration, re-registration and regulation including the labelling of agricultural chemicals and crops, I feel that it would be both more cost-effective and efficient if Australia were to consider aligning these to reflect the guidelines, recommendations and decisions made by the European Food Safety Authority (EFSA) under consideration of the World Health Organisation (WHO) recommendations. In other words, agricultural chemicals would only be approved for the Australian market if already approved for the EU and the exact same conditions the EU accepts would be applied to Australia. The EU and WHO are organisations that have the expertise and resources at their disposal far beyond the capacity of the Australian government and its tax payers.

From the perspective of a beekeeper it is essential that biodiversity be maintained and that the precautionary principle is applied to decision-making and the registration, re-registration and usage of agricultural chemicals. Australia engages in a practice of automatic "grandfathering" approved chemicals at the time of re-registration which I believe to indicate we have abandoned the precautionary principle.

If we do not know the long term effects of chemicals, I feel it would be better to err on the side of caution especially with the plethora of systemic insecticides, herbicides and fungicides now so widely in use in Australia. As the use of agricultural chemicals has moved towards the use the pursuit of crop protection, the number of broad spectrum treatments any single crop is exposed to is higher than ever before. Have our food safety officials risk assessed the medium and long term implications of such modern agricultural practices?

Consumer-related regulation

Food safety

Are food safety standards proportionate to the risks they are designed to address?

No
I feel that there are several areas relating to food safety standards of honey that urgently need to be addressed through reviewing standards and implementing regulations.

Honey is a commodity covered by the Exports (Honey) Regulations. The honey standard as set out in the Australia New Zealand Food Standards Code 2.8.2. https://www.comlaw.gov.au/Details/F2008B00657 is too brief and requires updating. The fake honey discovered on sale in Victoria highlights the need for a standard that defines what honey is beyond simply stating the glucose and fructose levels, and moisture range.

Much attention has been given to the wording and coverage of Biosecurity measures at the apiary level yet no consideration has been given to the food safety issues that revolve around the inputs used in an apiary that come into contact with bees and honey and which may serve to contaminate and taint honey. Is this a safety or a quality issue? I think it is a both.

I feel strongly that there need to be standards anchored in Commonwealth legislation where a supplier must also provide a letter of guarantee that, for example:
Wax foundation is made only of natural bees wax that is free from agricultural chemical residues, antibiotics, GM contamination and pathogens.
Plastic foundation is food grade, what it is made of and that it is safe to use in a bee hive.
Pollen and soybean meal as sold in protein feed supplements and tonic or “boost” supplements are guaranteed not rancid, have been de-oiled, and are free from agricultural chemical residues, antibiotics, GM contamination and pathogens, and that the pollen has been irradiated.
Further, the letter of guarantee is automatically to be issued with the sales invoice so that there is a legal base for any resource to the supplier in the event of the inputs being determined as sub-standard.

There is a need for an Australian bee product code of practice (good manufacturing practice). An example upon which Australia could model their own would be that of New Zealand, go to http://www.foodsafety.govt.nz/industry/sectors/honey-bee/ then find under “Bee products - code of practice” http://www.foodsafety.govt.nz/elibrary/industry/code-practice-bee/index.htm. In an Australian there are also many export accredited mobile extraction plants.

Australian honey seeks to target the same high end export market sector in Europe as New Zealand honeys. For Australia the lucrative and emerging sector for honeys with the much sought after high UMF and MGO levels. Without an Australian bee product code of practice (good manufacturing practice) I believe our exporters to be at a competitive disadvantage to NZ honey exporters because this issue has not been addressed. I also believe that by addressing this matter, in the medium to long term it would enable more rural based beekeeping operations to vertically integrate into export.

By comparison Australian standards are automatically ranked as inferior. Honey is a product which is easily tainted and contaminated and is highly hydroscopic. There are export markets that define and measure honey as a matter of course by other standards to determine if it is considered safe and qualify for classification of sale at the retail level e.g. the hydroxymethylfurfural (HMF) level, moisture content (in Germany the maximum acceptable level is 18 per cent in contrast to the 21 per cent as per the Australian standard) and the temperatures that honey is exposed to during extraction and processing. For example the Germans have standardised methods for testing these in their own honeys.

A further food safety consideration needs to be given to the inputs, outputs and equipment used in the extraction and processes. Again I feel that a letter of guarantee anchored in legislation needs to apply to these e.g. that the inputs and equipment are of food grade quality and suitable for the processing of honey and products of the hive and when products of the hive are suitable for human consumption and have not been irradiated.

A more coordinated and consequent approach to setting and enforcing honey standards and processing standards for products of the hive are necessary so as not to jeopardise Australia's export competitiveness. There appears to be a disjoint between traceback in the apiary as part of Biosecurity measures and food safety at the consumer level. There are key areas that require regulation and others that need to be consequently enforced. It is generally a domestic food safety scandal and the inability to trace the source back from the retail levels that lead to a halt or hiccup in agricultural exports.

Food labelling (including country-of-origin labelling)

Do food labels provide information that is useful for consumers?
For honey. Yes and no.
The enforcement of labelling standards for honey is delegated to the State level but is seldom enforced in Queensland. It is not unusual to find honey at markets without any labels at all or with any combination of the following packaged in recycled plastic and glass containers, no batch number, no packer contact details, no weight stated on the packaging. Given that honey is a rather uncomplicated food

there are beekeepers who do the right thing but there are even more cowboys about.

Even at the retails level there are honeys sold with no batch reference. While honey as a food with a good track record, were something to happen there would be no way to trace the honey to the source.

Country-of-origin labelling. Honey is a commodity and not a product of elaborate manufacture so when there is only Australia honey in packaging I want to see "Product of Australia" written on the label and not "made in". Consumers want to be able to shop with confidence and know where their food comes from. Diagrams and pictures are a waste of labelling space.

Do Australia's truth-in-labelling laws enable agricultural producers to differentiate their products for competitive advantage?

No.
As long as honey importers are permitted to label a 100 per cent imported honey "packed in Australia from local and imported ingredients" differentiation is not possible.

A more coordinated and consequent approach to enforcing labelling laws is necessary so as not to jeopardise Australia's export competitiveness. It is generally a domestic food safety scandal and the inability to trace the source back from the retail levels that lead to a halt or hiccup in agricultural exports and you can trace to the non-compliance with labelling.

Overall I feel the honey sector of agriculture needs more constructive and inferable regulation. What we do have appears loosely worded and seldom enforced. Australia needs a more coordinated approach and there does need to be consequences for people who don't do the right thing by the bees. If we cannot ensure the safe passage of honey bees through flowering crops, how can we claim that our food chain is safe and uncontaminated?

Yours sincerely

Herta Klein