

GTA MARKET NOTIFICATIONS



Notice 06 of 2018 • 13th March 2018

TOPIC: Outcome of Grain and Plant Products Export Industry Consultative Committee Meeting 21 February 2018

DISTRIBUTION: GTA Members – primary contact list. Please circulate to all appropriate internal parties.

1. Status Update

- Grain Trade Australia (GTA) is a member of the Grain and Plant Products Export Industry Consultative Committee (GPPEICC) representing the interests of all GTA members.
- The GPPEICC is the principal forum for the Department of Agriculture and Water Resources to consult with grain, fodder, nuts, seed and timber industries on export inspection and certification, export market access and other relevant issues.
- The most recent meeting was held 21 February 2018 and issues of relevance to GTA members are outlined below.

2. Meeting Outcomes

i) DAWR Export Finance and Certification Charges

- **Export Cost Recovery Funds** - A request for the use of funds in the Cost Recovery Reserve for specific industry/DAWR projects was agreed. Criteria for research project submission and their evaluation are currently being developed. Industry will be advised when those criteria have been approved and applications for funding under this approach are open.
- **DAWR Debtors** - DAWR will soon be sending demand letters to a number of exporters (DAWR Clients) with overdue debt of more than 90 days. Industry is reminded that failure to address such issues may lead to a withdrawal of DAWR services. As a consequence of the level of debtors, the committee supported an investigation into reducing the timeframe for when a demand letter may be sent to clients by DAWR with overdue debt.
- **Cost Recovery Impact Statement** - The draft Cost Recovery Impact Statement (CRIS) is currently out for public consultation. Industry is encouraged to provide submissions by the due date of 30 March 2018. DAWR continues to aim for adoption of the revised fees on 1 July 2018.

ii) Sub-Committees/Working Groups

- A number of GPPEICC sub-committees were approved to discuss in details particular topics of relevance. GTA sits on each group and will keep members informed of work activities and seek input where required. Where industry seeks further information or would like to offer support in particular areas please contact GTA.
- **Information Technology** - An IT sub-committee was formed to address DAWR IT system developments in the future and interaction of DAWR and industry IT systems. This sub-committee is expected to compliment the recently formed GTA IT Committee.
- **Documentation** - A Documentation Working Group will continue the work of the Request for Permit Working Group (see below) and will widen its scope to assist the progress of improved documentation within DAWR in addition to considering the issues around post sail authorisation.
- **Export Legislation Review** - A new Export Legislation Review Working Group will provide input into the export legislation review with its main task to contribute to development of draft Rules that will exist under the new Export Control Act.
- **Sampling** - The existing Sampling Working Group will continue to review unresolved sampling and assessment issues related to inspection of goods presented for export.
- **Mobile Bulk Sampling** - A new Mobile Bulk Sampling Working Group was formed to assist development of mobile bulk loading guidelines. It will also consider defining the risk of these alternative supply chains in comparison to existing bulk terminals.

iii) Request for Permit & Documentation Issues

- The Working Group formed by GTA to provide feedback to DAWR on industry compliance with export regulation related to provision of timely documents prior to export met prior to the GPPEICC meeting.
- **Delays** - While delays in certification provision continue, various activities have been undertaken and are planned by both DAWR and industry to address concerns and reduce timeframes for certification provision.
- **Errors** - It was noted that in recent months there has been an upward trend in re-submission of documents to DAWR due to errors.
 - Analysis of data indicates the main cause of documentation delays is "lack of attention to detail" by industry when submitting documents. Industry is encouraged to pay particular attention to documents before lodging with DAWR, given the impact of those errors on the exporter receiving certification and the impact of DAWR addressing those errors on other industry stakeholders seeking their own documents.
 - Further analysis by the Documentation Hub/Services Unit continues to explore methods for a more rapid turnaround of industry certificates.
 - DAWR plan to conduct a further round of discussions in March 2018 with those exporters considered to continue to have a "high rate of errors when submitting documentation". This includes continuation of provision of "**please explain letters**" to industry – a copy of which is attached to this Market Notifications Advice for consideration by industry.
- **E-Phytos** -An e-phyto project continues to pursue development of electronic phytosanitary certificates. GTA is working with DAWR and internationally via the International Grain Trade Coalition to ensure the grain industry needs for this certificate and all documentation is managed through this process. Industry will be kept informed of progress in this area. Industry is invited to nominate assisting in trials that are currently being planned.

iv) Bulk Vessel & Inspections Update

- **Audits** - Following recent audits of establishments by DAWR, it is estimated that the number of issued non-conformities for unannounced audits was significantly higher than that of announced audits. DAWR continue to review their audit policy and interact with industry when non-conformities are detected.
- **Sampling** - A review of sampling arrangements at bulk terminals has been completed. A number of container premises will next be inspected. The outcome will be recommendations for changes to sampling arrangements in these export facilities. Industry is reminded that it is the responsibility of industry to a) comply with existing legislated sampling rates and b) to ensure samples collected during/prior to loading are representative of the cargo.

3. Further Information

- Contact GTA to seek further information on any of the above issues or to provide input into any of the Working Groups mentioned above.
- Further information on GPPEICC and its membership can be found at <http://www.agriculture.gov.au/biosecurity/partnerships/consultative-committees/gppeicc>



Australian Government
**Department of Agriculture
and Water Resources**

[NAME]
[POSITION]
[EXPORT BUSINESS]
[ADDRESS LINE 1]
[ADDRESS LINE 2]

Dear [NAME]

I am writing to you about requests made by [EXPORT BUSINESS] for the Department of Agriculture and Water Resources to issue certification for consignments of plants and plant products (prescribed goods) after they have been exported from Australia.

[EXPORT BUSINESS] has been identified by the department as an exporter with repeated non-compliances with export permit requirements under the Export Control (Plant and Plant Products) Order 2011 (the Order).

Under section 41.2 of the Order, the export of prescribed goods is prohibited unless an export permit for the goods is in force. An export permit is considered to be in force once a Request for Permit (RFP) is authorised by the department and is at either HCRD or COMP status in the EXDOC system. Exporting a consignment of prescribed goods before an RFP has been authorised (and phytosanitary certificate issued) by the department is therefore a breach of export legislation.

The department's records indicate that during August 2017 [EXPORT BUSINESS] had XX consignments of prescribed goods exported from Australia before their RFPs had been authorised.

The department requests that [EXPORT BUSINESS] provide an explanation of why such a large number of consignments were exported prior to authorisation of the RFP and issuing of phytosanitary certification. The department also requests information outlining how your export business intends to address and minimise occurrence of this issue in the future.

For further information on legislative requirements, the Order can be downloaded from the Federal Register of Legislation (www.legislation.gov.au). Industry Advice Notice 2016-68 is also published on the department's website reminding exporters of their obligations to obtain an authorised RFP prior to departure.

I trust that you will endeavour to comply with export legislation for future consignments of prescribed goods. However I must remind you that continued non-compliances may result in further scrutiny of your export activity and possible scenarios where the department is not in a position to issue certification for a consignment.

I would appreciate if you could provide information as requested above to the Grain and Seed Exports Program at Grain.Export@agriculture.gov.au.

You may also contact the program should your export business require further training or other assistance in meeting export requirements.

Yours sincerely

Vikki Fischer
Director
Plant Export Operations
26 October 2017