

3 March 1998

Dear

In our letter of 11 December 1997, we advised you that the Australian Quarantine and Inspection Service (AQIS) has received an application to consider the importation of table grapes from California, in the United States of America.

AQIS will conduct a risk analysis on this proposal using the import risk analysis (IRA) process outlined in the document *Australian Quarantine - A shared responsibility: The Government Response*. The purpose of this letter is to provide you with an opportunity to comment on the proposed approach to the risk analysis.

The Process

AQIS considers that the risk analysis for the importation of table grapes from California, in the United States of America should be undertaken using the routine IRA process. The steps involved are:

1. AQIS advises stakeholders that an import access request has been received (our letter of 11 December 1997 informed you that we had received a request for table grapes from California, in the United States of America).
2. AQIS determines the priority of the risk analysis and considers the type of process to be followed. AQIS then advises stakeholders of the outcomes of its preliminary evaluation and invites stakeholders to comment on the type of process proposed. A consultation period of 30 days is allowed.
3. AQIS considers stakeholder comment on type of process proposed and finalises its position on this issue (this involves the endorsement of the Executive Director of AQIS). AQIS advises stakeholders of the Executive Director's decision on the approach to the IRA.
4. An AQIS in-house team of scientists conducts the routine IRA using internal procedures based on international standards. AQIS may seek input from, and consult with, stakeholders and technical experts as appropriate.
5. AQIS will then prepare a draft IRA paper, including recommendations. The draft IRA paper covering technical issues of disease and pest risk and its management is circulated to stakeholders for comment within 60 days. In addition, the release of the draft IRA is notified in the AQIS Bulletin and via the AQIS Home Page on the Internet. The World Trade Organization (WTO) is also formally notified at this time.
6. After considering all technical issues, including comments received, the risk analysis team finalises the IRA recommendations. Depending on the complexity of the proposal and the range of comment received (ie new or important information coming

to light), there may be a need for more than one round of consultation. In this case, a revised draft will be circulated for further comment before finalisation.

7. The IRA recommendations are submitted to the Executive Director of AQIS for approval. The Executive Director of AQIS confirms the recommendations of the AQIS team. The Executive Director must be satisfied that the IRA has been carried out in accordance with the agreed process, and that the recommendations, if accepted, would maintain Australia's appropriate level of protection and otherwise accord with Australia's international rights and obligations.
8. AQIS advises the applicant and other stakeholders of the Executive Director's approval. In addition, AQIS arranges notification in the AQIS Bulletin and on the AQIS Home Page on the Internet. If there are no appeals within 30 days the policy is adopted.
9. Any stakeholder disagreeing with the process followed may appeal to the Director of Animal and Plant Quarantine. The appeal is considered by an Import Risk Analysis Appeal Panel (IRAAP) which makes its decision within 45 days. The IRAAP comprises the Chair of the Quarantine and Exports Advisory Council (QEAC) (Chair), the Director of Animal and Plant Quarantine, the Chief Plant Protection Officer or Chief Veterinary Officer (as appropriate) and one other member of QEAC.
10. If the appeal is upheld, AQIS refers the appeal panel's conclusions to the AQIS team for rectification of the deficiency in the process. AQIS advises the appellant and all stakeholders of the decision by the appeal panel. Once the IRA is complete, application of the policy can proceed. New or revised import conditions will be circulated.

Release of Information

Information relating to the identity of the respondent and the substance of comments received in response to the process may be made available to other respondents, and to third parties, unless a request for anonymity is included with the response. Where a request for anonymity is not made, a respondent will be taken to have consented to the release of information including the respondent's identity, and the substance of the response, for the purposes of Information Privacy Principle 11 (under the *Privacy Act 1988*).

Timeframe for Completing the Risk Analysis

We estimate that the risk analysis on table grapes from California, in the United States of America will take approximately 10 months to complete, using the process outlined above. If there are no unanticipated delays, we would expect the draft IRA paper to be released late 1998. Stakeholders will be kept informed of any significant delays or variations to the proposed timeframe.

Request for Comments

You are invited to comment on the proposal to conduct the IRA on the import of table grapes from California, in the United States of America using the routine process. Your comments will be taken into consideration when AQIS finalises its position on the type of process to be

followed at the end of the consultation period. AQIS will accept written submissions on this issue until the close of business on Friday, 3 April 1998. Responses should be forwarded to:

Risk Analysis Secretariat
Plant Quarantine Policy Branch
Australian Quarantine and Inspection Service
GPO Box 858
CANBERRA ACT 2601

We look forward to receiving your response.

Yours sincerely

Digby Gascoine
Director
Policy and International Division