



Submission

- to -

Primary Production Select Committee  
Parliament Buildings  
Wellington

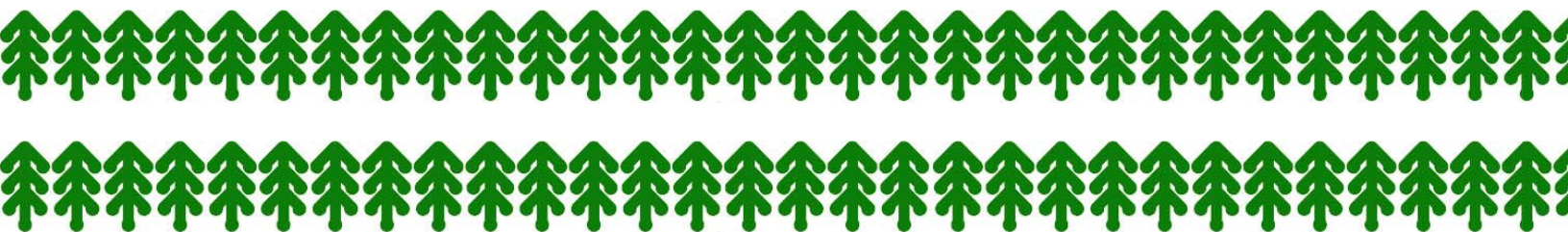
## BIOSECURITY LAW REFORM BILL

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## TABLE OF CONTENTS

1. Introduction .....	3
2. General Comments .....	3
3. Specifics .....	3
4. Conclusion .....	4

## 1. Introduction

- 1.1 The New Zealand Forest Owners Association (FOA) has reviewed the proposed changes to the Biosecurity Law Reform Bill. Our comments on the proposed changes and how they meet the evolving needs of New Zealand's biosecurity requirements follow.
- 1.2 The FOA is an NGO that represents the majority of plantation forest owners in New Zealand. Its members' forests comprise more than 75 per cent of the country's 1.8 million hectares of plantation forestry. The Association adds value to the businesses of its members by undertaking activities which could not be handled easily or efficiently by individual growers working alone. Its credibility also relies on the fact it has the support of the majority of New Zealand's production forest owners.

## 2. General Comments

- 2.1 The FOA strongly support the move to create specific duties for importers to encourage them to proactively manage the biosecurity risk posed by their goods. We also strongly support a clearer statement of what is expected from the operators of transitional facilities. Under current legislation it is far too easy for importers and facility operators to avoid responsibility.
- 2.2 We understand that the Bill will also allow MAF to enter into an agreement with industry groups that provides for joint decision-making and cost sharing for preparing for, and responding to, harmful organisms that enter New Zealand. We welcome the opportunity to be more involved in joint decision-making and realise that considerable discussion is still required to establish cost-sharing arrangements.

## 3. Specifics

- 3.1 Page 121  
Section "100T Definitions for Part 5A

from "an unwanted organism" to "unwanted organisms" in the clause below:

*(2) A readiness activity means an activity undertaken to prepare to prevent or reduce the impact that an un-wanted organism that is not present in New Zealand would have if it were to enter New Zealand.*

This would avoid any confusion that a readiness activity needs to focus on specific organisms, but in fact could be focused on a group of organisms, or even all unwanted organisms – as would be the case for many surveillance systems.

- 3.2 We also recommend that the term “unwanted organism” be defined. While the meaning might seem apparent there could be confusion when it comes to both identification of an organism and in terms of strains or varieties of organisms. For example, for several decades Dothistroma needle blight in New Zealand was presumed to be caused by the fungus Dothistroma pini, and this was then classified as an organism already present in NZ. However, approximately eight years ago it was proven that the disease is in fact caused by D. septosporum, and D. pini is not even in NZ. Therefore, there needs to be clarity and also flexibility built into the meaning of “unwanted organism” to avoid a situation where damaging pathogens can be legally imported to NZ because of previous errors in taxonomy. It may also be necessary to consider unwanted organisms in terms of “strains” as some are much more damaging than others. This has been well demonstrated with the recent kiwifruit PSA bacteria where it was demonstrated that the Italian strain was unwanted and should have been excluded from NZ, because the Asian strain was already present in the country.
- 3.3 We recommend that an international expert in micro-organism taxonomy referees this section of the Bill to ensure the correct language is used.

## 4. Conclusion

- 4.1 FOA is generally supportive of the proposed changes with the provisos listed above.

FOA requests the opportunity to be heard in support of our submission

A handwritten signature in black ink, appearing to read 'David Rhodes', with a stylized flourish at the end.

David Rhodes  
Chief Executive