

ASSOCIATION'S ADDRESS:
FARMING HOUSE
211-213 MARKET STREET SOUTH
HASTINGS, NEW ZEALAND
TELEPHONE (06) 878-5385
FAX (06) 878-6007



NATIONAL BEEKEEPERS' ASSOCIATION of NEW ZEALAND (INC.)

PRESIDENT:
NICK WALLINGFORD
TELEPHONE/FAX (07) 578 1422

Memo

To Executive, Executive Secretary (faxed direct to all)
From Nick Wallingford
Date Sunday, 28 April 1996
RE: **Meeting with MAF to discuss Apiary Register, 26 April 1996**

R Bensemann and I met with MAF Qual and MAF RA personnel on Friday 26 April in Wellington. The meeting lasted a full 3 hours (1 to 4 pm), and followed on from a Qual/RA meeting that had taken place earlier that day.

MAF Qual was represented by: Chris Baddeley (Director of Agricultural Security), Ted Roberts (as contract manager for export certification) and Derek Bettsworth (as contract manager for EDPR).

MAF RA was represented by: Barry O'Neil (Chief Veterinary Officer), Sue Cotton (for her PMS involvement), Howard Pharo (PMS and part of review/divestment proponents), Roger Poland (policy advisor). MAF Policy people included Megan Cotton (for Comm Levy knowledge) and Don Crump (same).

Chris Baddeley managed the meeting progress, and did a good job of stating aims, periodically re-capping on agreed and disagreed points and ensuring individuals were aware of actions to take. Meeting was to exchange concerns, identify where things are for some aspects that were uncertain, set time frames for activities that are hard to pin down in this fluid environment (from this you'll see it was almost as much Qual and RA trying to sort out things as between us and MAF)

Primary topics requiring discussion were put forward as the apiary register in its totality, export certification as it relates to the apiary register, toxic honey. We added the apiary register relationship to the NBA's proposed levy using the Commodity Levies Act.

Major announcement came early - Section 182 of the Biosecurity Act is to be used (by regulation, not requiring Parliament) to extend the 'saved' provisions of the Apiaries Act (and the other Acts involved) out to the maximum time: 1 October 1998.

Two primary reasons were provided for the extension: (1) It is apparent to MAF that the Biosecurity Amendment #3 (provides regulatory effect to the rules of a PMS) would not clear the House in time for PMSs to make use of its provisions and (2) the reviews of EDPR and surveillance are still not complete.

It was made clear by RA that they were wanting to step away from any obligations currently in the Apiaries Act as soon and completely as possible, while there was no desire to do so suddenly or without sufficient consultation. The recording of AFB figures on the apiaries register, for instance, would be discontinued or at the very least reviewed at the point of a PMS being put into place. RA appeared to accept the argument that the register should remain in place until 1 Oct 1996 for the other uses such as surveillance and EDPR, while not exactly saying the funding was there for absolute (that was an aside between Qual and RA).

Discussion on use of register as it relates to export certification. Strong suggestion that NBA should maintain register as it currently is to allow for certification. We countered that there are no other countries with such a register, and yet exports continue. RA said it all depended on what the importing countries wanted. We agreed that while the register provides historically acceptable means of area freedom requirements, there are other alternatives that should be explored. Ted described Australian inspections, and that with the large number of hives per apiary, it became cost effective for them, but would not provide economy here.

Discussions on end point testing of honey and/or bees as alternative. We reminded RA of statement that '100% of cost of export certification' would fall to industry (from December meeting). Barry said that would not be the case, as the protocols had been negotiated in the past in light of the apiary register. If renegotiation were necessary because of new situation, it would not be charged all to industry, but would be within the normal limitations on resources of RA.

Agreed that the NBA should attempt to gain consensus on key markets for the various products, as a market

such as, say, the Seychelles, are not cost effective to sort out export certification.

We raised the operational difficulties the NBA will face for the coming year without the direct access to the apiary register that we expected to accompany the PMS. We explained how we had 'built' the two in such a way that the encouragement to comply with the PMS would assist in ensuring a reliable collection of our levy. For this coming year, we will now not have that, unless we can work out something now with Qual (outlined the experiences with Privacy Act for ballot for support).

RA believed (H Pharo) that Qual's legal reading was too restrictive, that there should be a way that NBA could obtain apiary register within requirements of Apiaries Act. We pointed out that had we known the legislation would not be workable at this time, we would have (1) conducted our ballot differently and possibly (2) used the 'third party collector' provisions of the Commodity Levies Act to use MAF Qual as a collector of our levy, which would have been possible, while not necessarily a preferred industry option. Don Crump suggested we still could, but we pointed out our current ballot does not include that. Again, had we known that they PMS would not be operational, we would have taken different steps. RA and Qual both acknowledged that, and it appears we'll need to work to get actual access to information from register we need.

We raised point that at time we have PMS in place, we felt a right to information on the register, with no further Privacy Act problems. RA said they had not thoroughly worked through that, and we suggested that needed to be done, as we fully expected that to happen.

Toxic honey provisions of Apiaries Act were being saved in perpetuity (until proposed Primary Products Act, way into the future). RA still keen to transfer responsibilities if possible. Ministry of Health was not willing to accept responsibility (for this or Africanised bees). Barry keen for possible NBA responsibility, similar to monitoring of shellfish for biotoxins. We said that, unlike Biosecurity Act, we were ready this time - if they want to transfer responsibility, they would have to provide for the powers necessary. We drew parallel to destruction of hives 'suspected of having AFB' and said we didn't want to have responsibility for toxic honey area if we had to prove the honey was toxic before any hive could be destroyed! Agreed that a working group to discuss the issues of toxic honey be convened by early next year. We commented on the Minister's disbanding of the (quango) Restricted Area committee several years ago, and the fact that such groups sometimes *did* continue to have value, and the lack of their involvement and continuance did mean that the government had to make decisions without appropriate input and consultation.

After afternoon tea, Chris suggested that such meetings as these were important for keeping the issues in focus. We suggested the costs were very high for a small industry such as ours, and would ask that meetings be arranged in conjunction with our Executive meetings. Agreed that if required another meeting would be arranged for either 2 or 5 September.

Discussion on use of end point testing - how many, what sort of tests, etc, to provide a given level of assurance. RA said the confidence level was up to the importing country. We asked that all due regard be given to possibility of countries attempting to use this confidence level setting as a trade barrier, that we should perhaps set our own 'necessary' confidence level beyond which we would not feel the need to go. Suggestion that a clear industry expression in the direction away from area freedoms would be useful.

Announcement of changes to MAF structure that have appeared in recent newspaper/magazine articles. Still not finalised but confirmed that Qual would, on 1 July, begin to work from different framework, that of something of a State owned entity. Name would change, possibly to something such as CARTA. We suggested that articles describing both that change, and the extension of the Apiaries Act provisions and their impact on beekeepers be prepared for the NZ Beekeeper magazine.

Meeting concluded at 4pm.

After the meeting, Barry O'Neil indicated the Minister had been receiving some letters opposing the PMS. I said I was aware that might be happening (pointing out Stephen Lee's letter in the April issue, where he said that he had sent a copy to the Minister). Barry said that one of the new provisions of the Biosecurity Amendment #3 Bill was to clarify Boards of Inquiry, making them a mandatory requirement. I said that would be a massive financial burden for industries such as ours. Barry said the cost would be on the Minister, even now (which I said was not my understanding, but that was good news indeed). I said that the industry's concerns re: Board of Inquiry were (1) cost and (2) time. If cost were to the Minister and with extension of Apiaries Act time was not such a compelling factor, we would not have any real problems with a Board of Inquiry, if that is what the Minister felt was necessary to satisfy himself as to the nature of the 'significant opposition' aspects of his decision making.

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