



Biosecurity (Suspended Goods—Uncooked Prawns) Amendment (Exceptions) Determination (No. 4) 2017

I, Daryl Quinlivan, Director of Biosecurity, make the following determination.

Dated 15 May 2017

Daryl Quinlivan
Director of Biosecurity

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1 Name

This is the *Biosecurity (Suspended Goods—Uncooked Prawns) Amendment (Exceptions) Determination (No. 4) 2017*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 6 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	
2. Schedule 1	The day after the end of the period of 8 weeks beginning on the day this instrument is registered.	
3. Schedule 2	The day after this instrument is registered.	

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 182(1) of the *Biosecurity Act 2015*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) ALOP;
- (b) approved arrangement;
- (c) Australian territory;
- (d) goods.

In this instrument:

Act means the *Biosecurity Act 2015*.

overseas authority means an authority that is on the List of Overseas Authorities—Aquatic Animals for Import, which is the list with that name prepared by the Director of Biosecurity and published on the Department’s website, as existing on 16 June 2016.

Note 1: A body is included in the List of Overseas Authorities—Aquatic Animals for Import if the Director of Biosecurity is satisfied that the body is competent to certify that biosecurity risks associated with aquatic goods that are, or are intended to be, brought or imported into Australian territory have been managed to an acceptable level.

Note 2: In 2017, the Department’s website was <http://www.agriculture.gov.au/>.

principal determination means the *Biosecurity (Suspended Goods – Uncooked Prawns) Determination 2017*.

proscribed class of goods means the class of goods to which Part 2 of the principal determination applies.

Note: The class of goods to which Part 2 of the principal determination applies is set out in section 7 of the principal determination.

WSSV means white spot syndrome virus.

YHV means yellowhead virus (genotype 1).

5 Reasons for making this determination

For subsection 182(5) of the Act, my reasons for making this determination are as follows:

- (a) the principal determination suspends the bringing or importing into Australian territory of goods included in the proscribed class of goods;
- (b) having undertaken further assessment of the biosecurity risks associated with the proscribed class of goods, I am of the view that it is possible to except further goods from the suspension, for the detailed reasons set out in Schedule 2.

6 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Biosecurity (Suspended Goods – Uncooked Prawns) Determination 2017

1 Section 5 (Note)

Insert, at the end of the bulleted list:

- ; and • the *Biosecurity (Suspended Goods—Uncooked Prawns) Amendment (Exceptions) Determination (No. 4) 2017*.

2 At the end of subsection 7(3)

Insert:

- ; (k) uncooked prawns and uncooked prawn meat (whether or not mixed with other ingredients) (the *product*), if the product is:
 - (i) marinated for human consumption; and
 - (ii) accompanied by a foreign country health certificate that relates to the product.

Schedule 2—Reasons

Note: See paragraph 5(b).

Uncooked prawns marinated for human consumption, where certified free of WSSV and YHV by an overseas authority, and inspected on-arrival and tested for WSSV and YHV, represent an acceptable level of biosecurity risk that meets Australia's ALOP on the basis that:

- Uncooked marinated prawns released from biosecurity control will have an acceptably low prevalence of WSSV and YHV; and
- Uncooked marinated prawns are considered sufficiently modified through processing to reduce their likelihood of diversion to unintended end-uses (bait, berley or aquatic animal feed) to an acceptably low level.

Certification by the overseas authority that batches are found to be free of WSSV and YHV, and on-arrival inspection and testing for WSSV and YHV, are considered necessary risk management measures for uncooked marinated prawns to meet an acceptably low level of biosecurity risk:

- Conditions on import permits may include:
 - Exporting country certification that all batches of uncooked marinated prawns are found to be free of WSSV and YHV based on an OIE-recognised testing method to confirm freedom from disease. Overseas authority certification supports risk management across the biosecurity continuum.
- Intervention on arrival may include:
 - increased on-arrival inspections of all batches to ensure they meet the conditions specified on the import permit; and
 - an appropriate level of on-arrival testing for WSSV and YHV. The appropriate level of testing for marinated prawns is 100 percent of batches with a sampling rate that provides 95 percent confidence at 5 percent prevalence, with 100 percent seals intact inspection; and
 - holding the product in a premises covered by an approved arrangement pending confirmation of a negative test result from an approved Australian laboratory.
- Should a positive test result be found onshore, the measures may include:
 - ordering the product to be exported from Australian territory, destroyed or treated; or
 - if the importer requested, at the importer's expense, conducting a (positive result) retest at the Australian Animal Health Laboratory (AAHL).