



Speech by

**Mr M. ROWELL**

**MEMBER FOR HINCHINBROOK**

---

Hansard 18 October 2000

**FOOD PRODUCTION (SAFETY) BILL**

**Mr ROWELL** (Hinchinbrook—NPA) (3.50 p.m.): Food safety has emerged as one of the most important consumer issues in recent years. Increasingly food safety is becoming a more dominant consideration in the minds of consumers when they purchase food for themselves and for their families.

**Mr SPEAKER:** Order! Those members without their coats on will please leave the Chamber.

**Mr ROWELL:** In his second-reading speech, the Minister quoted statistics from ANZFA which estimated that the annual cost to Governments, industry, consumers and so on of food-borne illnesses could be as much as \$2.1 billion. I can understand that, too. ANZFA has also estimated that 4.2 million cases of food poisoning occur in Australia each year, although this figure has been discredited by other authorities which put the figure at one million cases per year. The Centre for Disease Control estimates that the number of cases is 2.3 million per year. Whatever the real figure is, there is universal acceptance of the seriousness of food safety and universal acceptance that there must be systems in place to ensure the provision of safe foods to consumers.

We all know of the recent and, thankfully, relatively isolated instance of fatalities as a result of food poisoning. No-one wants to see people getting sick, let alone dying, as a result of unwholesome food. It is the responsibility of every person producing food to ensure that that food is produced safely. It is also the responsibility of Government to ensure that the laws, policies and institutions it presides over ensure the production and supply of safe and wholesome food to consumers. As a joint responsibility, it is up to the Government and industry to work together to ensure that there are effective and efficient standards for the production of safe food and that these standards are adhered to.

Any legislation relating to food safety should set out to achieve exactly that. That is what this Bill should be about. It should not be about setting up another Government bureaucracy to create ways of imposing more unnecessary red tape and costs on food industries. Primary producers and food processors already operate on slim margins. The issue of food safety should not be abused by making those margins even slimmer. As I said, no-one wants to create a food safety risk, least of all those who produce food and whose livelihoods depend on that.

This Bill principally relates to the primary production sector and, in part, to the processing and retail sectors of the meat industry, which can certainly be the source of food safety problems. There have been cases in the past where that has happened. However, the primary production sector is certainly not the only source of risk. It is, in many cases, not the major source of risk. That is a statement I do not make lightly or without foundation. It is a statement borne out by ANZFA, the Government quango the Minister has quoted. In fact, ANZFA has stated that between 60% and 80% of food poisoning comes from the food services sector. While the Bill concentrates on the production sector, I remind the Government of the statistics.

I also ask the Minister or his colleague the Minister for Health to indicate exactly what progress, if any, is being made in food safety in the food services sector. It seems that every six months the public is confronted with a story on programs such as A Current Affair or Today Tonight where food from retail or food service outlets is tested and found to be well outside the acceptable and established food safety standards through poor temperature control, bug counts and so on. It also seems that the Health Department has been dragging the chain in administering even the current standards, let alone developing any new standards.

I understand from the Minister's second-reading speech that it will be some six years before the new HACCP-based standards, which the meat industry has been operating under for years, will be introduced. In no way do I intend my comments to be taken as an attack on the food services sector per se. However, as I understand it, the progress in implementing food safety schemes is far behind that being achieved by many primary industries, such as the meat industry.

All I seek to do is put the issue into some context. I feel that is more than necessary after some of the grandstanding and chest beating the Minister and his press secretary have engaged in on food safety standards employed by our primary industries. They have even stooped to accusing the Opposition, when it raised the legitimate concerns of the industry over this Bill, of wanting to see another Garibaldi incident. That is absolute rot! What a downright stupid accusation to make. If the Government cannot defend its legislation without resorting to making scurrilous accusations, it will be in deep trouble when it comes time for it to defend the implications of these laws in front of primary producers.

The Minister's second-reading speech was laden with sensationalist examples of food safety breakdowns. There was also an implicit claim that the establishment of the new Safe Food quango will, of itself, fix all food safety problems. Let us put this into some perspective. Food safety is a serious issue which Government and industry must address and are already addressing. The meat industry, which is the first to be covered by this Act, has led the rest of the food industries in the adoption of HACCP-based quality assurance schemes and state-of-the-art food safety programs. It has been doing so for years. It now has an enviable reputation which has come at considerable cost. Butcher shops and the like have had to spend considerable amounts of money to get around particular problems relating to food safety. They have done it well in many cases, but it has cost them a lot of money.

This Bill provides a framework for the establishment of a new quango which will, in the future, be responsible for delivering those food safety schemes. The new bureaucracy must be set up right. It must be set up to ensure that it is effective, efficient and that food safety schemes over which it presides ensure the production of safe food without the unnecessary imposition of more red tape and more cost on primary producers and their industries. Let us ensure that Queensland keeps producing the safest food in the world, but let us also ensure that our primary producers are not sent broke in the process. That is my challenge to the Government in the implementation of this Bill.

Throughout Queensland a range of primary products are being produced by significantly different methods and under a number of different climatic conditions. A large proportion of primary products are produced for food purposes. There are a range of crops and animal products being used for clothing items, hence the buzzwords "food and fibre" that have been coined to give a warm, fuzzy feeling to this portfolio. While the Bill does not relate to clothing apparel, animals such as sheep and cattle contribute to food production.

There is an even larger range of animals involved in food production. They are too numerous to mention. I will segregate animal and fish products from plant products, as there are a number of important areas in which these products vary. Generally, animal products have a higher probability of breaking down and attracting a range of bacteria and pathogens when they are processed. I believe that bringing fresh plant food under the same umbrella shows a poor understanding of the primary industries involved in the measures required to improve food safety. Eating a peach that is overripe or a banana that is past its prime is not likely to lead to hospitalisation. I cannot comprehend why this clumsy piece of legislation adopts a one-hat-fits-all approach.

Penalties of two years' jail or a \$150,000 fine and costly audits are examples that are being implemented across-the-board. We need to go to the Criminal Code and compare these penalties with the threat that currently faces rural producers of plant and animal products. What it says to a lifelong lettuce grower is, "You have been producing lettuces for over 30 years. There is something you might do in the future that will attract a penalty of a jail term of two years or a fine of \$150,000." The \$150,000 fine is likely to be worth more than the grower's savings or the sold-up value of the property.

It is logical to group the QLMA, the QDA and the seafood industries together. These industries require similar hygiene and food management methodology to ensure food safety. They are classified as high-risk food and require a sound regime, particularly after primary producers pass the products on to a processor or a manufacturer for value adding. I stress that point very clearly, because there is very little likelihood that the people who actually grow the beef, sheep or even goat meat will have any impact on food safety. Provided they adhere to the requirements for insecticide use and so on, there is probably little likelihood that they will impact on food safety. It is when that meat is processed that we run into particular problems in relation to the need for temperature controls, pathogens, bacteria and so on.

In the Minister's second-reading speech reference was made to the death of a four year old girl and 17 others who were hospitalised in 1995 from eating contaminated salami. Then in 1997 a 77 year old New South Wales man died from hepatitis A that was traced back to oysters from the Wallis Lake

area. The second-reading speech goes on to outline how two elderly Victorian men died from salmonella poisoning traced back to products at a Melbourne smallgoods company.

The Minister did not mention any tragedies that had occurred as a result of people eating bananas, apples, cucumbers, pineapples, tomatoes, sweet corn or any other horticultural product or cereal crop. As I said earlier, the problems quoted by the Minister have predominantly related to those high-risk foods and predominantly been in the processing and food service sectors. These products can attract a range of pathogens and have some history of causing severe health problems for consumers when there has been a breakdown in food safety systems. There is a need for stringent requirements for this category, as that is when the issue of food safety is raised, but there is a tendency to use the cases the Minister has raised to make an issue of the need to increase the surveillance of food items in general.

In the legislation bulletin NQ 8/00 there are some interesting observations on what other countries have done by way of changing and improving these systems. It states—

"In Canada for example a delay in creating a new personnel system in the new agency was partly due to the fact the cost and expertise required was underestimated by relevant parties. There needs to be organisational flexibility to be able to move resources to the areas of greatest risk."

I think that is quite important. There needs to be flexibility where there is great risk. If we are going to set up a system, we need flexibility to shift resources to wherever they are needed.

There is no question that it is absolutely necessary to take all the measures possible to improve Queensland's record of providing safe food to consumers, but if there are elements that are overly prescriptive and that impose costs that have doubtful benefits, these also need to be considered. In fact, I understand from the same bulletin that Victoria wound back the effect of its 1997 food hygiene legislation, which established a single, integrated framework applying to all stages from paddock to plate. This legislation, which will be more defined when the regulations are spelt out, would have been better received by many of our primary industries if more gradual transitional arrangements had been instigated in close consultation with producers.

The existing measures relating to high-risk industries that are being transferred from other legislation and the necessary improvements where problems are occurring have been adopted. In general, previous legislation adequately covered all the high-risk type primary industries, but those industries that are low risk and others in ANZFA's medium-risk category—I believe that is contestable—could have been phased in over 12 months to two years.

Fruit and milk are in the same medium-risk category. If we left a glass of milk and an orange on a table for three days at ambient temperatures, I know which would deteriorate and which would be unsuitable for consumption. It is ridiculous that both of these are put in the medium-risk category. I ask the Minister to take note that I think the categorisation leaves a lot to be desired. It needs to be more closely examined because it does not really reflect the different problems that may occur with products in this category if similar conditions are applied, particularly in relation to ambient temperature.

A phase-in would provide those proposing this legislation with the time to work through some of the concerns raised by producers to have a more cooperative outcome. It would have been more appropriate to deal with the categories individually in the legislation—to have the same effect at a reduced cost to the producer while still ensuring that the criteria for safe food were adhered to.

There has been concern in some jurisdictions that there would be an additional cost with risk-based management plans that would impact on small business and rural operations to the extent that they may be driven out of business. I do not want the Minister to construe the fact that I have raised issues with this legislation as my not being supportive of safe food. I come from the pragmatic side of having to work with this type of legislation, and there is a need to ensure that there is a positive gain from producing safe food without unnecessary costs and time consuming procedures.

Sectors of the horticulture industry have raised concerns with the requirements of this Bill. They have made it clear that there is no intention to compromise food safety but simply to provide a mechanism that will effectively improve the current situation of providing a clean, green product to the marketplace. The requirement to go through an accreditation course is in itself a good initiative and would generally focus producers on sound principles of food safety. The keeping of spray diaries—the frequency of use of insecticides, fungicides and herbicides—is accepted to ensure that registered chemicals are used as required.

Chemical accreditation for operators was also seen to be important to ensure the safe use of chemicals. In other words, there is a regime under the NRA whereby certain chemicals are used for certain applications. There are withholding periods and so on. Providing all of those requirements are adhered to and the grower of the horticultural crop furnishes the statutory declaration declaring that these issues have been addressed, then the audit would no longer be required. If in the event a test in

the marketplace indicated that there were irregularities with the product, then the statutory declaration provisions would be examined and corrective action enforced.

Many horticultural crops have harvest periods of less than one month and it is not clear if the auditing requirement that this Bill will ultimately impose has to be carried out in that period. If it is considered that the harvesting period is the most important time to carry out the audit, will it be necessary to observe other activities? What needs to be understood is that the harvesting of a crop is only the culmination of a season's work. The cost of producing a crop is quite substantial and for many small operators, if seasonal conditions are adverse, the cost of auditing against the declaration is an imposition that would have an effect on what they earn from that crop.

The system of a statutory declaration rather than an audit would reduce the number of personnel to target other activities that are important in improving the requirements of food safety. The markets themselves need to be monitored more closely, and I am talking about all sorts of markets—the fruit and vegetable markets, the Paddy's markets and so on.

The produce trading section of the Brisbane Markets at Rocklea was constructed 40 years ago. Recently, the Government corporatised the operation. Although the public sector and new sections were developed for commercial activities not related directly to the selling of produce, the actual market facilities are 40 years behind the times and I doubt their ability to comply with the requirements of the Safe Food accreditation that the farming groups have to go through.

If farming operations need to be accredited, then the facility that conducts the selling transactions should also receive scrutiny with the observance of the cold chain and handling procedures. Pallets of fruit and vegetables have to be off-loaded from trucks that are often bringing this produce from long distances away. There have been occasions when the pallets have been left out in the sun until the agents, who pay good money for their stands, can place them within their premises, within their coldrooms. Some of this produce requires refrigeration, but the likes of potatoes and pumpkins can be kept at ambient temperatures.

Under this legislation, a grower is required to carry out the procedures of being accredited and pay good money for the audits. Monitored refrigerated rail or road transport can deliver goods to the market in sound condition. However, after all that care and attention, the product then enters an archaic system in the Brisbane Markets at Rocklea, which is on a par with many market facilities that I have seen in the Third World. The Minister should drop into the markets unannounced at a critical time when transport operations are occurring to see for himself how produce is handled and to understand why some growers are very concerned.

Produce that needs to be kept at 5 degrees Celsius and less can be left out in the open for up to half an hour. During this time, the temperature increases and the quality can be impaired. It is not uncommon for produce consigned to the domestic market to be bought for export sale. If after the best techniques are adopted in picking, packing and transporting a crop to market and then at the point of sale for domestic or export markets the produce is treated poorly through deficiencies in the selling system, then all the best-quality standards demanded of the growers are of absolutely no consequence. I hope the Minister takes that point into account, because it is quite important.

I have become aware of activities in major chain stores where purchases are being made from agents and difficulties are being experienced in moving the product. After some days when the sales have been slow and the produce has been difficult to sell, it is returned to the agent for disposal. Usually by this time it lacks a fresh appearance and if there is a glut of that produce in the market, which may account for the sluggish sales at the chain store, the produce is sold at a very reduced price, or there is a fire sale, as it is known. There is an increasing tendency with the major supermarket chains to consolidate their distribution centres in locations close to the major cities. That can mean that consignments can go to one end of the State and back again. Inevitably, fruit and vegetables will be damaged through lengthy transport and handling. These modes of distributions may be suited to countries that have short haul requirements, but they are certainly not in the best interests of primary producers with produce that can be damaged by the extensive handling and distance travelled before they are sold to the consumer.

I was given the example of mangoes consigned to an agent. Part of that consignment was sold for \$13 a tray and the rest was sold for \$3 a tray. That variation in price was attributed to unethical practices at the supermarket. Some time had elapsed between the sale dates. Perhaps the agent may not have had an option when handling the transaction for the returned produce. In other words, the supermarkets are saying to that agent, "If you don't want to handle it, if you don't want to sell this produce that we are returning to you, we won't be buying from you again." The supermarkets' marketing clout certainly impacts very heavily on that agent's prospects. So he says not a lot about it. I am absolutely certain that the Minister has come across this problem, because during the time that I was in the Minister's position I ran into it, too.

It is interesting to observe displays of fruit and vegetables at retail outlets. Generally, the displays are designed to give the fruit and vegetables maximum exposure rather than to maintain their quality. In many instances, the retailer has no understanding of the best method of retaining the quality of the fruit and vegetables. Certainly, with meat, milk and processed products, refrigerated displays are generally adequate. The retailers have nice, cold display cabinets with doors and all of that sort of thing for those products, but for displays of a lot of other produce, they are totally unaware or not interested because it costs them money. So they do not do it. These display cabinets are costly but are necessary to maintain hygiene standards as these foodstuffs are vulnerable—and I am talking about milk, beef and all sorts of smallgoods—to E. coli and pathogens and have a limited shelf life if they are not handled correctly.

However, certain lines of produce that have to be kept in specific refrigeration are displayed in a manner that causes rapid deterioration and reflects poorly on the appeal of the product. I would be pleased if the Minister could point to the section of this legislation that rectifies that particular problem. Will retailers be required to go through the same stringent process for all the products that they purchase to ensure that their handling procedures do not detract from the product's quality? At present, although the retailers may own the produce or have it sent to them from an agent or a supplier, their treatment of the produce reflects poorly on the image of the particular crop and consequently is not attractive to the consumer.

I refer to an article in the Fruit and Vegetable News of August 2000 titled "Frequently Asked Questions from Grower Meetings". One of the questions in that article was—

"Why is my product returned well after I thought it was sold?"

The following answer is given—

"This is one of the common questions that still remains in our industry. Too often growers are expected to meet the credit that has been claimed from the marketplace—following statements that a retailer has returned the product—well after the grower thought the product had been sold. In fact, many growers speak of product being returned weeks after a sale and find it hard to believe that they are in the business of producing a product that can last so long on the shelf. A lack of clarity in respect to returns when ownership transfers and just what a grower is prepared to pay for in the way of returns remains a common concern of growers.

Some growers stated that they would not accept returns three days or even less after the sale. Other growers stated that they would extend greater latitude. However, they wanted their wholesaler to also share the pain of market returns. Either way, a lack of clarity and understanding about the rules of the game led to uncertainty about the sale of produce."

I think that is quite important. It is not coming from me; it is coming from the peak body responsible for the sale of those products in this State.

Can we expect a substantial improvement in treatment of the retail outlets compared with what is taking place now? Can we presume that they really will, like rural producers, be taken by the scruff of the neck and have this Bill spelt out to them? Can we presume that audits will occur and fines imposed on retailers or the Brisbane Markets, for instance, for the mishandling of produce? What I am saying is that if the market infrastructure is inadequate and the produce cannot get into the coldrooms and so on in a reasonable time, will we say to the Brisbane Markets, "You have to be held responsible for this product not being put on sale at optimum condition."?

It is interesting to see consumers handling fruit and vegetables. The product is picked up, picked over and sometimes dropped on the floor until the last remnants of the display— what is left on the shelf—are bruised and squashed from handling. Often this produce is placed in a trolley along with hair spray, kerosene, the odd packet of cockroach insecticide, laundry detergent, bread, butter and milk. It then finds its way out to the boot of a car that has been left in the sun for an hour or so for its journey home.

Under the requirements of the legislation a 20 litre container of chemical—or even a five litre container—cannot be carried in the boot of a car. It is an offence, but after the imposition of this stringent requirement on the rural producer, consumers can carry out activities that have the potential to be even more detrimental to their wellbeing. I say "more detrimental" because in the hands of producers these containers are well sealed and so on. It is possible to have cockroach insecticide, kerosene and all sorts of things in a shopping trolley. Another possible source of contamination could be a consumer dropping a plastic bag, the contents of which could contaminate food produce. Let us hope that we do not get a case of contaminated food where a farmer is dragged before the courts for a circumstance that he had no participation in or control over.

There is a range of products imported into this State. Some of these products, whether manufactured or fresh, come from countries that have lesser standards than are being spelt out in this Food Production (Safety) Bill 2000. Normally apricots turn a dark colour when they are dried, but I have

seen imported apricots that are almost the natural colour of the fresh fruit. Have they been treated with a preservative like sulphur to retain their natural colour?

With imports of fruit and vegetables, what guarantee can be given that similar requirements to this Food Production (Safety) Bill have been applied in the country of origin? I do not believe that growers in those countries have an accreditation process and audits to ensure the adherence to the same stringent process that is to be imposed on the rural industries of Queensland under this legislation.

I ask the Minister: under his Bill will producers suffer a cost disadvantage with our trading partners and competitors because the costs being incurred to meet the standards are not incurred in countries where those standards do not apply? In other words, what I am saying is that, if importers can get away with a lesser standard in their country, with all the things that we have to do to ensure a safe food regime in Queensland, will our producers be cost competitive?

I am not suggesting that in many respects the proposal in this legislation will not make the producers of food in Queensland more professional and more focused on a safer product, but the point I again wish to make is that it does appear that there has been excessive attention focused on some sectors. The cost of establishing Safe Food is estimated in the green paper to cost the Government \$6.8m over a four year period. There is a heavy emphasis on training and assistance for programs for the development of the seafood catching sector. I think that needs to be done because I have witnessed some people who have come from overseas who are probably not as diligent in their handling of products such as prawns and that sort of thing when they bring them in for processing. I am absolutely certain that these programs will be a major benefit of this Act. There are some very good operators, however, who are doing the right thing. We must be very careful that we are not imposing stringent, extremely costly conditions on them. Seafood is very vulnerable to contamination; we must have a good handling regime.

What is the estimated cost to fishermen and others in the industry of training programs for accreditation and auditing? That is not clear in the Bill. What will be the cost to other producers such as dairy farmers, beef producers, grain farmers and the butchers and meat processors who have already paid considerable sums to pursue food safety programs? It is not clear how many audits are to be carried out on each business every year and if the full range of each producer's activities have to be audited each year. In other words, it is fine to be talking about the harvesting period, but that stage is really the culmination of a lot of things that happen in primary industry production.

There are farming operations that in the past have given a farmer a competitive advantage. How much is going to be required to be disclosed in the auditing process? In other words, if a producer has had a particular advantage with a process that he might have adopted, will the auditor have the capacity to understand what it is all about? Must producers expose that process? Very often confidentiality arrangements mean that that sort of thing cannot be disclosed. So there are some complications there. Will the auditor be fully conversant with the procedures that they are auditing as there are differences between auditing for specific outcomes such as chemical dips where specifications for time and dip and concentration of chemical is critical. I know that during the time of the papaya fruit fly problem we had to be very careful of that because the other States had very stringent requirements.

What exactly will the auditor be considering other than hygiene standards and crop protection application? In other words, what will be audited? Will there be a consideration of the quality of the product other than that it is safe for the consumer? What is the estimated cost to all sectors of the legislation and what benefits have been estimated for each individual industry? What uniformity is expected across Australia with this type of legislation, as there is very little point in either carrying on with the requirements or imposing measures that are marginal in their benefit if other States and countries that producers trade with do not require them? I think that needs to be taken into consideration, too.

How do these standards compare with export trading requirements as increasingly more products go into these markets? How many additional personnel will be involved in enforcing the requirements of the legislation and, where travel is required for activities such as auditing, who will be responsible for paying that cost? Sometimes considerable distance has to be travelled to get to isolated areas. If the Government insists on audits being carried out that will be a heavy imposition on producers if they have to carry the cost. That is one of the principal reasons why we are very interested in the use of statutory declarations for areas where there is minimal risk to products.

On the question of substitute foods, such as ice-cream that has nothing in its composition that resembles a dairy product, what scientific process will be used to adjudicate on its safe food requirement? In this day and age of clean, green product, how will the prevention of consumer deception be spelt out? In other words, if we have ice-cream that does not contain milk do we have to advertise the fact that it does not contain milk? Very often there is deception in the marketing of that sort of thing. That needs to be addressed. Are we going down the track with a range of products that

are devised in a test tube for human consumption whilst stringent requirements that may have questionable benefits to consumers are being placed on rural industry?

Transport to market is improving, and the services now being provided by rail, road and air, for the most part, are seeing goods getting to their destinations on time and in good condition. One of the difficulties with a State such as Queensland is to provide the necessary infrastructure to facilitate the transportation of primary produce to its market destination which, in many cases, is over 2,000 kilometres away. The northern and western regions of Queensland, when sending produce interstate, would be looking at journeys of over 2,000 kilometres in distance.

Rail can be used for stock as well as for heavy produce and is effective in keeping bruising to a minimum. In the past, one of the drawbacks with rail transport has been the length of time that it takes to reach far away destinations. For some produce, which does not necessarily require refrigeration, the length of the journey is not a problem. Products that have a shorter shelf life are not suited to rail transport. This is changing with the introduction of well-constructed refrigerated containers with high capacity refrigeration units that can maintain low temperatures. Q-Rail is making refrigerated transport more competitive than it has been in the past.

In the total scenario of providing a better product for market, there is an urgent need to take stock of Queensland's infrastructure. Improvements to both road and rail will assist greatly in enabling better access facilities to all forms of primary produce and allow that produce to arrive at markets faster and in better condition. This will also assist in the objectives of this Bill. If the Government is sincere about improving the delivery of a better product to market, this factor has to be taken into account. Better infrastructure is absolutely essential.

This Bill contains a number of key features and, as the Minister pointed out, does not of itself impose new regulatory requirements on industry. What it does, however, apart from establishing the new Safe Food agency, is provide the framework for the introduction of new regulatory requirements on industry—food safety regimes, as the Minister refers to them.

These schemes will cover particular industries—initially the meat industry, then the dairy industry and the seafood industry and, ultimately, other lower risk industries such as the horticultural, livestock and grain industries. These systems are apparently to be based on scientific principles in consultation with the respective industries. They will be introduced as regulations under this Bill.

Whilst the Minister points to the requirement for a regulatory impact statement in the development of such a regulation as some form of protection for industry, we all know that, if this Beattie Government has the numbers, and it has made up its mind, there is little that anyone can do to change its will by sending in a submission to that process. The independent trawler operations have proved that very point in their attempts to secure some acknowledgment of their situation through changes to the East Coast Trawl Management Plan.

This is a problem that the Minister faces. I know it will not be easy to get around it. However, it is necessary that it be done. I know the Minister has some particular problems with the East Coast Trawl Management Plan. The systems that we have devised, such as VMS, will lead to a better product as time goes on because we will be able to sell the product off the boats. There will be more rapid transit from the catching process to the product arriving at the marketplace. I believe that augurs well for the industry. At an earlier stage the people involved were concerned about it, but I believe there is now a high degree of acceptance of it.

The people involved in these industries are sick and tired of endless so-called consultations. They are also sick and tired of making submissions that are not heeded. We have to get around that process. We cannot keep grinding away at it. Decisions must be made. If the Government does not like the answer it receives, it keeps asking the same question until it gets the answer that it likes, otherwise the Government does not listen. That is what I see happening with this Bill.

The Bill foreshadows this Government's intention to ignore the results of any consultations that are undertaken. I will make further remarks on that subject during the Committee stage. What we are effectively being asked to do in passing this Bill is to sign away much of the Parliament's ability to impose checks and balances on these schemes in order to ensure that they do not pose an undue regulatory or financial burden on our food producers. Primary producers are already suffering declining terms of trade—rising costs and falling incomes. This Bill should not add to that decline.

The Bill potentially allows the Government to impose mandatory quality assurance schemes on our beef producers, our grain producers and our fruit and vegetable producers. The definitions in the Bill clearly set out that the Government will have the ability, if it wishes, to regulate every single element of primary production, including the growing of seed crops, the mustering of livestock, the harvesting of sugarcane and every facet of production right through to the manufacture of such products as dairy products, smallgoods and cooked prawns.

Many of these industries are exporting. A lot of our beef goes overseas—some of it in the live cattle export trade. Very little of our sugar is used domestically. We are trading with the rest of the world. We must be doing it correctly. I do not think there is any reason why we should impose more restrictions on industry when we have a high degree of acceptance of our product in the market. In many instances we do as well as anyone else in the world. That must be acknowledged. If it ain't broke, why fix it? In most cases these industries have already introduced their own schemes which have been developed by industry, the uptake of which has been market driven. Primary producers do not want the dead hand of bureaucracy putting further impositions on their ability to conduct their businesses.

I appeal to the Government and to all members to address this issue in its proper perspective. If the Beattie Government is fair dinkum about working with industry, it should be ensuring that any food safety scheme enhances food safety standards without imposing more costs. It should be working to enhance our industry's clean and green reputation on our domestic and export markets and, by virtue of that, enhance the producers' terms of trade. I believe that is probably the most important issue. We have to make sure that we have a clean and green image, that we are producing a good product and that we are enhancing our terms of trade. As we go on and produce more product we will be looking at export markets.

The Government should be working with industry to acknowledge the effort that our producers are making, and have made, in ensuring the maintenance of food safety. I can report that the Opposition sees merit in combining the functions of the Queensland Livestock and Meat Authority and the Queensland Dairy Authority. I believe that had the Opposition remained in Government we would have done exactly that. This is a sensible move which should produce cost savings to those industries. If it does not, then questions will need to be asked.

The Opposition supports also the consolidation of audit and inspection functions for those situations where multiple audits and/or inspections are now being performed. Again, this should deliver cost savings in particular to high-risk industries. They will be very dependent on that. The provision of independent or third-party auditors is a necessary and overdue step that will introduce competition to that sector and again should drive down costs for the industry rather than just contain them, as the Minister appears content to do judging by comments made in his second-reading speech.

I have already touched on the scale of the penalties proposed in the Bill for food safety standards, and I accept to a point the Minister's argument about posing a deterrent. The trouble is that we cannot have one hat that fits all situations. The penalties at the top of the range are far too high. This aspect should probably have been addressed in another way, with different penalties for different standards. But it is difficult to challenge this, because we want to ensure that people do not do the wrong thing. However, the courts should take note of that and not take the extreme step of throwing the book at people for minor offences. We need to monitor that very closely.

I would have preferred to have seen a scale of deterrence for different risks within industries. For high risks there could have been a higher scale and for medium risks there could have been a lower scale and so on. The structure that ANZFA has proposed is questionable. It would have been difficult for us in Opposition to put forward suggestions, because the Bill would have had to have been totally reworked to accommodate them. We will not oppose the legislation, but I would like the Minister to take note of the fact that there is the potential for problems. The last thing I would like to see is somebody getting a penalty or a fine that does not warrant the situation.

**Mr Palaszczuk:** The penalties are up to a maximum amount.

**Mr ROWELL:** I understand that they are up to a maximum amount. That is what I am concerned about. Perhaps different ceilings should have been set for different risk categories. The fervour with which the Government appears to embrace the big stick in introducing any reform, whether it is vegetation management, water resources or food safety, is extremely disturbing and indicative of the Government's attitude towards primary industries. I do not think the Government needs to do this. By implication, at the very least the Government is suggesting that primary producers and others in the business of food production do not have regard to the need to produce safe food.

**Mr Palaszczuk:** No, that's not true.

**Mr ROWELL:** Some of the penalties are equivalent to those in the Criminal Code. Do we need to go to those extremes? By implication, at the worst the Minister is suggesting that these people need to be bludgeoned with regulations and fines in order to make them comply.

**Mr Palaszczuk:** The penalties in this new Bill are no different to the penalties in the meat industry Bill.

**Mr ROWELL:** But how can you include the fruit and vegetables and grains? What would a grain grower have to do to attract a \$150,000 penalty or two years in jail? It would have to be something serious, wouldn't it? That is the point I am making. Perhaps the Minister did not understand what I was getting at. There are different tiers—



**Mr Palaszcuk:** I know what you're saying.

**Mr ROWELL:** That is okay.

It is this sort of heavy-handed approach, which is the root cause of the Minister's failing on many issues of real concern to primary industries, that has forced the Queensland Farmers Federation to declare war on the Government. It is not happy about what the Minister is doing in a lot of areas.

**Mr Palaszcuk:** They're my friends.

**Mr ROWELL:** They are declaring war on the Minister. Hasn't he seen the newspaper reports?

**Mr Palaszcuk:** No.

**Mr ROWELL:** I will have to give them to the Minister. I will fax them through to his office. I assure the Minister that it is declaring war on him. Primary producers are willing to work with the Minister——

**Mr Palaszcuk:** Thank you very much.

**Mr ROWELL:** They are willing to work with the Minister, but the way things are going it is becoming extremely difficult.

**Mr Palaszcuk:** Don't worry about it. We're working really well.

**Mr ROWELL:** I can assure the Minister that that is not apparent from what I am reading.

**Mr Palaszcuk:** You're reading the wrong thing.

**Mr ROWELL:** I read the same newspapers the Minister writes to.

**Mr Palaszcuk:** You're probably reading the papers in New South Wales.

**Mr ROWELL:** No. The Minister must be willing to work with them in a genuine way to give them some credit and to cut them some slack, instead of just offering lip-service and an excuse for consultation and introducing his ideas about what should be done without regard for the impact on people and then threatening those people with heavy fines and other penalties if they do not comply. Although the intent of the Bill is to ensure that food is safe—something everyone and every industry supports—some of the methods proposed to achieve the intent of this Bill serve only to undermine that effort.

The Opposition will be moving a series of amendments aimed at improving this Bill within the parameters imposed by the Government and at correcting what we believe are shortcomings or even mistakes. We will be considering our support or otherwise for the Bill on the basis of the Minister's response to the issues we raise on behalf of the people whose activities these laws will administer.

This Bill is very important. The primary industries in this State are worth about \$6 billion at the farm gate. A number of industries are coming under the umbrella of food safety that have not come under it before. I have pointed out some of the concerns of these industries with respect to food safety. It is important that the Minister notes the issues I have raised. If the Minister is proposing to move amendments, we will be very interested in what he is intending to do in those areas.

**Mr Palaszcuk:** Would you like a copy of them, too?

**Mr ROWELL:** Ours are coming out, too. I do not know that we will be going through them today.

**Mr Palaszcuk** interjected.

**Mr ROWELL:** Our amendments are quite important. One of the main amendments that we would like to see is low-risk category groups being able to have some method of auditing that is not as demanding. If they are doing the right thing, a statutory declaration in the initial stages should be sufficient in terms of accreditation. I will be moving an amendment to that effect.

---