



AUSTRALIAN FOOD SOVEREIGNTY ALLIANCE

About the Australian Food Sovereignty Alliance (AFSA)

The Australian Food Sovereignty Alliance (AFSA) is a collaboration of organisations and individuals working together towards a food system in which people have the opportunity to choose, create and manage their food supply from paddock to plate. AFSA is an independent organization and is not aligned with any political party. Currently we have 500+ individual, organisational, business and farm members. These members include national networks such as the Australian City Farms and Community Gardens Network, peak bodies such as the Melbourne Farmers Markets Association and the Victorian Local Governance Association, the City of Melbourne, and leading environmental organisations such as Humane Choice, MADGE and Gene Ethics.

In 2014 we established a producers' branch of AFSA, Fair Food Farmers United (FFFU) to provide a balanced voice to represent farmers who are at the sharp end of the impacts of free trade, raise awareness about the impacts of cheap imports on farmers, advocate for fair pricing for farmers selling to the domestic market, connect Australian farmers for farmer-to-farmer knowledge sharing, and to be a voice for farmer-friendly regulations and standards. We currently have over 100 farmer members.

We are a part of a robust global network of farmer-led organisations involved in food security and food sovereignty policy development and advocacy. Our involvement includes support for the sole Australasian representative on the Civil Society Mechanism (CSM) of the Food and Agriculture Organisation's (FAO) Committee on World Food Security (CFS), as well as being the Australian representative on the International Planning Committee for Food Sovereignty (IPC). We are also a member of Urgenci: the International Network for Community-Supported Agriculture, and have strong links to Slow Food International and its Australian chapters.

We work extensively with primary food producers and consumers across every state and territory in Australia. Our committee has consisted of published academics and lecturers from RMIT, Deakin University, University of Tasmania, University of Sydney, and the Queensland University of Technology, farmers from NSW, VIC, ACT, SA, and WA, and local advocates and campaigners representing Food Connect, Friends of the Earth, Regrarians, Fair Food Brisbane and the Permaculture Network.

Our vision is to enable regenerative farming businesses to thrive. Australians increasingly care about the way their food is produced including its social and environmental impacts. They seek out food that is grown locally and without damage to the environment. This means that food produced on small regenerative farms is increasingly in demand. Most Australian farms are still small. Just over half of Australia's farms had an estimated value of agricultural operations of less than \$100 000 in

2010-11¹. Because Australia's agriculture sector is built on small farm businesses, removing unnecessary regulatory burdens is important for these operations to be viable and to encourage more people to embrace a life on the land to produce food sustainably for their communities.

AFSA welcomed this inquiry by the Productivity Commission and the opportunity to contribute our views on the regulatory issues faced by small- to medium-scale farming generally and livestock farmers particularly in Australia. We read the Draft Report with interest but also with dismay at the apparent exclusion of the manifest concerns of small- to medium-scale farms and rural communities.

Introduction

AFSA's members regularly tell us that current agricultural regulations are unnecessarily complicated, expensive, and in many instances wildly inappropriate for small-scale farmers running regenerative farming systems.

We argue that small food producers with short supply chains should be treated as lower risk because they are. The risk of contamination is simply greater in a supply chain with multiple parties handling the food, storing and transporting product, each with differing processes with the potential for more variations in temperature, and older product by the time it reaches the customer.

As the Productivity Commission plays such a large and important role in shaping national policy regarding regulation in agriculture it is essential that the Commission recognises the broader perspective of rural production systems, and the influence its recommendations have on the wider community that live in the rural and regional areas. Currently the draft report does not address these aspects.

While the Commission does claim to make decisions that take into account wider impacts, these are wholly focused on the financial gain of those with the largest vested interest. We see this as short sighted and lacking an appreciation of just how deeply these impacts permeate into and through our society. Since the inquiry states that in identifying unnecessary regulatory burdens, the commissioners make "judgements about the potential gains to the Australian community" (p5), AFSA strongly recommends that in the process of reviewing the Draft Report, the commissioners review their judgements about the potential gains to the Australian community, and not just the financial return to certain industry sectors.

AFSA encourages and endorses farming practices that bring life back into rural communities. They bring life and health back into the soils and farming and grazing landscapes. These regenerative farming practices bring young families into rural areas that invigorate local economies. This holistic approach leads to productivity gains across a wide spectrum of our society that appear to have unadvisedly been out of the scope of the inquiry.

The farming families that AFSA represents own and manage properties that are people friendly, farms where:

- children are safe to be amongst the animals because it's a healthy environment in which they live;
- the danger of toxic and poisonous chemicals is minimal and often non-existent;

¹ Australian Bureau of Statistics 2012, *Australian Social Trends*, December, Cat. no. 4102.0

- many of the inputs and nutrients, and pest and disease control come from on farm, so there is a deep connection with where food comes from and how it is produced;
- the way we raise our animals doesn't need to be hidden from view; and
- the physical and mental health of farm workers is enhanced and invigorated, rather than compromised and put in jeopardy.

People are increasingly wanting to farm in this manner. This is good news productivity wise. And this is good news for rural communities. The dramatic decline of farming businesses from 5 to 2% over the last 30 years needs to be arrested and reversed if we wish to see a healthy and productive rural sector 10, 20, 30 years from now. Yet the Inquiries' Draft Report indicates a strong predisposition to continue on the path we've been on for the last 30 years.

The farmers that AFSA represents are providing complimentary avenues to reinvigorate farming communities in regional Australia and facilitate the growth of more productive landscapes. The regulatory burden is the prime reason that this sector is not growing faster than it already is. It is indeed disappointing that while it's evident the Commission has actually read AFSA's submission, none of the recommendations addressed AFSA's legitimate and pressing concerns.

Land use regulation

INFORMATION REQUEST 2.1

What are the advantages and disadvantages of 'right to farm' legislation? Are there any other measures that could improve the resolution of conflicts between agricultural and residential land uses?

“Conflicts between residential and agricultural land uses should be managed directly through planning regulations, rather than indirectly through ‘right to farm’ laws.” (p57)

Utilising planning regulations to reduce conflicts between residential and agricultural land uses is achievable when the regulations are clear and include evidence-based definitions (e.g. ‘intensive’ and ‘extensive’).

Planning regulations need to be “risk based so that landholders’ obligations are proportionate to the impacts of their proposed actions.” (p32) It would be beneficial if there was a genuine effort by regulatory agencies to better understand both traditional and innovative production methods.

AFSA Recommendation 2.1: develop generic definitions of ‘intensive animal husbandry’ and ‘extensive animal husbandry’ applicable in all states that are scale-appropriate and based on the impacts of the operation, which will be determined on a case-by-case basis by a matrix that takes into account soil type, rainfall, nutrient import, livestock species, stocking density, and pasture coverage. Encourage ongoing democratic participation in the development and application of these definitions.

DRAFT FINDING 2.2

Regulation and policies aimed at preserving agricultural land per se can prevent land from being put to its highest value use.

A right of veto by agricultural landholders over resource development would arbitrarily transfer property rights from the community as a whole to individual landholders.

In the Draft Report it appears that the 'value' posited by the Commission is financial only (and in fact that value is only realised by the Government as affected communities do not directly financially benefit from the sale of publicly-owned mineral resources to private resource companies), though without a definition of 'high value use' one can only surmise.

There appears to be no consideration for social, environmental, or long-term community viability nor specifically for food security. It is well known that areas where agricultural land has been handed over to its highest value (e.g. mining) that the community is left in ruins when the mining companies have depleted the 'value' product and moved on to the next site secured for them by the Government.

What is very obvious is that resource exploration is not compatible with farming, due to its impact of pollution on the water table and the loss of the 'clean green' market reputation Australian producers enjoy, and therefore the grant of exploration licenses is de facto appropriation of land without compensation.

"Good regulation should also achieve its stated policy objectives at least cost to the community." (p43) Is the loss of an entire town due to a downturn in mining (formerly an agricultural town) the least cost to the community? Once again, 'cost' is reduced to financial cost only and ignores the serious social and environmental costs that are inevitably associated with large-scale mining.

It is dangerously misleading to claim that protecting farmers' rights to veto forced acquisition of their agricultural land is transferring community rights to individual landholders. In such existing cases the Government acquires farmlands only to sell them to the highest bidders who have no fiduciary duty to any interests except those of their shareholders, and the Government records the profit towards its next bid for re-election.

Regulation of farm animal welfare

DRAFT RECOMMENDATION 5.1

The Australian Government should take responsibility for ensuring that scientific principles guide the development of farm animal welfare standards. To do this, an independent body tasked with developing national standards and guidelines for farm animal welfare should be established.

The body should be responsible for determining if new standards are required and, if so, for managing the regulatory impact assessment process for the proposed standards. It should include an animal science and community ethics advisory committee to provide independent evidence on animal welfare science and research on community values.

While AFSA supports scientific approaches to developing robust policy, we also see the limitations of this approach when undertaken without an ethical framework, and we welcome the inclusion of a

recommendation for an ‘animal science and community ethics advisory committee’ in determining farm animal welfare standards.

AFSA Recommendation 5.1: Ensure broad representation on an animal science and community ethics advisory committee – and also ensure any scientific approach includes a terms of reference that insists upon scale-appropriate examples.

INFORMATION REQUEST 5.1

The Commission is seeking feedback on:

the most effective governance structure for an independent body tasked with assessing and developing standards and guidelines for farm animal welfare

AFSA would recommend that a general EOI is posted publicly to call for participation in a representative body to be composed of, for example, an intensive animal agriculture rep, SME pastured livestock agriculture rep, community/consumer advocate reps (rural and urban), environmental protection rep, animal health rep, etc...

what the body’s responsibilities should include (and whether it should make decisions or recommendations and if the latter, to whom)

Codes of practice exist already but with very little impact on industry behaviour. Rather than create more regulation the new body should be a very publicly engaged body that collates and communicates debates and shifting attitudes in an effort to maintain healthy community engagement with animal agriculture. It should be a listening, learning, and sharing body rather than a regulating body.

what processes the body should use to inform and gauge community values on farm animal welfare

The body should engage in regular communications – blog, podcasts, videos, and open forums – to constantly gauge community sentiment while also informing it.

how such a body should be funded.

A proportion of levies taken by all peak bodies for livestock agriculture (APL, MLA...) should be diverted to fund the body.

Access to technologies and agricultural and veterinary chemicals

DRAFT FINDING 6.1

There is no economic or health and safety justification for banning the cultivation of genetically modified (GM) organisms.

This is a judgment by the commissioners, which is not supported by five States and Territories in Australia. Asbestos and DDT were both supported and deemed safe by the scientific community at the time of their initial mass production and later found to have catastrophic health risks. The Precautionary Principle¹ should be exercised.

1 The Precautionary Principle in Australia: A Background Paper, Ronnie Harding & Liz Fisher, Institute of Environmental Studies, University of New South Wales.

What gain are we getting out of the removal of this legislation? The removal of GMO crops/products, if proven to be detrimental to health, will be very costly due to their modifications e.g. 'round-up readiness'.

INFORMATION REQUEST 7.1

Participants raised concerns about farm trespass, particularly as trespass can increase biosecurity risks. What strategies could be used to discourage farm trespass? Are existing laws for trespass sufficiently enforced in relation to farm trespass?

Existing trespass laws are sufficient. Systems so fragile that a healthy human introduces a substantial risk simply by walking onto the property are not sustainable from the point of animal welfare, ecological health, nor food security. Australian agriculture must stop focusing on treating the consequences of avoidable risks, and instead work to improve systems so that they are healthy and resilient, which will have the added benefit of reducing the risk of trespass as the community continues to grant farmers a social licence to operate.

Food Regulation

INFORMATION REQUEST 9.1

The Commission is seeking information on whether the new country-of-origin labelling system would deliver higher net benefits to the community as a voluntary system rather than as a mandatory system.

Currently the mandatory country of origin labelling (COOL) provides some, although limited, protection for Australian farmers, by ensuring that the consumer can make a conscious decision to support Australian farmers.

Damage has already been done to farmers in the US by the removal of mandatory COOL. If the Commission wants to reduce regulatory burden, another possibility is not to require COOL on any product that is 100% Australian grown and made, and only make it mandatory when there are imported ingredients. This would reduce the unnecessary burden on many Australian producers and be an incentive to prioritise Australian-grown and manufactured produce, with a net bonus to domestic productivity.

DRAFT RECOMMENDATION 9.1

Food Standards Australia New Zealand should remove the requirement in the Food Standards Code to label genetically modified foods.

By removing this requirement is FSANZ and the Australian Government opening themselves up to a potential class action in the long term? In addition to this it removes the consumer's ability to make an informed choice about the food that they consume.

On prima facie evidence of community demand for labelling of GMO alone it is obvious that this recommendation is undemocratic. But further, many countries (including most of the EU) have banned cultivation of GMO crops, which demonstrates how out of step with the global community Australia would be to make this retrograde step.

INFORMATION REQUEST 9.3

The Commission is seeking information on whether there are opportunities to further reduce the burden of regulatory food safety audits while still achieving regulatory objectives, and if so, where these opportunities lie.

Food safety audits are an important part of maintaining high food safety standards in Australia. However, currently their frequency varies a great deal between states and territories, and therefore the burden on producers varies. In some states, audits are only required annually, and in others it is quarterly – this has material consequences for producers as audits are typically conducted on a cost-recovery basis.

Note Recommendation 11 of the recent Review of PrimeSafe's Operations in Victoria: "That PrimeSafe develop a new reward for performance program which will result in audit frequency being reduced in circumstances where a licensee has a good audit track record (determined by reference to the licensee's immediate past audit history)."

AFSA Recommendation 9.3: *Audit frequency should be reviewed to compare differences across states.*

AFSA Recommendation 9.3b: *That testing regimes and audit schedules are scaled to match throughput, with an evidence-based determination on the minimum audit schedule and testing regime required to achieve optimum food safety standards while supporting innovation and viability of SMEs.*

FURTHER RECOMMENDATIONS:

The FSANZ "should make greater use of international evidence in its assessments" (p35) of food standards ("including by placing greater reliance on assessments made by trusted comparable international regulators" (p35). One such food safety example is raw milk, which is legal and safely regulated in more than 30 states in the US and in nearly all countries in the European Union.

The way forward

INFORMATION REQUEST 14.1

The Commission is seeking feedback on possible strategies and governance arrangements for improving the incentives for policy makers to use regulatory impact assessment processes as an analytical tool to support the quality of regulation making, rather than as a legitimising tool or compliance exercise.

AFSA agrees that there needs to be a change in the use of RIA's, particularly in the area of food processing and handling, ensuring that the regulations are scale appropriate and fit for purpose.

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