

#### **Question 4A: Do critical circumstances warranting a provisional safeguard determination exist?**

Article 6 of the Agreement on Safeguards states that a provisional safeguard measure may only be imposed where there are ‘critical circumstances where delay would cause damage which it would be difficult to repair’.

*Are there any critical circumstances that would warrant a provisional safeguard determination? What is the cost of delay until a definitive safeguard determination is made and what would be the longer term impact on the industry?*

We need urgent help. I am writing as a concerned community member who is watching the downturn of Australia’s agricultural industry with disbelief. The new productivity commission has the nous and the power to stop this insipid process and I implore you take immediate action.

SPCA has recently rebranded their canned produce to reflect it’s Aussie heritage. Without safeguards to prevent imported knock-offs from entering supermarket shelves at a lower price, this brand is not secure. Our labeling laws are lacking, so imports can claim Australian Made, without being Australian Grown. As it stands, the only competition on those shelves is the price. SPCA is doing everything it can, but the productivity commission needs to give them a fighting chance by applying emergency tariffs.

Economists project Asia’s growing population will need to import \$30 billion in food products by 2050. In light of these statistics, it’s vital we protect and nurture our agricultural industry, not slowly phase it out. If companies like SPCA close, they are gone for good. Australia would have lost it’s chance of being the ‘Food Bowl of Asia’ and instead become dependent of imports.

One has to wonder if international governments are propping up their agricultural industry in the short term by subsidising ‘dumping’ practices, due to the long-term economic opportunity of Asia.

Our country has the best tasting fruit and most stringent quality control level. Yet our industry is not protected. It’s finally coming to light that we are feeding our children imports that may contain substances banned in Australia. That reason alone should be enough to stop imported fruit immediately.

A safeguard action will also act as leverage to more permanent solutions. Tariffs will protect our agricultural industry, protect our jobs, protect our economy, protect our health and introduce another revenue stream for our government. The argument that international borders will retaliate with their own tariffs is exaggerated and unheeded. It’s an excuse.

Please, we need your help.