

# *New Zealand Beekeeping Incorporated*

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30th November 2017

Mr Bruce Wills,  
Chairman,  
Apiculture New Zealand,  
PO Box 25207,  
Wellington 6146

Cc: Karin Kos, CEO, Apiculture NZ.

Dear Mr Wills,

## **Re: Consultation Government Industry Agreement (GIA)**

New Zealand Beekeeping Inc. wish to submit their views regarding the consultation being undertaken by Apiculture NZ Inc. on the proposal regarding the Government Industry Agreement (GIA).

### **New Zealand Beekeeping Incorporated**

New Zealand Beekeeping Inc. is a nationwide organisation of beekeeper members that are focused on sustainable beekeeping. Our Executive comprises a broad mix of personalities and it is fair to say most of the executive have been involved in the beekeeping industry for a very long time. Representation of members through the Executive taps into the considerable industry knowledge that has been gained through generations of beekeeping experience. Others in the executive that have not come from a background of family beekeeping business involvement have diverse life experiences with other industries and pursuits before establishing themselves as beekeepers.

In relation to GIA, members of our organisation and our executive have been involved with the Varroa incursion in 2000 as well as being part of the initiation and providing subsequent practical assistance to the readiness program to prevent Varroa from establishing in the South Island. Our industry and our executive have seen first-hand the attempt at preparing for, and responding to, an incursion of an unwanted organism and unfortunately history remains testament to the failures within the system that compounded to compromise the freedom of Varroa of the South Island. NZ Beekeeping membership and the Executive includes personnel that were instrumental in attempting to eradicate Varroa from Nelson when government refused to attempt eradication. The reason we mention this is because we consider our organisation is well placed to be involved in considering what options might be appropriate for the beekeeping industry. We also consider the inclusion of key personnel from other beekeeping organisations in the formulation of a beekeeping GIA would have been of benefit to the beekeeping sector. Our personnel have the benefit of experience, are practical beekeepers and have a knowledge of the relevant legislation that would be an advantage moving forward.

### **The Biosecurity Act 1993.**

In its original form, the Biosecurity Act 1993 (BA) was a sound document. It established the role of the Minister and how he delegated his responsibilities. It established protocols for enabling imports of goods and a border security to prevent the introduction of unwanted organisms. The Act also provides for industry groups and local bodies to control endemic species that may be considered 'unwanted'. NZ Beekeeping consider the Act in its initial form provided an adequate foundation and guidance to keep our

nation as free as possible from incursions of unwanted organisms and to deal with incursions as the need arises.

There has more recently been much tinkering with the legislation, a Reform Act, National Pathway Plans, and now legislation that enables a Government Industry Agreement framework to be put in place. NZ Beekeeping are concerned GIA has become a set of ad hoc arrangements that lacks a formal legal entity to function as a true partnership between government and industry in a way that could be expected to effectively conduct readiness and response activities. Quite simply, we don't think it will work.

### **The GIA concept.**

Biosecurity risks are growing, as volumes of trade and visitor numbers grow.

If an unwanted organism passes through the border, establishes, starts to multiply and spread it becomes difficult and expensive to control and eradicate. Diseases such as Foot and Mouth (FMD) in animals, if found in NZ, would curtail the trade in animal products to our markets. The financial cost has been estimated to be huge and would have an immediate effect on Gross Domestic Product (GDP), however the disease itself is simply an animal management and welfare issue where the animal products even from an animal affected with FMD can be consumed by humans. In the case of a FMD incursion there is likely to be an unanticipated flow on effect if there is movement controls that prevent the movement of beekeepers/beehives on farmers land. Beekeepers would become 'affected parties' with their inability to shift beehives, there would be a further flow on effect to the industries reliant on the pollination of flowering crops such as kiwifruit.

Bee diseases could have a similarly large impact, given the pollination role played by bees in both horticulture and pastoral supply chains.

The GIA concept is one of a pooling of interests, skills and resources, to act as a partnership between government and industry to provide guidance, logistical support and financial assistance for readiness and response activities.

However there appears to be a missing link to tie such a partnership into the legislation.

The current legislation (Biosecurity Act, Part 2) provides for the Minister to be responsible for implementing the Biosecurity Act. He does have the powers to approve management of pests under pest management provisions by other organisations. However, in such a case where pest management is conferred on other organisations guidance is provided by the Act and the Minister must ensure organisations work within the provisions of the Act, the Orders in Council, or the legal structure they are approved under.

NZ Beekeeping is concerned that there appears to be no formal and legal provisions within the Biosecurity Act that would be suitable to operate some form of partnership between government and signatories for readiness and response activities. It appears any such partnership established through the GIA process is ad-hoc and limited to a group of (selected) people forming an advisory role to the Minister. This may be fine in 'peace time', but it is unlikely to be satisfactory in determining whether an economically significant incursion, not with the inevitable inquiries (and recriminations) that would follow a truly catastrophic incursion.

Indeed, In the event of an incursion of an unwanted organism we would hope that the Minister, would be guided by legislation (Biosecurity Act part 7) which provides for affected industries to be 'at the table' and 'in the tent' consulting with the Minister regardless if they have signed the GIA Deed or not.

For example, it appears BA Sec 11 (1) gives the Minister power (and the responsibility) to act in relation to biosecurity emergencies. BA Sec 11 (2) however does not provide for the Minister to delegate those powers to a 'group' that the Minister has entered into some form of partnership or power and cost sharing

agreement. BA Sec 144 (2) & Sec 150 (2) provides for industry consultation that should happen regardless the (GIA) status of the industry participants.

### ***11 Other powers of Ministers***

*(1) Any Minister has power to—*

*(a) direct the forfeiture of organisms and organic material under section 134(3):*

*(b) take action under sections 144 and 147 in relation to biosecurity emergencies:*

*(c) take action under section 145 in relation to biosecurity emergencies:*

*(d) recommend to the Governor-General under section 150(1) the making of biosecurity emergency regulations, and where such regulations are made, the Minister has the duty of laying them before the House of Representatives under section 150(5):*

*(e) declare a provisional control programme under section 152(1):*

*(f) extend under subsection (3) of section 152 a provisional control programme.*

*(2) A Minister must not delegate to any person the exercise of the powers specified in subsection (1)(b), (d), (e), and (f).*

Notwithstanding the apparent lack of legal backing for the concept of the government and industries working together for the benefit of the country as a whole there is an acceptance from many industry groups that 'we are in this together'. With incursions in the past there has been a considerable amount of goodwill between Government/industries. The beekeeping industry has provided volunteers with beekeeping knowledge to assist in delimiting surveys. Whilst there can be no guarantees with voluntary effort, if government has sufficient respect and goodwill with industry they may rally to the cause if an incursion response required industry assistance. However in today's world where a user pays ideology exists and compliance with often onerous demands, beekeepers may resent being asked to contribute to more bureaucracy.

Regardless of industries signing the Deed, government have the provision in Sec 135 and 137 to recover costs for readiness and response activities for items not provided by parliament. NZ Beekeeping do not consider it is an appropriate step to encourage goodwill with the people already affected by an incursion of an unwanted organism to be forced to pay. Nor do NZ Beekeeping consider it is appropriate for industries to limit their exposure to true costs by simply signing the Deed and establishing a Fiscal Cap.

### **Recent incursions of the beekeeping industry.**

Since 2000 there has been 3 incursions of concern. The Varroa incursion into the North Island had spread to the extent an eradication attempt was not feasible. There is reference<sup>1</sup> to the government report of the Varroa incursion, the notable aspect is the MAF opinion that Varroa may have been undetected in NZ beehives for up to 5 years. Subsequent to the 2000 discovery and as there was no Varroa found in the South Island a Pest Management Strategy was initiated where an intensive surveillance program was set up and funded by South Island beekeepers and rural landowners.

As a result of the readiness program Varroa was discovered in Nelson, in 2006, however as confirmed by the delimiting survey Varroa had already spread 50km along two of the three major roads out of Nelson.

The Government of the day decided eradication for the Nelson incursion would not be attempted despite the commitment beekeepers and landowners had made to find Varroa in such a time that would facilitate an attempt.

Nosema ceranae was discovered however the industry was not informed of the discovery and it appeared to be widespread by the time industry was aware of the incursion.

There is sufficient circumstantial evidence to link an incursion of Deformed Wing Virus to the (legal) importation of semen from the Carniolan breed of bee. Again it appears there was no formal response from government.

It does appear for the beekeeping industry it is difficult to detect an incursion in a timely manner that would facilitate an eradication attempt. Isaac Hopkins (the first NZ Government apiary officer) presented the 1916 National Beekeepers Association conference with an address entitled "*Prohibiting the Importation of Hive Bees into New Zealand*". (**Appendix 1**) Because of the uncertainty surrounding the science of bee diseases, Isaac proposed that the industry prohibit the importation of risk goods (bees and bee products) into New Zealand because of the effects of introducing unwanted diseases.

That concept is still supported by the industry and Government today, the industry is concerned about the impact of further incursions on an industry which is already compromised by Varroa. We would be concerned if industry and Government considered GIA was seen as some sort of biosecurity protection or 'insurance against the establishment of unwanted organisms' therefore relaxation of the current border protection could take place to allow bee products into NZ. There appears to be little scope with GIA to enhance the border protection rather than to attempt to address failures at the border through GIA readiness and response.

### **The Beekeeping Industry today.**

The beekeeping industry both in NZ and worldwide has seen some growth particularly among those who take up beekeeping for a hobby. There is also growth within commercial beekeeping because the consumers of honey are becoming more discerning with their purchases, preferring to purchase honey derived from bees rather than purchasing manufactured sugar products. In NZ the growth can be attributed in part to increased demand for manuka honey. The industry growth has introduced challenges to beekeeping with respect to the spread of pests and diseases as the keeping of bees intensifies. No longer can we rely on beehives being static and isolated to prevent spread of pests and diseases as hives and beekeeping in NZ has taken on a management approach that ensures hives are moved to opportunities as they arise. Bees are moved into and out of pollination as well hives follow the flowerings of different plant species over different areas.

A normal beehive brood nest consists of about 25 interchangeable components. During the season another 30 interchangeable components are added and removed. The hive also has a population of bees which ranges from 5,000 bees to about 50,000 during the season. Each bee and interchangeable hive component has the ability to transmit pests and diseases to other beehives. It would be a logistical nightmare to keep track of all the vectors for the spread of pests and diseases sufficient to ensure that, if an incursion happened, all beehives and components that had been in contact with the hives at the centre of the incursion could be traced. The beekeeping industry is pretty reliant on border and pre border measures being sufficient in keeping further pests and diseases from becoming introduced into NZ.

Drawing on the experience when our industry attempted an eradication of Varroa in Nelson, it could be assumed that there would need to be a very intensive readiness and eradication program established under the GIA framework if beekeepers were to have any assurance that we could maintain our continued freedom from the establishment of unwanted organisms. There has not been any indication within the ApiNZ proposal or the consultation documents as to what would likely be included as an Operational Agreement nor has there been any information how the OA would be performed as part of the legislation provided under the GIA concept. We think these are serious gaps, and we think the consultation is flawed as a result.

### **Industry Organisations**

Politically the industry was reasonably stable prior to 2001. The National Beekeepers Association Incorporated was established in 1913. The Honey Packers' Association Incorporated was established in 1967 as well there was a small number of groups and clubs that catered for hobby beekeepers. The Unique Manuka Factor Honey Association caters for members that produce active manuka honey.

In 2001 Federated Farmers Incorporated started a beekeeping sector group within their organisation. As well there were further organisations such as the Bee Products Standards Council Incorporated, and the Bee Industry Advisory Council that have come and gone. However at the present time there has been a shuffling round of organisations as the industry disruption that started in 2001 continues to the extent there are now formal nationwide beekeeping organisations, NZ Beekeeping Inc., Apiculture NZ Inc., UMFHA as well as at least 30 beekeeper formal and informal clubs and groups.

NZ Beekeeping Inc would have hoped for and expected more discussion between the different beekeeping groups to establish if the concept of GIA is relevant, and to establish what range of options might be for the beekeepers to consider. In particular, if the industry supports committing to a readiness and response program, then the governance and funding mechanisms would need to be established, including the provision for the government contribution to the program. NZ Beekeeping see this as a whole of industry opportunity that does not entail establishing ApiNZ as the sole organisation with a mandate to embark on GIA 'as it sees fit'.

### **The Apiculture NZ Proposal.**

The proposal by ApiNZ is to invite the industry to express sufficient support to demonstrate to the Minister that the sector supports the Minister grants a mandate for ApiNZ to become the GIA signatory for the beekeeping industry. It also appears ApiNZ proposes to represent multiple sectors within the beekeeping or bee products sector.

Whilst it is out of scope with this submission NZ Beekeeping considers there is sufficient conflict with what is being presented to industry participants by the various industry organisations and the provisions of the Biosecurity Act, that a review of the concept should take place by the Government. GIA has been promoted as a 'partnership' however it has become clear that it not possible nor desirable for the biosecurity outcome of our nation to be placed in the hands of a group of people without a formal 'entity' that will be able to 'outvote' the Minister should the opportunity arise.

It appears once an industry has signed the GIA deed it sits at a governance table with one vote (page 3 of the consultation document), there is no indication how the Minister will exercise his duty in charge of the functions of the Biosecurity Act 1993 and at the same time act in good faith with the 'partnership' concept behind the GIA as indicated by the statement "upon signing, the industry organisation shares biosecurity readiness and response decisions with Government". Officials freely state that the Minister will always be the ultimate decision maker (and indeed it is hard to see how this could be otherwise). NZ Beekeeping submits beekeepers should have been informed how the voting and governance process would take place.

There have been many statements made throughout the consultation document that suggest what is likely to happen if the beekeeping industry either signs the GIA Deed or does not sign the Deed. Our submission questions the very structure of GIA and seeks to have an explanation for the various statements that appear to be at odds with the provision of the Biosecurity Act.

In addition it has not been made clear what sort of readiness and response program might be appropriate for the industry as it exists today. Nor has there been any idea of the potential cost.

Our view is that the central question for the industry is whether we would seek to eradicate a serious incursion. Eradication would be expensive, disruptive (to pollination customers as well as to honey production), and of course may not be successful. The necessary corollary is that effective eradication is wholly dependent on successful early detection, which in turn requires a commitment to surveillance measures which would need to be intensive (in time and space), and which would also not necessarily be effective. This set of options (and associated costs) needs to be considered, against the alternative, seeking to manage an incursion without trying for eradication. Different costs, and longer term consequences would be involved.

These issues, and options, need to be put to beekeepers, and their views reflected to government. It is almost as though ApiNZ expect to be granted a mandate and be able to proceed how they like with operational agreements, without spelling out the approach those agreements would take. NZ Beekeeping certainly would have preferred ApiNZ to have developed cost effective programme options that would be considered by beekeepers. If indeed ApiNZ have a programme that would be acceptable it would have established more credibility to have put forward their proposal for comment and consideration by the beekeepers.

The tone of the consultation document is bias toward seeking support for the proposal but not giving the background why beekeepers should support signing the document. Examples of this are statements such as "These industries, our primary business partners, have an expectation that the apiculture industry will also sign up to GIA." "We have a responsibility to sign the Deed and take our rightful seat at the GIA governance table." Until we know what we are agreeing to, and what strategy we would be endorsing, this simply cannot be valid. NZ Beekeeping continue to maintain there is insufficient information provided for the beekeeping sector to make an informed decision.

The survey that has been conducted in conjunction with the consultation document is also flawed in that participants have not been provided the opportunity to answer questions as the submitter may wish. For example question 2 asks if the respondent feels the beekeeping industry should sign with GIA. The respondent may indicate yes or no. Subsequent questions (5, 11 & 17) relating to level of investment the respondent is prepared to pay solicits an answer between set amounts of contribution. The respondent cannot enter a zero or nil amount of contribution consistent with his previous answer if he indicates he does not support the industry signing the GIA Deed.

We presume ApiNZ will follow the requirements of the Biosecurity Act sec 100ZA clause (7) & (8) and consider the points submitters make. We will forward our submission direct and independently to the Minister to ensure the Minister is aware of our concerns regarding the process to date.

Thanking you for considering our submission.



**RUSSELL BERRY**  
**PRESIDENT.**

*New Zealand Beekeeping Incorporated*

Reference: 1. <https://www.oag.govt.nz/2002/biosecurity-case-studies/docs/part4.pdf>

**Excerpt from Article in the NZ Beekeeper March 2013**

Beekeeping of today has been influenced by the early pioneers of beekeeping. Isaac Hopkins has probably been the greatest influence on our beekeeping and it is interesting to note the content of his address to the 1916 conference. The subject was *“Prohibiting the Importation of Hive Bees into New Zealand”*. It would appear that there had been importations of Italian queens during the early part of the century, and I would assume these queens would have been imported in nucleus hives in order that they survive a journey in a ship (no fast airmail systems operating). Isaac was concerned that we did not place our nation in a position of importing bee diseases from other countries. *“I wish to bring clearly to your notice the great risk we are running at the present time of introducing one or other of the serious and so-called mysterious diseases (mysterious because of their sudden outbreak now and again without apparent cause) prevalent in other countries and which have so far defied all efforts to discover effective remedies”*. Mr Hopkins goes on to describe bee deaths in Britain, Australia and America and uses the terms ‘Disappearing Trick’ ‘Isle of Wight Disease’ ‘Microsporidiosis’ for conditions which, at the time, causes were not apparent. I feel his concern is summed in the following- *“Apparently we have had only one bee disease (Bacillus Larvae) to contend against and we are dealing with this successfully with so far that it now gives careful beekeepers little trouble or anxiety. Taking all these matters into consideration, and comparing our position with that of the industry in other countries where these strange diseases occur, and from where we are importing our queens that may be “carriers’ of these diseases, would it not be suicidal on our part to continue to run the risk we have done hitherto, and undo the grand result of nearly forty years work? In conclusion, I hope the Conference will give the matter its earnest consideration, and take such steps as it deems necessary to eliminate all risks of introducing bee diseases from other countries, and urge the Department of Agriculture to act promptly.”*

It would appear that the ‘science’ around ‘bee deaths’ is generally way behind what is actually happening for example it was reported in the 1921 magazine that the cause of the Isle of Wight disease had been identified- 17 years after the British beekeeping industry started to be decimated by the collapse of hives in 1904. Having Import Health Standards solely based on ‘science’ is only appropriate if the science is known and we are in no better position today when we consider the ‘bee losses’ reported around the world.