



Mr Jason Jacobi
Secretary
Department of Natural Resources and Environment Tasmania
PO Box 44
Hobart TAS 7000

26 June 2023

Request to revise Tasmanian Bivalve Mollusc Biotoxin Management Plan

Dear Mr Jacobi,

Oysters Tasmania, the peak body representing Tasmania's oyster farmers, requests a revision of the Tasmanian ShellMAP Bivalve Mollusc Biotoxin Management Plan, which was last updated in 2019.

Tasmania's Primary Produce Safety (Seafood) Regulations 2014 require seafood businesses to comply with Standard 4.2.1 of the Food Standards Code. This Standard requires bivalve mollusc businesses to comply with certain conditions of the Australian Shellfish Quality Assurance Program Operations Manual (ASQAP), including that those businesses be subject to a biotoxin management plan approved by the Department.

ASQAP provides guidance on what a biotoxin management plan should contain. It states that, among other things:

- where comprehensive risk analysis has occurred, biotoxin sampling must be undertaken at a minimum of monthly intervals,
- sampling frequency may be determined through reference to seasonality,
- an area that has not provided samples is to be closed, and
- a biotoxin management plan should be subject to annual review.

Oysters Tasmania requests that Chapter Five of the Plan, including the associated Appendix Two, concerning Phytoplankton and Shellfish Sampling, be revised in two ways, set out below.

Oysters Tasmania's consultation with growers indicates support for the requested changes, given that reductions in mandated sampling would leave unchanged the capacity of growers to pursue high-frequency sampling covered by the ShellMAP levy.

1. Biotoxin sampling frequency — recognition that risk differs by place and time

Recommendations 4, 5, and 6 of the 2021 McCoubrey Turnbull Review 'Assessing the Risk of Marine Biotoxins in Tasmanian Commercial Shellfish' should be adopted.

These recommendations set out that the current routine monitoring program could be reduced whilst remaining in compliance with regulatory and best practice requirements. They also set out that clearly defined triggers, including triggers from adjacent growing areas, sentinel sites, and phytoplankton counts, should prompt increased surveillance during active marine biotoxin events.

The 2021 Review recommended routine sampling as per the following table, reflecting differing risks across places and seasons, using data to 2019. Oysters Tasmania requests that such a routine be adopted in the Biotoxin Management Plan, updated appropriately for data to 2023, then updated annually thereafter.

Review recommendation for mandated weekly (W), fortnightly (F), or monthly (M) biotoxin tests												
	J	F	M	A	M	J	J	A	S	O	N	D
North West	M	M	M	M	M	M	M	M	M	M	M	M
Spring Bay ¹	W	W	W	W	W	W	W	W	W	W	W	W
East Coast except Spring Bay	W	F	F	F	W	W	W	W	W	W	W	W
Pitt Water	M	M	M	M	M	M	M	M	M	M	M	M
Frederick Henry except Pitt Water	F	F	F	F	W	W	W	W	W	W	W	F
Gardners Bay	W	W	W	W	W	W	W	W	F	F	F	F
Port Esperance	W	W	W	W	W	W	W	W	W	W	W	W
Little Taylors Bay, Hastings Bay	F	W	W	W	W	W	W	W	F	F	F	F
Great Bay, Fleurty's Point, Cloudy Bay Lagoon, Recherche Bay	M	M	F	F	F	M	M	M	M	M	M	M

¹ Spring Bay was recommended to serve as a key DST sampling site for the East Coast, but is not currently operating.

The 2021 Review noted that biotoxin monitoring can be more frequent than that frequency required for regulatory and market access purposes, and that more frequent monitoring builds knowledge and understanding, and abbreviates recalls. Our request recognises this, as we are requesting a reduction in the mandated biotoxin sampling in certain places and seasons, without affecting the capacity of growers to undertake voluntary biotoxin sampling more often than mandated. Growers that choose to continue high-frequency sampling on a voluntary basis would face no increase in costs, as the ShellMAP levy covers the costs of unlimited biotoxin sampling.

2. Mandated sampling limited to approved and open areas

The Biotoxin Management Plan should explicitly state that biotoxin and phytoplankton sampling are only required:

- in areas that are open and approved /approved remote / conditionally approved, and
- in areas listed as key sampling stations or sentinel sites.

The Plan should note that, in addition to satisfying other re-opening criteria, a closed area that is approved, approved remote, or conditionally approved will need to be up to date with both biotoxin and phytoplankton sampling in order to reopen. In practice this would mean that areas subject to closures that are measured in days would be required to have no gap in biotoxin or phytoplankton



testing, but that areas subject to closures that are measured in weeks and months could have gaps in biotoxin or phytoplankton testing.

The Plan should continue to note that shellstock relayed from areas that have not undertaken biotoxin and phytoplankton sampling must, in addition to satisfying other relaying criteria, be relayed for 60 days, unless two biotoxin tests sampled not less than one week apart show that the shellstock comply with requirements regarding biotoxin levels.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Duncan Spender".

Duncan Spender
CEO, Oysters Tasmania