

## MOUNTAIN FRUIT SUBMISSION INTO THE BLUEBERRY RUST INQUIRY

### INTRODUCTION:

#### 1991

My name is Ronald Schwind and I grow a variety of different berries for a living on my fathers (Heinz Schwind) property since we bought a 13 acre farm in the north-west in 1991. We as a family relocated from Western Australia to Tasmania in 1991 after seeing Robin Gray's comments on needing 100 000 good people to move to and populate the state of Tas in the late 80's. After buying a run-down small acreage which took us two years worth of sweat, money and hard work to get into a production stage.

After enquiries made to government bodies advice was sought as to which varieties and types of crops to grow in our area were deemed to failure and disappointments. Thanks to my father's experience of European berry growing heritage we started with different varieties and types of berries which included blueberries around 1995. We stagger planted individual blocks in different areas of the property over the following years.

#### 2014

In April/May of 2014 we purchased a small lot of blueberry plants from Riverview Nursery at Don near Devonport where four plants of evergreen type (Vitality) variety were purchased and were planted in different locations which later became blocks 1, 2, 3 & 4.

November of 2014, six months later, we had a Biosecurity inspection looking for blueberry rust and after a team of examiners found nothing on the first two days to report to their incident controller Colin Spry by phone to Launceston. Mr Spry then came up on the third day and watched the inspection process in block 2. We told him that nothing would be found as we look after our plants to which he replied "I would not be too sure about that" a seemingly nasty remark.

My father queried the symptoms of the disease - if it was sap related, affects the roots, affects the fruit but these questions were left unanswered. We got into a heated discussion about the spraying

treatment of the bushes with different fungicides and the team watched the exchange. By the time it settled down Colin Spry made a facial gesture to the team leader to which they went and checked the bushes again. After a minute or so the team leader stood up and said I think I found something from a small bush, which still had the variety ticket on it from the nursery, and a minute later another officer claimed to find something. Mind you all this after spending two whole days in the same area and finding nothing. My father asked to see the infection on the leaf which was a small needle head size spot on an old leaf from underneath the bush.

After the discussion we recommended to apply a cover spray of Mancozeb fungicide which research shows a 99% plus kill rate of growing spores of blueberry rust but that was declined by the incident controller. Biosecurity contacted the Hobart office and the recommendation was for me to purchase Propaconazole fungicide and to apply this under supervision. This fungicide was to be applied by mist sprayer and cost \$330.00 to purchase. The next day we were told that the volume we were instructed to spray was too small and it would need to be done again by a higher volume sprayer. This fungicide spray under lab tests is proven to be less than 70% effective.

I was instructed to spray all four blocks of blueberries again under supervision with a high volume of Propaconazole spray including a sticking agent and then they were supposed to come back and inspect the block at a following date to which they never did.

The incident controller, Mr Spry, during a discussion about this seemingly inefficient process, started throwing his weight around advising us of what powers he has to eradicate all blocks.

Block's 1, 2, & 3 (Netted enclosures) had quarantine tape put on doorways and we were told there would be no entry allowed on to our own blocks with the threat of prosecution. However, we were also given direction by the same people to follow the spray label applications to look after the plants. Biosecurity tape restricted access to 3 blocks.

9<sup>th</sup> October 2017

No further contact was made to me till midday Christmas eve where I received from Colin Spry & Phil Pyke an eradication notice of which I was instructed to read out loud and also contained four pictures of a blueberry leaf enlarged to show black spots, which never came from here. No consent was agreed or given by me to allow them to eradicate the plants I was told not to talk to Phil Pyke without Colin Spry's presence.

My father was overtaken by grief of all the hard work over the years on his property to receive unimaginable treatment Biosecurity Tasmania. The result of this news was rushing my father to the Sheffield clinic due to an increase in blood pressure. Father never seen judge, jury and hangman mentality to execute a hard working family.

No formal laboratory report was ever given to us to confirm a blueberry rust outbreak on our property.

No allowed access to the blocks resulted in pest & weed infestation.

## **2015**

In January we had a meeting at Ridgely with Chris May, Heinz & Ronald Schwind, Phil Pyke, Greg McCulloch and Andrew Bishop attended by phone. We discussed trying to stop eradication of our plants and opting for treatments but no successful outcomes came of these discussions.

In mid-January I was approached by Colin Spry with police presence seeking permission to remove blueberry plants. We denied this request as we had received no proof that we had blueberry rust on our property. We were ignored. They requested bringing in a large excavator which would result in wind break removal, removal of birdnets, trellising and irrigation which we also denied.

They denied a photographer & news crew, arranged by us, to stay well away from activities.

They brought in a small excavator, without our approval, to remove blueberry plant stumps. This resulted in the damage of bird netting, trellises, underground irrigation pipes and mulches.

We have sought many avenues for help on this matter as outlined below:

2014 Approached Devonport police for information on a restraining order against Bio Security.

2015 First person to publicly say that we should be payed compensation was Kim Booth in parliament.

2015 We were instructed by Phil Pyke to send Greg McCulloch plant numbers, varieties & ages so he could calculate our losses. There was no response.

2015 We approached legal aid-we stated our concerns for options which took eight months for no result and he closed the books.

2015 We called a meeting at Minister Rockliff's office in Devonport with our neighbour Chris May who was having the same issues. The result of these discussions and recommendations were that I grow poppies & parsnips. The Minister seemingly had no idea on blueberry rust and later sent answers to questions by email.

2015 We approached Bryan Green who heard our story and sent letters to J. Rockliff.

2016 Sought information from a private lawyer which cost me \$777.00 for one hour only to get court costs for proceedings.

2016 Contacted Tony Clarke from Rural Alive and Well. He supplied some contacts to try.

2016 Sought information from Launceston Law Society. They offered help with pro bono legal assist.

2016 Contacted local nursery who we received our infected seedlings from. We sent a letter outlining the damages to my business. The nurseries insurers appointed ARC Group who acted on his behalf. They lodged a claim with the insurers but the claim was denied.

2016 Contacted Ombudsman and his reply was only to look into government complaints (Biosecurity) not private businesses. eg. Nurseries.

2016 Mark Sayer offered both growers, us and Chris May an ex gratia payment on a take it or leave it basis which we accepted due to our financial hardship. However, this was not compensation related.

9<sup>th</sup> October 2017

2017 Arranged a meeting with the TFGA to explain our situation and seek help.

2017 Submitting our concerns to the public inquiry – Blueberry rust.

If you have any questions please do not hesitate to contact me.

**Ronald Schwind**