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18 June 2018

Measurement Law Review Department of Industry, Innovation and Science GPO Box 2013 CANBERRA ACT 2601

Submitted via on-line measurementlawreview@industry.gov.au

Dear Sir/Madam

# **RE: Measurement Law Review**

# 1. About Grain Trade Australia

Grain Trade Australia (GTA) is the focal point for the commercial grains industry within Australia. It facilitates trade and works to provide an efficient, equitable and open trading environment by providing leadership, advocacy and commercial services to the Australian grain value chain.

GTA members are responsible for over 95% of all grain storage and freight movements made each year in Australia. Over 95% of the grain contracts executed in Australia each year refer to GTA grain standards and/or trade rules.

GTA members are drawn from all sectors of the grain value chain from production to domestic end users and exporters. GTA members are involved in grain trading activities, grain storage, grain for human consumption and stock feed milling. A list of all GTA members is attached.

Within this context, on behalf of its members, GTA provides comment on the Discussion Paper entitled "Scope of Australia's Measurement Laws, Measurement Law Review May 2018".

# 2. General Comments on Australia's Measurement Laws

2.1 Potential Changes to Measurement Laws

The Australian grain industry relies on both the Australian Government Measurement Laws and industry self-regulation when using instruments that provide measurements for the purposes of trade. Through this combination of regulations and industry management practices, the Australian grain industry provides confidence to our customers that the supply chain can effectively manage the grain that is supplied to them, according to their contractual and any regulatory requirements.

It is essential that any changes to Australia's Measurement Laws continue to ensure:

- Those changes are reflective of international requirements and obligations (i.e., International Organisation of Legal Metrology OIML);
- Those changes add value to the existing Measurement Laws, thus adding value to industry applying those Measurement Laws;
- Are readily able to be complied with, without excessive obligations on industry that make • compliance either not practical or excessively costly compared to the benefits achieved;
- Are flexible to reflect industry practices and desire for self-regulation where feasible;
- Are flexible to cater for future technology advances that may be adopted by industry.

2.2 Industry Practices

The grain industry undertakes a number of measurement tasks that are impacted by the Australian Government Measurement Laws. These include:

- Weighing instruments (weighbridges and analytical balances used for trade);
- Protein measuring instruments for wheat and barley assessment;
- Use of Australian Certified Reference Material (ACRMs); and
- Adherence to other NMI requirements such as the grain Test Weight General Certificate.

While activities undertaken in the above areas meet obligations of the Measurement Laws, in many instances industry undertakes tasks over and above those requirements. For example, equipment inspection, verification etc. may occur more frequently than required under regulations.

GTA members in the grain industry must comply with the "Code of Practice for the management of grain along the supply chain (Code)". In that Code, there are a number of obligations industry are required to comply with relating to trade activities not covered by Measurement Laws (i.e., NMI requirements listed above). This includes the requirement that industry undertakes verification of all other grain testing equipment used for assessment of grain quality that may be used for the purposes of trade.

The grain industry adopts those measures to highlight the self-regulatory approach of the industry. This includes any procedures adopted by industry that exceeds regulatory requirements.

While there remains a void in NMI regulations in some areas, it is envisaged the self-regulatory approach will continue.

# 2.3 Future Technology Adoption

The grain industry has a history of use of technology that, in general terms, can be considered world best practice. Continued advances in technology adoption have, and will, occur in the future.

Any changes to Measurement Laws must:

- Be sufficiently flexible to cover new technology, expected to require a revised approach to application of the Measurement Laws (i.e., Verification of calibration of specific equipment etc.);
- Not be a disincentive to developers of that technology, or adoption by industry;
- Be forward thinking in terms of requirements of both industry and the needs of the Australian Government to meet international legal obligations;
- Be based on a principles type approach where the outcomes required are clearly articulated in regulations. This then leads to a regulatory requirement where audits of industry practices to monitor industry compliance is a key focus, rather than mandating procedures and requirement to be used for the purposes of trade;
- Not mandate the method for industry to achieve compliance with those aims. It should be sufficiently flexible to cater for advances in technology and differences in technology, procedures and processes adopted by industry.

Given the expected rapid rate of adoption of technology in the foreseeable future, it is vital that Measurement Laws are both practical and achievable, reflecting the requirements of industry and Government. To achieve these outcomes, continued liaison between NMI and industry is necessary and we look forward to a more active co-operation over that time.

Thank you for your consideration of this response.

Posh

Pat O'Shannassy Chief Executive Officer

# GRAIN TRADE AUSTRALIA

Membership List as at 25 May 2018		
Organisation	Contact	Website /Phone
Ordinary Member (Trading)		
Level A1 (over 7 Million Tonnes)		
Co-operative Bulk Handling Limited	Mr Jason Craig	cbh.com.au
Glencore Agriculture Pty Ltd	Mr Philip Hughes	glencoreagriculture.com.au
	in this tragico	2
Level A2 (5 - 7 Million Tonnes)		
Graincorp Operations Ltd	Mr Klaus Pamminger	graincorp.com.au
		1
Level A3 (3 - 5 Million Tonnes)		
ADM Trading Australia Pty Ltd	Mr Darryl Borlase	adm.com
Cargill Australia Limited	Ms Penne Kehl	cargill.com.au
		2
Level A4 (1.5 - 3 Million Tonnes)		
Bunge Agribusiness Australia Pty Ltd	Mr Chris Aucote	bunge.com/Agribusiness
Cofco International	Mr Bruce Li	cofcoagri.com.au
Emerald Grain Pty Limited	Mr David Johnson	emeraldgrain.com
Plum Grove Pty Ltd	Mr Tony Smith	plumgrove.com.au
		4
Level B1 (1.0 - 1.5 Million Tonnes)		
Arrow Commodities Pty Ltd	Mr Dominic Vanzella	arrowcom.com.au
Louis Dreyfus Company Australia Pty Ltd	Mr Robert Green	louisdreyfus.com.au
Level B2 (500,000 - 1 Million Tonnes)		2
Australian Grain Export Pty Ltd	Mr John Thiele	08 8832 2800
CHS Broadbent Pty Ltd	Mr Justin Fay	broadbentgrain.com.au
Centre State Exports Pty Ltd	Mr Jeff Voigt	centrestateexports.com.au
George Weston Foods Limited	Mr Mark O'Brien	gwf.com.au
Ridley Agriproducts Pty Ltd	Mr Michael Reeves	agriproducts.com.au
Riordan Grain Services	Mr Bradley Hogan	riordangrains.com.au
Riverina (Australia) Pty Ltd	Mr Jon Mulally	riverina.com.au
Level B3 (250,000 - 500,000 Tonnes)		7
Agfarm Pty Ltd	Mr Ron McCalman	agfarm.com.au
Agracom Pty Ltd	Mr Joe Hallman	agracom.com.au
AGRIGRAIN	Mr Jeremy Brown	agrigrain.com
Agrisk Management Pty Ltd	Mr Brett Stevenson	02 9499 4199
Allied Pinnacle Pty Ltd	Mr Josh Lawrence	alliedmills.com.au
Elders Grain	Mr Lachlan Allen	elders.com.au
Lempriere Grain Pty Ltd	Mr Jonathan Holdsworth	lemprieregrain.com.au
Quadra Commodities Pty Ltd	Mr Robin Cassar	quadra.com
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L Quadra Commodities Pty Ltd Robinson Grain Trading Co Pty Ltd Special One Grain Accumulator United World Enterprises Pty Ltd Wilmar Gavilon Pty Ltd

Mr Robin Cassar Mr Gary Robinson Ms Jaimee Carrigan Mr Jimmy Liu Mr Matt Albion

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robinsongrain.com.au

specialonegrain.com.au

uwetypical.com

07 3713 8700

# Ordinary Member (Trading) (contd)

Level C (under 250,000 Tonnes) A T Waterfield & Son Pty Ltd A W Vater and Co Access Grain Ptv Ltd Adams Australia Pty Ltd Agmark Commodities Agri Om Australia Pty Ltd Agri-Oz Exports Pty Ltd Agriex Australia Pty Ltd Agrifoods Australia Agromin Australia Pty Limited AGT Foods Australia AMPS Agribusiness Group Associated Grain Auscott Ltd AusiCan Commodities Australian Choice Exports Pty Ltd Australian Grain Growers Co-operative Limited Australian Grain Storage Australian Growers Direct Pty Ltd Australian Mungbean Company Pty Ltd Australian Storage Alliance Pty Ltd AvantAgri Australia Pty Ltd **Baker** Grain Berriwillock Grain Storage Co-Operative Ltd BFB Pty Ltd **Blairs Produce Company** Boolah Grains Pty Ltd Boort Grain Co-Operative Broun and Co Grain Pty Ltd C & S Trading Pty Ltd C K Tremlett Pty Ltd **Carpendale** Commodities Cameron Pastoral Company Pty Ltd Castlegate James Australasia Pty Ltd CL Commodities Pty Ltd **Cleveland Agriculture** Coorow Seeds COPRICE Cremer Australia Pty Ltd DA Hall and Co Dalby Bio-Refining Limited Dalgrains (Qld) Pty Ltd Darwalla Milling Co Pty Ltd Deacon Seeds Company Deckert Group Pty Ltd Defiance Maize Products Pty Ltd Demeter Cormack Pty Ltd Direct Commodities Pty Ltd Donnellons Bulk Haulage Pty Ltd ED & F Man Grains Australia East Coast Stockfeed Ptv Ltd **Esperance Quality Grains** Export Trading Group Australia Pty Ltd Feed Central Pty Ltd Fellows Nominees

Mr Brad Waterfield Mr Kim Vater Mr Wade Humphreys Mr Ian Mack Mr Richard Alcorn Mr Kishore Bulchandani Mr Francois Darcas Mr Joseph Khnessier Mr Rob Anderson Mr Rajni Patel Mr Peter Wilson Mr Simon McDougall Mr Todd Jorgensen Mr Peter Webb Mr Palwinder Singh Mr James Hunt Mr Bruce McDonald Mr Matt Bailey Mr Tom Lucas Mr Damien White Mr Jon Bucknall Mr Peter Woods Mr Richard Baker Mr Tony Bellinger Mr Terry Brabin Mr Sean Blair Mr Stuart Tighe Mr Jon Bucknall Mr Wal Broun Mr Craig Scholz Mr Andrew Tremlett Mr Andrew Kluck Mr Ken Cameron Mr Ross Giovanetti Mr Robert Lean Mr Chris Hurwood Mr Brian Pover Ms Kirsty Cutter Mr Scott Haughton Mr Bruce Holden Mr Tobin Cherry Mr Gary Heidenreich Mr Terry Deacon Mr Chris Deckert Mr Rodney Walker Mr David Oates Mr Hamish Robertson Mr Bill Donnellon Mr Oliver White Mr Stuart Dolden Mr Neil Wandel Mr Shayne Clark

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Mr Tim Ford

Mr Paul Fellows

## Level C (under 250,000 Tonnes) cont.

**Findlays Barellan** Five Star Stock Feeds Fletcher International Exports Pty Ltd FREE Eyre Grain Pty Ltd Golden Harvest Grain Exports Grain Direct Australia Grain Link (NSW) Pty Ltd Grain Link WA Pty Ltd Grainforce Pty Ltd Grainpro Pty Limited GrainTrend Pty Ltd **Greentree Farming** GV Grain & Fodder Hanlon Enterprises Grain Harberger's Farm Supplies (Trading) Pty Ltd Hassad Australia Operations Company Pty Ltd Independent Grain Handlers Pty Ltd Irwin Stockfeeds Itochu Australia Ltd J K International Ptv Ltd J W Koek & Company James Stock Feed and Fertilizer Pty Ltd Jerilderie Grain Storage & Handling KB Agri Services Pty Ltd K M & W M Kelly & Sons Kangaroo Island Pure Grain Pty Ltd Kennett Rural Services Pty Ltd Lachlan Commodities Pty Ltd Laharum Bulk Handling Co Lake Grain Pty Ltd Lane Grain Pty Ltd Laragon Almond Processors Pty Ltd Laucke Flour Mills P/L Lawson Grains Pty Ltd LDC Enterprises Australia Pty Ltd LINX Cargo Care LPC Trading Pty Ltd Malteurop Australia Pty Ltd Matthews Transport and Grain Traders Max Grains Pty Ltd MC Croker Pty Limited McNaughts Grain & Fertilizer Pty Ltd Melaluka Trading Pty Ltd Mellco Ptv Ltd Moulamein Grain Co-Operative Ltd Moxey Farms Pty Limited MSM Milling Pty Ltd Murrumbidgee Grains Pty Ltd Namoi Cotton Ltd Nandaly Grain Co-Operative Ltd Network Grains Pty Ltd Newcastle Agri Terminal Pty Ltd Northern Riverina Grains Pty Ltd OOMA Enterprises NSW Pty Limited Origin Grain Pty Ltd Parkinson Bros

Mr Neil Findlay Mr Tim Huggins Mr Kurt Wilkinson Mr Mark Rodda Mr Chandru Hiremath Mr Chris Kochanski Mr Paul Pearsall Mr Andrew Goyder Mr Derek Larnach Ms Angela Bonfante Mr Sanjiv Dubey Mr David Brown Ms Joanne Harry Mr Peter Gerhardy Mr Reece Harberger Ms Terrie Morgan Mr Brad Bryant Mr Bryan Irwin Mr Justin Swan Mr Sandeep Mohan Mr Brian Algate Mr Adrian Moule Mr David Barlow Mr Karl Bliss Mr Matt Kelly Ms Emma Tonkin Mr Andrew Kennett Mr Tony Cogswell Mr Donald Carter Mr Derek Davis Mr Garry Lane Mr Mark Webber Mr Roger Laubsch Mr Angus Blair Mr Richard Porter Mr David Simpson Mr Simon Langfield Mr Jack King Mr Neville Matthews Mr Jack Fahy Mr Greg Carroll Mr Daniel McNaught Mr Simon Pritchard Mr Steve Mellington Mr Tony Bellinger Ms Jill Smith Mr Peter MacSmith Mr Peter Hassall Mr Shane McGregor Mr Tony Bellinger Mr Craig Dennis Mr Jock Carter Mr Jon Bucknall Mr Malcolm Berry Mr Peter Brick Mr Rohan Parkinson

## Level C (under 250,000 Tonnes) cont.

PB Seeds Pty Ltd PeaCo Pearson's Grain Pty Ltd Peters Commodities Ptv Ltd Phoenix Global Australia Pty Ltd Premium Grain Handlers P/L Preston Grain Pulse Association of the South East (PASE) Inc **Ouattro Ports** Quirindi Grain & Produce Reid Stockfeeds Pty Ltd Rhodium Resources Australia Pty Ltd Rivalea (Australia) Pty Ltd - Animal Nutrition Riverina Oils & BioEnergy Pty Ltd Roty Grain Store RT Wallace Pty Ltd Ruddenklau Grain Pty Ltd Rural Logic (Aust) Pty Ltd SANWA Pty Ltd Seedhouse Tasmania Shannon Bros Bulk Haulage Silo Bag Grain (NSW QLD) Pty Ltd Societa Cofica Pty Ltd Southern Cotton Trading Pty Ltd Southern Cross Agricultural Exports P/L Southern Grain Storage Ptv Ltd Southern Stockfeeds (Operations) Pty Ltd Spagricon Australia Pty Limited Spring Market Trading Company Standard Commodities Australia Pty Ltd Sudima Australia Pty Ltd Summer Hill Grains SunPork Farms Feed Mills Tasmanian Agricultural Producers Pty Ltd Thallon Grains Pty Ltd TSS Grain Twynam Pastoral Company Ulusoy Asia Pacific Unigrain Pty Ltd Unique Grain Management Pty Ltd Universal Commodity Management W B Hunter Pty Ltd Ward McKenzie Pty Ltd Watershed Commodities WHG Oceania Pty Ltd Whyalla Beef Pty Ltd Wilken Grain Wimpak Pty Ltd WW Agri Pty Ltd XLD Grain Pty Ltd Yenda Prods Grain Pty Ltd

#### **Transport Operator**

Gehrke Grains and Transport Pty Ltd Hamilton Contracting (NSW) Pty Ltd Wakefield Grain Export Services Mr Peter Blair Mr Shane Wall Mr Darren Pearson Mr Michael Oxlev Mr Jogesh Virk Mr John Orr Mr Andrew Kell Ms Leanne Burr Mr Dene Ladmore Mr John Webster Mr Ian Reid Mr Mark Fitzgerald Mr Andrew Philpotts Mr Lachlan Herbert Mr Brian Newman Mr Reilly Wallace Mr Tim Ruddenklau Mr Michael Wood Mr Charles Emerson Mr Matthew Crane Mr Clavton Shannon Ms Lesley Kilby Mr Dia Ram Sharma Mr Chris Veness

Mr Campbell Brumby Mr David Jemmet Mr Jiger Kotecha Mr Damien White Ms Elizabeth Bozinoska Mr Jim Garvey Mr Barney Hughes Mr Mark Young Mr David Skipper Mr Andrew Earle Mr Trevor Macleod Ms Lesley Heidtman Mr Mark Madjarevic Mr Ervin Leong Mr Mark Thiele Mr Tim Dean Mr Stewart Coombes Mr Geoff Hammon Mr Jack Vivers Gesheng Shen

Mr Richard Wilken Mr James French Mr Steve Sloss Mr Lachie Stevens Mr Luke Mancini

Mr Julian Gehrke Ms Jodie Hamilton Mr Bikash Ram

> 07 5465 6695 hamiltoncontracting.com.au wakefields.com.au

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#### **Broker**

Large

#### Medium

Grain Brokers Australia Horizon Grain Brokers Pty Ltd INTL FCStone Pty Ltd McDonald Pelz Australia Perkins Commodity Brokers Southern Aurora Markets Teague Australia Pty Ltd

# **Sole Operator**

A C Grain ACCB Australia Allied Grain Pty Ltd Cereal Milling Services Pty Ltd Cogeser (Australia) Pty Ltd Farm Tender Link Brokering Lotema Pty Ltd Mallon Commodity Brokering Quest Commodities Pty Ltd Wimmera Mallee Grain Services Woodside Commodities Pty Ltd

#### Corporate

Large ASX Limited Australia And New Zealand Banking Group Australian Grain Technologies Pty Ltd Commonwealth Bank of Australia

#### Medium

Agrifood Technology Pty Ltd AMSPEC Australian Superintendence Company Commodity Inspection Services (Australia) Pty Ltd Foss Pacific Pty Ltd Holding Redlich Holman Fenwick Willan Intertek Merricks Capital Pty Limited SBA Law SGS Australia Pty Ltd Viridis Ag

## Small

Advance Trading Australasia Ag Scientia Pty Ltd Basis Commodities Pty Ltd Clear Grain Exchange CloudBreak Grain Marketing Pty Ltd Delta Agribusiness Pty Ltd

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- Mr Adam Clarke Mr Andy Cunliffe Mr Angus Wettenhall Mr Michael Moss Mr Robert Luetolf Mr Matt Henke Mr Dion Costigan Mr Todd Lees Mr Ian Mallon Ms Jayne Barker Mr Rodney Edgerton Mr Hamish Steele-Park

Mr Kristen Hopkins Mr Ian Hanrahan Mr Tristan Coram Mr Tom Barraket

Ms Doreen Fernandez Mr Lee Shilvock Mr Andrew Parry Mr Mathew Conoulty Mr Simon Kirkman Mr Geoff Farnsworth Mr Stephen Thompson Mr Ben Jones Mr Adam Davis Mr Jeremy Rosenthal Mr Scot Paterson Mr Anthony Howard

Mr Andrew Woodhouse Mr Lloyd George Mr Chris Whitwell Mr Nathan Cattle Mr Ed Scamps Mr Michael Parry grainbrokers.com.au horizongb.com.au intlfcstone.com mcdonaldpelz.com 03 9645 6846 samarkets.com.au teague.com.au

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> advance-trading.com.au 03 9598 1980 basiscommodities.com.ay cleargrain.com.au 08 8388 8084 02 6772 0000

# **Corporate (cont.)**

Small EP Integrated Commodities Pty Ltd Farmanco Marketing Pty Ltd FarMarCo Australia Pty Ltd Finesse Solutions Pty Limited Flexi Grain Goldstar Commodities Grainx HarvestCheck Pty Ltd Hay Plains Grain Storage Pty Ltd IKON Commodities Pty Ltd Lachstock Consulting MarketAg Pty Ltd McMullen Consulting Pty Ltd Mercari Pty Ltd Mirfak P/L Murray Goulburn Trading Pty Ltd National Grower Register Pty Ltd NZX Australia (ACF, PFA) OMIC Australia Pty Ltd Perten Instruments Australia Pty Ltd Pinnacle Commodities Ptv Ltd Planfarm Marketing Pty Ltd Plansafe Logistics Pty Ltd Primal Foods Group Rise Agribusiness Pty Ltd Rural Directions Pty Ltd SGA Solutions Pty Ltd TE Storage & Logistics Pty Ltd Ten Tigers

# **International Affiliate**

CCIC Australia Pty Ltd **CIS - Commodity Inspection Services** 

# **Industry Association**

Australia Export Grain Innovation Centre Grain Growers Limited Grain Industry Association of WA Grain Producers Australia Ltd NSW Farmers Association Victorian Farmers Federation

# **Merchant Association**

Grain Industry Association of SA Grain Industry Association Of Victoria Grain NSW Inc Queensland Agricultural Merchants Inc.

# Life Members

Mr Mervyn May Mr Christopher Kelly Mr Geoff Honey (Posthumously awarded)

Ms Tracey Lehmann Mr Donald McTaggart Mr Robert Imrav Mr Malcolm Finlayson Mr Jarrod Tonkin Mr Geoff Webb Mr Chris Hood Mr Stephen Schumacher Mr Ron Harris Mr Simon Clancy Mr Lachie Stevens Mr Mark Martin Mr Gerard McMullen Mr Scott Still Mr Mark Murphy Mr Gerard Murphy Ms Debbie Newman Ms Hannah Janson Mr Yasuhide Okumura Mr Raul Ovelar Mr Rod Buckle Mr Jerome Critch Mr Mark Sloan Mr Peter Longhurst Mr Ian Dalgliesh Mr Chris Heinjus Mr David Hudson Mr Tom Hage Mr Chris Tonkin

Mr Isherwood Feng Mr Paul Schweitzer

Mr Richard Simonaitis D. McKeon/M. Southan Ms Larissa Taylor Mr Andrew Weidemann Mr Robert Hardie Mr Stephen Sheridan

Ms Rebecca Freeman Mr Colin Peace Ms Joanne Ware Mr John Francis

Retired K M & W M Kelly & Sons Former GTA CEO

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