FRUIT FLY ACT AMENDMENT BILL 1949

**Legislative Assembly, 19 October 1949, pages 1016-8**

Second reading

**The Hon. Sir GEOEGE JENKINS**—It is necessary to pass this Bill speedily because the people are waiting to receive payment on their claims in respect of last year’s operations, but cannot be paid or supplied with application forms for payment until the measure is passed. The object of the Bill is to extend the com­pensation provisions of the Fruit Fly Act so that they will apply with respect to losses suffered by reason of the operation of certain regulations and proclamations made during the current year. On the advice of its horticultural experts, the Government deemed it advisable to continue the campaign for the eradication of the fruit fly for another season. The existing legislation only provides compensation for loss suffered by the growers of fruit and vegetables as a result of restrictions imposed and fruit seized pursuant to regulations and proclamations made in 1948. Further regulations and proclamations have been made this year, the operation of which has caused some loss, and may cause more. It is desirable to provide for compensating growers for this loss. The Bill therefore extends the period of the operation of the Act. It also extends the time within which claims for compensation must be lodged with the Fruit Fly Compensation Committee. Under the present law claims for loss arising from the stripping of fruit and vegetables must be lodged within three months after the form of notice of claim is gazetted. It is proposed to lay down a new rule to the effect that the claims may be lodged at any time within three months after the end of October next following the day on which the act causing the loss was done. This will give the growers a longer time, and will also be more convenient from the administrative point of view.

Members may be interested to know what has been done by the Fruit Fly Committee and the Horticultural Branch of the Department of Agriculture towards the eradication of this pest. In 1947 maggot-infested fruit was found over an area of about 1.5 square miles in the vicinity of the suburbs of Malvern, Fullarton, Myrtle Bank and Glen Osmond, over about half a square mile at Glenelg, and in a relatively small area near East Terrace in the city block. Throughout most of these areas there has been no recurrence of infestation. However, a single adult fly was caught in a trap near East Terrace in 1948 and an infestation involving a single tree was discovered at Hawthorn last January. In 1948 two areas of infestation aggregating between 200 and 300 acres were discovered at Goodwood and Wayville, the outbreak being most extensive in the latter suburb, and a single fly was caught in a trap near East Terrace. This year a single surviving focus of maggot infestation was found in five neighbouring backyards in Wayville. The pest was not found in other parts of the Wayville area, which were heavily infested in 1948. A recurrence of maggot infestation was found on a single tree at Hawthorn and two separate foci, each involving several neighbouring gardens and a few trees, at Norwood and Royston Park. The four infestations found this year were very limited in extent and nothing resembling the widespread infestations of 1947 and 1948 was found. The area of fruit stripping and spraying operations aggregated almost 14 square miles in 1947, eight square miles in 1948 and 12 square miles in 1949. The very small infestations found this year were in widely separated districts, which meant that a large area, aggregating one mile from the point of infestation, had to be cleared.

As regards compensation, £18,288 was paid on 1,043 claims out of 1,066 received on the 1947 campaign. Claims paid included those of a number of commercial vignerons and market gardeners in the Glenelg area. It is estimated that between five and 10 per cent of householders in the 1947 eradication areas claimed compensation. In respect of the 1948 campaign the amount paid to date is £17,329, the estimated total payments being £17,500. The number of claims received was 1,758. An estimate of the proportion of householders claiming compensation is difficult, but the figure probably exceeds 10 per cent.

Members will see from the information given that the campaign carried out by Mr. Strickland and his officers has been in a great measure successful. The incidence of the pest has been greatly reduced, and it was only in very isolated cases that we had to contend with trees infested with the maggot. We are always hopeful of getting that last fly, whereby we shall clear up what might have been a very serious pest to fruitgrowers. What we have done here has set an example which other States, especially New South Wales and Western Australia, wish they had inaugurated when they first knew of the fruit fly. This year we were asked by the Victorian Government to make Mr. Strickland’s services available to it because of an outbreak of fruit fly in eastern Victoria. We agreed, he investigated the position, and his report to the Victorian Government was greatly appreciated. Members will agree that the work we have done has been worthwhile and that the total eradication of this pest will be hailed with pleasure by all engaged in the fruitgrowing industry. I move the second reading.

The Hon. R. S. RICHARDS (Wallaroo— Leader of the Opposition)—As members will have gathered from the Minister’s statement, the Bill merely extends the period of operation of the Act and alters the provision under which claims for compensation may be made. I take this opportunity to remind the Minister of complaints I received of treatment that some fruitgrowers felt was rather harsh and unfair. The Minister will recollect that I sent complaints and petitions to him, but the matter was finally closed by the department’s saying that the time for appeal had elapsed and the opportunity to appeal against decisions had not been availed of. The growers I am concerned about are those growing fruit mainly for domestic purposes. They did dispose of some of their fruit in the season, but the bone of contention is the disparity between the price paid to them for the fruit they lost as compared with that paid to commercial growers. They were under the impression—I admit they did not make their impression clear in their communications to the department— that when they received the assessment they were at liberty to appeal at any time. They apparently had no knowledge of a time limit or how finality would be reached. Following a further communication from the department, they were satisfied that they had just grounds for appeal and that, had they appealed, they would have got 100 per cent more compensation than they did receive. In the administration of this legislation the Minister might consider the effect the destruction of domestic fruit has on the cost of living. In actual cash it means just as much and probably more to the domestic grower than it does to the commercial grower, because, having lost his fruit, the domestic grower has to purchase the fruit he requires at retail prices, whereas the compensation was based on wholesale prices. I was wondering whether there would be any possibility of providing that, at the discretion of the Minister, these cases might be re-opened because of the circumstances described. The correspondence that the Minister sent to me made it abundantly clear that they did have an opportunity to appeal but did not avail themselves of it.

Why I raise the question at this juncture is that there was much hostility concerning the loss of fruit and the low compensation paid. The persistent argument was that at no time during the inspection had any semblance of a fly been found in oranges, the fruit with which I am particularly concerned. I have also had complaints about the way those responsible for spraying and other necessary work carried out their duties. In some cases it is alleged that they were most discourteous. That was not my experience. I was in the infected zone and the men regularly visited my place spraying the trees, and neither I nor any member of my family could raise objection to their conduct. I am not opposed to the Bill but mention these facts so that the Minister may be familiar with what is being said and have an opportunity of seeing whether there is any possibility of removing the objections. I support the Bill.

Mr. SHANNON secured the adjournment of the debate.