

Kava Pilot Phase 2: Allowing the commercial importation of kava



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Webinar | Wednesday, 4 November 2020

Welcome

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- To ask a question, please use the **Q&A function**
 - Messages will only be visible to the moderator and speaker
 - Questions will be answered at the end of the presentation
- Relevant links will be sent to you via the chat function
- Live polls will be conducted throughout this event.



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Prime Minister's announcement

On 11 October 2019, the Prime Minister, the Hon Scott Morrison MP, announced:

The Australian Government is stepping up its commitment to the Pacific by launching the kava pilot program (pilot) to increase stronger cultural and economic ties between Australia and Pacific Island nations.

Can kava currently be imported into Australia?

Yes	Medicinal or scientific purposes - Permit required by the Office of Drug Control
Yes	Incoming passenger baggage - An incoming passenger over 18 years old can bring up to 4kgs as accompanied baggage (increased from 2kg in Phase 1 of this pilot)
No	Food and ceremonial reasons - Ceased in 2007

Purpose of the pilot

- Provide greater access to kava in Australia without compromising public health and safety
- Understand the social, cultural, economic and health effects of increased availability of kava
- Respect state and territory governments' regulatory role
- Increase trade opportunities

Stakeholder consultation

- Integral to the design of the pilot
- Consultation has involved:
 - Two public consultation papers
 - This webinar
 - Meetings with a range of stakeholders

What is the pilot?

- Phase 1: Increasing the amount of kava for personal importation
- From two to four kilograms
- Implemented in December 2019
- Phase 2: Allowing the commercial importation of kava
- For non-medicinal purposes (with no limit on quantity)
- To be implemented by the end of 2021
- Monitoring and evaluation: Monitoring and evaluating the effects of both phases of the pilot over two years from implementation.

Key Australian Government legislation/regulations controlling the importation of kava

Customs (Prohibited Imports) Regulations 1956 (listed as a Schedule 4 Drug - item 112B)	Kava is a drug and requires a permit to import for medicinal purposes
Customs (Prohibited Imports) (Kava) Approval 2019	Enables to passenger exemption for importation of kava
<i>Biosecurity Act 2015, and subordinate legislation (Biosecurity (Prohibited and Conditionally Non-prohibited Goods) Determination 2016)</i>	Only allows powdered kava to be imported
<i>Imported Food Control Act 1992</i>	Verifies compliance with the Food Standards Code at the Australian border

Other Australian Government regulations

Poison Standard October 2020	Lists kava as an ingredient for listed medicines
Australia New Zealand Food Standard Code (the Food Standard) Standard 2.6.3	Imported kava must be either: a. a beverage obtained by the aqueous suspension of kava root using cold water only, and not using any organic solvent; or b. dried or raw kava root <i>(Please note: Kava, even in the forms above, cannot be supplied where incorporated into other products)</i>
	Warning statements must accompany kava including: a. 'Use in moderation'; and b. 'May cause drowsiness'

State and Territory Government regulation

- Regulate and licence the distribution and sale of kava in each jurisdiction (including during the pilot) in accordance with the Food Standard
- Regulation may include:
 - Licencing and conditions of sale
 - Storage and labelling
 - Record keeping
 - Possession
 - Use

Two options for commercial importation

Both options require compliance with:

- the Food Standard **AND**
- the Biosecurity Act 2015, and subordinate legislation (Biosecurity (Prohibited and Conditionally Non-prohibited Goods) Determination 2016) **AND**
- Imported Food Control Act 1992 **AND**
- state and territory government regulations and restrictions on the supply and consumption of kava within their jurisdictions

OPTION 1:

Make kava consistent with other foods imported into Australia

- Not regulated under the Customs (Prohibited Imports) Regulations but Biosecurity approval will be required
- Reduced capacity for the Australian Government to monitor details of kava entering Australia
- Limits the ability to support state and territory requirements
- Lowest regulatory burden on importers of kava

OPTION 2: (the preferred option)

Allow commercial entities to import kava under permit

- Collect information on the quantities of kava imported (supports monitoring and evaluation of the pilot)
- Impose conditions on permits
- Comply with state and territory laws (importers and third parties)
- Must not provide kava to a person under 18 years of age
- Keep and provide records (i.e. names, addresses of those the importer supplies kava to and quantity of kava supplied)

Monitoring and evaluating the pilot

An independent research organisation will:

- Capture the health, social, cultural and economic impacts of the pilot (including establishing baseline data)
- Determine the effectiveness of the regulatory framework
- Provide biannual interim reports
- Provide a final report with recommendations for future kava importation requirements

Response to the consultation paper

A total of 53 submissions were received in response to the commercial importation consultation paper.

Consultation summary:

- Option 2 (the use of import permits) was largely preferred
- There was support for:
 - inclusion of warnings of potential harm
 - use of requirements or import conditions
 - additional restrictions to protect kava consumers.
- Monitoring and evaluation was viewed as important
- There was limited representation from a range of stakeholders groups.

State and territory views

State and territory governments will play a vital role with regulating and licencing the distribution and sale of kava.

- Overall support for Option 2 (import permit)
- Need for stronger regulations and control on the sale of kava
- Strong concerns and themes with the pilot
- Monitoring and evaluation is critical
- Further work is needed to understand the impacts or risks of kava

Feedback on Monitoring and Evaluation

When providing feedback on the pilot monitoring and evaluation project, consider:

- What metrics you believe should be considered for baseline monitoring (e.g. prevalence, frequency of consumption, amount consumed, how it was procured, sales, raw imports etc.)
- What harms you believe should be considered (e.g. individual health, individual economic, social, family etc.)
- What benefits, if any, you believe should be considered (e.g. social and community morale, economic independence, international relations etc.)
- What data, if any, your jurisdiction might be able to provide to assist the researchers to establish baseline data in these areas.
- ATODResearch@health.gov.au



Questions

1

Can I provide a late submission to the consultation paper?

2

Can I register to take part in the pilot?

3

Given that there are travel restrictions into Australia, could you allow temporary measure (via mail) to import of kava?

4

What will happen after the pilot finishes?

5

Will I be able to import kava on-line for my personal use?

Questions Part 2

6

What forms of kava will I be able to import through the pilot?

7

Will I still be able to bring kava into Australia when I travel?



Contact us
DCS@health.gov.au



LIVE POLL

George is currently reading over your submitted questions, so please stand by and he will be back with you shortly.

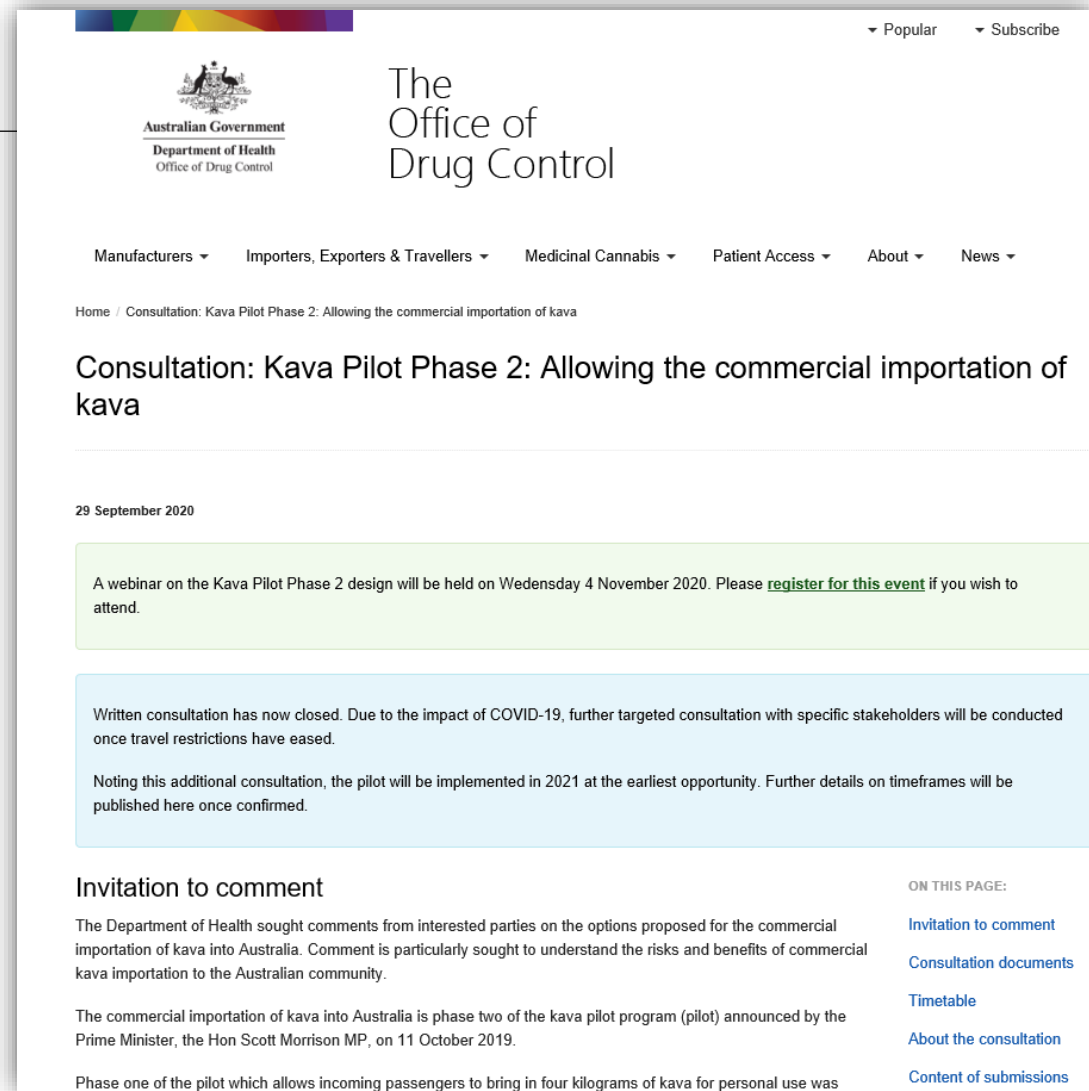
Let us know how we went today by complete two of our anonymous poll questions.

Questions



Further information and updates

<https://www.odc.gov.au/consultation-kava-pilot-phase-2-allowing-commercial-importation-kava>



The screenshot shows the website for the Office of Drug Control, part of the Australian Government Department of Health. The page is titled "Consultation: Kava Pilot Phase 2: Allowing the commercial importation of kava". It features a navigation menu with options like "Manufacturers", "Importers, Exporters & Travellers", "Medicinal Cannabis", "Patient Access", "About", and "News". The main content area includes a date "29 September 2020" and a green box announcing a webinar on Wednesday 4 November 2020. Below this, a blue box states that written consultation has closed and that further targeted consultation will be conducted once travel restrictions have eased. It also notes that the pilot will be implemented in 2021 at the earliest opportunity. A section titled "Invitation to comment" provides details on the consultation process and a link to "ON THIS PAGE:" which includes links for "Invitation to comment", "Consultation documents", "Timetable", "About the consultation", and "Content of submissions".

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Consultation: Kava Pilot Phase 2: Allowing the commercial importation of kava

29 September 2020

A webinar on the Kava Pilot Phase 2 design will be held on Wednesday 4 November 2020. Please [register for this event](#) if you wish to attend.

Written consultation has now closed. Due to the impact of COVID-19, further targeted consultation with specific stakeholders will be conducted once travel restrictions have eased.

Noting this additional consultation, the pilot will be implemented in 2021 at the earliest opportunity. Further details on timeframes will be published here once confirmed.

Invitation to comment

The Department of Health sought comments from interested parties on the options proposed for the commercial importation of kava into Australia. Comment is particularly sought to understand the risks and benefits of commercial kava importation to the Australian community.

The commercial importation of kava into Australia is phase two of the kava pilot program (pilot) announced by the Prime Minister, the Hon Scott Morrison MP, on 11 October 2019.

Phase one of the pilot which allows incoming passengers to bring in four kilograms of kava for personal use was

ON THIS PAGE:

- [Invitation to comment](#)
- [Consultation documents](#)
- [Timetable](#)
- [About the consultation](#)
- [Content of submissions](#)