



New South Wales

## **Biosecurity Order (Permitted Activities) 2017**

under the

### **Biosecurity Act 2015**

I, PETER DAY, Acting Deputy Director General Biosecurity and Food Safety, NSW Department of Industry, with the delegated authority of the Secretary of the Department of Industry in pursuance of section 379 of the *Biosecurity Act 2015* and in pursuance of section 404A of the *Biosecurity Act 2015* (“the Act”), make the following Order.

Dated this 14<sup>th</sup> day of September 2017

**PETER DAY,**

Acting Deputy Director General Biosecurity and Food Safety  
Department of Industry

### **Explanatory note**

This Order is made under section 404A of the *Biosecurity Act 2015*.

The object of this Order is to permit an activity that would otherwise be prohibited by a mandatory measure or by a regulatory measure implemented for a biosecurity zone. This Order should be read in conjunction with the mandatory measures and regulatory measures contained in Part 2, Part 3, Part 4 and Part 5 of the *Biosecurity Regulation 2017*.



# Contents

Part 1 Preliminary.....	5
Part 2 Mandatory Measures – Permitted Activities.....	7
Division 1 Animal pests and diseases — Bees .....	7
Subdivision 1 – Braula fly — carriers.....	7
Subdivision 2 - American foulbrood — carriers .....	11
Division 2 Animal pests and diseases — Other animals.....	13
Subdivision 1 - Cattle tick — carriers.....	13
Subdivision 2 - Footrot carriers —sheep and goats .....	21
Subdivision 3 – Porcine brucellosis — carriers .....	22
Division 3 Plant pests and diseases.....	25
Subdivision 1 – Preliminary.....	25
Subdivision 2 - Bananas — Banana freckle and Panama disease tropical race 4 — carriers.....	25
Subdivision 3 – Cucumber green mottle mosaic virus - carriers.....	28
Subdivision 4 – Green snail and carriers.....	30
Subdivision 5 – Lupin anthracnose - carriers .....	36
Subdivision 6 – Mediterranean fruit fly – carriers .....	38
Subdivision 7 – Orange stem pitting strains of Citrus tristeza virus – carriers .....	44
Subdivision 8 – Pyriform scale and carriers .....	45
Subdivision 9 – Spiraling whitefly – carriers .....	46
Subdivision 10 – Tomato yellow leaf curl virus (TYLCV) – carriers.....	49
Division 4 Invasive species.....	51
Subdivision 1 European house borer and carriers .....	51
Subdivision 2 – Tramp Ants – carriers .....	53
Division 5 Weeds - Parthenium weed carriers.....	58
Part 3 Biosecurity Zones – Aquatic pests and diseases .....	60
Division 1 Preliminary .....	60
Division 2 Conditions for Regulatory measures.....	60
Part 4 Biosecurity Zones - Plant pests and diseases.....	62
Division 1 Preliminary.....	62
Division 2 Citrus red mite biosecurity zone .....	62
Division 3 Grapevine phylloxera biosecurity zone.....	63

Sub-division 1 Preliminary .....	63
Subdivision 2 Movement of a grapevine phylloxera carrier into the grapevine phylloxera biosecurity zone .....	65
Subdivision 3 Movement of a grapevine phylloxera carrier from the phylloxera infested area into part of the grapevine phylloxera biosecurity zone that is not the phylloxera infested area .....	73
Division 4 Potato biosecurity zone.....	77
Subdivision 1 Preliminary.....	77
Subdivision 2 Seed Potato Protected Areas.....	79
Subdivision 3 Areas that are not Seed Potato Protected Areas .....	82
Subdivision 4 Potato biosecurity zone - all of the potato biosecurity zone .....	85
Division 5 Rice biosecurity zone.....	89
Schedule 1 Cleaning procedures for importation of grain harvester or comb trailer from Queensland .....	91
Revision history .....	93

# Biosecurity Order (Permitted Activities) 2017

## Part 1 Preliminary

### 1 Name of Order

This Order is the *Biosecurity Order (Permitted Activities) 2017*.

**Note:** This Order is referred to in clauses 6 (Part 2, Division 1), 46 (Part 3, Division 1), 54 (Part 4, Division 1) and 67 (Part 5, Division 1) of the *Biosecurity Regulation 2017*.

### 2 Nature and status of this Order

This Order is made under section 404A of the *Biosecurity Act 2015*.

This Order permits activities that would otherwise be prohibited by a mandatory measure or by a regulatory measure implemented in relation to a biosecurity zone.

### 3 Commencement

This Order commences on the day it is published on the NSW Legislation website.

### 4 Revocation

Pursuant to section 404A of the Act and section 43(2) of the *Interpretation Act 1987*, the *Biosecurity Order (Permitted Activities) 2017* dated 26 June 2017 and published on the New South Wales Legislation Website as 2017 No. 292 is revoked, as is any Order revived as a result of this revocation.

### 5 Interpretation

(1) In this Order:

**APVMA** means Australian Pesticides and Veterinary Medicines Authority.

**Area Freedom Certificate** means a biosecurity certificate or an interstate biosecurity certificate that certifies the State or Territory, or part of the State or Territory, is free from the specified biosecurity matter.

**CA Arrangement** means a Certification Assurance Arrangement.

**Carrier Biosecurity Certificate** means a biosecurity certificate or interstate biosecurity certificate that relates to biosecurity carriers issued by an authorised officer under the Act or a

corresponding law in a State or Territory.

**Certification Assurance Arrangement** means a CA Arrangement or an ICA Scheme that enables a biosecurity certifier or a person authorised under a corresponding law of a State or Territory to issue a Plant Health Assurance Certificate that meets certain plant health quarantine conditions for trade within the State or between the State and other States or Territories.

**CVO** means Chief Veterinary Officer.

**ICA** means an Interstate Certificate Assurance arrangement.

**ICA scheme** means a scheme developed by the States and Territories to meet their respective plant quarantine requirements under the Memorandum of Understanding on Interstate Certification Assurance dated 6 August 1999.

**Plant Health Assurance Certificate** is a biosecurity certificate or interstate biosecurity certificate issued in accordance with the requirements of a Certification Assurance Arrangement and includes a document referred to as a Plant Health Assurance Certificate issued by a person who, prior to 1 July 2017, was authorised by the Department to issue the document in accordance with the requirements of a Certification Assurance Arrangement.

**Plant Health Certificate** means a biosecurity certificate or interstate biosecurity certificate issued by an authorised officer under the Act or a corresponding law in a State or Territory that relates to plant biosecurity.

the **Act** means the *Biosecurity Act 2015*.

the **Regulation** means the *Biosecurity Regulation 2017*.

- (2) Word and expressions that occur in this Order have the same meaning as they have in the Regulation, unless otherwise specified in this Order.

**Note:** For example see clause 112(3) of the Regulation for the meaning of “complying label” and “complying identifier”.

## Part 2 Mandatory Measures – Permitted Activities

### Division 1 Animal pests and diseases — Bees

#### Subdivision 1 – Braula fly — carriers

##### 6 Definitions

In this subdivision:

*braula fly* means *Braula coeca* and includes Bee louse.

*escort bees* means the female worker bees that accompany and attend the queen been in her queen cage.

*hive* means a frame hive as described in clause 84 of the Regulation.

*irradiation treatment method* means treatment by irradiation at a gamma radiation dose of at least 10 kilo Gray.

*package bees* means a colony of bees that are secured in a ventilated cage without honeycomb and sold for installation in a hive.

*queen bee* means a single reproductive female bee.

*Record of Movement (Apiary Equipment or Product Importation)* means a form to the effect of the form published on the Department’s website titled ‘Record of Movement – Braula Fly Carriers (Apiary Equipment or Product Importation)’ that contains a declaration by the person importing the apiary equipment or apiary product that it satisfies the conditions for importation of a hive or other apiary equipment or an apiary product (except honey or beeswax).

*Record of Movement (Bee Importation)* means a form to the effect of the form published on the Department’s website titled ‘Record of Movement – Braula Fly Carriers (Bee Importation)’ that contains a declaration made by the person importing the bees that the bees satisfy:

- (a) the conditions for importation of transiting packaged bees for the export market, or
- (b) the conditions for importation of a queen bee and accompanying export bees.

##### 7 Conditions to import Braula fly — carriers

This subdivision sets out the circumstances in which, despite clause 10 of the Regulation, a person may import into the State a braula fly — carrier that was in a State or Territory in which the person knows or ought reasonably to know that braula fly has been detected or has been suspected of being detected.

## **8 Transiting packaged bees for international export**

A person may import packaged bees that were in a State or Territory in which the person knows or ought reasonably to know that braula fly has been detected or has been suspected of being detected if paragraphs (a) to (d) are satisfied:

- (a) the bees are to be exported to an international market, and
- (b) no later than 7 days before importation the beekeeper gives the Department, in a manner approved by the Department:
  - (i) a copy of the completed Record of Movement (Bee Importation) for the bees, and
  - (ii) a copy of a biosecurity certificate that certifies the bees meet the relevant export requirements, and
- (c) the bees are kept in a cage made of secure insect-proof material with holes smaller than 2 millimetres x 2 millimetres, or if any slots are longer than 2 millimetres, they are no wider than 1 millimetre, and
- (d) the bees remain in the State for less than 24 hours.

## **9 A queen bee and accompanying escort bees**

A person may import into the State a queen bee and the accompanying escort bees that were in a State or Territory in which the person knows or ought reasonably to know that braula fly has been detected or has been suspected of being detected if paragraphs (a) to (c) are satisfied:

- (a) no later than 7 days before importation the beekeeper gives the Department, in a manner approved by the Department:
  - (i) a copy of the completed Record of Movement (Bee Importation) for the queen bee and the accompanying escort bees, and
  - (ii) a copy of a biosecurity certificate that certifies at the time of packing, the bees were inspected under magnification and found to be free from braula fly, and
- (b) after packing, the bees are imported directly to a location in the State specified by the Department, and
- (c) upon arrival at the location specified by the Department, a biosecurity certifier issues a biosecurity certificate that certifies:
  - (i) the bees were imported directly from the location at which they were packed to the location in the State specified by the Department, and
  - (ii) the bees in transit were accompanied by a copy of the biosecurity certificate that certified that at the time of packing the bees were inspected under magnification and found to be free from braula fly, and
  - (iii) the bees were kept in a cage made of secure insect-proof material with holes smaller than 2 millimetres x 2 millimetres, or if any slots are longer than 2 millimetres, they are no wider than 1 millimetre, and



- (iv) upon arrival, the bees were inspected by the biosecurity certifier and found to be free of braula fly.

## 10 **Apiary product that is refined beeswax**

A person may import into the State an apiary product that is refined beeswax that was in a State or Territory in which the person knows or ought reasonably to know that braula fly has been detected or has been suspected of being detected if paragraphs (a) and (b) are satisfied:

- (a) the beeswax was heated to its melting point, and
- (b) the beeswax has resolidified.

## 11 **Apiary product that is honey**

- (1) A person may import into the State an apiary product that is honey that was in a State or Territory in which the person knows or ought reasonably to know that braula fly has been detected or has been suspected of being detected if the honey is processed as set out in paragraphs (a) and (b):
  - (a) the honey has been separated from the honeycomb, and
  - (b) the honey was filtered to remove all extraneous matter other than honey.
  
- (2) A person may import into the State an apiary product that is comb honey that was in a State or Territory in which the person knows or ought reasonably to know that braula fly has been detected or has been suspected of being detected if paragraphs (a) and (b) are satisfied:
  - (a) no later than 7 days before importation, sub-paragraphs (i) to (iii) are satisfied and a biosecurity certifier issues a biosecurity certificate that certifies these conditions have been met:
    - (i) the comb honey still contains some of the honeycomb, and
    - (ii) before importation, the comb honey was frozen at -15 degrees Celsius or lower for a continuous period of at least 24 hours, and
    - (iii) after freezing, the comb honey was handled, stored and packaged under secure conditions which prevent infestation from braula fly, and
  - (b) if more than one single package of comb honey intended for retail sale is imported, the comb honey is accompanied by a copy of the biosecurity certificate given to the Department under this subclause.
  
- (3) The biosecurity certificate issued for the comb honey must be retained for 4 years from the date of importation:
  - (c) if the comb honey is in a small package intended for individual retail sale – by the registered keeper of the bees that produced the comb honey, and

- (d) in all other cases – by the importer of the comb honey.

**12 A hive or other apiary equipment, or apiary product (except honey or beeswax)**

- (1) A person may import into the State a new hive or other new apiary equipment that has never been in contact with bees.
- (2) A person may import into the State a hive or other apiary equipment, or an apiary product (except honey or beeswax) that was in a State or Territory in which the person knows or ought reasonably to know that braula fly has been detected or has been suspected of being detected if paragraphs (a) to (d) are satisfied:
  - (a) either paragraphs (i) or (ii) are satisfied:
    - (i) the hive or other apiary equipment or apiary product was treated using the irradiation treatment method, and after treatment the hive, apiary equipment or apiary product is not exposed to braula fly, or
    - (ii) no later than 7 days before importation, a biosecurity certifier inspects the hive, apiary equipment, or apiary product and issues a biosecurity certificate that certifies it was inspected and found to be free from braula fly, and
  - (b) no later than 7 days before importation, the person importing the hive, apiary equipment or apiary product gives to the Department, in a manner approved by the Department, a completed Record of Movement (Apiary Equipment or Product Importation), in which they declare the conditions for importation of a hive or other apiary equipment, or an apiary product (except honey or beeswax) in this subclause have been satisfied, and
  - (c) the imported hive, apiary equipment, or apiary product is accompanied by a copy of the biosecurity certificate given to the Department under this clause, and
  - (d) the imported hive or other apiary equipment, or apiary product are sent directly to the location in the State specified by the Department.

## **Subdivision 2 - American foulbrood — carriers**

### **13 Definitions**

In this subdivision:

*American foulbrood* means *Paenibacillus larvae*.

*hot wax treatment method* means treatment by full immersion in hot wax for a period of not less than 10 minutes at 150 degrees Celsius.

*irradiation treatment method* means treatment by irradiation at a gamma radiation dose of at least 10 kilo Gray.

### **14 Conditions to import or deal with an American foulbrood — carriers**

This subdivision sets out the circumstances in which, despite clause 11 of the Regulation, a person may import into the State or deal with an American foulbrood carrier.

### **15 A bee**

A person may import into the State a bee, if it is not contaminated or suspected to be contaminated with American foulbrood.

### **16 Apiary product**

A person may import into the State an apiary product if the apiary product satisfies one of the requirements set out in paragraphs (a) to (c):

- (a) the apiary product is not contaminated or suspected of being contaminated with American foulbrood, or
- (b) the apiary product will not be exposed or fed to live bees, or
- (c) the apiary product was treated using the irradiation treatment method, and after treatment, the apiary product is not exposed to American foulbrood.

Note: Treatment measures for an apiary product that is refined beeswax are set out separately in this subdivision.

### **17 Apiary product that is refined beeswax**

A person may import into the State an apiary product that is refined beeswax if paragraphs (a) and (b) are satisfied:

- (a) the beeswax was heated to its melting point, and

- (b) the beeswax has resolidified.

## 18 **Apiary equipment**

- (1) A person may import into the State new apiary equipment that has never been in contact with bees.
- (2) A person may import into the State apiary equipment if paragraphs (a) and (b) are satisfied:
  - (a) the apiary equipment was cleansed to remove honey, propolis and beeswax, and
  - (b) after cleansing, the apiary equipment was not exposed to American foulbrood.

## 19 **A hive**

- (1) A person may import into the State a new hive that has never been in contact with bees.
- (2) A person may import into the State a hive if paragraphs (a) and (b) are satisfied:
  - (a) the hive was treated using one of these treatment methods:
    - (i) the irradiation treatment method, or
    - (ii) the hot wax treatment method, and
  - (b) after treatment, the hive was not exposed to American foulbrood.

## 20 **Feeding an apiary product to a bee**

A person may feed an apiary product to a bee if the apiary product satisfies one of the requirements set out in paragraphs (a) or (b):

- (a) the apiary product is not contaminated or suspected of being contaminated with American foulbrood, or
- (b) before the apiary product is fed to the bees, it is treated with the irradiation treatment method, and after treatment is not exposed to American foulbrood.

## 21 **Irradiation — record keeping**

If any American foulbrood carrier is treated by irradiation, the person having ownership or control of the carrier must retain a record of the treatment for 5 years after the treatment.

## Division 2 Animal pests and diseases — Other animals

### Subdivision 1 - Cattle tick — carriers

#### 22 Definitions

(1) In this subdivision:

***cattle tick carrier*** means:

- (a) cattle, camelids or equines,
- (b) deer, goats or sheep.

***cattle tick free zone*** means:

- (a) any part of Queensland identified as the cattle tick free zone on a cattle tick biosecurity zone map and established as a biosecurity zone for cattle tick under the *Biosecurity Act 2014* (Qld),
- (b) any part of the Northern Territory declared to be part of the cattle tick free zone under the *Livestock Act 2009* (NT), and
- (c) any part of Western Australia for which cattle tick is a declared pest under the *Biosecurity and Agricultural Management Act 2007* (WA).

***infested area*** means the area in Queensland, Northern Territory or Western Australia, that is not the cattle tick free zone.

***manual inspection*** means a physical examination of the exterior of a restrained animal to detect the presence of cattle tick, as specified in the NSW Primefact ‘Cattle tick – manual inspection of cattle tick carriers’ published on the Department’s website.

***Record of Movement*** means a Record of Movement (Agricultural Show in NSW), Record of Movement (Approved Agricultural Show in Queensland), Record of Movement (Competition Horse), Record of Movement (Feedlot), Record of Movement (General), Record of Movement (Horse Sales), Record of Movement (Racehorse), Record of Movement (Transit) or Record of Movement (Veterinarian) required by this subdivision.

***Record of Movement (Agricultural Show in NSW)*** means a form to the effect of the form published on the Department’s website titled ‘Record of Movement – Cattle Tick Carrier (Agricultural Show in NSW)’ completed for the cattle tick carrier that contains a declaration that the cattle tick carrier satisfies or will satisfy the conditions for importation of a cattle tick carrier attending an agricultural show in the State.

***Record of Movement (Approved Agricultural Show in Queensland)*** means a form to the effect of the form published on the Department’s website titled ‘Record of Movement – Cattle Tick Carrier (Approved Agricultural Show in Queensland)’ completed for the cattle tick carrier that contains a declaration that the cattle tick carrier satisfies or will satisfy the conditions for importation of a cattle tick carrier that is returning from an approved agricultural show in Queensland.

***Record of Movement (Competition Horse)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Cattle Tick Carrier (Competition Horse)' completed for the equine that contains a declaration that the equine satisfies or will satisfy the conditions for importation of a competition horse.

***Record of Movement (Feedlot or Abattoir)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Cattle Tick Carrier (Feedlot or Abattoir)' completed for the cattle tick carrier that contains a declaration that the cattle tick carrier satisfies or will satisfy the conditions for importation of a cattle tick carrier moving from one feedlot to another feedlot or abattoir in the State.

***Record of Movement (General)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Cattle Tick Carrier (General)' for the cattle tick carrier that contains a declaration that the cattle tick carrier has been visually examined and found to be cattle tick free.

***Record of Movement (Horse Sales)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Cattle Tick Carrier (Horse Sales)' that contains a declaration that the equine satisfies or will satisfy the conditions for importation of an equine from a horse sale.

***Record of Movement (Racehorse)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement —Cattle Tick Carrier (Racehorse)' for the equine that contains a declaration that the equine satisfies or will satisfy the conditions for importation of a racehorse.

***Record of Movement (Transit)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Cattle Tick Carrier (Transit)' completed for the cattle tick carrier that contains a declaration that the cattle tick carrier satisfies or will satisfy the conditions for importation for a cattle tick carrier transiting an area that is an infested area.

***Record of Movement (Veterinarian)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Cattle Tick Carrier (Veterinarian)' for the cattle tick carrier that contains a declaration that the cattle tick carrier satisfies or will satisfy the conditions for importation of an equine following veterinary care.

***supervised chemical treatment*** means a chemical treatment of a cattle tick carrier with an APVMA approved acaricide or Endectocide for the control of cattle tick in accordance with all APVMA directions and label conditions, as specified in the NSW Primefact 'Cattle tick – chemical treatment of cattle tick carriers' published on the Department's website.

***unrestricted property*** means a property in a cattle tick free zone that is not subject to a biosecurity undertaking, biosecurity direction or regulatory instrument in another State or Territory that controls or restricts the movement of animals on a property on account of cattle tick.

***visual inspection*** means a visual examination of the exterior of an animal from a maximum of 2 metres to detect the presence of cattle tick, as specified in the NSW Primefact 'Cattle tick – visual inspection of cattle tick carriers' published on the Department's website.

- (2) A cattle tick carrier is *from an unrestricted property in a cattle tick free zone* if the cattle tick carrier was at that property for the 35 days immediately before importation.

## 23 **Records of Movement**

A person who imports a cattle tick carrier into the State may provide a Record of Movement required by this subdivision by:

- (a) no later than 24 hours before importation, giving the Record of Movement to the Department, in a manner approved by the Department, or
- (b) giving the Record of Movement to the Department when the cattle tick carrier crosses the border into the State from the carrier's State or Territory of origin.

## 24 **Conditions to import cattle tick — carriers**

This subdivision sets out the circumstances in which, despite clause 14 of the Regulation, a person may import into the State cattle tick — carriers.

## 25 **Movement of a cattle tick carrier from an unrestricted property in a cattle tick free zone**

A person may import a cattle tick carrier from an unrestricted property in a cattle tick free zone if it has travelled only through areas that are cattle tick free zones.

## 26 **Movement of a cattle tick carrier from an unrestricted property in a cattle tick free zone through an infested area**

A person may import into the State a cattle tick carrier from an unrestricted property in a cattle tick zone that transits through an infested area, if paragraphs (a) to (c) are satisfied and the person gives the Department a copy of a completed Record of Movement (Transit) in which they declare these conditions have been met:

- (a) the vehicle carrying the cattle tick carrier does not stop for more than 4 hours in total whilst transiting through the infested area, and
- (b) the cattle tick carrier was not off-loaded from the vehicle during the journey, and
- (c) no additional cattle tick carriers were loaded into the vehicle whilst transiting through the infested area or from a property that is not an unrestricted property in the cattle tick free zone.

**27 Movement of a cattle tick carrier from a property in an infested area or a property that is not an unrestricted property in a cattle tick free zone**

A person may import into the State a cattle tick carrier from a property that is in the infested area, or a property that is not an unrestricted property in a cattle tick free zone, if paragraphs (a) and (b) are satisfied and the person gives the Department a copy of a completed Record of Movement (General) in which they declare these conditions have been met:

- (a) a biosecurity certifier has issued a Carrier Biosecurity Certificate that certifies:
  - (i) the cattle tick carrier underwent a manual inspection and was found free of cattle ticks, and
  - (ii) the cattle tick carrier underwent a supervised chemical treatment, and
- (b) the cattle tick carrier is imported into the State:
  - (i) where the chemical treatment applied was an acaricide – no later than 24 hours after the risk minimisation requirements for this treatment were met, and
  - (ii) where the chemical treatment applied was an Endectocide – in the period starting 4 days and ending 7 days after the risk minimisation requirements for this treatment were met.

**28 Movement of an equine from a property in an infested area or a property that is not an unrestricted property in a cattle tick free zone**

A person may import into the State a cattle tick carrier that is an equine from a property that is not an unrestricted property in a cattle tick free zone or a property in an infested area, if paragraphs (a) and (b) are satisfied:

- (a) the importation is the type of importation specified in column 1 of Table 1, and
- (b) the equine has satisfied the Conditions for Importation in column 2 of Table 1 that apply for the type of importation specified in column 1.



**Table 1: Cattle Tick Carrier Importation Conditions for Equines**

<b>Column 1: Type of Importation</b>	<b>Column 2: Conditions for Importation</b>
<p>The equine is being imported into the State having received veterinary treatment on a property in an infested area.</p>	<p>The person responsible for the equine and the attending Veterinary Practitioner give the Department a completed Record of Movement (Veterinarian) in which they declare these conditions have been met:</p> <ul style="list-style-type: none"> <li>(a) the equine was moved to the Veterinary Clinic or Hospital specified in the Record of Movement (Veterinarian) for the purpose of the veterinary procedure named in the Record of Movement, and</li> <li>(b) the equine travelled directly to the Veterinary Clinic or Hospital and stayed entirely within that Veterinary Clinic or Hospital, and</li> <li>(c) the equine was not exposed to any other cattle tick carrier.</li> </ul>
<p>The equine is imported into the State:</p> <ul style="list-style-type: none"> <li>(a) for the sole purpose of racing; or</li> <li>(b) from attending a race on a property in an infested area.</li> </ul>	<p>The person responsible for the equine, the registered trainer of the equine (or a person authorised to act on behalf of the registered trainer), or the Chief Steward (or a person authorised to act on behalf of the Chief Steward) gives the Department a completed Record of Movement (Racehorse) in which they declare these conditions have been or will be met:</p> <ul style="list-style-type: none"> <li>(a) the equine is competing at a designated race meeting, and</li> <li>(b) the equine will travel directly to and from the destination described in the Record of Movement, and</li> <li>(c) no earlier than 24 hours before importation, the equine was visually inspected and found to be cattle tick free by the person responsible for the animal, and</li> <li>(d) the equine will return to its State or Territory of origin within 5 days of the proposed movement date.</li> </ul>

**Table 1: Cattle Tick Carrier Importation Conditions for Equines**

<b>Column 1: Type of Importation</b>	<b>Column 2: Conditions for Importation</b>
<p>The equine is imported into the State:</p> <ul style="list-style-type: none"> <li>(a) for the sole purpose of attending a horse sale, or</li> <li>(b) after attending a horse sale on a property in an infested area.</li> </ul>	<p>The owner or person responsible for the husbandry of the equine gives the Department a completed Record of Movement (Horse Sales) in which they declare these conditions have been or will be met:</p> <ul style="list-style-type: none"> <li>(a) if the equine is attending a horse sale in the State: <ul style="list-style-type: none"> <li>(i) the equine was stabled and had no access to pasture for at least 35 days immediately before the proposed movement date, and</li> <li>(ii) no earlier than 24 hours before importation, the equine was visually inspected and found to be cattle tick free by the person responsible for the husbandry of the equine.</li> </ul> </li> <li>(b) if the equine is being imported into the State after it was purchased at a horse sale in another State or Territory: <ul style="list-style-type: none"> <li>(i) the equine: <ul style="list-style-type: none"> <li>A. was stabled and had no access to pasture for at least 35 days immediately before the proposed movement date, or</li> <li>B. originated from a property in a cattle tick free zone, and the owner provides evidence of its origin, and</li> </ul> </li> <li>(ii) the equine has not been offloaded from the vehicle during the journey from the horse sale, and</li> <li>(iii) the equine was visually inspected and found to be cattle tick free by the person responsible for the animal.</li> </ul> </li> </ul>
<p>The equine is imported into the State:</p> <ul style="list-style-type: none"> <li>(a) for a competition other than racing, or</li> <li>(b) after attending a competition other than racing.</li> </ul>	<p>The owner or the person responsible for the husbandry of the equine gives the Department a completed Record of Movement (Competition Horse) in which they declare these conditions have been or will be met:</p> <ul style="list-style-type: none"> <li>(a) the equine is competing at a competition in NSW, and <ul style="list-style-type: none"> <li>(i) in the 12 months before importation, the equine was not resident on land grazed by cattle or deer, and</li> <li>(ii) the equine will travel directly to and from the destination described on the Record of Movement (Competition Horse), and</li> <li>(iii) the equine will return to the State or Territory from which it was imported within 5 days of the movement date specified on the Record of Movement (Competition Horse); and</li> <li>(iv) before entry into the State, the equine underwent a manual inspection and was found free of cattle ticks; or</li> </ul> </li> </ul>

<b>Table 1: Cattle Tick Carrier Importation Conditions for Equines</b>	
<b>Column 1: Type of Importation</b>	<b>Column 2: Conditions for Importation</b>
	<p>(b) the equine is returning to the State after it attended a horse competition in another State or Territory; and</p> <p style="padding-left: 40px;">(i) the site where the equine attended was not grazed by cattle or deer in the 12 months before the competition, and</p> <p style="padding-left: 40px;">(ii) the equine travelled directly to and from the destination described on the Record of Movement (Competition Horse), and</p> <p style="padding-left: 40px;">(iii) the equine returned to the State within 5 days of the movement date specified in the Record of Movement (Competition Horse), and</p> <p style="padding-left: 40px;">(iv) before entry into the State, the equine underwent a manual inspection and was found free of cattle ticks.</p>

## 29 Feedlots and abattoirs

- (1) A person may import into the State a cattle tick carrier from a feedlot that is not an unrestricted property in a cattle tick free zone or is in an infested area if it satisfies paragraphs (a) to (c) and the person gives the Department a copy of a completed Record of Movement (Feedlot or Abattoir) in which they declare these conditions have been or will be met:
- (a) the feedlot satisfies these conditions:
- (i) the feedlot, including yards and handling facilities, are separated from surrounding paddocks by a buffer zone of at least 10 metres, and the buffer is kept free of cattle tick carriers at all times, and
  - (ii) feedlot pens and associated handling facilities are kept free of vegetation at all times, and
  - (iii) the feedlot operator must have documented procedures to prevent an infestation of cattle tick being introduced by cattle tick carriers from an infested area, and
  - (iv) cattle tick carriers must not be removed from feedlot pens for husbandry, drafting or loading for any longer than is necessary, and
  - (v) the feedlot owner must maintain records of movements of cattle tick carriers in and out of the feedlot, and
- (b) cattle tick carriers was held at the feedlot for 35 days immediately before importation, and
- (c) the cattle tick carrier underwent a visual inspection and was found to be free of cattle tick.

- (2) A person may import into an abattoir or feedlot in the State a cattle tick carrier from a property that is not an unrestricted property in a cattle tick free zone or a property in an infested area if it satisfies paragraphs (a) to (c) and the person gives the Department a copy of a completed Record of Movement (General) in which they declare these conditions have been or will be met:
- (a) a biosecurity certifier has issued a Carrier Biosecurity Certificate that certifies:
    - (i) no earlier than 24 hours before importation, the cattle tick carrier underwent a manual inspection and was found free of cattle ticks, or
    - (ii) the cattle tick carrier underwent a supervised chemical treatment, and
  - (b) if the cattle tick carrier underwent a supervised chemical treatment, it is imported into the State:
    - (i) where the chemical treatment applied was an acaricide – no later than 24 hours after the risk minimisation requirements for this treatment were met, and
    - (ii) where the chemical treatment applied was an Endectocide – in the period starting 4 days and ending 7 days after the risk minimisation requirements for this treatment were met, and
  - (c) the cattle tick carrier is transported directly to a feedlot or abattoir in the State, the cattle tick carrier was not off-loaded from the vehicle during the journey, and no additional cattle tick carriers were loaded onto the vehicle during the journey.

### 30 **Agricultural shows**

- (1) A person may import into the State to attend an agricultural show in the State, a cattle tick carrier from a property that is not an unrestricted property in a cattle tick free zone or a property in an infested area, if paragraphs (a) to (d) are satisfied and the person gives the Department a copy of a completed Record of Movement (Agricultural Show in NSW) in which they declare these conditions have been or will be met:
- (a) the cattle tick carrier travels directly to and from the property at which the agricultural show is held, and is only unloaded at that property, and
  - (b) the cattle tick carrier will leave the State within 5 days of the proposed movement date specified in the Record of Movement, and
  - (c) a biosecurity certifier has issued a Carrier Biosecurity Certificate that certifies the cattle tick carrier underwent a manual inspection and was found free of cattle ticks, and
  - (d) the cattle tick carrier will be accompanied by the Record of Movement (Agricultural Show in NSW) at all times.

- (2) A person may import into the State a cattle tick carrier that is returning to the State from an approved agricultural show in Queensland if paragraphs (a) and (b) are satisfied and the person gives the Department a copy of a completed Record of Movement (Approved Agricultural Show in Queensland) in which they declare these conditions have been or will be met:
- (a) the cattle tick carrier travels directly to and from the property at which the agricultural show is held, and is only unloaded at that property, and
  - (b) the cattle tick carrier will return to the State within 5 days of the proposed movement date specified in the Record of Movement.

## **Subdivision 2 - Footrot carriers —sheep and goats**

### **31 Definitions**

In this subdivision:

***animal health declaration*** means:

- (a) in the case of sheep—the National Sheep Health Declaration issued under the Farm Biosecurity Program of Animal Health Australia and Plant Health Australia.
- (b) in the case of goats—the National Goat Health Declaration, issued under the Farm Biosecurity Program of Animal Health Australia and Plant Health Australia.

***relevant Local Land Service Office*** means a Local Land Services office within the same region as the final destination of the sheep or goats.

***region*** has the same meaning as in the *Land Services Act 2013*

### **32 Footrot carriers — sheep and goats**

- (1) This clause sets out the circumstances in which, despite clause 15 of the Regulation, a person may import into the State a footrot carrier that is a sheep or goat.
- (2) A person may import into the State a sheep or goat, if the sheep or goat is being transported directly to an abattoir for slaughter.
- (3) A person may import into the State a sheep or goat, if the sheep or goat is not exhibiting any signs of footrot and paragraphs (a) and (b) are satisfied:
  - (a) the sheep or goat is accompanied by an animal health declaration, and
  - (b) copies of the animal health declaration are provided to:
    - (i) the person to whom the sheep or goat is delivered, and

- (ii) no later than 2 working days after the importation, the relevant Local Land Services Office.

### Subdivision 3 – Porcine brucellosis — carriers

#### 33 Definitions

In this subdivision:

***Brucella suis*** means the bacterium that causes porcine brucellosis.

***Carrier Biosecurity Certificate*** means a form to the effect of the form published on the Department's website titled 'Carrier Biosecurity Certificate', for the pig that certifies:

- (a) the authorised officer has received a copy of the Record of Movement form for the pig; and
- (b) the pigs are permitted to enter into the State no later than 14 days after the date of issue of the Biosecurity Certificate, and to be moved to the destination specified in the form.

***Porcine brucellosis*** means the disease in pigs that is caused by *Brucella suis*.

***Record of Movement - Porcine Brucellosis Carriers*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Porcine Brucellosis Carriers', for the pig that contains a declaration made by the owner or manager of the pig that the pig satisfies or will satisfy:

- (a) the conditions for importation of a Porcine brucellosis carrier from Queensland, or from any part of Western Australia or the Northern Territory that lies north of the Tropic of Capricorn, or
- (b) the alternative conditions for importation of a Porcine brucellosis carrier from Queensland.

***Record of Movement – Porcine Brucellosis Carriers (Veterinary Practitioners)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Porcine Brucellosis Carriers (Veterinary Practitioners)' for the pig that contains a declaration made by a registered veterinary practitioner that they have examined the piggery from which the pig originated and the pigs satisfy or will satisfy additional conditions for pigs from Queensland.

***registered veterinary practitioner*** means:

- (a) a person who is registered under the *Veterinary Practice Act 2003* as a veterinary practitioner, or
- (b) a person who is registered to engage in veterinary practice under the corresponding law in the exporting State or Territory.

***relevant Local Land Service Office*** means a Local Land Services office within the same region as the final destination of the pigs.

**tested for *Brucella suis*** means a serological test approved by the CVO for the detection of antibodies to *Brucella suis* was undertaken by a veterinary diagnostic laboratory approved by the responsible government agency.

**Note:** The Rose Bengal Test and the Complement Fixation Test have been approved for this purpose in NSW.

**tested negative for *Brucella suis*** means:

- (a) in relation to a herd of pigs, that blood samples collected by a registered veterinary practitioner have been tested for *Brucella suis* from sufficient boars and breeding sows to determine that *Brucella suis* was not present in the herd at a level of 10% prevalence with 95% confidence, and
- (b) in relation to a pig, that the pig was tested for antibodies to *Brucella suis* and the results of the test were negative.

#### 34 **Porcine Brucellosis importation conditions**

In this subdivision **Porcine Brucellosis importation conditions** means any one of these conditions:

- (a) the pig is transported directly to an abattoir for slaughter within 7 days of leaving the property of origin and it has not been off-loaded from the vehicle during the journey, or
- (b) the pig is over 6 months of age and has tested negative for *Brucella suis* within the 30 days immediately preceding the movement into the State, or
- (c) the pig is from a herd that tested negative for *Brucella suis* within the 30 days immediately preceding importation into the State, or
- (d) the pig is from a herd that is accredited as being free of infection with *Brucella suis* according to a scheme approved by the Chief Veterinary Officer of the exporting State or Territory.

#### 35 **Conditions to import Porcine brucellosis — carriers**

This subdivision sets out the circumstances in which, despite clause 17 of the Regulation, a person may import into the State a porcine brucellosis carrier that is a pig.

#### 36 **Pigs from Queensland, or from any part of Western Australia or the Northern Territory that lies north of the Tropic of Capricorn**

A person may import into the State a pig from Queensland, or from any part of Western Australia or the Northern Territory that lies north of the Tropic of Capricorn, if paragraphs (a) to (f) are satisfied:

- (a) the pig is from a herd that is not known to be infected with *Brucella suis*, and
- (b) the pig satisfies any one of the Porcine Brucellosis importation conditions, and

- (c) a Record of Movement – Porcine Brucellosis Carriers is completed for the pig, and
- (d) the pig is moved no later than 14 days after the date on which:
  - (i) the Record of Movement – Porcine Brucellosis Carriers form is completed, and
  - (ii) an authorised officer gives a Carrier Biosecurity Certificate for the pig, and
- (e) the pig is accompanied by copies of:
  - (i) the Record of Movement – Porcine Brucellosis Carriers, and
  - (ii) the Carrier Biosecurity Certificate for the pig, and
- (f) no later than 2 business days after the date of importation, the person gives the relevant Local Land Services Office copies of:
  - (i) the Record of Movement – Porcine Brucellosis Carrier, and
  - (ii) the Carrier Biosecurity Certificate for the pig.

### 37 **Alternative conditions for pigs from Queensland**

If the pig is from Queensland, as an alternative to the conditions set out in the above clause, a person may import the pig into the State, if paragraphs (a) to (f) are satisfied:

- (a) the pig is from a herd that is not known to be infected with *Brucella suis*, and
- (b) in the period commencing 13 weeks before the proposed importation, a registered veterinary practitioner who is competent and experienced in pig health matters inspects the herd at the property of origin and declares in a Record of Movement – Porcine Brucellosis Carriers (Veterinary Practitioners):
  - (i) they examined the herd's breeding boars and found the boars to be free of any signs or symptoms of *Brucella suis* infection; and
  - (ii) they examined the herd's reproductive records and found no indications of *Brucella suis* infection, and
  - (iii) they inspected the piggery and to the best of their knowledge and belief, feral pigs are excluded from any possible contact with the herd, and
- (c) a Record of Movement – Porcine Brucellosis Carriers is completed for the pig, and
- (d) the pig is moved no later than 14 days after the date on which:
  - (i) the Record of Movement – Porcine Brucellosis Carriers is completed,
  - (ii) an authorised officer gives a Carrier Biosecurity Certificate for the pig, and
  - (iii) the Record of Movement – Porcine Brucellosis Carriers (Veterinary Practitioners) is completed, and
- (e) the pig is accompanied by copies of:
  - (i) the Record of Movement – Porcine Brucellosis Carriers for the pig,
  - (ii) the Carrier Biosecurity Certificate for the pig, and
  - (iii) the Record of Movement – Porcine Brucellosis Carriers (Veterinary Practitioners), and



- (f) no later than 2 working days after importation, the person gives the relevant Local Land Service Office a copy of the:
  - (i) Record of Movement – Porcine Brucellosis Carriers for the pig,
  - (ii) Carrier Biosecurity Certificate for the pig, and
  - (iii) Record of Movement – Porcine Brucellosis Carriers (Veterinary Practitioners) form for the pig.

### **Division 3 Plant pests and diseases**

#### **Subdivision 1 – Preliminary**

#### **38 Requirements for Labels, Plant Health Certificates and Plant Health Assurance Certificates**

The person who imports a carrier into the State or acquires a carrier from the importer of a carrier must retain for 4 years any complying label, complying identifier, Plant Health Certificate or Plant Health Assurance Certificate required by this Part.

#### **Subdivision 2 - Bananas — Banana freckle and Panama disease tropical race 4 — carriers**

#### **39 Definitions**

In this subdivision:

***banana freckle*** means the disease of banana plant material and bananas caused by fungal species within the genus *Phyllosticta* that are primarily pathogenic on banana plant material and bananas, excluding the species *Phyllosticta maculata*.

***banana covering*** means any covering that has contained or been in contact with a banana plant, used banana production equipment or banana soil.

***banana plant*** means any plant belonging to the family Musaceae and including any part of any such plant.

***Panama disease tropical race 4*** means the disease of banana plant material and bananas caused by the tropical race 4 strain of the fungus *Fusarium oxysporum* f.sp. *cubense*.

**40 Conditions to import Banana freckle and Panama disease tropical race 4 – carriers**

This subdivision sets out the circumstances in which, despite clause 22 of the Regulation, a person may import into the State bananas — banana freckle and Panama disease tropical race 4 — carriers.

**41 Banana freckle — carriers**

(1) A person may import into the State a banana if paragraphs (a) and (b) are satisfied:

- (a) the banana was grown in a State or Territory, or part of a State or Territory, that is free from banana freckle as evidenced by an Area Freedom Certificate currently in force, and
- (b) the consignment of which the banana is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the banana was grown.

(2) A person may import into the State a banana plant that is a tissue culture plantlet, if paragraphs (a) and (b) are satisfied:

- (a) the banana plant is packaged in a sealed container, and
- (b) production of the banana plant complies with subparagraphs (i) to (iv), and the consignment of which the banana plant is part is clearly labelled or identified and certified as meeting these requirements:
  - (i) it was grown from tissue culture, and
  - (ii) it was tested and found free of banana freckle, and
  - (iii) it has not been exposed to banana pests, and
  - (iv) it is packaged in a secure manner to prevent infection with banana freckle.

**Note:** Banana plants produced in accordance with the Queensland Banana Approved Nursery Scheme meet the requirements of this subclause.

(3) A person may import into the State used banana production equipment, banana covering and banana soil, if paragraphs (a) and (b) are satisfied:

- (a) the used banana production equipment or banana covering was last used in or the banana soil was sourced from a State or Territory, or part of a State or Territory, that is free from banana freckle disease as evidenced by an Area Freedom Certificate currently in force, and
- (b) the used banana production equipment, banana covering or banana soil has a complying label or complying identifier that states the name and postcode of the

city or town nearest to the place where the used banana production equipment or banana covering was last used or the banana soil was sourced.

**Note:** A person must not import bananas, used banana production equipment, banana covering or banana soil from a State or Territory, or part of a State or Territory, that is not free from banana freckle disease, and for which an Area Freedom Certificate is not currently in force.

#### 42 **Bananas –Panama disease tropical race 4—carriers**

- (1) A person may import into the State a banana if paragraphs (a) and (b) are satisfied:
  - (a) the banana was grown in a State or Territory, or part of a State or Territory, that is free from Panama disease tropical race 4 as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the consignment of which the banana is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the banana was grown.
  
- (2) A person may import into the State a banana if paragraphs (a) and (b) are satisfied and the banana is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (a) the banana is free of soil and other plant material, and
  - (b) the consignment of which the banana is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the banana was grown.
  
- (3) A person may import into the State a banana if the banana is part of a consignment transiting through the State, if paragraphs (a) to (c) are satisfied:
  - (a) the banana is free of soil and other banana plant material,
  - (b) the banana is covered to prevent any spillage and the covering is intact and secured, and
  - (c) no bananas from the consignment are unloaded in the State.
  
- (4) A person may import into the State a banana plant that is a tissue culture plantlet, if paragraphs (a) and (b) are satisfied:
  - (a) the banana plant is packaged in a sealed container, and
  - (b) production of the banana plant complies with subparagraphs (i) to (iv), and the consignment of which the banana plant is part is clearly labelled or identified and certified as meeting these requirements:
    - (i) it was grown from tissue culture,
    - (ii) it was tested and found free of Panama disease tropical race 4,

- (iii) it has not been exposed to banana pests, and
- (iv) it is packaged in a secure manner to prevent infection with Panama disease tropical race 4.

**Note:** Banana plants produced in accordance with the Queensland Banana Approved Nursery Scheme meet the requirements of this subclause.

- (5) A person may import into the State used banana production equipment, banana covering and banana soil, if paragraphs (a) and (b) are satisfied:
- (a) the used banana production equipment or banana covering was last used or the banana soil was last sourced in a State or Territory, or part of a State or Territory, that is free from Panama disease tropical race 4 as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the used banana production equipment, banana covering or banana soil has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the used banana production equipment or banana covering was last used or the banana soil was sourced.

**Note:** A person must not import used banana production equipment, banana covering or banana soil from a State or Territory, or part of a State or Territory, that is not free from Panama disease tropical race 4, and for which an Area Freedom Certificate is not currently in force.

### **Subdivision 3 – Cucumber green mottle mosaic virus - carriers**

#### **43 Definitions**

In this subdivision:

***cucurbitaceae covering*** means any covering that has contained or been in contact with a cucurbitaceae plant (other than a covering that has contained or been in contact with cucurbitaceae fruit only).

***cucumber green mottle mosaic virus*** means the virus *Cucumber green mottle mosaic virus*.

***cucurbitaceae soil*** means any soil in which a cucurbitaceae plant has been grown.

***used cucurbitaceae production equipment*** means any equipment that has been used in the production of a cucurbitaceae plant within the previous 5 years.

#### **44 Conditions to import Cucumber green mottle mosaic virus — carriers**

This subdivision sets out the circumstances in which, despite clause 23 of the Regulation, a person may import into the State a Cucumber green mottle mosaic virus — carrier.

#### 45 **Cucurbitaceae plant or cucurbitaceae soil — Area Freedom Certificate**

- (1) A person may import into the State a cucurbitaceae plant, if paragraphs (a) and (b) are satisfied:
  - (a) the cucurbitaceae plant was grown, in a State or Territory, or part of a State or Territory, that is free from cucumber green mottle mosaic virus as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the consignment of which the cucurbitaceae plant is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the cucurbitaceae plant was grown.
  
- (2) A person may import into the State cucurbitaceae soil, if paragraphs (a) and (b) are satisfied:
  - (a) the cucurbitaceae soil was sourced, in a State or Territory, or part of a State or Territory, that is free from cucumber green mottle mosaic virus as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the cucurbitaceae soil has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the cucurbitaceae soil was sourced.

**Note:** A person must not import a cucurbitaceae plant or cucurbitaceae soil from a State or Territory or part of a State or Territory, that is not free from cucumber green mottle mosaic virus, and for which an Area Freedom Certificate is not currently in force.

#### 46 **Used cucurbitaceae production equipment or cucurbitaceae covering**

- (1) A person may import into the State used cucurbitaceae production equipment or cucurbitaceae covering if paragraphs (a) and (b) are satisfied:
  - (a) the equipment or covering was last used in a State or Territory, or part of a State or Territory that is free from cucumber green mottle mosaic virus as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the equipment or covering has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the equipment or covering was last used.
  
- (2) A person may import into the State used cucurbitaceae production equipment or cucurbitaceae covering if the equipment or covering is free of soil and plant material and it is accompanied by a Plant Health Certificate that certifies this condition has been met.

## Subdivision 4 – Green snail and carriers

### 47 Definitions

In this subdivision

**green snail** means the snail *Cantareus apertus*.

**green snail control method for properties between 2 to 25 kilometres of a known infestation** means:

- (a) the properties have been baited with an APVMA approved molluscicide for the control of green snail in accordance with all APVMA label directions and permit conditions, and
- (b) the baits have been laid in a 3 metre wide strip, around the perimeter of the property and transecting through the property in a grid pattern, with distances between strips of:
  - (i) for properties smaller than 5 hectares, 100 metres,
  - (ii) for properties between 5 and 10 hectares, 200 metres,
  - (iii) for properties larger than 10 hectares, 300 metres.

**green snail control method for properties within 2 kilometres of a known infestation** means one of the following:

- (a) installation and maintenance of a 3 metre wide vegetation free strip around the perimeter of the property baited with an APVMA approved molluscicide for the control of green snail in accordance with all APVMA label directions and permit conditions with baits being laid every 4 weeks in the period between 1 April to 30 November each year, or
- (b) installation and maintenance of a 3 metre wide vegetation free strip around the perimeter of the property and a continuous physical barrier erected using either a copper or galvanised sheet bent at a 20° angle, or
- (c) installation and maintenance of a 3 metre wide vegetation free strip around the perimeter of the property and installation of a continuous electric fence, designed specifically for green snails.

**green snail host soil conditions** means the green snail host soil:

- (a) is a component of potting media, and
- (b) originated from and was sourced from properties in a known green snail free area, and
- (c) was treated with one of the following treatments:
  - (i) methyl bromide fumigation 0.6 kilograms/metres<sup>3</sup> for 72 hours on an impervious floor with the material laid or packed no more than 660 millimetres deep during fumigation, or
  - (ii) a steam and air mix at a temperature of 60 degrees Celsius for 30 minutes, or
  - (iii) fumigation with a chemical containing 940 grams/ kilogram dazomet in accordance with all APVMA label directions and permit conditions.

**green snail host covering** means any covering that has contained or been in contact with a green snail host or green snail host soil.

#### 48 **Conditions to import a Green snail carrier**

This subdivision sets out the circumstances in which, despite clause 24 of the Regulation, a person may import into the State green snail carriers.

#### 49 **Green snail host – Area Freedom Certificate**

A person may import into the State a green snail host, if paragraphs (a) and (b) are satisfied:

- (a) the green snail host was grown and packed in a State or Territory, or part of a State or Territory, that is free from green snail as evidenced by an Area Freedom Certificate currently in force, and
- (b) the consignment of which the green snail host is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the green snail host was both grown and packed.

#### 50 **Green snail host covering**

- (1) A person may import into the State green snail host covering if paragraphs (a) and (b) are satisfied:
  - (a) the covering was last used:
    - (i) in a State or Territory, or part of a State or Territory, that is free from green snail as evidenced by an Area Freedom Certificate currently in force, or
    - (ii) more than 25 kilometres from a known infestation of green snail, and
  - (b) the covering has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the covering was last used.
- (2) A person may import into the State green snail host covering if the covering is free of soil and plant material and is accompanied by a Plant Health Certificate that certifies this condition has been met.

51 **Green snail host – grown and packed more than 25 kilometres from a known infestation of green snail**

A person may import into the State a green snail host, if paragraphs (a) to (c) are satisfied:

- (a) the green snail host was grown and packed more than 25 kilometres from a known infestation of green snail, and
- (b) any green snail host brought onto the property on which the green snail host was grown was sourced more than 25 kilometres from a known infestation of green snail, and
- (c) the consignment of which the green snail host is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the green snail host was both grown and packed.

52 **Green snail host – grown and packed more than 2 kilometres from a known infestation of green snail**

(1) A person may import into the State a green snail host, if the green snail host was grown and packed more than 2 kilometres from a known infestation of green snail and paragraphs (a) to (d) are satisfied:

- (a) all green snail host brought onto the property on which the host was grown was sourced more than 25 kilometres from a known infestation of green snail,
- (b) any green snail soil that accompanies the green snail host satisfies the green snail host soil conditions; and
- (c) the growing and packing conditions for green snail host grown and packed more than 2 kilometres from a known infestation of green snail have been satisfied, and
- (d) the green snail host is accompanied by a Plant Health Certificate that certifies:
  - (i) the growing and packing conditions for green snail host grown and packed more than 2 kilometres from a known infestation of green snail have been satisfied; and
  - (ii) the green snail host soil conditions have been satisfied.

(2) In this clause ***growing and packing conditions for green snail host grown and packed more than 2 kilometres from a known infestation of green snail*** means:

- (a) the properties on which the green snail host was grown or packed are more than 2 kilometres of a known infestation of green snail, and
- (b) in the period from 1 April to 30 November (inclusive), for at least 3 months before the importation, all properties on which the green snail host was grown or packed that are between 2 to 25 kilometres of the known infestation of green snail, have been treated using the green snail control method for properties between 2 to 25 kilometres of a known infestation of green snail, and



- (c) in the period starting 3 days after and ending 10 days after the baits were laid, an authorised officer under the Act or under a corresponding law in a State or Territory, inspected the baited trails, and found the baited trails to be free of green snail.
- (3) A person may import into the State a green snail host if the green snail host is dealt with in accordance with ICA scheme procedure ICA-46 'Certification of Area/ Property Freedom for Green Snail (2 – 25 kilometres)' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

**53 Green snail host – grown or packed within 2 kilometres from a known infestation of green snail**

- (1) A person may import a green snail host that was grown or packed within 2 kilometres from a known infestation of green snail if paragraphs (a) to (e) are satisfied:
- (a) all green snail host material brought onto the property on which the green snail host was grown was sourced more than 25 kilometres from a known infestation of green snail, and
  - (b) all properties on which the green snail host was grown or packed that are within 2 kilometres of the known infestation of green snail satisfy the requirements in subparagraphs (i) and (ii):
    - (i) the properties satisfy the requirements for properties within 2 kilometres of the known infestation of green snail, and
    - (ii) the properties have vegetation free parking areas that meet requirements for properties within 2 kilometres of the known infestation of green snail, and
  - (c) any green snail soil that accompanies the green snail host satisfies the green snail host soil conditions, and
  - (d) the green snail host satisfies the growing and packing conditions for green snail host grown or packed within 2 kilometres from a known infestation of green snail, and
  - (e) the green snail host is accompanied by a Plant Health Certificate that certifies the requirements of subparagraphs (i) to (iii) have been met:
    - (i) the requirements for properties within 2 kilometres of the known infestation of green snail,
    - (ii) the green snail host soil conditions, and
    - (iii) the growing and packing conditions for green snail host grown or packed within 2 kilometres from a known infestation of green snail.

(2) In this clause:

***growing and packing conditions for green snail host grown or packed within 2 kilometres from a known infestation of green snail*** means:

- (a) in the period from 1 April to 30 November (inclusive), for at least 3 months before the importation, all properties on which the green snail host material was grown or packed that are within 2 kilometres of a known infestation of the green snail host have been baited with an APVMA approved molluscicide for the control of green snail in accordance with all APVMA label directions and permit conditions in a strip extending 3 metres inside the perimeter of the property and transecting through the property in a grid pattern, with distances between strips of:
  - (i) for properties smaller than 5 hectares, 50 metres,
  - (ii) for properties between 5 and 10 hectares, 100 metres,
  - (iii) for properties larger than 10 hectares, 200 metres,
  - (iv) in the case of small properties there is to be at least two transects running through the centre of the property at right angles, and
- (b) in the period starting 3 days after and ending 10 days after the baits were laid, an authorised officer under the Act or corresponding law in a State or Territory, inspected the baited trails and found the baited trails to be free of green snail, and
- (c) in the period starting 2 days before importation, the green snail hosts were treated using an APVMA approved chemical cover spray for the control of green snail in accordance with all APVMA label directions and permit conditions.

***requirements for properties within 2 kilometres of the known infestation of green snail*** means:

- (a) the properties are treated with a green snail control method for properties within 2 kilometres of a known infestation, and
- (b) the properties have a continuous trench extending 3 metres inside the perimeter of the property that contains an unbroken line of bait at the bottom (***boundary trench***), and
- (c) the properties have protected driveways with solid trenches, such as concrete, 100 millimetres deep and 100 millimetres across, and
- (d) all green snail host, green snail coverings and green snail host soil are stored more than 30 metres from the boundary trench.

**54 Household potted plant or bush picked flower from within 25 kilometres of a known infestation of green snail**

A person may import into the State a household potted plant or a bush picked flower that was grown or packed within 25 kilometres from a known infestation of green snail, if no earlier than 2 days before dispatch the household potted plant or bush picked flower was inspected and found free of green snail and green snail host soil, and it is accompanied by a Plant Health Certificate that certifies this condition has been met.

**55 Cut flower, foliage, cutting or bare rooted plant that was grown or packed within 25 kilometres of a known infestation of green snail**

- (1) A person may import into the State a cut flower, foliage, cutting or a bare rooted plant that is grown or packed within 25 kilometres of a known infestation of green snail, if it is imported between 1 December and 31 March in any year.
- (2) A person may import into the State a cut flower, foliage, cutting or a bare rooted plant that is grown or packed within 25 kilometres of a known infestation of green snail, if in the period starting 2 days before dispatch it was treated with an APVMA approved molluscicide for the control of green snail in accordance with all APVMA permit directions and label conditions for the control of green snail and is accompanied by a Plant Health Certificate that certifies this condition has been met.
- (3) A person may import into the State a cut flower, foliage, cutting or a bare rooted plant that is grown or packed within 25 kilometres of a known infestation of green snail if it is free of green snail soil and green snail and is accompanied by a Plant Health Certificate that certifies this condition has been met.

**Note:** Cut flowers, foliage, cuttings and bare rooted plants grown or packed within 25 kilometres may be imported if they meet the conditions for green snail hosts grown and packed more than 2 kilometres from a known infestation of green snail, or the conditions for green snail hosts grown and packed within 2 kilometres from a known infestation of green snail.

**56 Green snail host soil**

- (1) A person may import into the State any green snail host soil if paragraphs (a) and (b) are satisfied:
  - (a) the soil was sourced in a State or Territory, or part of a State or Territory that is free from green snail as evidenced by an Area Freedom Certificate currently in force,

- (b) the soil has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where soil was sourced.
- (2) A person may import into the State green snail host soil if paragraphs (a) and (b) are satisfied:
- (a) the green snail soil was sourced more than 25 kilometres from a known infestation of green snail, and
  - (b) the green snail soil has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the green snail soil was sourced.

**Note:** A person must not import green snail host soil that is sourced from within 25 kilometres of a known infestation of green snail.

## Subdivision 5 – Lupin anthracnose - carriers

### 57 Definitions

In this subdivision:

***lupin anthracnose*** means the disease caused by the fungus *Colletotrichum lupini*.

***lupin covering*** means any covering that has been in contact with a lupin plant or used lupin production equipment.

***Record of Movement (Used Lupin Production Equipment Importation)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement – Lupin Anthracnose Carriers (Used Lupin Production Equipment Importation)' that contains a declaration made by the person importing the equipment that the used lupin production equipment has or will satisfy the conditions for importing used lupin production equipment.

### 58 Conditions to import Lupin anthracnose – carriers

This subdivision sets out the circumstances in which, despite clause 25 of the Regulation, a person may import into the State a lupin anthracnose carrier.

### 59 Lupin plant

A person may import into the State a lupin plant, if paragraphs (a) and (b) are satisfied:

- (a) the lupin plant was grown in a State or Territory, or part of a State or Territory, that is free of lupin anthracnose as evidenced by an Area Freedom Certificate currently in force, and

- (b) the consignment of which the lupin plant is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the lupin plant was grown.

**Note:** A lupin plant includes lupin grain that has not been treated in such a way that makes the grain incapable of germination.

## 60 Lupin covering

A person may import into the State a lupin covering, if paragraphs (a) and (b) are satisfied:

- (a) the lupin covering was last used in a State or Territory, or part of a State or Territory, that is free of lupin anthracnose as evidenced by an Area Freedom Certificate currently in force, and
- (b) the lupin covering has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the lupin covering was last used.

## 61 Used lupin production equipment

- (1) A person may import into the State used lupin production equipment, if paragraphs (a) and (b) are satisfied:
  - (a) the equipment was last used in a State or Territory, or part of a State or Territory, that is free of lupin anthracnose as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the equipment has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the equipment was last used.
  
- (2) A person may import into the State used lupin production equipment, if paragraphs (a) and (b) are satisfied:
  - (a) the equipment is free of soil and plant matter and is accompanied by a Plant Health Certificate that certifies this condition was satisfied, and
  - (b) no later than 7 days before the importation, the Department receives, in a manner approved by the Department:
    - (i) a copy of the completed Record of Movement (Used Lupin Production Equipment Importation), and
    - (ii) a copy of the Plant Health Certificate for the used lupin production equipment.

## Subdivision 6 – Mediterranean fruit fly – carriers

### 62 Definitions

In this subdivision:

***Mediterranean fruit fly*** means the insect *Ceratitis capitata*.

***Mediterranean fruit fly host covering*** means any covering that has contained or been in contact with a Mediterranean fruit fly host fruit or Mediterranean fruit fly host soil.

***packing and movement conditions for Mediterranean fruit fly host fruit*** means conditions (a) to (d) are satisfied:

- (a) from the time of treatment or harvest to the time of dispatch and transport, the Mediterranean fruit fly host fruit must remain under conditions which prevent infestation by Mediterranean fruit fly, and
- (b) any used packaging that has contained or been in contact with a Mediterranean fruit fly host fruit or Mediterranean fruit fly host soil must be free of soil and plant matter, and
- (c) the Mediterranean fruit fly host fruit must be handled, stored and repackaged under conditions which prevent infestation of Mediterranean fruit fly, if the Mediterranean fruit fly host fruit is consigned:
  - (i) as a lot for the purpose of producing smaller packs of host fruit and is repackaged in smaller packs, or
  - (ii) as a packed lot for the purpose of producing composite lots, and
- (d) any incorrect information displayed on the outer covering of a package must be removed and replaced with these details shown legibly on the outer covering:
  - (i) if the packer sourced the fruit from a single grower – the name, address, postcode and the State or Territory of both the grower and the packer,
  - (ii) if the packer sourced the fruit from multiple growers – the name, address, postcode and the State and Territory of the packer, and
  - (iii) a brief description of the contents of the package.

### 63 Conditions to import Mediterranean fruit fly — carriers

This subdivision sets out the circumstances in which, despite clause 26 of the Regulation, a person may import into the State Mediterranean fruit fly — carriers.

## 64 Mediterranean fruit fly carrier– Area Freedom Certificate

- (1) A person may import into the State Mediterranean fruit fly host fruit if paragraphs (a) and (b) are satisfied:
  - (a) the fruit was grown and packed in a State or Territory, or part of a State or Territory, that is free from Mediterranean fruit fly as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the consignment of which the fruit is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where it was both grown and packed.
  
- (2) Any Mediterranean fruit fly host fruit that is grown and packed in a State or Territory, or part of a State or Territory, that is free from Mediterranean fruit fly as evidenced by an Area Freedom Certificate currently in force, that transits through any area that is not free from Mediterranean fruit fly and for which there is no Area of Freedom Certificate currently in force, must be transported under conditions which prevent infestation of Mediterranean fruit fly.
  
- (3) A person may import into the State a Mediterranean fruit fly host soil if paragraphs (a) and (b) are satisfied:
  - (a) the soil was sourced in a State or Territory, or part of a State or Territory, that is free from Mediterranean fruit fly as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the soil has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where it was sourced.
  
- Note:** A person must not import Mediterranean fruit fly host soil from a State or Territory, or part of a State or Territory, that is not free from Mediterranean fruit fly, and for which an Area Freedom Certificate is not currently in force.
  
- (4) A person may import into the State a Mediterranean fruit fly host covering if paragraphs (a) and (b) are satisfied:
  - (a) the covering was last used in a State or Territory, or part of a State or Territory, that is free from Mediterranean fruit fly as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the covering has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where it was last used.

## 65 Mediterranean fruit fly host fruit – banana in mature green condition

- (1) A person may import into the State a banana in a mature green condition if paragraphs (a) to (d) are satisfied:
  - (a) the banana is harvested and transported in a mature green condition, and
  - (b) the banana is accompanied by a Plant Health Certificate that certifies it was harvested in a mature green condition, and
  - (c) the consignment of which the banana is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the banana was grown, and
  - (d) the packaging and movement conditions for Mediterranean fruit fly host fruit are met.
- (2) A person may import into the State a banana if the banana is dealt with in accordance with ICA scheme procedure ICA-16 ‘Certification of Mature Green Condition of Bananas’ and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.
- (3) In this clause:

*mature green condition* means the banana is hard and green with unbroken skin.

## 66 Mediterranean fruit fly host fruit — tomato in mature green condition

- (1) A person may import into the State a tomato in a mature green condition if paragraphs (a) to (d) are satisfied:
  - (a) the tomato is harvested and transported in a mature green condition, and
  - (b) the tomato is accompanied by a Plant Health Certificate that certifies it was harvested in a mature green condition, and
  - (c) the consignment of which the tomato is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the tomato was grown, and
  - (d) the packaging and movement conditions for Mediterranean fruit fly host fruit are met.
- (2) A person may import into the State a tomato in a mature green condition if the tomato is dealt with in accordance with ICA Scheme procedure ICA-15 ‘Mature Green Condition of Passionfruit, Tahitian Lime, Black Sapotes, and Tomatoes’ and the tomato is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.



(3) In this clause:

*mature green condition* means the tomato has an area with a diameter of no more than two centimetres of pink to red colour at the stylar end at the time of colour sorting.

#### 67 Mediterranean fruit fly host fruit – avocado in hard condition

(1) A person may import into the State the varieties of avocado known as Hass, Lamb Hass, Sharwill, Reed or Fuerte in a hard condition if paragraphs (a) to (d) are satisfied:

- (a) the avocado is harvested and transported in a hard condition, and
- (b) the avocado is accompanied by a Plant Health Certificate that certifies it was harvested in a hard condition, and
- (c) the consignment of which the avocado is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the avocado was grown, and
- (d) the packaging and movement conditions for Mediterranean fruit fly host fruit are met.

(2) A person may import into the State an avocado in hard condition if the avocado is dealt with in accordance with ICA scheme procedure ICA-30 ‘Hard Condition of Avocados’ and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

(3) In this clause:

*hard condition* means an avocado that is deliberately detached from a healthy branch of a living tree and shows no signs of softening or spotted areas, or of having any areas of breakdown or broken skin on any part of the fruit.

#### 68 Mediterranean fruit fly host fruit

(1) A person may import into the State Mediterranean fruit fly host fruit if paragraphs (a) to (c) are satisfied:

- (a) the Mediterranean fruit fly host fruit is treated using one of these treatment methods:
  - (i) if the fruit is not defective flower end-type papaya (pawpaw) - Methyl bromide fumigation for fruit that is not defective flower end-type papaya (pawpaw), or

- (ii) if the fruit is defective flower end-type papaya (pawpaw) - Methyl bromide fumigation for fruit that is defective flower end-type papaya (pawpaw), or
  - (iii) if the fruit is not a lemon - Cold treatment method for fruit that is not a lemon, or
  - (iv) if the fruit is a lemon - Cold treatment method for fruit that is a lemon, or
  - (v) Gamma Irradiation treatment method for fruit that is approved for irradiation by the Food Standards Australia New Zealand, and
- (b) the packing and movement conditions for Mediterranean fruit fly host fruit are met, and
  - (c) the consignment of which the fruit is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the fruit was grown.

(2) In this clause:

***Cold treatment methods for Mediterranean fruit fly host fruit that is not a lemon*** means the fruit is treated using either the method set out in paragraph (a) or paragraph (b):

- (a) the fruit is treated post-harvest at these temperatures and for these days and is accompanied by a Plant Health Certificate that certifies these conditions have been satisfied:
  - (i) 0.0 degrees Celsius  $\pm$  0.5 degrees Celsius for a minimum of 14 days, or
  - (ii) 1.0 degrees Celsius  $\pm$  0.5 degrees Celsius for a minimum of 16 days, or
  - (iii) 2.0 degrees Celsius  $\pm$  0.5 degrees Celsius for a minimum of 18 days, or
  - (iv) 3.0 degrees Celsius  $\pm$  0.5 degrees Celsius for a minimum of 20 days, or
- (b) the fruit is dealt with in accordance with ICA scheme procedure ICA-07 'Cold Treatment' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

***Cold treatment method for Mediterranean fruit fly host fruit that is a lemon*** means:

- (a) the lemon was treated post-harvest at these temperatures and for these days and is accompanied by a Plant Health Certificate that certifies these conditions have been satisfied:
  - (i) 1.0 degrees Celsius  $\pm$  0.5 degrees Celsius for a minimum of 14 days;
  - (ii) 2.0 degrees Celsius  $\pm$  0.5 degrees Celsius for a minimum of 16 days;
  - (iii) 3.0 degrees Celsius  $\pm$  0.5 degrees Celsius for a minimum of 18 days; or
- (c) the lemon is dealt with in accordance with ICA scheme procedure ICA-07 'Cold Treatment' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

***defective flower end-type papaya*** means a type of papaya known as defective flower end-type.

***Gamma Irradiation treatment method for Mediterranean fruit fly host fruit that is approved for irradiation by the Food Standards Australia New Zealand*** means:

- (a) the fruit satisfies subparagraphs (i) and (ii) and is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (i) the fruit is approved for irradiation by Food Standards Australia New Zealand; and
  - (ii) the fruit was treated post-harvest with gamma irradiation at a minimum dose of 150 kilo Gray, or
- (b) the fruit is dealt with in accordance with ICA scheme procedure ICA-55 'Irradiation Treatment' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

***Methyl bromide fumigation – Mediterranean fruit fly host fruit that is not defective flower end-type papaya (pawpaw)*** means:

- (a) the treatment must not be used for fruit that is the type of papaya known as defective flower end-type, and
- (b) the fruit is treated by fumigation post-harvest with a fumigant containing 1000 grams/kilogram methyl bromide as its only active constituent for two hours at these rates and is accompanied by a Plant Health Certificate certifying that these conditions have been met:
  - (i) 10.0 degrees Celsius – 14.9 degrees Celsius at or above 48grams/cubic metre, or
  - (ii) 15.0 degrees Celsius – 20.9 degrees Celsius at or above 40grams/cubic metre, or
  - (iii) 21.0 degrees Celsius – 25.9 degrees Celsius at or above 32grams/cubic metre, or
  - (iv) 26.0 degrees Celsius – 31.9 degrees Celsius at or above 24grams/cubic metre, or
- (c) the fruit is dealt with in accordance with ICA scheme procedure ICA-04 'Fumigating with Methyl Bromide' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

***Methyl bromide fumigation – Mediterranean fruit fly host fruit that is defective flower end-type papaya (pawpaw)*** means:

- (a) the treatment must only be used for the type of papaya known as defective flower end-type, and
- (b) the papaya is hard and has no more than 25 percent ripe colouring at the time of fumigation, and
- (c) the papaya is treated by fumigation post-harvest with a fumigant containing 1000grams/kilograms methyl bromide as its only active constituent for 2 hours at these rates and is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (i) 10.0 degrees Celsius – 14.9 degrees Celsius at or above 48grams/cubic metre, or
  - (ii) 15.0 degrees Celsius – 20.9 degrees Celsius at or above 40grams/cubic metre, or
  - (iii) 21.0 degrees Celsius – 25.9 degrees Celsius at or above 32grams/cubic metre, or
  - (iv) 26.0 degrees Celsius – 31.9 degrees Celsius at or above 24grams/cubic metre, or

- (d) the papaya is dealt with in accordance with ICA scheme procedure ICA-04 ‘Fumigating with Methyl Bromide’ and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

## **Subdivision 7 – Orange stem pitting strains of *Citrus tristeza virus* – carriers**

### **69 Definitions**

In this subdivision:

*orange stem pitting strains of Citrus tristeza virus* means the orange stem pitting strains of the virus *Citrus tristeza virus*.

### **70 Conditions to import or offer for sale Orange stem pitting strains of *Citrus tristeza virus* – carriers**

This subdivision sets out the circumstances in which, despite clause 27 of the Regulation, a person may import into the State or offer for sale Orange stem pitting strains of *Citrus tristeza virus*— carriers.

### **71 Importation of a *Citrus tristeza virus* host plant**

A person may import into the State a *Citrus tristeza virus* host plant, if paragraphs (a) and (b) are satisfied:

- (a) the *Citrus tristeza virus* host plant was grown in a State or Territory that is free of orange stem pitting strains of *Citrus tristeza virus* as evidenced by an Area Freedom Certificate currently in force, and
- (b) the consignment of which the *Citrus tristeza virus* host plant is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the plant was grown.

### **72 Offer for sale of a *Citrus tristeza virus* host plant**

A person may offer a *Citrus tristeza virus* host plant for sale, if it is labelled or clearly identified with:

- (a) the name and postcode of the city or town nearest to the place where it was propagated, and
- (b) the name of the scion of the *Citrus tristeza virus* host plant by variety or cultivar and by common name or botanical name, and

- (c) the common name of the rootstock.

## **Subdivision 8 – Pyriform scale and carriers**

### **73 Definitions**

In this subdivision:

*pyriform scale* means the insect *Protopulvinaria pyriformis*.

*pyriform scale host plant* means a plant belonging to the family Acanthaceae, Agavaceae, Anacardiaceae, Apocynaceae, Aquifoliaceae, Araceae, Araliaceae, Asclepiadaceae, Cannaceae, Caprifoliaceae, Caricaceae, Convolvulaceae, Ebenaceae, Elaeocarpaceae, Euphorbiaceae, Fabaceae, Lauraceae, Lythraceae, Malpighiaceae, Malvaceae, Moraceae, Musaceae, Myricaceae, Myrtaceae, Oleaceae, Orchidaceae, Passifloraceae, Phyllanthaceae, Pittosporaceae, Punicaceae, Rubiaceae, Rutaceae, Saxifragaceae, Scrophulariaceae or Verbenaceae and includes any part of the plant but does not include the following:

- (a) a bare rooted plant without leaves,
- (b) a fruit,
- (c) a cut flower.

### **74 Conditions to import Pyriform scale and carriers**

This subdivision sets out the circumstances in which, despite clause 28 of the Regulation, a person may import into the State pyriform scale and carriers.

### **75 Pyriform scale host plants**

- (1) A person may import into the State a pyriform scale host plant, if paragraphs (a) and (b) are satisfied:
  - (a) the pyriform scale host plant was grown in a State or Territory, or part of a State or Territory, that is free of pyriform scale as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the consignment of which the pyriform scale host plant is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place the plant was grown.
- (2) A person may import into the State a pyriform scale host plant if subclauses (a) and (b) are satisfied and the plant is accompanied by a Plant Health Certificate that these conditions have been met:

- (a) in the period starting 7 days before dispatch, the pyriform scale host plant is treated with an APVMA approved insecticide for the control of pyriform scale in accordance with all APVMA label directions and permit conditions, and
  - (b) the pyriform scale host plant is inspected by an authorised officer under the Act or a corresponding law of a State or Territory, at the greater of these rates and no pyriform scale was detected:
    - (i) 2 percent of the consignment of the pyriform scale host plant, or
    - (ii) 600 pyriform scale host plants.
- (3) A person may import into the State a pyriform scale host plant if the plant is dealt with in accordance with CA scheme procedure CA-10 ‘Treatment and Inspection of Nursery Stock for Pyriform Scale’ and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

### **Subdivision 9 – Spiraling whitefly – carriers**

#### **76 Definitions**

In this subdivision:

*secure conditions* means any one of the following:

- (a) unvented packages, or
- (b) vented packages with the vents secured with gauze or mesh with a maximum aperture of 1.0 millimetres, or
- (c) fully enclosed under tarpaulins, hessian, shade cloth, mesh or other covering which provides a maximum aperture of 1.0 millimetres, or
- (d) fully enclosed or screened buildings, rooms, vehicles or other facilities free from gaps or other entry points greater than 1.0 millimetres in width or height.

*spiraling whitefly* means the insect *Aleurodicus dispersus*.

#### **77 Conditions to import Spiraling whitefly – carriers**

This subdivision sets out the circumstances in which, despite clause 29 of the Regulation, a person may import into the State spiraling whitefly —carriers.

78 **Plant (other than a flower, fruit or seed)**

- (1) A person may import into the State any part of a plant (other than a flower, fruit or seed), if paragraphs (a) to (c) are satisfied:
  - (a) the plant was grown and packed in a State or Territory, or part of a State or Territory, that is free of spiraling whitefly as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the plant has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place the plant was both grown and packed, and
  - (c) the plant was not brought within 10 kilometres of any detection of spiraling whitefly.
  
- (2) A person may import into the State any part of a plant (other than a flower, fruit or seed), if paragraphs (a) and (b) are satisfied:
  - (a) the plant was grown and packed at a property which is located more than 10 kilometres from any detection of spiraling whitefly and the plant is accompanied by a Plant Health Certificate that certifies this conditions has been met, and
  - (b) the plant:
    - (i) was placed in secure conditions before it was dispatched from the property and remained in secure conditions until it arrived in the State, or
    - (ii) was not brought within 10 metres of any detection of spiraling whitefly.
  
- (3) A person may import into the State any part of a plant (other than a flower, fruit or seed), if paragraphs (a) and (b) are satisfied:
  - (a) the plant satisfies subparagraphs (i) and (ii) and is accompanied by a Plant Health Certificate that certifies these conditions have been met:
    - (i) the property or properties on which the plant is grown was inspected at the following times by an authorised officer under the Act, or under a corresponding law of a State or Territory, and found to be free of spiraling whitefly:
      - A. if the plant is less than 12 weeks old – at least once every 4 weeks, and
      - B. if the plant is more than 12 weeks old – at least once every 4 weeks in the last 12 weeks of its life, and
    - (ii) the boundaries of the property on which the plant is grown are more than 1 kilometre from a known detection of spiraling whitefly, and
  - (b) the plant was placed in secure conditions before it was dispatched from the property and remained in secure conditions until it arrived in the State.

- (4) A person may import into the State any part of a plant (other than a flower, fruit or seed), if the plant is dealt with in accordance with ICA scheme procedure ICA-36 'Property Freedom of Plants for Spiraling Whitefly' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.
- (5) A person may import into the State any part of a plant (other than a flower, fruit or seed), if paragraphs (a) and (b) are satisfied:
- (a) the plant satisfies subparagraphs (i) and (ii) and is accompanied by a Plant Health Certificate that certifies these conditions have been met:
    - (i) in the 48 hours immediately before importation, the consignment of which the plant is part was inspected by an authorised officer under the Act or a corresponding law of a State or Territory, at the greater of these rates and no spiraling whitefly was detected:
      - A. 2 percent of the consignment, or
      - B. 600 units of the consignment, and
    - (ii) immediately after inspection, the plant was placed in secure conditions at least 10 metres from a spiraling whitefly infested plant, and
  - (b) the plant remained in secure conditions until it was imported into the State.
- (6) A person may import into the State any part of a plant (other than a flower, fruit or seed), if the plant satisfies paragraphs (a) and (b):
- (a) the plant satisfies subparagraphs (i) and (ii) and is accompanied by a Plant Health Certificate that certifies these conditions have been met:
    - (i) in the 48 hours prior to importation, the plant was treated with an APVMA approved insecticide for the control of spiraling whitefly in accordance with all APVMA label directions and permit conditions, and
    - (ii) immediately after treatment, the plant was placed in secure conditions at least 10 metres from a spiraling whitefly infested plant, and
  - (b) the plant remains in secure conditions until it is imported into the State.
- (7) A person may import into the State any part of a plant (other than a flower, fruit or seed), if the plant is dealt with in accordance with ICA scheme procedure ICA-35 'Inspection and Treatment of Plants for Spiraling Whitefly' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.



## Subdivision 10 – Tomato yellow leaf curl virus (TYLCV) – carriers

### 79 Definitions

In this subdivision:

***documented silverleaf whitefly treatment and weed control regime*** means a regime involving:

- (a) a program of chemicals registered for the control of silverleaf whitefly applied in accordance with the APVMA label directions and permit conditions, and
- (b) the removal of weeds from inside the production areas and areas surrounding production areas.

***growing and inspection conditions*** means:

- (a) the plants were grown:
  - (i) in a silverleaf whitefly proof production facility, or
  - (ii) under a documented silverleaf whitefly treatment and weed control regime, and
- (b) the plants are inspected by an authorised officer under the Act or a corresponding law of a State or Territory, at the greater of these rates and no silverleaf whitefly and no symptoms of tomato yellow leaf curl virus were detected:
  - (i) 2 percent of the consignment of the plants, or
  - (ii) 600 plants from the consignment.

***secure conditions*** means any one of the following:

- (a) unvented packages, or
- (b) vented packages with the vents secured with gauze or mesh with a maximum aperture of 1.0 millimetres, or
- (c) fully enclosed under tarpaulins, hessian, shade cloth, mesh or other covering which provides a maximum aperture of 1.0 millimetres, or
- (d) fully enclosed or screened buildings, cool rooms, vehicles or other facilities free from gaps or other entry points greater than 1.0 millimetres in width or height, or
- (e) shrink wrapped and sealed as a palletised unit.

***silverleaf whitefly*** means the insect *Bemisia tabaci*.

***silverleaf whitefly proof production facility*** means a fully enclosed production facility where the internal, entry and exiting doors are sealable to prevent entry of silverleaf whitefly.

***tomato yellow leaf curl virus host plant*** means any of the following plants:

- (a) tomato (*Lycopersicon esculentum*),
- (b) bean (*Phaseolus vulgaris*),
- (c) lisianthus (*Eustoma grandiflora*),
- (d) lobed croton (*Croton lobatus*),

- (e) *Capsicum* *spp.*,  
**Note.** *Capsicum* spp. includes capsicum and chillies.
- (f) *Euphorbia* *spp.*,  
**Note.** *Euphorbia* spp. includes poinsettia.
- (g) *Physalis* *spp.*.  
**Note.** *Physalis* spp. includes cape gooseberry.

*tomato yellow leaf curl virus* means the virus *tomato yellow leaf curl virus*.

## 80 **Conditions to import Tomato yellow leaf curl virus (TYLCV) – carriers**

This subdivision sets out the circumstances in which, despite clause 30 of the Regulation, a person may import into the State a Tomato yellow leaf curl virus (TYLCV) — carriers.

## 81 **Tomato yellow leaf curl virus host plant – Area Freedom Certificate**

A person may import into the State a tomato yellow leaf curl virus host plant, if paragraphs (a) and (b) are satisfied:

- (a) the plant was grown in a State or Territory, or part of a State or Territory, that is free of tomato yellow leaf curl virus as evidenced by an Area Freedom Certificate currently in force, and
- (b) the consignment of which the plant is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place the plant was both grown and packed.

## 82 **Tomato yellow leaf curl virus host plant except material propagated vegetatively from cuttings**

A person may import into the State a tomato yellow leaf curl virus host plant except material propagated from cuttings if paragraphs (a) to (d) are satisfied:

- (a) the plant satisfies the growing and inspection conditions and is accompanied by a Plant Health Certificate that certifies these conditions have been met, and
- (b) the plant is transported under secure conditions, and
- (c) the plant remains in secure conditions until it is imported into the State; and
- (d) the plant is accompanied by a complying label or complying identifier that states:
  - (i) the name of the grower, and
  - (ii) the address of the property of origin, and
  - (iii) the name and address of the person or business that packed the plant into the package.

### 83 Material propagated vegetatively from cuttings

A person may import a tomato yellow leaf curl virus host plant that is material propagated vegetatively from cuttings into the State if paragraphs (a) to (d) are satisfied:

- (a) it satisfies subparagraphs (i) and (ii) and is accompanied by a Plant Health Certificate that certifies that these conditions have been met:
  - (i) the mother plant was tested every 6 months and found to be free of tomato yellow leaf curl virus, and
  - (ii) the plant satisfies the growing and inspection conditions, and
- (b) the plant is transported under secure conditions, and
- (c) the plant remains in secure conditions until it is imported into the State; and
- (d) the consignment of which the plant is part is accompanied by a complying label or complying identifier that states:
  - (i) the name of the grower, and
  - (ii) the address of the property of origin, and
  - (iii) the name and address of the person or business that packed the plant into the package.

## Division 4 Invasive species

### Subdivision 1 European house borer and carriers

#### 84 Definitions

In this subdivision:

***European house borer*** means the insect *Hylotrupes bajulus*.

***Heat treatment method*** means treatment of the wood product by heating it such that the core temperature of the wood product at its greatest thickness reaches a minimum of 56.0°C for 30 minutes.

***Methyl bromide fumigation treatment method*** means treatment of a wood product that has a cross section that measures less than 20 centimetres by fumigation with methyl bromide:

- (a) at a temperature equal to or higher than 10.0 degrees Celsius, and
- (b) for a minimum of 24 hours, and
- (c) with a minimum concentration of methyl bromide during the fumigation period as specified in the Table 2:

<b>Table 2 - Methyl Bromide Fumigation Treatment</b>					
Temperature	Concentration (g/m <sup>3</sup> )				
	At Start	After 2 hours	After 4 hours	After 12 hours	After 24 hours
>20.9 °C and above	48	36	31	28	24
>15.9 °C - 20.9 °C	56	42	36	32	28
10.0 °C - 15.9 °C	64	48	42	36	32

**Preservative treatment method** means application of a preservative specific for European House Borer, and to a hazard class of H2 or greater as provided in *Australian Standard AS 1604 'Specification for preservation treatment'* (the series of standards for preservative treatment of timber products).

**wood product** means a wood product from a tree of the genus *Pinus*, *Abies*, *Picea*, *Araucaria* or *Pseudotsuga* other than the following:

- (a) any wood product made only of heartwood,
- (b) any wood product made only of reconstituted pinewood,
- (c) wooden household articles and furniture imported by or on behalf of a person for the personal use of the person or a member of the person's household, and  
**Note:** Such as a person moving to NSW who ships the contents of their home.
- (d) any wood product less than 4 millimetres thick.

**treatment methods** means the Heat treatment method, the Methyl bromide fumigation treatment method and the Preservation treatment method.

## 85 Conditions to import European house borer and carriers

This subdivision sets out the circumstances in which, despite clause 31 of the Regulation, a person may import into the State European house borer or carriers.

## 86 Wood products

A person may import into the State a wood product if the tree from which the wood product was derived was grown in a State or Territory, or part of a State or Territory, that is free of European house borer as evidenced by an Area Freedom Certificate currently in force.

## 87 Wood products -treatment

A person may import into the State a wood product if paragraphs (a) and (b) are satisfied:

- (a) in the period starting 21 days before the importation, the wood product was treated using one of these APVMA treatment methods in accordance with all APVMA label directions and permit conditions:
  - (i) if the wood product has a cross section of less than 20 centimetres, the Methyl bromide fumigation treatment method, or
  - (ii) the Heat treatment method, or
  - (iii) the Preservation treatment method, and
- (b) the wood product is accompanied by a Plant Health Certificate that certifies the origin of the wood product and that the wood product was treated using one of the treatment methods.

## Subdivision 2 – Tramp Ants – carriers

### 88 Definitions

In this subdivision:

***known tramp ant infested area*** means an area within 5 kilometres of a place at which the person knows or ought reasonably to know that tramp ants have been detected because a public authority has in place an order (however described) that:

- (a) identifies the place, or land on which that place is located, and
- (b) establishes measures to prevent, eliminate, minimise or manage the biosecurity risk or biosecurity impact of the tramp ant, and
- (c) was made publicly available.

***tramp ant material*** means organic plant mulch (which includes bark, wood chips, hay, straw and sugar cane bagasse), plants in containers, agriculture or earth moving machinery, or soil (which includes turf).

### 89 Conditions to import Tramp ants - carriers

This subdivision sets out the circumstances in which, despite clause 32 of the Regulation, a person may import into the State Tramp ant —carriers.

## 90 **Organic plant mulch (but not hay or straw bales) or soil**

A person may import into the State from a known tramp ant infested area organic plant mulch (but not hay or straw bales) or soil if paragraphs (a) to (c) are satisfied and the organic plant mulch or soil is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the organic plant mulch or soil was heated to a minimum temperature of 65.5 degrees Celsius according to the requirements of Australian Standard AS4454-2012 *Compost, Soil Conditioners and Mulches*, and
- (b) following treatment, the organic plant mulch or soil was stored, handled and consigned in a manner that prevents infestation by tramp ants, and
- (c) 48 hours before dispatch, the organic plant mulch or soil was inspected and found to be free of tramp ants.

## 91 **Hay or straw bales**

A person may import into the State hay or straw bales from a known tramp ant infested area if paragraphs (a) to (c) are satisfied and the hay or straw bales are accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the hay or straw bales were treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and
- (b) following treatment, the hay or straw bales were stored, handled and consigned in a manner that prevents infestation by tramp ants, and
- (c) 48 hours before dispatch, the hay or straw bales were inspected and found to be free of tramp ants.

## 92 **A plant in a container from a known tramp ant infested area that was grown in potting media**

- (1) A person may import into the State from a known tramp ant infested area a plant in a container that was grown in potting media if paragraphs (a) to (c) are satisfied and the plant is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (a) in the period starting 28 days before dispatch, the plant was treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694; and ensuring that:
    - (i) the plant is not removed from its container before treatment, and

- (ii) the soil is thoroughly saturated with the treatment solution, and
  - (iii) the container is immersed so that the soil is completely covered by the treatment solution, and
  - (iv) the container remains in the solution until all bubbling ceases, and
  - (v) the treatment solution used was made up no longer than 8 hours before the container was immersed, and
- (b) 48 hours before dispatch, the plant was inspected and found to be free of tramp ants, and
  - (c) following treatment and inspection, the plant is stored, handled and consigned in a manner that prevents infestation by tramp ants.
- (2) A person may import into the State from a known tramp ant infested area a plant in a container that was grown in potting media if paragraphs (a) to (c) are satisfied and the plant is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the plant is treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and
  - (b) 48 hours before dispatch, the plant was inspected and found to be free of tramp ants, and
  - (c) following treatment and inspection, the plant is stored, handled and consigned in a manner that prevents infestation by tramp ants.
- (3) A person may import into the State from a known tramp ant infested area a plant in a container that was grown in potting media if paragraphs (a) to (c) are satisfied and the plant is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) in the period starting 28 days before importation, the property on which the plant was grown was inspected and found free of tramp ants, and
  - (b) the property on which the plant was grown satisfies either subparagraph (i) or (ii):
    - (i) the property has not received any tramp ant material from any other property or facility located within a known tramp ant infested area unless that tramp ant material is accompanied by a Plant Health Certificate that certifies that material meets the conditions set out in this subclause, or
    - (ii) any tramp ant material from another property or facility located within a known tramp ant infested area has been on the property for more than 12 weeks, and
  - (c) 48 hours before dispatch, the plant was inspected and found to be free of tramp ants.

**93 A plant grown in a container in potting media from a known tramp ant infested area**

- (1) A person may import into the State from a known tramp ant infested area a plant grown in a container in potting media if paragraphs (a) to (c) are satisfied and the plant is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (a) the plant was treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and
  - (b) following treatment, the plant is stored, handled and consigned in a manner that prevents infestation by tramp ants, and
  - (c) 48 hours before dispatch, the plant was inspected and found to be free of tramp ants.
- (2) A person may import into the State from a known tramp ant infested area a plant grown in a container in potting media if paragraphs (a) to (c) are satisfied and the plant is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (a) in the period starting 28 days before importation, the property on which the plant was grown was inspected and found free of tramp ants, and
  - (b) the property on which the plant was grown satisfies either subparagraph (i) or (ii):
    - (i) the property has not received any tramp ant material from any other property or facility located within a known tramp ant infested area unless that tramp ant material is accompanied by a Plant Health Certificate that certifies that material meets the conditions set out in this subclause, or
    - (ii) any tramp ant material from another property or facility located within a known tramp ant infested area has been on the property for more than 12 weeks, and
  - (c) 48 hours before dispatch, the plant was inspected and found to be free of tramp ants.

**94 A plant from a known tramp ant infested area re-potted in potting media not from a known tramp ant infested area**

- (1) A person may import into the State from a known tramp ant infested area a plant re-potted in potting media if paragraphs (a) to (d) are satisfied and the plant is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (a) the plant was treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and
  - (b) in the period starting 48 hours before importation the plant is re-potted in potting media treated with an APVMA approved chemical for the control of tramp ants in



accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and

- (c) following re-potting, the plant was stored, handled and consigned in a manner that prevents infestation by tramp ants, and
  - (d) 48 hours before dispatch, the plant was inspected and found to be free of tramp ants.
- (2) A person may import into the State from a known tramp ant infested area a plant re-potted in potting media if paragraphs (a) to (c) are satisfied and the plant is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the plant is sourced from a property confirmed free of tramp ants as evidenced by a Property Freedom Certificate currently in force, and
  - (b) following re-potting, the plant was stored, handled and consigned in a manner that prevents infestation by tramp ants, and
  - (c) 48 hours before dispatch, the plant was inspected and found to be free of tramp ants.
- (3) A person may import into the State from a known tramp ant infested area a plant re-potted in potting media if paragraphs (a) to (c) are satisfied and the plant is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) in the period starting 28 days before importation, the property on which the plant was grown was inspected and found free of tramp ants, and
  - (b) the property on which the plant was grown satisfies either subparagraph (i) or (ii):
    - (i) the property has not received any tramp ant material from any other property or facility located within a known tramp ant infested area unless that tramp ant material is accompanied by a Plant Health Certificate that certifies that material meets the conditions set out in this subclause, or
    - (ii) any tramp ant material from another property or facility located within a known tramp ant infested area has been on the property for more than 12 weeks, and
  - (c) 48 hours before dispatch, the plant was inspected and found to be free of tramp ants.

**95 A plant that was grown in a container in potting media from a known tramp ant infested area that has been treated and certified in accordance with ICA scheme procedures**

- (1) A person may import into the State a plant in a container from a known tramp ant infested area that was grown in potting media if the plant is dealt with in accordance with the ICA scheme procedure ICA-39 'Inspection and Treatment of Plants for Red Imported Fire Ant' and is accompanied by a Plant Health Assurance Certificate certifying that the requirements of this procedure have been met.

- (2) A person may import into the State from a known tramp ant infested area a plant that has been grown in a container in potting media if the plant is dealt with in accordance with ICA scheme procedure ICA-40 'Property Freedom of Plants for Red Imported Fire Ant' and is accompanied by a Plant Health Assurance Certificate certifying that the requirements of this procedure have been met.

## 96 Turf

A person may import into the State turf from a known tramp ant infested area if paragraphs (a) to (c) are satisfied and the turf is accompanied by a Plant Health Certificate certifying that these conditions have been met:

- (a) in the period starting 28 days before importation, the turf is treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and
- (b) following treatment, the turf is stored, handled and consigned in a manner that prevents infestation by tramp ants, and
- (c) 48 hours before dispatch, the turf was inspected and found to be free of tramp ants.

## 97 Agricultural and earth moving equipment

A person may import into the State agricultural or earth moving equipment from a known tramp ant infested area if paragraphs (a) and (b) are satisfied and the equipment is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) it is free from soil and other tramp ant material, and
- (b) 48 hours prior to dispatch, it was inspected and found to be free of tramp ants.

## Division 5 Weeds - Parthenium weed carriers

### 98 Definitions

In this division:

***parthenium weed*** means the weed *Parthenium hysterophorus*.

***Record of Movement (Parthenium weed carrier)*** means a form to the effect of the form published on the Department's website titled 'Record of Movement (Parthenium Weed Carrier)' that contains a declaration by the person importing the parthenium weed carrier that the parthenium weed carrier satisfies the conditions for importing equipment that is a grain harvester or comb trailer.

**99 Conditions to import Parthenium weed carriers – machinery and equipment**

This subdivision sets out the circumstances in which, despite clause 35 of the Regulation, a person may import into the State from Queensland parthenium weed carriers — machinery and equipment.

**100 Equipment except a grain harvester or comb trailer**

A person may import equipment except a grain harvester or comb trailer into the State from Queensland, if either paragraph (a) or paragraph (b) is satisfied:

- (a) the equipment is cleaned to remove all plant material, dust and soil, and any accumulation of grease, or
- (b) the equipment is treated to sterilise seed in or on the equipment so that the equipment will not contaminate any land onto which it is brought.

**101 Equipment that is a grain harvester (including the comb or front) or comb trailer (including the comb or front)**

A person may import equipment that is a grain harvester (including the comb or front) or comb trailer (including the comb or front) into the State from Queensland, if paragraphs (a) and (b) are satisfied:

- (a) the equipment is cleaned in the manner set out in Schedule 1 to this Order, and is accompanied by a Record of Movement (Parthenium weed carrier) completed by the person importing the equipment that declares this condition was met, and
- (b) the equipment is accompanied by a Carrier Biosecurity Certificate that certifies the requirements of subparagraphs (i) and (ii) have been met:
  - (i) the biosecurity certifier has received a copy of the Record of Movement (Parthenium weed carriers) for the equipment; and
  - (ii) the equipment was inspected at an approved facility.

## Part 3 Biosecurity Zones – Aquatic pests and diseases

### Division 1 Preliminary

#### 102 Definitions

In this Part:

*oyster shipments log book* means the Oyster Shipment Log Book as defined in the *Fisheries Management (Aquaculture) Regulation 2012*.

*Pacific Oyster Mortality Syndrome (POMS)* means the oyster disease that is caused by the virus OsHV-1 micro variant.

*QX disease* means the disease that is caused by the protozoan parasite *Marteilia sydneyi*.

*relevant NSW Fisheries office* means the local Fisheries Office of the Department for the estuary from which the cultivation equipment and infrastructure are moved.

### Division 2 Conditions for Regulatory measures

#### 103 QX disease biosecurity zone

- (1) This clause sets out the circumstances in which, despite clause 49 of the Regulation, a person who deals with oysters as authorised by a permit under the *Fisheries Management Act 1994*, may carry out permitted dealings.
- (2) A person may move oyster cultivation equipment from a high QX risk area or a medium QX risk area to any other part of the QX disease biosecurity zone if paragraphs (a) to (d) are satisfied:
  - (a) the oyster cultivation equipment was dried for 30 days in the high QX risk area or medium QX risk area before being moved to any other part of the QX disease biosecurity zone, and
  - (b) the proposed relocation was recorded in the Oyster Shipment Log Book, and
  - (c) not less than 48 hours before the proposed relocation, a copy of the Oyster Shipment Logbook was given to the relevant NSW Fisheries office, and
  - (d) a copy of the Oyster Shipment Logbook accompanies the oyster cultivation equipment at all times.

## 104 POMS biosecurity zone

- (1) This clause sets out the circumstances in which, despite clause 51 of the Regulation, a person who deals with oysters as authorised by a permit under the *Fisheries Management Act 1994* may carry out permitted dealings.
- (2) A person may move oyster cultivation equipment from the POMS biosecurity zone to waters outside of the POMS biosecurity zone if paragraphs (a) to (f) are satisfied:
  - (a) the oyster cultivation equipment was thoroughly cleaned to remove all oysters and other organic material, by manually scraping or high pressure cleaning, and wastage was disposed into general landfill, and waste-water has not entered any waterway, and
  - (b) the oyster cultivation equipment was decontaminated using either of these methods:
    - (i) moist heat treatment at a minimum temperature of at least 50 degrees Celsius for a minimum duration of 5 minutes (duration to be timed from the point at which every area of the treated equipment reaches a minimum temperature of at least 50 degrees Celsius), or
    - (ii) with one of the following disinfectants, freshly prepared before each use and used in accordance with the conditions of APVMA permit number PER82160:
      - A. Virkon® (Virkon® S or Virkon® Aquatic),
      - B. Iodine,
      - C. Sodium Hydroxide, or
      - D. Quaternary Ammonium Compound, and
  - (c) the oyster cultivation equipment was rinsed clean after decontamination, and
  - (d) the proposed movement of the oyster cultivation equipment was logged in the Oyster Shipment Log Book, and
  - (e) no less than 48 hours before the proposed relocation, a copy of the Oyster Shipment Logbook was is given to the relevant NSW Fisheries office, and
  - (f) a copy of the Oyster Shipment Logbook accompanies the oyster cultivation equipment at all times.

## Part 4 Biosecurity Zones - Plant pests and diseases

### Division 1 Preliminary

#### 105 Requirements for Labels, Plant Health Certificates and Plant Health Assurance Certificates

A person who moves biosecurity matter into a biosecurity zone or part of a biosecurity zone must retain any record, label, Plant Health Certificate or Plant Health Assurance Certificate required by this Part for 4 years.

### Division 2 Citrus red mite biosecurity zone

#### 106 Definitions

In this Division:

*citrus red mite* means the pest *Panonychus citri*.

*citrus red mite host plant* means a plant of the genus *Citrus*, *Eremocitrus*, *Microcitrus*, *Monanthocitrus*, *Fortunella* or *Poncirus* or any part (other than a fruit) of any such plant.

#### 107 Citrus red mite biosecurity zone

- (1) This clause sets out the circumstances in which, despite clause 56 of the Regulation, a person may move out of the citrus red mite biosecurity zone any citrus red mite host plant.

- (2) A person may move out of the citrus red mite biosecurity zone any citrus red mite host plant if in the period starting 12 months before the plant was moved out of the citrus red mite biosecurity zone, the plant was treated with an APVMA approved pesticide for the control of citrus red mite in accordance with all APVMA label directions and permit directions and it is accompanied by a Plant Health Certificate that certifies this condition was met.
- (3) A person may move out of the citrus red mite biosecurity zone any citrus red mite host plant if the plant is dealt with in accordance with CA Scheme procedure CA-16 'Treatment of Citrus, Fortunella or Poncirus for Citrus Red Mite' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

### **Division 3 Grapevine phylloxera biosecurity zone**

#### **Sub-division 1 Preliminary**

#### **108 Definitions**

In this Division:

*diagnostic sample disinfestation methods* means the diagnostic sample was disinfested by:

- (a) autoclaving at:
  - (i) 121 degrees Celsius and 103 kilopascals for 15 minutes, or
  - (ii) 134 degrees Celsius and 103 kilopascals for 4 minutes, or
  - (iii) freezing to -18 degrees Celsius for 24 hours, or
- (b) freezing and transfer under liquid nitrogen to -196 degrees Celsius, or
- (c) freeze drying, or
- (d) oven drying to 45 degrees Celsius for 2 hours, or
- (e) hot water treatment to  $54 \pm 1$  degrees Celsius for 5 minutes, or
- (f) fixing in formalin/acetic acid, 70 percent ethanol.

**dry heat treatment method** means the room, shed or container is heated with dry heat until the required surface temperature of the equipment is reached, and the heat in the room, shed or container is held constant so that the required surface temperature of the equipment is maintained for the required times:

<i>Required surface temperature</i>	<i>Required times</i>
45 degrees Celsius	1¼ hours
40 degrees Celsius	2 hours

**filtered, clarified or cold settled juice** means juice processed through a filter that removes all particles larger than 50 microns. Centrifugation and cold settling are accepted alternatives to filtration for the purposes of this definition provided that the same outcomes are achieved.

**grapevine phylloxera** means the insect *Daktulosphaira vitifoliae*.

**hot water treatment method** means the equipment is totally immersed in water heated to 70 degrees Celsius and remains immersed for 2 minutes after the equipment has reached 70 degrees Celsius.

**juice** is the liquid fraction from must, excluding skins, seeds and other large solids, that may contain some suspended solids.

**marc** is the solids residue from crushing or pressing of must (pre-fermentation marc) or wine fermented on skins (post-fermentation marc), containing skins, seeds and possibly stems.

**marc treatment method** means the marc was:

- (a) in a fermentation process of 4 days, or
- (b) composted for 3 months, 500 metres from any grapevines or in a secure and segregated location where:
  - (i) the marc was composted in accordance with Australian Standard AS 4454 (2012), or
  - (ii) the marc was pasteurised in accordance with Australian Standard AS 4454 (2012).

**must** is the total product of crushing grape berries where the berries have been destemmed, and may include juice, skins, seeds, pulp and possibly some stems and leaves.

**phylloxera exclusion zone** means any zone that falls within the definition of a ‘Phylloxera Exclusion Zone (PEZ)’ in the National Phylloxera Management Protocol: Definitions of Phylloxera Management Zones published by the National Vine Health Steering Committee, as amended from time to time.

**phylloxera infested zone** means all land known to be infested with grapevine phylloxera and includes all land with a boundary that is within 5 kilometres of a known infestation other than the NSW phylloxera infested areas.

**phylloxera risk zone** means all land that is not within a phylloxera exclusion zone or a phylloxera infested zone.

**securely packaged** means sealed so as to prevent escape of any grapevine phylloxera, within three layers of packaging, the outer layer being a sealed cardboard or plastic box or courier satchel, and the inner 2 layers being sealed paper, cardboard or plastic containers including bags or boxes. A label stating “Quarantine Material – Do Not Open” must be affixed between the second and third layer of packaging.



*steam treatment method* means the steam is applied at above 100 degrees Celsius and makes contact with all surfaces and the surface is left dry, not wet with condensate.

*unfiltered juice* means the liquid fraction from must, excluding skins, seeds and other large solids, but which may contain some suspended solids.

## **Subdivision 2      Movement of a grapevine phylloxera carrier into the grapevine phylloxera biosecurity zone**

### **109 Regulatory Measures**

This subdivision sets out the circumstances in which, despite clause 59 of the Regulation, a person may move a grapevine phylloxera carrier into the grapevine phylloxera biosecurity zone.

### **110 Cutting or rootling**

- (1) A person may move a cutting or rootling from a phylloxera exclusion zone or a phylloxera risk zone into the grapevine phylloxera biosecurity zone if paragraphs (a) and (b) are satisfied and the cutting or rootling is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (a) it is dormant and free of soil; and
  - (b) it was treated by:
    - (i) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of 18 degrees Celsius, or
    - (ii) complete submersion in a hot water dip for 30 minutes at a temperature of  $50 \pm 1$  degrees Celsius, or for 5 minutes at a temperature of  $54 \pm 1$  degrees Celsius.
  
- (2) A person may move a cutting or rootling from a phylloxera exclusion zone or a phylloxera risk zone into the grapevine phylloxera biosecurity zone if the cutting or rootling is dealt with in accordance with ICA Scheme procedure ICA 37 'Hot water treatment of grapevines' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.
  
- (3) A person may move a cutting from a phylloxera exclusion zone into the grapevine phylloxera biosecurity zone if paragraphs (a) to (d) are satisfied:
  - (a) the cutting is sourced from a business accredited under a Vine Industry Nursery Association (**VINA**) grapevine propagation program and satisfies subparagraphs (i) and (ii):
    - (i) the cutting is free from soil, and

- (ii) the cutting is dormant,
  - (b) before dispatch from the VINA accredited business from which the cutting or rootling was sourced:
    - (i) the number of cuttings to be dispatched and the origin of those cuttings are recorded, and
    - (ii) the cuttings were securely packed for transport, and
  - (c) the cutting is accompanied by a copy of the record of the number of cuttings and their origin, and
  - (d) the cutting is received by a business accredited under a VINA grapevine propagation program.
- (4) Before a person propagates or plants a cutting in the grapevine phylloxera biosecurity zone that was sourced from a business accredited under a *VINA* grapevine propagation program a cutting from a phylloxera exclusion zone, the cutting must be treated by:
- (a) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of 18 degrees Celsius, or
  - (b) complete submersion in a hot water dip for:
    - (i) 30 minutes at a temperature of  $50 \pm 1$  degrees Celsius, or
    - (ii) 5 minutes at a temperature of  $54 \pm 1$  degrees Celsius.

**Note:** Cuttings and rootlings from a phylloxera infested zone are prohibited into NSW.

## 111 Whole wine grapes that are not table grapes

- (1) A person may move whole wine grapes that are not table grapes into the grapevine phylloxera biosecurity zone if paragraphs (a) and (b) are satisfied:
  - (a) the grapes were grown in a phylloxera exclusion zone or the grapes were grown in or sourced from a State or Territory, or part of a State or Territory, that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the consignment of which the grapes are part have a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the grapes were grown or sourced.

- (2) A person may move whole wine grapes that are not table grapes from a phylloxera risk zone into the grapevine phylloxera biosecurity zone if paragraphs (a) to (d) are satisfied and the grapes are accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the grapes are solely sourced from a vineyard that was surveyed in accordance with the National Phylloxera Management Protocol within the current season and there is no reason to suspect the presence of grapevine phylloxera, and
  - (b) the grapes were packed in bins which have been sterilised by the steam treatment method, the hot water treatment method or the dry heat treatment method and are free of all soil and plant material, and
  - (c) the bins were loaded onto a transport vehicle on a hard surface, not within the vineyard, and
  - (d) the transport vehicle was cleaned free of all soil and plant matter.
- (3) A person may move a whole wine grapes that are not table grapes into the grapevine phylloxera biosecurity zone if the grapes are dealt with in accordance with ICA scheme procedure ICA 33 ‘Movement of Wine Grapes – Phylloxera and Fruit Fly’ and are accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

**Note:** Movement of whole wine grapes out of a *phylloxera infested zone* into NSW is prohibited.

## 112 **Marc**

- (1) A person may move marc into the grapevine phylloxera biosecurity zone if paragraphs (a) and (b) are satisfied:
- (a) the grapes from which the marc is produced were grown in a phylloxera exclusion zone or in a State or Territory, or part of a State or Territory, that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the consignment of which the marc is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the grapes from which the marc was produced were grown.
- (2) A person may move marc into the grapevine phylloxera biosecurity zone if paragraphs (a) to (d) are satisfied and the marc is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the grapes from which the marc is produced are grown in a phylloxera infested zone or a phylloxera risk zone, and
  - (b) the marc is treated using a marc treatment method, and
  - (c) the marc is packed into a sealed container that is free of soil and plant matter, and

- (d) the marc is transported in a vehicle that is cleaned free of soil and plant matter.

### 113 Filtered, clarified or cold settled juice

- (1) A person may move a filtered, clarified or cold settled juice into the grapevine phylloxera biosecurity zone if paragraphs (a) and (b) are satisfied:
  - (a) the grapes from which the filtered, clarified or cold settled juice is produced were grown in a phylloxera exclusion zone or in a State or Territory, or part of a State or Territory, that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the consignment of which the juice forms part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the grapes from which the juice is produced were grown.
  
- (2) A person may move filtered, clarified or cold settled juice produced from grapes grown in a phylloxera infested zone or a phylloxera risk zone into the grapevine phylloxera biosecurity zone if the juice has no particles of size greater than 50 microns and is accompanied by a Plant Health Certificate certifying that this conditions was met.

### 114 Unfiltered juice or must

- (1) A person may move unfiltered juice or must into the grapevine phylloxera biosecurity zone if paragraphs (a) and (b) are satisfied:
  - (a) the grapes from which the unfiltered juice or must is produced were grown in a phylloxera exclusion zone or in a State or Territory, or part of a State or Territory, that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the consignment of which the unfiltered juice or must is part has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the grapes from which the unfiltered juice or must is produced were grown.
  
- (2) A person may move unfiltered juice or must into the grapevine phylloxera biosecurity zone if paragraphs (a) to (d) are satisfied and the juice or must is accompanied by a Plant Health Certificate certifying that these conditions have been met:
  - (a) the grapes from which the juice or must is produced were grown in a phylloxera risk zone, and
  - (b) the juice or must is sourced solely from a vineyard that was surveyed in accordance with the National Phylloxera Management Protocol within the current season and there is no reason to suspect the presence of grapevine phylloxera, and

- (c) the juice or must was packed into a sealed container that is free of soil and plant matter and loaded onto the transport vehicle on a hard surface, and
  - (d) the juice or must was transported in a vehicle that was cleaned so as to be free of soil and plant matter.
- (3) A person may move unfiltered juice or must into the grapevine phylloxera biosecurity zone if paragraphs (a) to (e) are satisfied and the unfiltered juice or must is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the grapes from which the juice or must is produced were grown in a phylloxera infested zone, and
  - (b) the juice or must was fermented for at least 3 days, and
  - (c) the juice or must was sealed in containers which prevent any spillage and which are free of all soil and plant material, and if any spillage occurs the Department was immediately notified, and
  - (d) the containers in which the juice or must has been sealed were loaded onto or into a transport vehicle on a hard surface, not within a vineyard, and
  - (e) the transport vehicle was cleaned free of all soil and plant matter.

**Note:** The manner in which a person must notify the Department of any spillage of juice or must is published on the website of the Department.

## 115 Table grapes

- (1) A person may move table grapes into the grapevine phylloxera biosecurity zone if paragraphs (a) to (c) are satisfied:
- (a) the grapes are grown in a phylloxera exclusion zone or in a State or Territory, or part of a State or Territory, that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the grapes are free of soil and leaf matter, and
  - (c) the consignment of which the grapes are part have a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the grapes were grown.
- (2) A person may move table grapes from a phylloxera risk zone into the grapevine phylloxera biosecurity zone if paragraphs (a) to (c) are satisfied and the grapes are accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the grapes were grown in a phylloxera risk zone, and
  - (b) the grapes were sourced solely from a vineyard that was surveyed in accordance with the National Phylloxera Management Protocol within the current season and there is no reason to suspect the presence of grapevine phylloxera, and

- (c) the grapes were packed in a container which was free of soil and plant material.
- (3) A person may move table grapes into the grapevine phylloxera biosecurity zone if paragraphs (a) to (c) are satisfied and the grapes are accompanied by a Plant Health Certificate certifying that these conditions have been met:
- (a) the grapes were grown in a phylloxera risk zone or a phylloxera infested zone, and
  - (b) the grapes were treated with a registered APVMA product containing at least 970 grams/kilogram anhydrous sodium metabisulphite in accordance with all APVMA label directions and permit conditions , and
  - (c) the grapes were packed for sale as table grapes.

**116 Equipment that was used in the production of a grapevine plant within the previous 5 years**

- (1) A person may move into the grapevine phylloxera biosecurity zone equipment that was used in the production of a grapevine plant within the previous 5 years if paragraphs (a) to (c) are satisfied:
- (a) the equipment was last used in a phylloxera exclusion zone or in a State or Territory, or part of a State or Territory, that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force,
  - (b) the equipment is free of soil and plant material; and
  - (c) the equipment has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the equipment was last used.
- (2) A person may move into the grapevine phylloxera biosecurity zone equipment that was used in the production of a grapevine plant within the previous 5 years if paragraphs (a) to (c) are satisfied and the equipment is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the equipment was last used in a phylloxera infested zone or phylloxera risk zone, and
  - (b) the equipment is free of soil and plant material, and
  - (c) the equipment was sterilised using one of the following methods:
    - (i) for all equipment (except a mechanical harvester) — the steam treatment method, the hot water treatment method or the dry heat treatment method, or,
    - (ii) for equipment that is a mechanical harvester— the dry heat treatment method.

- (3) A person may move into the grapevine phylloxera biosecurity zone equipment that was used in the production of a grapevine plant within the previous 5 years if the equipment is dealt with in accordance with Certification Assurance Arrangement Procedure PS-36 'Movement of Winegrape Equipment' and the equipment is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

## 117 Potted Vines

A person may move a potted vine into the grapevine phylloxera biosecurity zone if paragraphs (a) to (c) are satisfied and the potted vine is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the cutting or rootling from which the vine was grown comes from a phylloxera exclusion zone or from a State or Territory, or part of a State or Territory that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force, and
- (b) the cutting or rootling from which the vine was grown was treated by,
  - (i) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of 18 degrees Celsius, or
  - (ii) complete submersion in a hot water dip for 30 minutes at a temperature of  $50 \pm 1$  degrees Celsius, or for 5 minutes at a temperature of  $54 \pm 1$  degrees Celsius, and
- (c) the potted vine was grown in artificial growing matter.

**Note:** Movement of potted vines from a *phylloxera risk zone* or *phylloxera infested zone* are prohibited.

## 118 Diagnostic samples

- (1) A person may move a diagnostic sample of any grapevine phylloxera carriers (excluding equipment) into the grapevine phylloxera biosecurity zone if paragraphs (a) to (c) are satisfied:
  - (a) the diagnostic sample is from a phylloxera exclusion zone or from a State or Territory, or part of a State or Territory, that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the diagnostic sample has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where the diagnostic sample is from, and
  - (c) the diagnostic sample is securely packaged.

- (2) A person may move a diagnostic sample of any grapevine phylloxera carriers (excluding equipment) into the grapevine phylloxera biosecurity zone if paragraphs (a) to (c) are satisfied and the diagnostic sample is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the diagnostic sample is from a phylloxera risk zone or a phylloxera infested zone, and
  - (b) the diagnostic sample was disinfested using a diagnostic sample disinfestation method; and
  - (c) the diagnostic sample is securely packaged.
- (3) A person may move a diagnostic sample of any grapevine phylloxera carriers (excluding equipment) into the grapevine phylloxera biosecurity zone if paragraphs (a) to (c) are satisfied:
- (a) the diagnostic sample is sent directly to premises accredited under an arrangement for receiving quarantine material approved by the Federal Department of Agriculture and Water Resources, and
  - (b) the diagnostic sample is from a phylloxera risk zone or a phylloxera infested zone, and
  - (c) the diagnostic sample is securely packaged.

#### **119 Mulch or soil improving materials (such as garden organics)**

- (1) A person may move mulch or soil improving materials (such as garden organics) into the grapevine phylloxera biosecurity zone if paragraphs (a) and (b) are satisfied:
- (a) the mulch or soil improving material is sourced from a phylloxera exclusion zone or from a State or Territory, or part of a State or Territory, that is free from grapevine phylloxera as evidenced by an Area Freedom Certificate currently in force, and
  - (b) the mulch or soil improving material has a complying label or complying identifier that states the name and postcode of the city or town nearest to the place where it was sourced.
- (2) A person may move mulch or soil improving materials (such as garden organics) into the grapevine phylloxera biosecurity zone if paragraphs (a) to (d) are satisfied and the mulch or soil improving material is accompanied by a Plant Health Certificate that certifies these conditions have been met:
- (a) the mulch or soil improving material is sourced from a phylloxera risk zone, and
  - (b) the mulch or soil improving material was treated using one of these methods:



- (i) composted at least 500 metres from any grapevines, or on a hard surface at least 50 metres from any grapevines in accordance with Australian Standard AS 4454 (2012), or
- (ii) pasteurised in accordance with Australian Standard AS 4454 (2012), and
- (c) the mulch or soil improving material was packaged into a sealed container that is free of soil and plant matter, and
- (d) the mulch or soil improving material was transported in a vehicle that has been cleaned so as to be free of soil and plant matter.

**Note 1:** Movement of soil into the grapevine phylloxera biosecurity zone is prohibited

**Note 2:** Movement of mulch and soil improving materials into the grapevine phylloxera biosecurity area from a phylloxera infested zone is prohibited.

## 120 **Germplasm**

A person may move germplasm into the grapevine phylloxera biosecurity zone if paragraphs (a) and (b) are satisfied and the germplasm is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the germplasm was grown in sterile conditions as a tissue culture plant, and
- (b) the germplasm remains in sterile conditions until it arrives in the grapevine phylloxera biosecurity zone.

### **Subdivision 3      Movement of a grapevine phylloxera carrier from the phylloxera infested area into part of the grapevine phylloxera biosecurity zone that is not the phylloxera infested area**

## 121 **Marc**

A person may move marc from a phylloxera infested area to a part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if paragraphs (a) to (c) are satisfied and the marc accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the marc is treated using a marc treatment method, and
- (b) the marc is packed into a sealed container that is free of soil and plant matter, and
- (c) the marc is transported in a vehicle that has been cleaned so that it is free of soil and plant matter.

## 122 **Filtered, clarified or cold settled juice**

A person may move filtered, clarified or cold settled juice from a phylloxera infested area to a part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if the juice has no particles of a size greater than 50 microns and is accompanied by a Plant Health Certificate that certifies this condition has been met.

## 123 **Unfiltered juice or must**

A person may move unfiltered juice or must into a part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if paragraphs (a) to (f) are satisfied and the unfiltered juice or must is accompanied by a Plant Health Certificate certifying that these conditions are met:

- (a) the grapes from which the juice or must is produced were grown in a phylloxera infested zone, and
- (b) the juice or must was fermented for at least 3 days, and
- (c) the juice or must was sealed in containers which prevent any spillage and if any spillage occurs the Department was immediately notified, and
- (d) the containers in which the juice or must has been sealed are free of all soil and plant material; and
- (e) the containers in which the juice or must has been sealed were loaded onto or into a transport vehicle on a hard surface, not within a vineyard, and
- (f) the transport vehicle was cleaned free of all soil and plant matter.

## 124 **Table grapes**

A person may move table grapes from a phylloxera infested area to a part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if paragraphs (a) and (b) are satisfied and the grapes are accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the grapes were treated with a registered product containing at least 970 grams/kilogram anhydrous sodium metabisulphite at the rate specified on the label and they are free of soil and leaf material, and
- (b) the grapes are packed for sale as table grapes.

**125 Equipment that was used in the production of a grapevine plant within the previous 5 years**

A person may move equipment that was used in the production of a grapevine plant within the previous 5 years from a phylloxera infested area to part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if paragraphs (a) and (b) are satisfied and the equipment is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the equipment is free of soil and plant material, and
- (b) the equipment was sterilised using one of the following methods:
  - (i) for all equipment (except a mechanical harvester) — the steam treatment method, the hot water treatment method or the dry heat treatment method, or,
  - (ii) for equipment that is a mechanical harvester— the dry heat treatment method.

**126 Diagnostic sample**

- (1) A person may move a diagnostic sample of any grapevine phylloxera carriers (excluding equipment) from the phylloxera infested zone to part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if subclauses (a) and (b) are satisfied and the diagnostic sample is accompanied by a Plant Health Certificate that certifies this condition has been met:
  - (a) the diagnostic sample is disinfested using a diagnostic sample disinfestation method, and
  - (b) the diagnostic sample is securely packaged.
  
- (2) A person may move a diagnostic sample of any grapevine phylloxera carriers (excluding equipment) from the phylloxera infested area to a part of the grapevine phylloxera biosecurity zone that is not in a phylloxera infested area if it satisfies subclauses (a) and (b):
  - (a) the diagnostic sample is sent directly to premises accredited under an arrangement for receiving quarantine material approved by the Federal Department of Agriculture and Water Resources, and
  - (b) the diagnostic sample is securely packaged.

**127 Mulch, soil improving materials (such as garden organics)**

- (1) A person may move mulch or soil improving materials (such as garden organics) from a phylloxera infested area into part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if paragraphs (a) to (c) are satisfied and the mulch or soil

improving material is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the mulch or soil improving material was treated using one of these methods:
    - (i) composted at least 500 metres from any grapevines, or on a hard surface at least 50 metres from any grapevines in accordance with Australian Standard AS 4454 (2012), or
    - (ii) pasteurised in accordance with Australian Standard AS 4454 (2012), and
  - (b) the mulch or soil improving material was packaged into a sealed container that is free of soil and plant matter, and
  - (c) the mulch or soil improving material was transported in a vehicle that has been cleaned so that is free of soil and plant matter.
- (2) A person may move mulch or soil improving materials, including garden organics from a phylloxera infested area into part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if the mulch or soil improving material is dealt with in accordance with Certification Assurance procedure CA-05 'Biosecure transport and treatment of host plant material destined for recycling or waste' and it is accompanied by a Plant Health Assurance Certificate certifying that the requirements of this procedure have been met.

**Note:** Movement of soil into the grapevine phylloxera biosecurity zone from a phylloxera infested area is prohibited.

## 128 Germplasm

A person may move germplasm from a phylloxera infested area into part of the grapevine phylloxera biosecurity zone that is not a phylloxera infested area if paragraphs (a) and (b) are satisfied and the germplasm is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the germplasm was grown in sterile conditions as a tissue culture plant, and
- (b) the germplasm remains in sterile conditions until it arrives in the grapevine phylloxera biosecurity zone.

## Division 4 Potato biosecurity zone

### Subdivision 1 Preliminary

#### 129 Definitions

In this Division:

***affected by positively tested land*** means the land:

- (a) adjoins the positively tested land, or
- (b) has been farmed with equipment used on the positively tested land, or
- (c) receives direct drainage from the positively tested land, or
- (d) has been planted with seed sourced from the positively tested land.

***Australian National Standard for Certification of Seed Potatoes*** means the National Standard for certification of seed potatoes approved by AUSVEG Limited.

***bulbs and root vegetables*** means tubers, bulbs (including onions and garlic), roots (including carrots, parsnips and turnips), corms or rhizomes.

***diagnostic sample*** means Solanaceae plant material or soil that has been in contact with a Solanaceae plant, collected for chemical or biological analysis.

***generation zero (G0)*** means tissue cultured plantlets, microtubers or mini tubers produced in a laboratory in artificial media approved by the Australian National Standard for Certification of Seed Potatoes.

***National Certified Seed Scheme*** means any of the following schemes:

- (a) ViCSPA Seed Potato Certification Scheme administered by the Victorian Certified Seed Potato Authority Incorporated,
- (b) Tasmanian Certified Seed Potato Scheme (TasSeed) administered by the Tasmanian Institute of Agriculture,
- (c) Crookwell Potato Growers Association Scheme administered by the Crookwell Potato Growers Association Incorporated,
- (d) Western Australian Certified Seed Potato Scheme administered by the Western Australia Department of Agriculture and Food.

***National Certified Seed Scheme label*** means a label issued under a National Certified Seed Scheme.

***nursery stock*** means all plant life in a vegetative state that is offered for sale excluding potatoes.

***paddock*** means an area of a property in which Solanaceae plants are grown or have been grown.

***PCN*** means *Globodera pallida* (pale potato cyst nematode) and *Globodera rostochiensis* (golden potato cyst nematode).

**PCN infested land** is land:

- (a) which has been tested for PCN and the test showed PCN to be on the land (**positively tested land**), or
- (b) that is affected by positively tested land and a test for PCN has not been conducted on the land within the current growing season.

**PCN linked land** is land that is affected by positively tested land and has been tested for PCN during the current growing season and found to be free of PCN.

**potato propagative material** means any potato plants or parts of potato plants to be used for propagation or planting.

**processing potato** means a potato grown for processing into prepared potato products that does not constitute fresh potato (including, but not limited to, potato chips and hash browns).

**PSTVd** means the viroid potato spindle tuber viroid.

**PSTVd tested** means the collection of 200 leaf samples from an actively growing crop by an authorised officer and testing of this sample for the presence of PSTVd at a laboratory that is accredited by the National Association of Testing Authorities, Australia for such testing.

**small retail package** means a package containing potato propagative material that weighs no more than 5 kilograms and is for retail sale.

**tested for PCN** means a soil sample was assayed by extraction of cysts with a Fenwick can and manual counting of those cysts or by using a molecular diagnostic method for the presence of PCN, where the soil sample was collected by either:

- (a) coring of the paddock prior to planting, or within 1 month of planting, so that cores are collected at the intersections of a 10 metre by 10 metre grid, with at least 1 kilogram of soil collected per hectare, and where each sample to be submitted for testing is no less than 500 grams, collected as a representative sub-sample of soil from every two hectares of paddock, or
- (b) in the case of land that is not PCN infested land or PCN linked land - accumulation of soil in a receptacle positioned under the top inspection table of a potato harvester during harvest, with at least 1 kilogram of soil collected per hectare, and where each sample to be submitted for testing is no less than 500 grams for each 2 hectares or part thereof harvested, and is collected as a representative sub-sample of the total soil accumulated during harvest.

**used Solanaceae plant covering** means a covering or packaging that has contained or been in contact with a Solanaceae plant.

**used Solanaceae production equipment** means equipment that was used in the production of a Solanaceae plant.

**ware potato** means a potato grown for consumption as a fresh potato.

## **Subdivision 2      Seed Potato Protected Areas**

### **130 Regulatory Measures**

This subdivision sets out the circumstances in which, despite clause 62 of the Regulation, a person may move restricted potato biosecurity matter into a seed potato protected area.

### **131 Potato propagative material –packages weighing more than 5 kilograms**

- (1) A person may move potato propagative material into a seed potato protected area if paragraphs (a) to (f) are satisfied:
  - (a) the potato propagative material originates from land that is not PCN infested land or PCN linked land, and
  - (b) the potato propagative material is in a package weighing more than 5 kilograms, and
  - (c) the potato propagative material was grown in a State or Territory, or part of a State or Territory that is free from PSTVd as evidenced by an Area Freedom Certificate currently in force,
  - (d) the potato propagative material satisfies the PCN conditions for packages of potato propagative material, and
  - (e) the consignment of which the potato propagative material is part has a complying label or complying identifier that:
    - (i) states the name and postcode of the city or town nearest to the place where the potato propagative material was grown, and
    - (ii) describes the potato propagative material, and
  - (f) the movement of the potato propagative material is accompanied by:
    - (i) any Plant Health Certificate required by this clause, and
    - (ii) any National Certified Seed Scheme label required by this clause.
  
- (2) A person may move potato propagative material into a seed potato protected area if paragraphs (a) to (f) are satisfied:
  - (a) the potato propagative material originates from land that is not PCN infested land or PCN linked land, and
  - (b) the potato propagative material is in a package weighing more than 5 kilograms, and
  - (c) the crop from which the potato propagative material was grown is in an area that was PSTVd tested and found to be free of PSTVd and is accompanied by a Plant

Health Certificate or a National Certified Seed Scheme label that certifies this condition was met, and

- (d) the potato propagative material satisfies the PCN conditions for packages of potato propagative material, and
  - (e) the consignment of which the potato propagative material is part has a complying label or complying identifier that:
    - (i) states the name and postcode of the city or town nearest to the place where the potato propagative material was grown, and
    - (ii) describes the potato propagative material, and
  - (f) the movement of the potato propagative material is accompanied by:
    - (i) any Plant Health Certificate required by this clause, and
    - (ii) any National Certified Seed Scheme label required by this clause.
- (3) In this clause, *PCN conditions for packages of potato propagative material* means paragraphs (a) and (b) are satisfied:
- (a) the potato propagative material is generation zero (G0), and
  - (b) the potato propagative material is free of soil so as to meet the slight soil adhesion standard under the Australian National Standard for Certification of Seed Potatoes and is accompanied by a Plant Health Certificate or a National Certified Seed Scheme label that certifies the material meets this Standard.

### 132 Potato propagative material – small retail packages

- (1) A person may move potato propagative material in small retail packages into a seed potato protected area if paragraphs (a) to (e) are satisfied:
- (a) the potato propagative material originates from land that is not PCN infested land or PCN linked land, and
  - (b) the potato propagative material was grown in an area in a State or Territory that is free from PSTVd as evidenced by an Area Freedom Certificate currently in force, and
  - (c) the potato propagative material satisfies the PCN conditions for retail packages of potato propagative material, and
  - (d) the consignment of which the potato propagative material is part has a complying label or complying identifier that:
    - (i) states the name and postcode of the city or town nearest to the place where the propagative material was grown, and
    - (ii) describes the contents of the package, and
  - (e) the consignment of which the potato propagative material is part is accompanied by:



- (i) any Plant Health Certificate required by this clause, and
  - (ii) any National Certified Seed Scheme label required by this clause.
- (2) A person may move potato propagative material in small retail packages into a seed potato protected area if paragraphs (a) to (e) are satisfied:
- (a) the potato propagative material originates from land that is not PCN infested land or PCN linked land, and
  - (b) the crop from which the potato propagative material originated was PSTVd tested and found to be free of PSTVd and is accompanied by a Plant Health Certificate or a National Certified Seed Scheme label that certifies this condition was met, and
  - (c) the potato propagative material satisfies the PCN conditions for small retail packages of potato propagative material, and
  - (d) the consignment of potato propagative material has a complying label or complying identifier that:
    - (i) states the name and postcode of the city or town nearest to the place where the propagative material was grown, and
    - (ii) describes the contents of the package, and
  - (e) the consignment of potato propagative material is accompanied by:
    - (i) any Plant Health Certificate required by this clause, and
    - (ii) any National Certified Seed Scheme label required by this clause.
- (3) In this clause, *PCN conditions for small retail packages of potato propagative material* means paragraphs (a) and (b) are satisfied and the potato propagative material is accompanied by a Plant Health Certificate or National Certified Seed Scheme label that certifies these conditions have been met:
- (a) the potato propagative material:
    - (i) is generation zero (G0), or
    - (ii) originates from a paddock in which the soil has been tested for PCN during the current growing season and found to be free of PCN, and
  - (b) the potato propagative material is free of soil so as to meet the slight soil adhesion standard under the Australian National Standard for Certification of Seed Potatoes.

### 133 Used Solanaceae production equipment

A person may move used Solanaceae production equipment into a seed potato protected area if it satisfies paragraphs (a) to (c) and is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the equipment has not been in contact with any Solanaceae plant or part of a Solanaceae plant that was grown on PCN infested land or PCN linked land, and
- (b) the equipment is free of soil and plant matter, and
- (c) the equipment was treated by:
  - (i) dipping or drenching with a solution of sodium hypochlorite at a strength of at least 1.0 per cent active chlorine, or
  - (ii) steam at a temperature of at least 85 degrees Celsius for at least 1 minute in all accessible areas.

### 134 **Used Solanaceae plant covering**

A person may move used Solanaceae plant covering into a seed potato protected area if paragraphs (a) and (b) are satisfied:

- (a) the covering has not contained or been in contact with any Solanaceae plant that was grown on PCN infested land or PCN linked land, and
- (b) the covering is free of soil and plant matter and is accompanied by a Plant Health Certificate certifying that it was cleaned free of soil and plant matter.

**Note:** Soil in which a Solanaceae plant was grown cannot be brought into a Seed Potato Protected Area.

## **Subdivision 3 Areas that are not Seed Potato Protected Areas**

### 135 **Regulatory measures**

This subdivision sets out the circumstances in which, despite clause 62 of the Regulation, a person may move restricted potato biosecurity matter into a part of the potato biosecurity zone that is not a seed potato protected area.

### 136 **Potato propagative material – from land that is not PCN infested land or PCN linked land**

A person may move potato propagative material into a part of the potato biosecurity zone that is not a seed potato protected area if paragraphs (a) to (d) are satisfied:

- (a) the potato propagative material originates from land that is not PCN infested land or PCN linked land, and
- (b) the potato propagative material satisfies the PCN conditions for potato propagative material not grown on PCN infested land or PCN linked land, and

- (c) the potato propagative material has a complying label or complying identifier that:
    - (i) states the name and postcode of the city or town nearest to the place where the propagative material was grown, and
    - (ii) describes the contents of the package, and
  - (d) the potato propagative material is accompanied by:
    - (i) the Plant Health Certificate required by the PCN conditions for potato propagative material not grown on PCN infested land or PCN linked land, or
    - (ii) a National Certified Seed Scheme label required for the movement conditions for potato propagative material not grown on PCN infested land or PCN linked land.
- (2) In this clause ***PCN conditions for potato propagative material not grown on PCN infested land or PCN linked land*** means the potato propagative material satisfies the requirements set out in paragraphs (a) and (b) and is accompanied by a Plant Health Certificate or National Certified Seed Scheme label that certifies these conditions have been met:
- (a) the potato propagative material:
    - (i) is generation zero (G0), or
    - (ii) is grown in a paddock in which the soil was tested for PCN during the current growing season and found to be free of PCN, and
  - (b) the potato propagative material is brushed or washed free of soil so as to meet the slight soil adhesion standard under the Australian National Standard for Certification of Seed Potatoes.
- (3) A person may move potato propagative material into a part of the potato biosecurity zone that is not a seed potato protected area if that material is dealt with in accordance with ICA Scheme Procedure ICA-59 'Property Freedom of Potatoes for Potato Cyst Nematode' and it is accompanied by a Plant Health Assurance Certificate certifying that the requirements of this procedure have been met.

**137 Used Solanaceae production equipment or used Solanaceae plant coverings – from land that is not PCN infested land or PCN linked land**

A person may move used Solanaceae production equipment or used Solanaceae plant coverings into a part of the potato biosecurity zone that is not a seed potato protected area if paragraphs (a) to (c) are satisfied:

- (a) the equipment or covering was last used on land that is not PCN infested land or PCN linked land, and
- (b) the equipment or covering has a complying label or complying identifier that:
  - (i) states the name and postcode of the city or town nearest to the place where the equipment or covering was last used, and

- (ii) describes the equipment or covering, and
- (c) the equipment or covering is free of soil and plant matter.

**138 Used Solanaceae production equipment – from land that is PCN infested land or PCN linked land**

- (1) A person may move used Solanaceae production equipment into a part of the potato biosecurity zone that is not a seed potato protected area if the paragraphs (a) to (c) are satisfied:
  - (a) the equipment is from land that is PCN infested land or PCN linked land, and
  - (b) the equipment is cleaned so that it is free of soil and plant matter, and
  - (c) the equipment is treated as set out in either subparagraph (i) or subparagraph (ii) and is accompanied by a Plant Health Certificate that certifies this treatment condition was met:
    - (i) dipping or drenching with a solution of sodium hypochlorite at a strength of at least 1.0 percent active chlorine, or
    - (ii) subjected to steam at a temperature of at least 85 degrees Celsius for at least 1 minute in all accessible areas.

**139 Used Solanaceae plant coverings – from land that is PCN linked land**

A person may move used Solanaceae plant coverings into a part of the State that is not a seed potato protected area if the coverings satisfy subclauses (a) and (b):

- (a) the covering is from land that is PCN linked land, and
- (b) the covering is cleaned so that it is free of soil and plant matter, and is accompanied by a Plant Health Certificate certifying that this condition was met.

**Note:** A person must not move used Solanaceae plant coverings into a part of the State that is not a seed potato protected area if the coverings are from PCN infested land.

## **Subdivision 4      Potato biosecurity zone - all of the potato biosecurity zone**

### **140 Regulatory measures**

This subdivision sets out the circumstances in which, despite clause 62 of the Regulation, a person may move restricted potato biosecurity matter into any part of the potato biosecurity zone.

### **141 Solanaceae plant, or bulb or root vegetable**

A person may move into the potato biosecurity zone a Solanaceae plant (other than potato propagative material), or bulb or root vegetable if paragraphs (a) to (d) are satisfied:

- (a) the Solanaceae plant, or bulb or root vegetable is from land that is not PCN infested land or PCN linked land, and
- (b) the Solanaceae plant, or bulb or root vegetable is free of excess soil and excess plant matter, and
- (c) the Solanaceae plant or bulb or root vegetable does not have any contact with restricted potato biosecurity matter from PCN infested land or PCN linked land, and
- (d) the Solanaceae plant, or bulb or root vegetable has a complying label or complying identifier that:
  - (i) states the name and postcode of the city or town nearest to the place where the matter was grown, and
  - (ii) describes the Solanaceae plant, or bulb or root vegetable.

### **142 Bulb or root vegetable from PCN linked land**

- (1) A person may move into the potato biosecurity zone a bulb or root vegetable from PCN linked land if it satisfies subclauses (a) to (c) and the bulb or root vegetable is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (a) the bulb or root vegetable originates from a paddock in which the soil was tested for PCN during the current growing season and found to be free of PCN, and
  - (b) the bulb or root vegetable is free of soil so as to meet the slight soil adhesion standard under the Australian National Standard for Certification of Seed Potatoes, and
  - (c) the bulb or root vegetable is stored in containers that are free of soil, sanitised using a commercial sanitising agent and kept in a manner so that they are not in direct contact with any soil.

- (2) A person may move into the potato biosecurity zone a bulb or root vegetable from PCN linked land if it is dealt with in accordance with CA Scheme procedure 'Interstate Movement of Plants PS27: Property Accreditation' and is accompanied by a Plant Health Assurance Certificate that certifies that the requirements of this procedure have been met.
- (3) A person who moves into the potato biosecurity zone in a mail order delivery for domestic use, a bulb or root vegetable from PCN linked land must:
  - (a) give the Department a record of the type of the product and the quantity of the order, in the manner published on the Department's website; and
  - (b) retain for 4 years:
    - (i) a copy of the Plant Health Certificate or Plant Health Assurance Certificate for the bulb or root vegetable, and
    - (ii) a record of the intended recipient's name, address and contact details, and
    - (iii) a copy of the record of the type or product and the quantity in the order that was given to the Department under this clause.
- (4) A person who moves into the potato biosecurity zone from PCN linked land a bulb or root vegetable that does not form part of a mail order delivery for domestic use must retain for 4 years a record of the movement, receipt, storage, packing and certification of the bulb or root vegetable, including the dates on which these activities occurred.

#### 143 Processing potato or ware potato from PCN linked land

- (1) A person may move a processing potato or ware potato into the potato biosecurity zone from PCN linked land if paragraphs (a) to (c) are satisfied:
  - (a) the processing potato or ware potato satisfy subparagraphs (i) and (ii) and are accompanied by a Plant Health Certificate that certifies these conditions have been met:
    - (i) the potato originates from a paddock in which the soil was tested for PCN during the current growing season and found to be free of PCN, and
    - (ii) the potato is brushed or washed free of soil so as to meet the slight soil adhesion standard under the Australian National Standard for Certification of Seed Potatoes, and
  - (b) all packaging and vehicles used to transport the potatoes are free of soil and plant matter, and
  - (c) the processing potato or ware potato is stored in containers that are free of soil, sanitised using a commercial sanitising agent and kept so that they are not in direct contact with any soil.

- (2) A person may move a processing potato or ware potato into the potato biosecurity zone from PCN linked land if the potato is dealt with in accordance with ICA scheme procedure ICA-44 'Movement of Processing and Ware Potatoes from PCN Linked Land' and it is accompanied by a Plant Health Assurance Certificate certifying that the requirements of this procedure have been met.
- (3) A person who moves a processing potato or ware potato into the potato biosecurity zone from PCN linked land must retain for 4 years a record of the movement, receipt, storage, packing and certification of the potato, including the dates on which these activities occurred.
- (4) Potato processing waste from processing potatoes from PCN linked land must satisfy either paragraphs (a) or (b):
  - (a) the waste is:
    - (i) composted under AS4454-2012 so that the whole mass is subjected to 55 degrees Celsius for 7 days, or
    - (ii) heat treated by drum drying at 150 degrees Celsius for 20 minutes prior to anaerobic digestion and extrusion treatment, or
    - (iii) heat treated by drum drying at 600 degrees Celsius for 15 minutes, or
  - (b) the waste is dealt with in accordance with CA Scheme procedure CA-05 'Biosecure Transport and Treatment of Host Plant Material Destined for Recycling or Waste' and is accompanied by a Plant Health Assurance Certificate certifying that the requirements of this procedure have been met.

#### **144 Nursery stock from land that is not PCN infested land or PCN linked land**

A person may move nursery stock into the potato biosecurity zone if paragraphs (a) to (c) are satisfied:

- (a) the nursery stock is from land that is not PCN infested land or PCN linked land, and
- (b) the nursery stock is free of excess plant material, and
- (c) the nursery stock has a complying label or complying identifier that:
  - (i) states the name and postcode of the city or town nearest to the place where the nursery stock was grown, and
  - (ii) describes the nursery stock.

#### 145 Nursery stock grown on PCN linked land

- (1) A person may move nursery stock into the potato biosecurity zone if it satisfies paragraphs (a) and (b) and is accompanied by a Plant Health Certificate that certifies these conditions have been met:
  - (a) the nursery stock was grown on PCN linked land, and
  - (b) the nursery stock:
    - (i) is bare rooted and visually free of soil, or
    - (ii) was grown in artificial growing matter and the plant, pot and potting mix has not been in contact with soil.
  
- (2) A person may move nursery stock grown on PCN linked land into the potato biosecurity zone if it is dealt with in accordance with CA Scheme procedure 'Interstate Movement of Plants: PS27: Property Accreditation' and it is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

#### 146 Nursery stock grown on PCN infested land

- (1) A person may move nursery stock grown on PCN infested land into the potato biosecurity zone if it is grown in artificial growing matter and the plant, pot and potting mix has not been in contact with soil, and it is accompanied by a Plant Health Certificate certifying this condition was met.
  
- (2) A person may move nursery stock grown on PCN infested land into the potato biosecurity zone if it is dealt with in accordance with CA Scheme procedure 'Interstate Movement of Plants: PS27: Property Accreditation' and is accompanied by a Plant Health Assurance Certificate that certifies the requirements of this procedure have been met.

#### 147 Diagnostic sample

A person may move a diagnostic sample into the potato biosecurity zone if paragraphs (a) to (f) are satisfied:

- (a) the sample originates from land that is not PCN infested land or PCN linked land, and
- (b) the sample is sealed so as to prevent escape of pests, within three layers of packaging, the outer layer being a sealed cardboard or plastic box or courier satchel, and the inner 2 layers being sealed paper, cardboard or plastic containers including bags or boxes, and
- (c) the sample has a complying label stating "Quarantine Material – Do Not Open" between the second and third layer of packaging, and



- (d) the sample has a complying label or complying identifier that states:
  - (i) the name and address of the sender – and this label or identifier is between the second and third layer of packaging and
  - (ii) the name and address of the intended recipient, and
- (e) the sample is transported directly to the receiving laboratory and not opened during transit, and
- (f) after it is no longer required, the sample is disposed of by autoclaving at least 121 degrees Celsius for at least 60 minutes.

## **Division 5 Rice biosecurity zone**

### **148 Definitions**

In this Division:

*milled* means processed in such a way so as to remove the husk, bran and germ layers thereby rendering each grain incapable of germination.

*packaged* means sealing within a bag, wrapper, material, or any other thing that is used to transport or sell the product of a rice plant.

*used rice covering* means any covering or packaging that has contained or been in contact with a rice plant or used rice agricultural equipment.

### **149 Regulatory Measures**

This Division sets out the circumstances in which, despite clause 65 of the Regulation, a person may move a rice plant, used rice production equipment or used rice covering into the rice biosecurity zone.

#### **150 Rice that was processed to remove the husk**

A person may move rice that was processed to remove the husk into the rice biosecurity zone if paragraphs (a) to (c) are satisfied and the rice is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the rice originated within the rice biosecurity zone, and
- (b) the rice is in a package that is externally free of soil, rice plant and the visible presence of diseases and pests affecting rice, and
- (c) while outside the rice biosecurity zone, the rice was stored in a facility that within the last five years has not stored, contained or handled any rice plant other than a rice plant that originated from within the rice biosecurity zone.

#### **151 Imported milled white rice from outside Australia**

A person may move imported milled white rice from outside Australia into the rice biosecurity zone if the rice is packaged in impermeable material and is for human consumption.

#### **152 Used rice production equipment**

A person may move used rice production equipment into the rice biosecurity zone if paragraphs (a) and (b) are satisfied and the equipment is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the equipment was thoroughly cleaned to remove all soil and rice plant, and
- (b) the equipment was disinfested by steam applied at a temperature of at least 100°C and accessing all surfaces, or disinfested by immersion in hot water for at least 2 minutes at a temperature of at least 70°C.

#### **153 Used rice covering**

A person may move used rice covering into the rice biosecurity zone if paragraphs (a) and (b) are satisfied and the covering is accompanied by a Plant Health Certificate that certifies these conditions have been met:

- (a) the covering was thoroughly cleaned to remove all soil and rice plant, and
- (b) the covering is made of impermeable materials or only contains things that have been packaged in the rice biosecurity zone.

## **Schedule 1 Cleaning procedures for importation of grain harvester or comb trailer from Queensland**

This Schedule sets out the cleaning procedures that must be completed before equipment that is a grain harvester (including the comb or front) or comb trailer (including the comb or front) may be imported into the State from Queensland:

1. the exterior, including any hollow sections of axles or structural components must be cleaned,
2. any attached cabin and any storage containers must be emptied,
3. all parts of the interior of the grain harvester must be cleaned, including the areas above the stone guards/skid plates and within augers, including the removal of inspection plates or other components of the machine to provide access to the relevant parts.
4. without limiting the requirements set out in this Schedule, the following areas of a grain harvester, as indicated in Diagrams 1 and 2 in this Schedule, must be cleaned:
  - (a) Area 1: the area under the skid plate,
  - (b) Area 2: each header knife and finger,
  - (c) Area 3: the auger located horizontally across the header,
  - (d) Area 4: the area behind any cover on the header,
  - (e) Area 5: the area within any belts on any draper front (if fitted),
  - (f) Area 6: the feeder house,
  - (g) Area 7: the driver's cab compartment floor area,
  - (h) Area 8: the cleaning fan and the area between the bottom of the fan housing and any shield under the fan housing,
  - (i) Area 9: the chassis, including the inside of any chassis rail ledges, back axle-beam and undercarriage areas,
  - (j) Area 10: any tailing auger,
  - (k) Area 11: any sieve area, including the full length and width of the grain pan,
  - (l) Area 12: any grain bin area, including any auger,
  - (m) Area 13: the engine compartment, including the radiator core,
  - (n) Area 14: any grain or "repeat" elevator including any cups and rubber flights,
  - (o) Area 15: any straw spreader or chopper, and
  - (p) Area 16: any tyres and rims.
5. Without limiting the requirements set out in this Schedule, if the grain harvester is a conventional harvester the following area of the grain harvester (as indicated in Diagram 1 below) must also be cleaned:
  - (a) Area 17: the threshing or separating area, including the drum and concaves behind the rasp bars and lead-in plates and around concave wires, and
  - (b) Area 18: the beater drum, including the area between the drum and walkers, and
  - (c) Area 19: the straw walkers, including the beater and the chaff pan, underneath any straw walker and any concealed areas under rubber air flaps.
6. Without limiting the requirements set out in this Schedule, if the grain harvester is a rotary harvester the following areas of the grain harvester (as indicated in Diagram 2 below) must be cleaned:

- (a) Area 17: the external top and sides of the conical section of the rotor cage, and
- (b) Area 18: the areas inside the top of the conical section, and
- (c) Area 19: the threshing or separating area, including along the rotor cage.

Diagram 1:

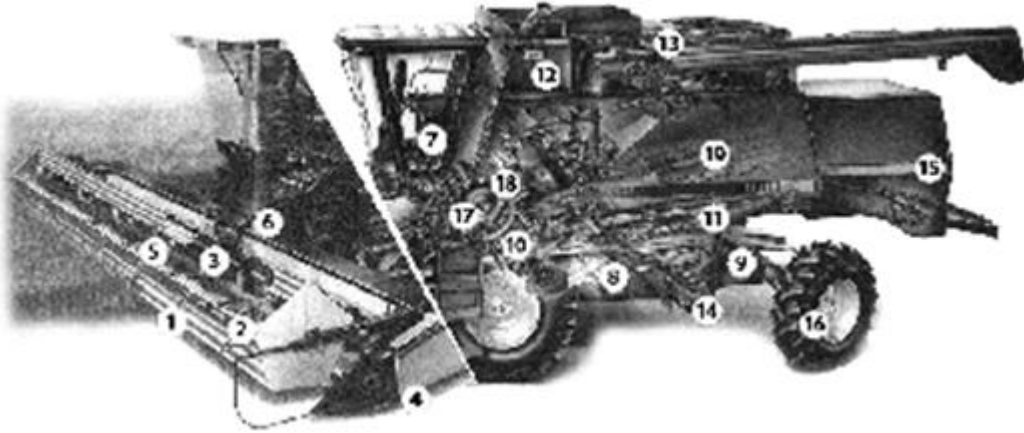
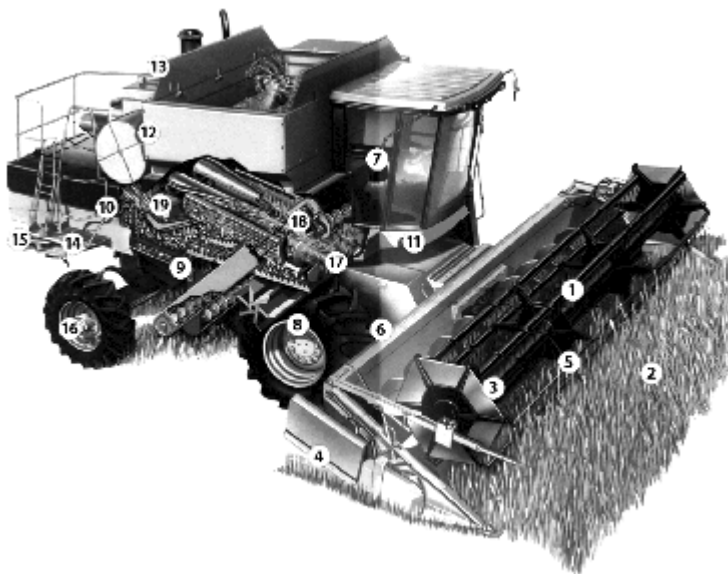


Diagram 2:



## Revision history

Version	Date	Revisions
2.0	26 June 2017	Correct headings for 'Division 4 Invasive Species' and Division 5 Weeds Parthenium weed carriers'
3.0	13 September 2017	<p>(a) Clause 26(b)(ii) and 28(2)(b)(ii) – delete 'starting 7 days and ending 4 days' and insert 'starting 4 days and ending 7 days' in its place.</p> <p>(b) Clause 55 – insert 'in' before 'free from green snail'.</p> <p>(c) Clause 89 – insert 'from a known tramp ant infested area' after 'into the State'. Delete paragraph (a).</p> <p>(d) Clause 90 – insert 'from a known tramp ant infested area' after 'into the State'. Delete paragraph (a). In paragraph (b) delete 'fumigated with a fumigant containing at least 1000 grams/kilogram methyl bromide' and insert in its place, 'treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 8469'.</p> <p>(e) Clause 91(1)(a) – delete 'the plant was drenched with or was completely immersed in a treatment solution containing at least 500 grams /litre chlorpyrifos,' and insert in its place, 'treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694'.</p> <p>(f) Clause 91(2)(a) – delete 'the plant is drenched with a treatment solution containing at least 12.5grams /litre cyfluthrin,' and insert in its place 'the plant is treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and'.</p> <p>(g) Clause 92(1)(a) – delete 'the plant was treated with one of these approved treatment methods: (i) in the period starting 5 days before importation, with a pesticide containing at least 2 grams/kilogram of bifenthrin, or (ii) with a pesticide containing at least 100 grams/kilogram chlorpyrifos, and' and insert in its place, 'the plant is treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and'.</p> <p>(h) Clause 93(1)(a) – delete ' the plant was treated with one of these treatment methods: (i) in the period starting 5 days before importation, with a pesticide containing at least 2 grams/kilogram of bifenthrin, or (ii) with a pesticide containing at least 100 grams/kilogram chlorpyrifos, and' and insert in its place, 'the plant is treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694, and'.</p> <p>(i) Clause 93(1)(b) – delete 'with a pesticide containing at least 2 grams/kilogram bifenthrin' and insert in its place 'with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694'.</p> <p>(j) Clause 94 – delete 'not' occurring after 'plant in a container'.</p> <p>(k) Clause 95(a) – delete 'treated with a solution containing at least 500grams/litre chlorpyrifos by a cover spray application' and insert in its place 'treated with an APVMA approved chemical for the control of tramp ants in accordance with all APVMA label directions and the conditions of APVMA Permit Number 84694</p> <p>(l) Correct numbering and punctuation.</p>