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SPECIAL SUPPLEMENT

FISHERIES MANAGEMENT ACT 1994

Section 183 – Quarantine Order

QX Disease

I, BRUCE CHRISTIE, Principal Director, Biosecurity, with the delegated authority of the Minister for Primary Industries and the Director General of the Department of Trade and Investment, Regional Infrastructure and Services pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”), do by this order:

- 1 pursuant to section 183 of the Act and section 43 (2) of the Interpretation Act 1987, repeal the Quarantine Order titled “Section 183 – Quarantine Order QX Disease” published in *New South Wales Government Gazette* No. 75 of 22 May 2009, at pages 2307-2308;
- 2 pursuant to section 183 of the Act:
 - (i) declare each the following estuaries to be a quarantine area (“the Quarantine Areas”) because of the presence or suspected presence of the declared disease marteiliosis (QX disease):
 - (a) Richmond River
 - (b) Clarence River
 - (c) Macleay River
 - (d) Hawkesbury River
 - (e) Georges River
 - (f) Tweed River
 - (g) Brunswick River
 - (h) Bellingen-Kalang River
 - (ii) prohibit the taking of oysters or the movement of cultivation equipment and/or infrastructure from the Quarantine Areas except under the following conditions:
 - (a) oyster cultivation equipment and infrastructure (eg. oyster sticks, trays, baskets) used in any of the Quarantine Areas must be dried for 30 days before use in any other NSW estuary.
 - (b) oysters, oyster cultivation equipment and infrastructure may be relocated between the Quarantine Areas but only in accordance with the Oyster Shipment Log Book System for the Movement of Oysters, Oyster Cultivation Equipment and Infrastructure which is detailed below in Schedule 1.
 - (c) oysters may be taken and culled in or adjacent to the Quarantine Areas or in accordance with a protocol approved by the Principal Director, Biosecurity.
 - (iii) exclude sections 185 and 186 of the Fisheries Management Act 1994 with respect to oysters taken from the Quarantine Areas or any part of the Quarantine Areas in accordance with this order (but only in relation to the declared disease marteiliosis (QX disease)).
 - (iv) require all holders of aquaculture permits within the Quarantine Areas to follow all directions of a fisheries officer made under section 183 (4) of the Act.

SCHEDULE 1

Oyster Shipment Logbook System for the Movement of Oysters, Oyster Cultivation Equipment and Infrastructure

- (1) All shipment of oysters, oyster cultivation equipment and infrastructure other than those within an estuary or those destined for direct sale for human consumption must be recorded in an Oyster Shipment Log Book prior to shipment.
- (2) Not less than 2 days prior to the shipment of a consignment of oysters, oyster cultivation equipment and infrastructure between estuaries, the shipping permit holder must contact the local District Fisheries Office and identify the shipper, the nature of the shipment and its destination and the Oyster Shipment Log Book shipment permit number (top right hand corner of the shipment sheet).
- (3) Prior to the shipment of oysters, oyster cultivation equipment and infrastructure, the shipping permit holder must record on all four (4) quadruplicate copies of the Oyster Shipment Log Book sheets, details of the destination (including interstate), quantity (bag equivalents) and form (trays, sticks, etc) of oysters to be shipped.
- (4) For each shipment of oysters, oyster cultivation equipment and infrastructure, the completed original white copy (copy 1) of the Oyster Shipment Log Book sheets must accompany the shipment and be retained by the receiving permit holder.
- (5) The Oyster Shipment Log Book or the original white copy (copy 1) of the Oyster Shipment Log Book that has accompanied a shipment, must be made available to a Fisheries Officer for inspection on demand.
- (6) The holder of an Oyster Shipment Log Book must at the end of each month in which a shipment has occurred, forward all blue copies (copy 3) for those shipments to NSW Department of Primary Industries Aquaculture Management at the address specified below.

Note: Oyster Shipment Log Books are available on application from NSW Department of Primary Industries Aquaculture Administration, Locked Bag 1, Nelson Bay NSW 2315 or by phoning (02) 4982 1232.

In this Schedule, a reference to an estuary in paragraph 2 (i) includes a reference to all creeks, rivers, lakes, lagoons and tributaries flowing into or from that estuary and any jetty, wharf, boat ramp or land used for aquaculture purposes in the immediate vicinity of the water.

This order is in force for a term of four years commencing on the date of publication of this order unless sooner amended or revoked.

Dated this 18th day of July 2011.

BRUCE CHRISTIE,
Principal Director, Biosecurity,
Department of Trade and Investment, Regional Infrastructure and Services

Note: In addition to complying with the terms of this order, the taking of oysters or the movement of oyster cultivation equipment and/or infrastructure must comply with the terms of any fishing closure made under section 8 and section 11 of the Fisheries Management Act 1994 including the fishing closure titled "QX Disease" of 11 July 2008 published in the *New South Wales Government Gazette* No. 87 of 11 July 2008, at page 6994-6996 as amended by the fishing closure titled "QX Disease" of 18 May 2009 published in the *New South Wales Government Gazette* No. 75 of 22 May 2009, at page 2307.

PLANT DISEASES (FRUIT FLY OUTBREAK, MURRAY VALLEY HWY, STRATHMERTON) ORDER 2011

under the Plant Diseases Act 1924

I, SATENDRA KUMAR, Director Plant Biosecurity of the Department of Trade and Investment, Regional Infrastructure and Services, with the delegated authority of the Minister for Primary Industries in pursuance of section 3A of the Plant Diseases Act 1924 (“the Act”), and in pursuance of section 4 of the Act being of the opinion that the importation, introduction or bringing of host fruit into specified portions of New South Wales is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*) into specified portions of New South Wales, make the following Order regulating the importation, introduction or bringing of host fruit into specified portions of New South Wales.

1 Name of Order

This Order is the Plant Diseases (Fruit Fly Outbreak, Murray Valley Hwy, Strathmerton) Order 2011.

2 Commencement

This Order commences on the date it is published in the *NSW Government Gazette*.

3 Interpretation

(a) In this Order:

approved treatment means a treatment or schedule of treatments relevant to the type of host fruit or manner of harvest as specified in Schedule 6.

APVMA means the Australian Pesticides and Veterinary Medicines Authority.

authorised person means an inspector or a person authorised pursuant to section 11 (3) of the Act.

certificate means a Plant Health Certificate or a Plant Health Assurance Certificate.

Certification Assurance Arrangement means an arrangement approved by the Department which enables a business accredited under the arrangement to certify that certain quarantine requirements have been satisfied for the movement of host fruit to interstate and/or intrastate markets.

Note: An example of an approved Certification Assurance Arrangement is the Interstate Certification Assurance (ICA) Scheme.

Department means Industry and Investment, NSW – Primary Industries.

free of broken skin means the skin has no preharvest cracks, punctures, pulled stems or other breaks which penetrate through the skin and that have not healed with callus tissue.

host fruit means the fruit specified in Schedule 1, being fruit which is susceptible to infestation by Queensland fruit fly.

lot means a discrete quantity of fruit received from one grower at one time.

Outbreak Area means the portion of New South Wales described in Schedule 2.

Outer Area means the portion of New South Wales known as the NSW Fruit Fly Exclusion Zone, as specified in Proclamation P184 published in *NSW Government Gazette* No. 152 of 28 November 2008 at pages 11434 to 11435, excluding the Outbreak Area and the Suspension Area.

Plant Health Assurance Certificate means a certificate issued by a business accredited under a Certification Assurance Arrangement.

Plant Health Certificate means a certificate issued by an authorised person.

Queensland fruit fly means the pest *Bactrocera tryoni* (Froggatt).

Suspension Area means the portion of New South Wales described in Schedule 3.

the Act means the Plant Diseases Act 1924.

Note: **covering** or **package**, **inspector**, **occupier** and **owner** all have the same meaning as in the Act.

(b) In this Order, longitude and latitude coordinates are decimal degrees based upon the GDA 94 datum.

4 Regulation of the movement of host fruit

Pursuant to section 4 (1) of the Act the importation, introduction or bringing of host fruit into specified portions of New South Wales is regulated as follows:

(a) Host fruit that originates from or has moved through:

(i) the Outbreak Area must not be moved into the Suspension Area or the Outer Area;

(ii) the Suspension Area must not be moved into the Outer Area,

except for such movements as are specified in Schedule 5 and which comply with the relevant conditions of exception set out in Schedule 5; and

(b) The movement of any host fruit in accordance with Schedule 5 must be accompanied by a certificate:

(i) specifying the origin of the host fruit; and

(ii) in the case of a Plant Health Certificate, certifying that the host fruit has been treated in the manner specified in Schedule 6; and

(iii) in the case of a Plant Health Assurance Certificate, certifying that the host fruit originates from a property or facility which is owned or occupied by a business accredited under a Certification Assurance Arrangement.

SCHEDULE 1 – Host fruit

Abiu	Chilli	Lime	Persimmon
Acerola	Citron	Loganberry	Plum
Apple	Cumquat	Longan	Plumcot
Apricot	Custard Apple	Loquat	Pomegranate
Avocado	Date	Lychee	Prickly Pear
Babaco	Durian	Mandarin	Pummelo
Banana	Eggplant	Mango	Quince
Black Sapote	Feijoa	Mangosteen	Rambutan
Blackberry	Fig	Medlar	Raspberry
Blueberry	Granadilla	Miracle Fruit	Rollinia
Boysenberry	Grape	Mulberry	Santol
Brazil Cherry	Grapefruit	Nashi	Sapodilla
Breadfruit	Grumichama	Nectarine	Shaddock
Caimito (Star Apple)	Guava	Orange	Soursop
Cape Gooseberry	Hog Plum	Passionfruit	Sweetsop (Sugar Apple)
Capsicum	Jaboticaba	Pawpaw	Strawberry
Carambola (Starfruit)	Jackfruit	Peach	Tamarillo
Cashew Apple	Jew Plum	Peacharine	Tangelo
Casimiro (White Sapote)	Ju jube	Pear	Tomato
Cherimoya	Kiwifruit	Pepino	Wax jambu (Rose Apple)
Cherry	Lemon		

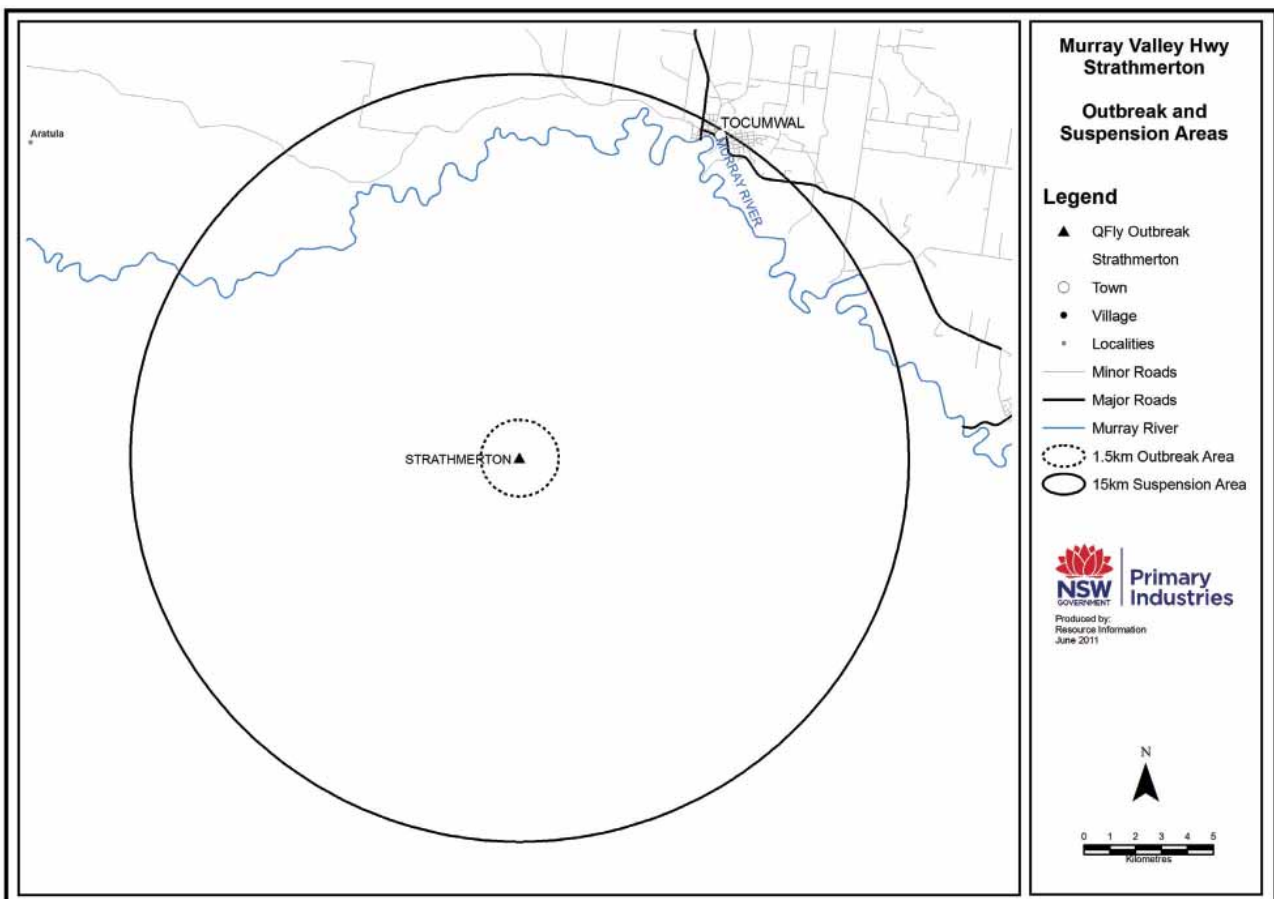
SCHEDULE 2 – Outbreak Area

The area within a 1.5 kilometre radius of the coordinates decimal degrees -35.92475 South and 145.47952 East, being the area within the 1.5 kilometre radius circle (broken line) in the map in Schedule 4.

SCHEDULE 3 – Suspension Area

The area within a 15 kilometre radius of coordinates decimal degrees -35.92475 South and 145.47952 East (excluding the Outbreak Area), being the area between the 1.5 kilometre radius circle (broken line) and the 15 kilometre radius circle (unbroken line) in the map in Schedule 4.

SCHEDULE 4 – Map of the Murray Valley Hwy, Strathmerton Outbreak Area and Suspension Area



SCHEDULE 5 – Exceptions for movement of host fruit**Host fruit that has received an approved treatment**

1. Movement of host fruit that has received an approved treatment prior to movement, subject to the following conditions:
 - (a) The owner or occupier of the property or facility from which the host fruit originates must ensure that the host fruit remains under secure conditions from post harvest to the time of dispatch and transport, except when impractical during packing and grading activities; and
 - (b) Prior to movement, the owner or occupier of the property or facility from which the host fruit originates must ensure that:
 - (i) any used packaging or coverings containing host fruit are free of soil, plant residues and other organic matter; and
 - (ii) in the case of host fruit that has been consigned as a lot for the purpose of producing smaller packs of host fruit and has been repacked in smaller packs, the host fruit has been received, handled, stored and repacked under secure conditions which prevent infestation by Queensland fruit fly; and
 - (iii) any individual package contains only one kind of host fruit; and
 - (iv) all previous incorrect information displayed on the outer covering of the package is removed and the outer covering is legibly marked with the following information:
 - (A) the district of production; and
 - (B) the name, address, postcode and the State or Territory of both the grower and the packer; or where the business is sourcing from multiple growers, the name, address, postcode and the State or Territory of the packer; and
 - (C) a brief description of the contents of the package;or
 - (v) where the host fruit originates from a property or facility which is owned or occupied by a business accredited under a Certification Assurance Arrangement, the host fruit is packed, labelled and certified in accordance with any conditions prescribed in the Certification Assurance Arrangement.

Untreated host fruit for processing

2. Movement of untreated host fruit for processing, subject to the following conditions:
 - (a) The owner or occupier of the property or facility from which the host fruit originates must ensure that the host fruit remains under secure conditions from post harvest to the time of dispatch and transport, except when impractical during packing and grading activities; and
 - (b) Prior to movement, the owner or occupier of the property or facility from which the host fruit originates must ensure:
 - (i) all bins or containers and any vehicles to be used for the transportation of host fruit (“transport vehicle”) are free from all plant debris and soil prior to packing and loading; and
 - (ii) the host fruit is securely covered by a tarpaulin, shade cloth, bin cover or other covering or contained within the covered transport vehicle so as to prevent infestation by Queensland fruit fly and spillage during transportation; and
 - (iii) the host fruit must be loaded onto or into a transport vehicle on a hard surface and not within the orchard from which the host fruit was sourced; and
 - (iv) the transport vehicle is free of all soil and plant debris after loading; and
 - (v) the transport vehicle travels by the most direct route to the receiving processor; and
 - (c) The owner or occupier of the property or facility at which the host fruit is to be processed must ensure:
 - (i) the host fruit is processed within 24 hours of receipt; and
 - (ii) all measures to avoid spillage of host fruit are taken and where spillages occur, must be disposed of in a manner generally accepted as likely to prevent the spread of Queensland fruit fly; and
 - (iii) all processing wastes must be disinfested by heat or freezing or be buried.

Outer Area host fruit on a direct journey through the Outbreak Area or Suspension Area into the Outer Area

3. Movement of host fruit originating within the Outer Area and moving on a direct journey through the Outbreak Area or the Suspension Area into the Outer Area, subject to the following conditions:
 - (a) The owner or occupier of the property or facility from which the host fruit originates must ensure that the host fruit is securely transported by covering with a tarpaulin, shade cloth, bin cover or other covering or contained within the covered transport vehicle so as to prevent infestation by Queensland fruit fly and spillage during transportation.

Untreated Suspension Area host fruit on a direct journey to an end destination having no restrictions on account of Queensland fruit fly

4. Movement of host fruit originating within the Suspension Area and moving on a direct journey to an end destination which has no restrictions on account of Queensland fruit fly, subject to the following conditions:
 - (a) The owner or occupier of the property or facility from which the host fruit originates must ensure that the host fruit remains under secure conditions from post harvest to the time of dispatch and transport, except when impractical during packing and grading activities; and

- (b) Prior to movement, the owner or occupier of the property or facility from which the host fruit originates must ensure:
- (i) all bins or containers and any vehicles to be used for the transportation of host fruit (“transport vehicle”) are free from all plant debris and soil prior to packing and loading; and
 - (ii) the host fruit must be loaded onto or into a transport vehicle on a hard surface and not within the orchard from which the host fruit was sourced; and
 - (iii) the transport vehicle is free of all soil and plant debris after loading; and
 - (iv) the host fruit is transported under secure conditions that include:
 - (A) unvented packages or vented packages with the vents secured with mesh with a maximum aperture of 1.6mm prior to dispatch; or
 - (B) shrink-wrapped and sealed as a palletised unit; or
 - (C) fully enclosed under tarpaulins, shade cloth, bin cover or other covering which provides a maximum aperture of 1.6mm,
 so as to prevent infestation by Queensland fruit fly and spillage during transportation; and
 - (v) the transport vehicle travels by the most direct route.

SCHEDULE 6 – Approved treatments for host fruit

Preharvest Treatment and Inspection

1. Tomatoes:
 - (a) treated preharvest with an application of dimethoate or fenthion or trichlorfon in accordance with all label directions for the control of Queensland fruit fly, and
 - (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and free of broken skin.
2. Capsicums and chillies:
 - (a) treated preharvest with an application of dimethoate in accordance with all label directions for the control of Queensland fruit fly, and
 - (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and free of broken skin.
3. Stonefruit:
 - (a) treated preharvest with an application of fenthion in accordance with all label directions for the control of Queensland fruit fly; and
 - (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and free of broken skin.
4. Table grapes:
 - (a) treated preharvest for the control of Queensland fruit fly, with a program of:
 - (i) bait sprays with an insecticide containing 0.24 g/L spinosad as the only active constituent in accordance with all label directions; or
 - (ii) bait sprays with an insecticide containing 1150 g/L maldison as the only active constituent in accordance with all label and APVMA permit (PER12359) directions; or
 - (iii) cover sprays using an insecticide containing 550 g/L fenthion as the only active constituent in accordance with all label and APVMA permit (PER11643) directions; and
 - (b) inspected postharvest where a sample of the fruit is inspected and found free of fruit fly larvae and free of broken skin.

Postharvest Dimethoate Dip

5. Any host fruit, excluding capsicum (hollow-fruited), chilli (hollow-fruited), cumquat and strawberries, treated with a postharvest dip using an insecticide containing 400 g/L dimethoate as its only active constituent in accordance with all label and APVMA permit (PER12074) directions; where dipping is the last treatment before packing except in the case of:
 - (a) Citrus, where a non-recovery gloss wax coating and or a compatible fungicide as specified on the label may be applied within 24 hours of treatment; and
 - (b) Pomefruit, where a non-recovery gloss wax and or a compatible fungicide as specified on the label may be applied within 3 hours of treatment.

Postharvest Dimethoate Flood Spray

6. Any host fruit, excluding cumquat, eggplant and strawberries, treated with a postharvest flood spray using an insecticide containing 400 g/L dimethoate as its only active constituent in accordance with all label and APVMA permit (PER12074) directions, where spraying is the last treatment before packing except in the case of:
 - (a) Citrus, where a non-recovery gloss wax coating and or a compatible fungicide as specified on the label may be applied within 24 hours of treatment; and

- (b) Pomefruit, where a non-recovery gloss wax coating and or compatible fungicide as specified on the label may be applied within 3 hours of treatment.

Postharvest Methyl Bromide Fumigation

7. Any host fruit fumigated postharvest with a fumigant containing 1000 g/kg methyl bromide as its only active constituent in accordance with all label and APVMA permit (PER10699) directions, at the following rates:
- (a) 10°C – 14.9°C at 48 g/m³ for 2 hours; or
 - (b) 15°C – 20.9°C at 40 g/m³ for 2 hours; or
 - (c) 21°C – 25.9°C at 32 g/m³ for 2 hours; or
 - (d) 26°C – 31.9°C at 24 g/m³ for 2 hours.

Postharvest Cold Treatment

8. Any appropriate host fruit treated postharvest at a temperature of:
- (a) 0°C ± 0.5°C for a minimum of 14 days; or
 - (b) 1°C – 3°C ± 0.5°C for a minimum of 16 days (Lemons minimum 14 days).

Dated this 18th day of July 2011.

SATENDRA KUMAR,
Director, Plant Biosecurity,
Department of Trade and Investment, Regional Infrastructure and Services

Note: The Department's reference is O-373

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