



# Victoria Government Gazette

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**SPECIAL**

## Plant Health and Plant Products Act 1995

### ORDER REQUIRING PERSONS RECEIVING SPECIFIED PLANT MATERIALS FROM INTERSTATE TO BE IN POSSESSION OF CERTIFICATION

I, Sherryl Garbutt, Acting Minister for Agriculture, make the following Order—

Dated 27 June 2002

SHERRYL GARBUTT MP

Acting Minister for Agriculture

#### 1 Objective

The objective of this Order is to minimise the risk of exotic pests and diseases entering Victoria by requiring persons who receive certain plants, plant products, equipment and packages from interstate to have in their possession at the time of delivery of the material the appropriate certification.

#### 2 Authorising provisions

This Order is made under section 24 of the **Plant Health and Plant Products Act 1995**.

#### 3 Commencement

This Order comes into operation on 30 June 2002.

#### 4 Definitions

In this Order—

“**agricultural equipment**” means any machinery, hand tools, equipment or vehicle used for propagating, cultivating, spraying, harvesting, handling, packing, transporting or marketing of specified materials;

“**agricultural machinery**” means any machinery, equipment or vehicle used for cultivating, spraying, harvesting, processing, packing and transporting of specified materials;

“**containerised plant**” means plant in a container in potting media or soil or with potting media or soil attached;

“**package**” means any package used for propagating, harvesting, packing, marketing or transporting specified materials and includes any box, pot, bin, crate or pallet;

“**plant cutting**” means any stem of a plant with leaves;

“**plant mulch**” means any organic mulch, potting media, hay and straw;

“**specified materials**” means the materials specified in column 2 of the schedule;

“**the Act**” means the **Plant Health and Plant Products Act 1995**;

“**the Regulations**” means the Plant Health and Plant Product Regulations 1995;

“**used container**” means any container which contains or is known to have contained or may reasonably be suspected of containing or having contained specified materials and includes bins, crates and pallets used for harvesting, packing or transporting specified materials.

#### 5 Requirement to possess certification

A person must not—

- (a) import, introduce or bring into Victoria materials specified in column 2 of the schedule that are hosts of or have the potential to spread the exotic pests and diseases specified in column 1 of the schedule opposite those materials from a State or Territory or a part of a State or Territory specified in column 3 of the schedule opposite those materials; or

- (b) cause or permit any of the things in paragraph (a) to be done—  
unless the person has in his or her possession at the time the materials are delivered to the person in Victoria a copy of—
- (i) an assurance certificate; or
  - (ii) a plant health certificate; or
  - (iii) a plant health declaration.

## SCHEDULE

Column 1 Exotic pest or disease	Column 2 Materials	Column 3 States and Territories
Queensland fruit fly <i>Bactrocera tryoni</i> (Froggart)  Mediterranean fruit fly <i>Ceratitis capitata</i>	Fruits and fruiting vegetables and packages that contain such fruits and fruiting vegetables as listed in Schedule 5 of the Regulations	The State of New South Wales, Queensland, Tasmania, South Australia and Western Australia the Northern Territory, and the Australian Capital Territory excluding those States and Territories or parts thereof for which an Area Freedom Certificate issued under Schedule 2 of the Regulations is currently in force.
Blueberry rust <i>Pucciniastrum vaccinii</i>	Plants of <i>Vaccinium</i> species (including blueberry, cranberry and huckleberry)	The State of New South Wales, Queensland, Tasmania, South Australia and Western Australia the Northern Territory, and the Australian Capital Territory excluding those States and Territories or parts thereof for which an Area Freedom Certificate issued under Schedule 2 of the Regulations is currently in force.
	Fruit of <i>Vaccinium</i> species and plants or plant parts of <i>Gaylussacia</i> (black huckleberry), <i>Rhododendron</i> species (including azalea), <i>Tsuga</i> (hemlock), <i>Lyonia</i> , <i>Menziesia</i> , <i>Pernettya</i> , <i>Hugeria</i> , <i>Pieris</i> , <i>Leucothoe</i> and <i>Oxycoccus</i> , and any agricultural equipment or package used with these species	The State of New South Wales, Queensland, Tasmania, South Australia and Western Australia the Northern Territory, and the Australian Capital Territory excluding those States and Territories or parts thereof for which an Area Freedom Certificate issued under Schedule 2 of the Regulations is currently in force or States and Territories or parts thereof that are more than 200 km from a known outbreak of the exotic disease.

<b>Column 1 Exotic pest or disease</b>	<b>Column 2 Materials</b>	<b>Column 3 States and Territories</b>
Daylily rust <i>Puccinia hemerocallidis</i>	Plant or plant part of <i>Hemerocallis</i> species (daylily), and any agricultural equipment or package, used with that species	Any property from within the State of New South Wales, Queensland, Tasmania, South Australia and Western Australia the Northern Territory, and the Australian Capital Territory known to be infested with the disease.
Spiraling whitefly <i>Aleurodicus dispersus</i>	Any containerised plant or plant cutting to be grown indoors	The State of New South Wales, Queensland, Tasmania, South Australia and Western Australia the Northern Territory, and the Australian Capital Territory excluding those States and Territories or parts thereof for which an Area Freedom Certificate issued under Schedule 2 of the Regulations is currently in force.
Lupin anthracnose <i>Colletotrichum gloeosporioides</i>	Plants or plant products of <i>Lupinus</i> species (lupins) and any agricultural machinery or package used with that species	The State of New South Wales, Queensland, Tasmania, South Australia and Western Australia the Northern Territory, and the Australian Capital Territory excluding those States and Territories or parts thereof for which an Area Freedom Certificate issued under Schedule 2 of the Regulations is currently in force.
Asparagus Rust <i>Puccinia asparagi</i>  Asparagus Stem Blight <i>Phomopsis asparagi</i>	Any plant or plant product of Asparagus species (including ornamental asparagus), and any agricultural equipment and package used with that species	The State of New South Wales, Queensland, Tasmania, South Australia and Western Australia the Northern Territory, and the Australian Capital Territory excluding those

<b>Column 1 Exotic pest or disease</b>	<b>Column 2 Materials</b>	<b>Column 3 States and Territories</b>
		States and Territories or parts thereof for which an Area Freedom Certificate issued under Schedule 2 of the Regulations is currently in force.
Fire Ant <i>Solenopsis invicta</i>	Any containerised plant, plant mulch, turf, agricultural machinery, used container, or soil	The State of New South Wales, Queensland, Tasmania, South Australia and Western Australia the Northern Territory, and the Australian Capital Territory excluding those States and Territories or parts thereof for which an Area Freedom Certificate issued under Schedule 2 of the Regulations is currently in force.

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