



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF BLUEBERRY RUST INTO VICTORIA

I, Bob Cameron, Minister for Agriculture, make the following Order:

Dated 27 April 2004

BOB CAMERON

Minister for Agriculture

**1. Objective**

The objective of this Order is to prohibit or restrict, subject to conditions, the entry or importation of any plant or plant product of *Vaccinium* spp. (including blueberry, cranberry and huckleberry), *Gaylussacia* (black huckleberry), *Rhododendron* spp. (including azalea), *Tsuga* (hemlock), *Lyonia*, *Menziesia*, *Pernettya*, *Hugeria*, *Pieris*, *Leucothoe* and *Oxycoccus* and any agricultural equipment or package that has been used in association with those species so as to prevent the introduction or spread of blueberry rust (*Pucciniastrum vaccinii*) into Victoria.

**2. Authorising provision**

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

**3. Definitions**

In this Order —

“**blueberry rust**” means the exotic disease, blueberry rust (*Pucciniastrum vaccinii*);

“**hemlock**” means any plant or plant product of the genus *Tsuga*;

“**inspector**” means an inspector authorised under the Act;

“**Manager, Plant Standards**” means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

**4. Controls applying to blueberry rust host material**

(1) The entry or importation into Victoria of:

- (a) any plant or plant product of *Vaccinium* spp. (including blueberry, cranberry and huckleberry), *Gaylussacia*, hemlock, *Rhododendron* (including azalea), *Lyonia*, *Menziesia*, *Pernettya*, *Hugeria*, *Pieris*, *Leucothoe*, *Oxycoccus*; and
- (b) any agricultural equipment or package used in the propagation, cultivation, harvesting, marketing or transportation of host material in sub-clause (1)(a) —

is prohibited unless the host plants or plant products (other than *Vaccinium* spp.) were grown, or the agricultural equipment or packages were last used on a property that:

- (c) is located more than 200 kilometres from the detection of blueberry rust; or
- (d) is located in a State or Territory or part of a State or Territory for which an area freedom certificate issued by an officer responsible for agriculture in the State or Territory where the plant or plant product was grown or the agricultural equipment or used packages were last used is currently in force certifying that the State or Territory or part of the State or Territory is known to be free of blueberry rust.

**SPECIAL**

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- (2) Sub-clause (1) does not apply if:
- (a) in the case of fruit of *Vaccinium* spp. (including blueberry, cranberry and huckleberry);
    - (i) the crop is:
      - (A) inspected within 14 days prior to harvest and no blueberry rust is detected; or
      - (B) sprayed within 14 days prior to harvest with a pre-harvest application of a fungicide registered for the treatment of blueberry rust as per label recommendations; and
    - (ii) each consignment is packed and consigned free of soil and organic matter; and
    - (iii) accompanied by a plant health declaration issued by an authorised person, an assurance certificate issued by an accredited person or a plant health certificate issued by an officer of a department responsible for agriculture in the State or Territory in which the host material was grown and packed or the agricultural equipment or packages were last used certifying compliance with sub-paragraph (i) and (ii); or
  - (b) in the case of agricultural equipment and packages, the agricultural equipment or package:
    - (i) has been cleaned free of soil and organic matter and treated;
      - (A) by steam cleaning; or
      - (B) with a solution containing not less than 100ppm available chlorine used as a spray rinse or dump treatment; or
      - (C) in a manner approved by the Manager, Plant Standards; and
    - (ii) is accompanied by a plant health declaration issued by an authorised person, an assurance certificate issued by an accredited person or a plant health certificate issued by an officer of a department responsible for agriculture in the State or Territory in which the host material was grown and packed or the agricultural equipment or packages were last used certifying compliance with sub-paragraph (i); or
  - (c) in the case of plants of *Vaccinium* spp., each consignment of plants are approved to be grown in pre or post entry quarantine under conditions approved by the Manager, Plant Standards; or
  - (d) in the case of other blueberry rust host plants:
    - (i) the plants are inspected within 14 days of dispatch to Victoria; and
    - (ii) no blueberry rust is detected; and
    - (iii) a plant health declaration is issued by an authorised person certifying compliance with sub-paragraphs (i) and (ii).
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Note: Section 25 of the Act provides that a person is guilty of an offence and a penalty not exceeding 200 penalty units for knowingly breaching an Importation Order.

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