



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF ASPARAGUS INTO VICTORIA

I, Bob Cameron, Minister for Agriculture, under section 24 of the **Plant Health and Plant Products Act 1995** make the following Order—

Dated 18 July 2004

BOB CAMERON MP  
Minister for Agriculture

#### 1. **Objectives**

The objectives of this Order are to:

- (a) revoke an Order made to prevent the introduction of asparagus rust (*Puccinia asparagi*) and asparagus stem blight into Victoria; and
- (b) prohibit or restrict subject to conditions the entry or importation of any plant or plant product of the genus *Asparagus* (including ornamental asparagus), or any agricultural equipment, package or soil that has been used with that species so as to prevent the introduction or spread of asparagus stem blight into Victoria.

#### 2. **Authorising provisions**

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

#### 3. **Revocation**

The Order made by the Minister for Agriculture under section 24 of the **Plant Health and Plant Products Act 1995** on 26 July 2001 (notice of which was published in the Victoria Government Gazette G31 on 2 August 2001) and extended for a period of 12 months by notice published in the Victoria Government Gazette G29 on 18 July 2002 and extended for a further period of 12 months by notice published in the Victoria Government Gazette G30 on 24 July 2003 prohibiting or restricting the entry or importation of asparagus plants or plant products into Victoria is revoked.

#### 4. **Definitions**

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

“**asparagus stem blight**” means the exotic disease caused by *Phomopsis asparagi*;

“**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.

#### 5. **Controls applying to asparagus**

(1) The entry or importation into Victoria of:

- (a) any plant, plant part or plant product of the genus *Asparagus*; or
- (b) any agricultural equipment which has been used in the cultivation, harvesting, handling, packing, processing or transportation of any plant, plant part or plant product of the genus *Asparagus*; or
- (c) any package which has contained any plant, plant part or plant product of the genus *Asparagus*; or
- (d) any soil that has been used with any plant, plant part or plant product of the genus *Asparagus*—

is prohibited unless the host plant or plant product was grown on, or the agricultural equipment or package was last used on, or the soil was sourced from, a property that is—

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- (e) located more than 200 kilometres from a site at which asparagus stem blight has been detected; or
  - (f) 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, plant part or plant product was grown or the agricultural equipment or packages were last used or soil was sourced is currently in force certifying that the State or Territory or part of the State or Territory is free of asparagus stem blight.
- (2) Sub-clause (1) does not apply if:
- (a) the plants, plant parts or plant product of the genus *Asparagus*, agricultural equipment, package (other than a package containing asparagus spears) or soil is accompanied by a plant health declaration issued by an authorised person or an assurance certificate issued by an accredited person or by a plant health certificate issued by an officer of a department responsible for agriculture in the State or Territory where the asparagus was grown or the agricultural equipment or package was last used or soil was sourced certifying that—
    - (i) in the case of asparagus spears, they have been treated in a manner approved by the Manager Plant Standards and packed and consigned free of organic matter and soil in new packages;
    - (ii) in the case of agricultural equipment or packages (other than a package containing asparagus spears) used in the cultivation, harvesting, handling, packing, processing or transportation of plants, plant parts or plant products of the genus *Asparagus*, they have been cleaned and treated in a manner approved by the Manager Plant Standards under the supervision of an officer of a department responsible for agriculture in the State or Territory where the asparagus was grown;
    - (iii) in the case of asparagus seed, it has been treated and consigned according to conditions approved by the Manager Plant Standards; or
  - (b) in the case of packages containing asparagus spears they are labelled or otherwise identified with the name of the town nearest to the locality where the asparagus spears were grown.

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Section 25 of the Act provides that a person is guilty of an offence and liable to a penalty not exceeding 200 penalty units for knowingly breaching an Importation Order.

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**Plant Health and Plant Products Act 1995**

ORDER PROHIBITING OR RESTRICTING THE MOVEMENT,  
HARVESTING OR HANDLING OF ASPARAGUS IN VICTORIA

I, Bob Cameron, Minister for Agriculture, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order—

Dated 18 July 2004

BOB CAMERON MP  
Minister for Agriculture

**1. Objective**

The objective of this Order is to revoke an Order prohibiting or restricting the movement, harvesting or handling of asparagus in Victoria.

**2. Authorising provision**

This Order is made under section 20 of the **Plant Health and Plant Products Act 1995**.

**3. Revocation**

The Order made by the Minister for Agriculture under sections 20 and 22 of the **Plant Health and Plant Products Act 1995** on 16 September 2003 and published in Special Gazette S172 on 19 September 2003 prohibiting or restricting the movement, harvesting or handling of asparagus to prevent the spread of the exotic disease asparagus rust is revoked.

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