



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF HOST MATERIALS TO PREVENT THE ENTRY OF BLUEBERRY RUST INTO VICTORIA

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

Dated 2 May 2005

BOB CAMERON  
Minister For Agriculture

#### 1. *Objective*

The objective of this Order is to prohibit, subject to conditions, or restrict 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*);

“**inspector**” means an inspector authorised under the **Plant Health and Plant Products Act 1995**;

“**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* (black huckleberry), *Tsuga* (hemlock), *Rhododendron* spp. (including azalea), *Lyonia*, *Menziesia*, *Pernettya*, *Hugeria*, *Pieris*, *Leucothoe*, *Oxycoccus*; or
  - (b) any agricultural equipment or package used in the propagation, cultivation, harvesting, or processing of host material in sub-clause (1)(a) —  
is prohibited.
- (2) Sub-clause (1) does not apply where the plants or plant products (other than *Vaccinium* spp.) were grown, or the agricultural equipment or packages were last used, on a property that is located —
  - (a) 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; or
  - (b) more than 200km from a detection of blueberry rust.
- (3) Sub-clause (1) does not apply if the plant or plant product is accompanied by a plant health declaration issued by an authorised person, an assurance certificate issued by a person who is accredited by the department responsible for agriculture in the affected State or Territory, or a

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plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory in which the plant or plant product was grown and packed, or the agricultural equipment or packages were last used, certifying that –

- (a) in the case of fruit of *Vaccinium* spp. –
    - (i) the crop is treated in a manner approved by the Manager, Plant Standards; and
    - (ii) each consignment is packed and consigned free of soil and organic matter; or
  - (b) in the case of agricultural equipment and packages, the agricultural equipment and packages –
    - (i) have been cleaned free of soil and organic matter; and
    - (ii) treated in a manner approved by the Manager, Plant Standards; or
  - (c) in the case of plants or plant products (other than plants of *Vaccinium* spp.), the plants or plant products have been inspected within 14 days prior to dispatch to Victoria, and no blueberry rust is detected.
- (4) Subclause (1) does not apply in the case of plants or plant products of the *Vaccinium* spp. if –
- (a) prior approval has been obtained from the Manager Plant Standards; and
  - (b) the plants or plant products are treated in a manner approved by the Manager Plant Standards.

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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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