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Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA

AROUND YARRAWONGA FOR THE CONTROL OF QUEENSLAND FRUIT FLY

I, Bob Cameron, Minister for Agriculture, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in relation to the restricted area.

Dated 7 October 2006

BOB CAMERON MP

Minister for Agriculture

1. Objective

The objective of this Order is to declare a restricted area for the control of Queensland Fruit Fly around Yarrowonga, Victoria, near Mulwala (NSW), and to specify the prohibitions, restrictions and requirements which are to operate in relation to the restricted area.

2. Authorising provisions

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

3. Definition

In this Order –

“**accreditation program**” means any program under which a person is permitted to issue an assurance certificate, including any procedures available under the Interstate Certification Assurance (ICA) Scheme; and

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

“**Queensland fruit fly**” means the exotic pest *Bactrocera tryoni* (Froggatt); and

“**Queensland fruit fly host material**” means any fruit or vegetable listed in Schedule 1.

4. Restricted area for the control of Queensland fruit fly

The restricted area for the control of Queensland Fruit Fly is declared to be the area described in Schedule 2.

5. Prohibitions, restrictions and requirements

(1) The removal from the restricted area into any part of Victoria of any Queensland fruit fly host material is prohibited.

(2) Subclause (1) does not apply if the Queensland fruit fly host produce is –

(a) accompanied by an assurance certificate issued by an accredited person, a plant health declaration issued by an authorised person or a plant health certificate issued by an authorised inspector certifying that the host produce has been treated in a manner approved by the Manager Plant Standards; and

(b) packed and labelled in accordance with any conditions prescribed by an accreditation program under which the produce is certified.

6. Verification of Consignments

(1) Any Queensland fruit fly host produce removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

(a) presented to an authorised inspector for inspection; or

(b) verified by a person accredited to do so by the Department of Primary Industries.

SPECIAL

Schedule 1

| | |
|--------------------------|---|
| Abiu | <i>Pouteria caimito</i> (Ruiz & Pavon) Radlk. [Sapotaceae] |
| Acerola | <i>Malpighia glabra</i> L. [Malpighiaceae] <i>Malpighia emarginata</i> Sessé & Moc. ex DC. [Malpighiaceae] |
| Apple | <i>Malus domestica</i> Bork L. [Rosaceae] |
| Apricot | <i>Prunus armeniaca</i> L. [Rosaceae] |
| Avocado | <i>Persea americana</i> Mill. [Lauraceae] |
| Babaco | <i>Carica pentagona</i> Heilborn [Caricaceae] |
| Banana | <i>Musa acuminata</i> Colla [Musaceae] |
| Black Sapote | <i>Diospyros dignya</i> Jacq. [Ebenaceae] |
| Blackberry | <i>Rubus fruticosus</i> L. [Rosaceae] |
| Blueberry | <i>Vaccinium corymbosum</i> L. [Ericaceae] |
| Boysonberry | <i>Rubus ursinus</i> (Cham. & Schlenht) var. <i>loganobaccus</i> [Rosaceae] |
| Brazil Cherry | <i>Eugenia uniflora</i> L. [Myrtaceae] |
| Breadfruit | <i>Artocarpus altilis</i> (Parkinson) Fosberg [Moraceae] |
| Caimito (Star Apple) | <i>Chrysophyllum cainito</i> L. [Sapotaceae] |
| Cape Gooseberry | <i>Physalis peruviana</i> L. [Solanaceae] |
| Capsicum | <i>Capsicum</i> L. [Solanaceae] |
| Carambola (Starfruit) | <i>Averrhoa carambola</i> L. [Oxalidaceae] |
| Cashew Apple | <i>Anacardium occidentale</i> L. [Anacardiaceae] |
| Casimiro (White Sapote) | <i>Casimiroa edulis</i> Llave & Lex. [Rutaceae] |
| Cherimoya | <i>Annona cherimola</i> Miller [Annonaceae] |
| Cherry | <i>Prunus avium</i> L. [Rosaceae] |
| Chilli | <i>Capsicum annuum</i> L. [Solanaceae] |
| Citron | <i>Citrus medica</i> L. [Rutaceae] |
| Cumquat | <i>Fortunella japonica</i> (Thunb.) Swingle [Rutaceae] <i>Fortunella margarita</i> (Lour.) Swingle [Rutaceae] |
| Custard Apple | <i>Annona reticulata</i> L. [Annonaceae] |
| Date | <i>Phoenix dactylifera</i> L. [Arecaceae] |
| Dragon Fruit (Than Lung) | <i>Hylocereus undatus</i> (Haw.) Britt. & Rose [Cactaceae] |
| Durian | <i>Durio zibethinus</i> Murray [Bombacaceae] |
| Feijoa | <i>Acca sellowiana</i> (O. Berg) O. Berg [Myrtaceae] |
| Fig | <i>Ficus carica</i> L. [Moraceae] |
| Granadilla | <i>Passiflora quadrangularis</i> L. [Passifloraceae] |
| Grapefruit | <i>Citrus x paradisi</i> Macfad. (pro sp.) [Rutaceae] |
| Grumichama | <i>Eugenia braziliensis</i> Lam. [Myrtaceae] |
| Guava | <i>Psidium guajava</i> L. [Myrtaceae] <i>Psidium cattleianum</i> Sabine [Myrtaceae] <i>Psidium friedrichsthalianum</i> (O. Berg) Niedenzu [Myrtaceae] |
| Hog Plum | <i>Prunus umbellata</i> Ell. [Rosaceae] |
| Jaboticaba | <i>Myrciaria cauliflora</i> (C Martius) O Berg [Myrtaceae] |
| Jackfruit | <i>Artocarpus heterophyllus</i> Lam. [Moraceae] |
| Jew Plum | <i>Spondias cytherea</i> Sonn. [Anaradiaceae] |
| Ju jube | <i>Ziziphus jujube</i> Miller [Rhamnaceae] |
| Kiwifruit | <i>Actinidia chinensis</i> Planchon [Actinidiaceae] |

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|------------------------|---|
| Lemon | <i>Citrus limon</i> L. Burm. f. [Rutaceae] |
| Lime | <i>Citrus aurantifolia</i> (Christm.) Swingle [Rutaceae] |
| Loganberry | <i>Rubus loganobaccus</i> L.H. Bailey [Rosaceae] |
| Longan | <i>Dimocarpus longan</i> Lour. [Sapindaceae] |
| Loquat | <i>Eriobotrya japonica</i> (Thunb.) Lindley [Rosaceae] |
| Lychee | <i>Litchi chinensis</i> Sonn. [Sapindaceae] |
| Mandarin | <i>Citrus reticulata</i> Blanco [Rutaceae] |
| Mango | <i>Mangifera indica</i> L. [Anacardiaceae] |
| Mangosteen | <i>Garcinia mangostana</i> L. [Clusiaceae] |
| Medlar | <i>Mespilus germanica</i> L. [Rosaceae] |
| Miracle Fruit | <i>Synsepalum dulcificum</i> (Schumacher & Thonn.) Daniell [Sapotaceae] |
| Mulberry | <i>Morus nigra</i> L. [Moraceae] |
| Nashi | <i>Pyrus pyrifolia</i> (Burm. F.) Nakai [Rosaceae] |
| Nectarine | <i>Prunus persica</i> (L.) Batsch var. <i>nucipersica</i> (Suckow) C. Schneider [Rosaceae] |
| Orange | <i>Citrus sinensis</i> (L.) Osbeck [Rutaceae] |
| Passionfruit | <i>Passiflora edulis</i> Sims [Passifloraceae] |
| Pawpaw | <i>Carica papaya</i> L. [Caricaceae] |
| Peach | <i>Prunus persica</i> (L.) Batsch [Rosaceae] |
| Peacharine | <i>Prunus persica</i> (rar.) <i>nucipersica</i> |
| Pear | <i>Pyrus communis</i> L. [Rosaceae] |
| Pepino | <i>Solanum muricatum</i> Aiton [Solanaceae] |
| Persimmon | <i>Diospyros kaki</i> L.f. [Ebenaceae] |
| Plum | <i>Prunus domestica</i> L. [Rosaceae] |
| Plumcot | <i>Prunus domestica</i> x <i>Prunus ameniaca</i> [Rosaceae] |
| Pomegranate | <i>Punica granatum</i> L. [Punicaceae] |
| Prickly Pear | <i>Opuntia stricta</i> (Haw.) Haw. [Cactaceae] |
| Pummelo | <i>Citrus maxima</i> (Burm. f.) Merr. [Rutaceae] |
| Quince | <i>Cydonia oblonga</i> P. Mill. [Rosaceae] |
| Rambutan | <i>Nephelium lappaceum</i> L. [Sapindaceae] |
| Raspberry | <i>Rubus idaeus</i> L. [Rosaceae] |
| Rollinia | <i>Rollinia pulchrinervis</i> A. DC. [Annonaceae] <i>Rollinia mucosa</i> (Jacq.) Baill. [Annonaceae] |
| Santol | <i>Sandoricum indicum</i> Cav. [Meliaceae] |
| Sapodilla | <i>Manilkara zapota</i> (L.) van Royen [Sapotaceae] |
| Shaddock | <i>Citrus grandis</i> (L.) Osbeck [Rutaceae] |
| Soursop | <i>Annona muricata</i> L. [Annonaceae] |
| Strawberry | <i>Fragaria ananassa</i> Duch. [Rosaceae] |
| Sweetsop (Sugar Apple) | <i>Annona squamosa</i> L. [Annonaceae] |
| Tahitian Lime | <i>Citrus latifolia</i> Tanaka [Rutaceae] |
| Tamarillo | <i>Cyphomandra betacea</i> (Cav) Sendtner [Solanaceae] |
| Tangelo | <i>Citrus</i> x <i>tangelo</i> J. Ingram & H. Moore [Rutaceae] |
| Tomato | <i>Solanum lycopersicum</i> L. [Solanaceae] |
| Wax jambu (Rose Apple) | <i>Syzygium jambos</i> L. Alston [Myrtaceae] |

Schedule 2

The area of land bounded by a line commencing at the intersection of the Murray Valley Highway and Montroses Road, then in a southerly direction to the intersection of Montroses Road and Playfair Road, then in a westerly direction to the intersection of Playfair Road and McPhails Road, then in a southerly direction to the intersection of McPhails Road and Wrights Road, then in a westerly direction to the intersection of Wrights Road and McDougals Road, then in a southerly direction to the intersection of McDougals and Carmichaels Road, then in a westerly direction to the intersection of Carmichaels Road and McPherson Road, then in a southerly direction to the intersection of McPherson Road and Inchbolds Road, then in a westerly direction to the intersection of Inchbolds Road and Boomahnoomoonah Road, then in a southerly direction to the intersection of Boomahnoomoonah Road and Geodetic Road, then in a westerly direction to the intersection of Geodetic Road and Lavis Road, then in a westerly direction to the intersection of Lavis Road and Chappels Road, then in a southerly direction to the intersection of Chappels Road and Prescott Road, then in a northerly direction to the intersection of Prescott Road and Lavis Road, then in a westerly direction to the intersection of Lavis Road and Forges Road, then in a northerly direction to the intersection of Forges Road and Connells Road, then in a westerly direction to the intersection of Connells Road and May Hills Road, then in a northerly direction to the intersection of Mays Hill Road and Beatties Road, then in a westerly direction to the intersection of Beatties Road and Tungamah Road, then in a northerly direction to the intersection of Tungamah Road and Katamatite–Yarrowonga Road, then in a northerly direction to the intersection of Tungamah and Connells Road, then in a westerly direction to the intersection of Connells Road and Burramine Road, then in a northerly direction to the intersection of Burramine Road and the Murray Valley Highway, then in a westerly direction to the intersection of Murray Valley Highway and Bourkes Bend Track, then in a northerly direction to the Murray River, and then along the Murray River until the point of commencement.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units for a natural person, or 100 penalty units for a body corporate for moving host materials from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

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