



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF ANNUAL RYEGRASS TOXICITY HOST MATERIAL INTO VICTORIA

I, Joe Helper, Minister for Agriculture, make the following Order:

JOE HELPER MP

Minister for Agriculture

Dated 7 June 2007

**1. Objective**

The objective of this Order is to prevent the entry or importation of the exotic disease annual ryegrass toxicity into Victoria.

**2. Authorising Provision**

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

**3. Revocation**

The Order made on 24 May 2006 under section 24 of the Act, and published in Government Gazette G22 on 1 June 2006 (p1061), with a commencement date of 8 June 2006, is revoked.

**4. Definitions**

In this Order –

“**agricultural equipment**” means any equipment used in the cultivation, harvesting, handling, packing, processing or transportation of annual ryegrass toxicity host material;

“**annual ryegrass toxicity host material**” means any cereal, lucerne (except second or subsequent cut for the season), pasture hay, stock feed or plant waste;

“**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 annual ryegrass toxicity host materials**

(1) The entry or importation into Victoria of any:

- (a) annual ryegrass toxicity host material; or
- (b) agricultural equipment –

is prohibited.

(2) Sub-clause (1) does not apply if:

- (a) the annual ryegrass toxicity host material was grown on, or the agricultural equipment was last used on, a property that 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 annual ryegrass toxicity host material was grown, or the agricultural equipment was last used, is currently in force certifying that the State or Territory, or part of the State or Territory, is free from annual ryegrass toxicity; or

**SPECIAL**

- (b) the annual ryegrass toxicity host material or agricultural equipment is:
  - (i) accompanied by an assurance certificate issued by a person who is accredited by the department responsible for agriculture in the affected State or Territory or a plant health declaration issued by an authorised person or a plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory certifying that:
    - (A) the host material was grown on, or the equipment was last used on, a property located more than 100 km from a known outbreak of annual ryegrass toxicity; or
    - (B) the host material or equipment was inspected, tested or treated in a manner approved by the Manager Plant Standards; and
  - (ii) packed and labelled in accordance with any conditions prescribed by an accreditation program under which the material is certified.

**6. Verification of Consignments**

Where requested by an authorised inspector, annual ryegrass toxicity host material or agricultural equipment imported into Victoria in accordance with clause 5(2)(b) and the accompanying certificate 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.

Note: Section 25 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and a penalty not exceeding 50 penalty units, in the case of a natural person and 200 penalty units, in the case of a body corporate, for knowingly breaching an Importation Order.

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