



Victoria Government Gazette

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Plant Health and Plant Products Act 1995

ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF DAYLILY RUST HOST MATERIAL INTO VICTORIA

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

Dated 2 August 2007

JOE HELPER MP
Minister for Agriculture

1. Objective

The objective of this Order is to prevent the importation or entry of the exotic disease Daylily Rust 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 1 September 2006 under Section 24 of the Act, published in Government Gazette G36 on 7 September 2006 (p.1892–1893), is revoked.

4. Definitions

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;

“**agricultural equipment**” means any equipment used for the culture, harvesting, packing or processing of any daylily rust host plant;

“**daylily rust**” means the exotic disease *Puccinia hemerocallidis*;

“**daylily rust host plant**” means any plant or plant part of the genus *Hemerocallis*;

“**daylily rust host material**” means any daylily rust host plant, agricultural equipment or package;

“**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;

“**package**” means any package which has contained any daylily rust host plant.

5. Controls applying to daylily rust host material

(1) The entry or importation into Victoria of any daylily rust host material is prohibited.

(2) Sub-clause (1) does not apply if—

- (a) the daylily rust host material was grown on, or sourced from 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 host material was grown or sourced, is currently in force certifying that the State or Territory, or part of the State or Territory, is known to be free from daylily rust; or

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- (b) the daylily rust host material 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 the host plant, agricultural equipment or used package has been treated in a manner approved by the Manager Plant Standards; and
 - (ii) packed and labelled in accordance with any restrictions or conditions prescribed by an accreditation program under which the produce is certified.

6. Verification of Consignments

- (1) Where requested by an authorised inspector, daylily rust host material 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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