

PLANT DISEASES ACT 1924**PROCLAMATION P196**

Proclamation to regulate the importation, introduction and bringing into specified parts of New South Wales of certain fruit originating from or which has moved through other specified parts of New South Wales on account of an outbreak of Queensland fruit fly at Tocumwal, New South Wales.

Her Excellency Professor MARIE BASHIR, AC, CVO, Governor

I, Professor MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council:

- A. pursuant to section 3(2) of the *Plant Diseases Act 1924* (“the Act”), revoke Proclamation 147 published in *NSW Government Gazette* No. 47 on 27 February 2004 at pages 840 – 842 and any proclamation revived as a result of this revocation;
- B. pursuant to section 4(1) of the Act, being of the opinion that the importation, introduction or bringing of fruit into specified portions of New South Wales is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*), do by this Proclamation regulate the importation, introduction or bringing of fruit into specified portions of New South Wales in the manner set out in this Proclamation.
 1. Host Fruit that originates from or that has moved through the:
 - (a) Outbreak Area must not be imported, introduced or brought into the Suspension Area;
 - (b) Suspension Area must not be imported, introduced or brought into the Outer Area, unless:
 - (i) a Plant Health Certificate or a Plant Health Assurance Certificate has been issued in respect of the Host Fruit, and
 - (ii) the Host Fruit is transported and stored in accordance with any conditions relating to such matters which are stated in the Plant Health Certificate or the Plant Health Assurance Certificate, and
 - (iii) the Plant Health Certificate or the Plant Health Assurance Certificate is in the possession of the driver of the vehicle transporting the Host Fruit or the person otherwise having custody or control of the Host Fruit while it is in the Suspension Area or the Outer Area as the case may be, and
 - (iv) the Plant Health Certificate or the Plant Health Assurance Certificate is produced on demand to an inspector or a person authorised pursuant to section 11(3) of the Act.

Definitions

In this Proclamation:

Department means the New South Wales Department of Primary Industries.

Host Fruit means the fruit specified in Schedule 1.

Outbreak Area means the part of New South Wales specified in Schedule 2.

Outer Area means the area known as the New South Wales Fruit Fly Exclusion Zone, as declared in Proclamation P184 published in *Government Gazette No 152* of 28 November 2008, at pages 11434 and 11435, other than the Suspension Area.

Plant Health Assurance Certificate means a certificate –

- issued by a person authorised by the Department to issue Plant Health Assurance Certificates, and
- which certifies that the Host Fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the Department, and
- which may specify conditions subject to which the Host Fruit must be transported and/or stored.

Plant Health Certificate means a certificate –

- issued by an inspector or a person authorised pursuant to section 11(3) of the Act, and
- which certifies that the Host Fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the Department, and
- which may specify conditions subject to which the Host Fruit must be transported and/or stored.

Suspension Area means the part of New South Wales specified in Schedule 3.

SCHEDULE 1 – HOST FRUIT

	Fig	Persimmon
Abiu	Granadilla	Plum
Acerola	Grape	Plumcot
Apple	Grapefruit	Pomegranate
Apricot	Grumichama	Prickly Pear
Avocado	Guava	Pummelo
Babaco	Hog Plum	Quince
Banana	Jaboticaba	Rambutan
Black Sapote	Jackfruit	Raspberry
Blackberry	Jew Plum	Rollinia
Blueberry	Ju jube	Santol
Boysenberry	Kiwifruit	Sapodilla
Brazil Cherry	Lemon	Shaddock
Breadfruit	Lime	Soursop
Caimito (Star Apple)	Loganberry	Sweetsop (Sugar Apple)
Cape Gooseberry	Longan	Strawberry
Capsicum	Loquat	Tamarillo
Carambola (Starfruit)	Lychee	Tangelo
Cashew Apple	Mandarin	Tomato
Casimiro (White Sapote)	Mango	Wax jambu (Rose Apple)
Cherimoya	Mangosteen	
Cherry	Medlar	
Chilli	Miracle Fruit	
Citron	Mulberry	
Cumquat	Nashi	
Custard Apple	Nectarine	
Date	Orange	
Dragon Fruit (Than Lung)	Passionfruit	
Durian	Pawpaw	
Eggplant	Peach	
Feijoa	Peacharine	
	Pear	
	Pepino	

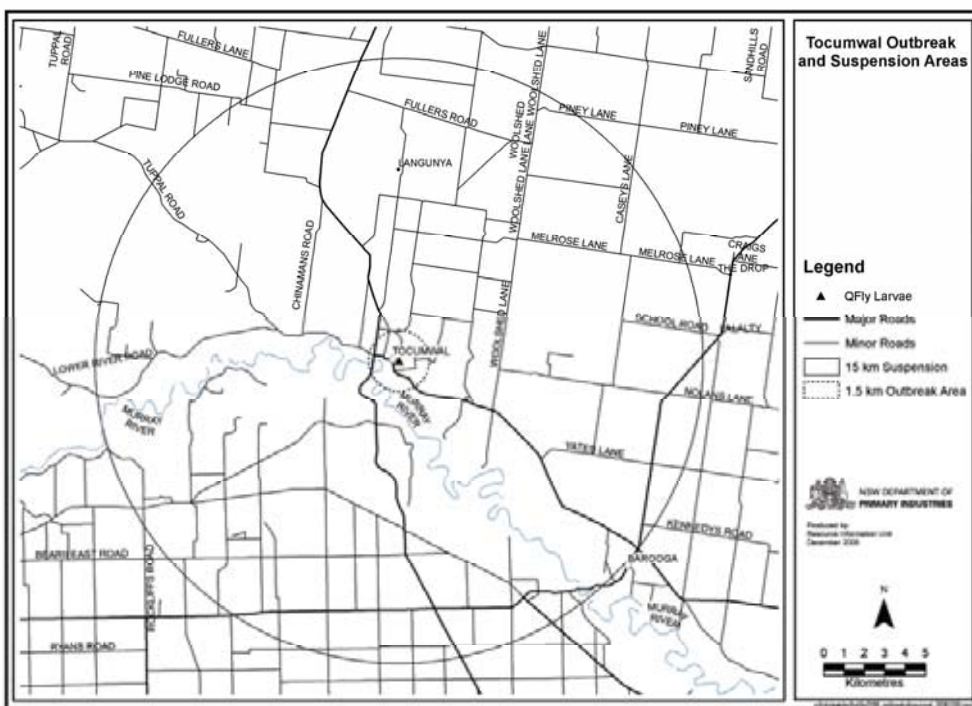
SCHEDULE 2 – OUTBREAK AREA

The part of NSW within a 1.5 kilometre radius of coordinates decimal degrees -35.81284 South and 145.57254 East. This part is represented in Schedule 4 by the map entitled “Tocumwal Outbreak and Suspension Areas”.

SCHEDULE 3 – SUSPENSION AREA

The part of NSW within a 15 kilometre radius of coordinates decimal degrees -35.814271 South and 145.565854 East. This part is represented in Schedule 4 by the map entitled “Tocumwal Outbreak and Suspension Areas”.

SCHEDULE 4 – MAP
Tocumwal Outbreak and Suspension Areas



Note: The NSW Department of Primary Industries reference is **P196**.
For further information contact the Department on (02) 6391 3593.

Signed and sealed at Sydney this 28th day of January 2009.

By Her Excellency's Command,

IAN MACDONALD MLC
Minister for Primary Industries

GOD SAVE THE QUEEN!