

PLANT DISEASES ACT 1924

PROCLAMATION P193

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 Coleambally, 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, being of the opinion that the movement of fruit within a portion of New South Wales is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*), with the advice of the Executive Council and pursuant to section 4(1) of the Plant Diseases Act 1924 ("the Act"), do by this Proclamation regulate the movement of fruit within 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 P178 published in *New South Wales Government Gazette* No. 11 of 19 January 2007, at pages 186-187, 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 specifies any conditions subject to which the Host Fruit must be transported 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 specifies any conditions subject to which the Host Fruit must be transported or stored.

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

SCHEDULE 1 – HOST FRUIT

All citrus fruits including citron, grapefruit, kumquat (japonica) (margarita), lemon (Meyer) (Tanaka), lime (all species, including Rangpur, Tahitian, West Indian), mandarin (blanco), orange (all varieties including Seville or sour and sweet), pummelo, shaddock, tangelo, tangor.

All pome fruit including apple, nashi, pear, quince.

All stone fruit including apricot, cherry, nectarine, peach, peacharine, plum, plumcot.

All tropical fruits including avocado, banana, black sapote, breadfruit, caimito (star apple), carambola (starfruit), casimiroa (white sapote), custard apple, durian, guava (of all types) (myrtaceae) (strawberry) (yellow cattley), jabotica, jackfruit, longan, lychee, mango, mangosteen, papaya, passionfruit, pawpaw, rambutan, sapodilla, soursop, sweetsop (sugar apple).

The following berry fruit: blackberry, blueberry, boysenberry, cape gooseberry, loganberry, mulberry, raspberry, strawberry, youngberry.

The following fruit: abiu, babaco, Brazilian cherry, capsicum, cashew apple, cherimoya, chilli (cherry peppers) (chillies) (tabasco), dates (fresh), feijoa, fig, granadilla, grumichama, (Brazilian) (Costa Rican); jujubes, kiwifruit or Chinese gooseberries, loquat, medlars, pepino, persimmon, pomegranate, prickly pear, rollinia, santol, tamarillo, tomato, walnuts (green), Wax jambu.

SCHEDULE 2 – OUTBREAK AREA

The part of NSW within a 1.5 kilometre radius of coordinates decimal degrees -34.803717 South and 145.87763 East. This part is represented in the attached map entitled “Coleambally Outbreak and Suspension Areas”.

SCHEDULE 3 – SUSPENSION AREA

The part of NSW within a 15 kilometre radius of coordinates decimal degrees – 34.803717 South and 145.87763 East. The part is represented in the attached map entitled “Coleambally Outbreak and Suspension Areas”.

Note: The NSW Department of Primary Industries reference is P193.

For further information contact the Department on (02) 6391 3593.

Signed and sealed at Sydney, this 26th day of November 2008.

By Her Excellency’s Command,

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

GOD SAVE THE QUEEN!

