

PLANT DISEASES ACT 1924**PROCLAMATION P167**

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 Rutherglen, Victoria.

Her Excellency Professor MARIE BASHIR AC, Governor

I, Professor MARIE BASHIR, AC, 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 Suspension Area must not be imported, introduced or brought into the Outer Area, unless:
 - (a) a Plant Health Certificate or a Plant Health Assurance Certificate has been issued in respect of the Host Fruit, and
 - (b) 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
 - (c) 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
 - (d) 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.

Outer Area means the area known as the New South Wales Fruit Fly Exclusion Zone, as declared in Proclamation P36 published in *Government Gazette* No 13 of 31 January 1997, at page 321, 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 2.

SCHEDULE 1 – HOST FRUIT

All citrus fruit, pome fruit, stone fruit and tropical fruit (excepting pineapple).

The following berry fruit:

blackberry	cape gooseberry	raspberry
blueberry	loganberry	strawberry
boysenberry	mulberry	youngberry

The following other fruit:

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

SCHEDULE 2 – SUSPENSION AREA

The part of New South Wales within a 15 kilometre radius of coordinates decimal degrees -36.056888 South and 146.463611 East, as identified as the Suspension Area on the map titled "Rutherglen Suspension Area".

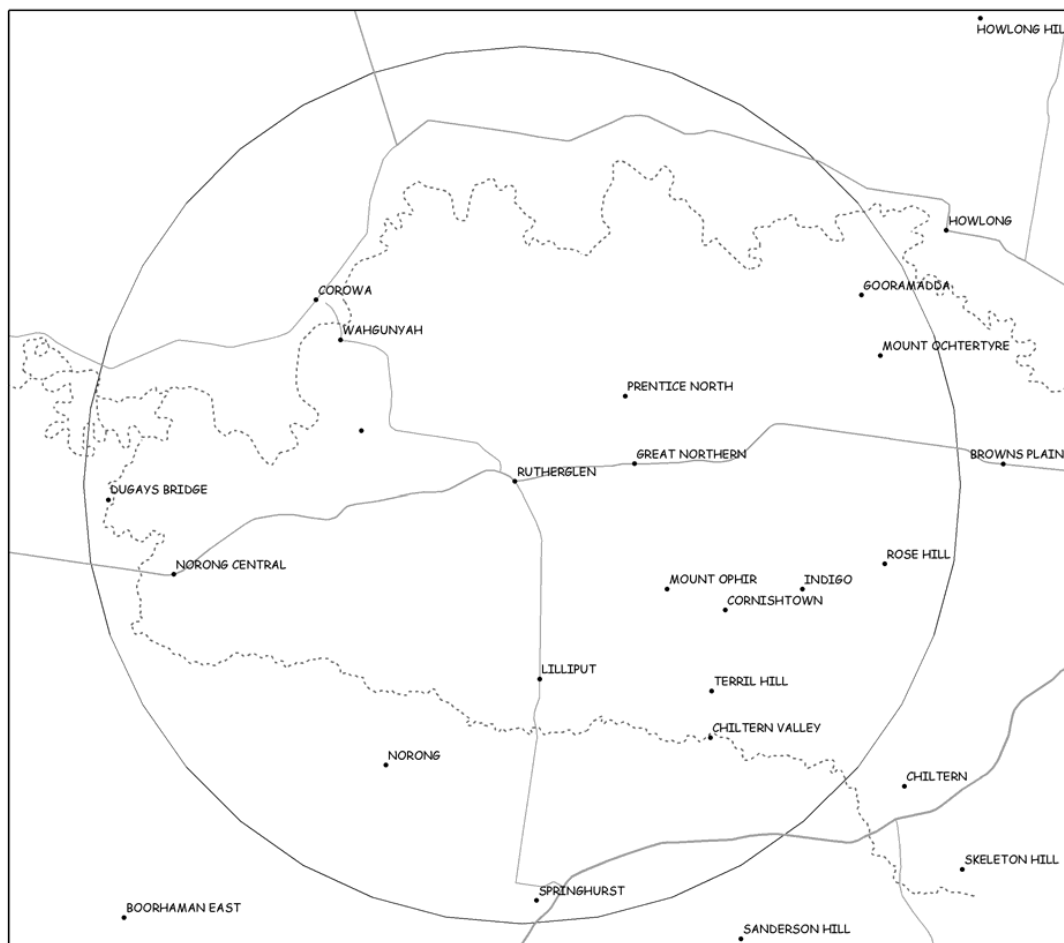
Note: The NSW Department of Primary Industries reference is **P167**.
For further information contact the Department on (02) 6391 3593.

Signed and sealed at Sydney this 5th day of April 2006.

By Her Excellency's Command,

IAN MACDONALD MLC
MINISTER FOR PRIMARY INDUSTRIES

GOD SAVE THE QUEEN!



Rutherglen Suspension Area



Legend

- Localities
- Major Drainage
- Road Class 1
- Road Class 2
- Road Class 3
- Suspension Area 15km

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