

NSW Agriculture

PLANT DISEASES ACT 1924

PROCLAMATION P132

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 Deniliquin.

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

1. (a) in pursuance of section 3 (2) (a) of the Plant Diseases Act 1924, revoke Proclamation P106 published in the *Government Gazette* No. 55 of 5 May 2000 at pages 3744; and
 - (b) in pursuance of section 4 (1) of the Plant Diseases Act 1924 and being of the opinion that any host fruit from the suspension area is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*) into the outer area, regulate the importation, introduction or bringing into the outer area of any host fruit originating from or which has moved through the suspension area.
2. 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) the host fruit is in a commercial consignment of host fruit in a securely sealed container or bulk bin that:
 - is unopened and securely sealed while in transit through the suspension area, and
 - leaves the suspension area within 12 hours of its being brought into the suspension area; or
 - (b) the host fruit is accompanied by:
 - a Plant Health Certificate issued by an inspector, or
 - a Plant Health Assurance Certificate that certifies that the host fruit has been treated in a manner approved by the Chief, Division of Plant Industries; or
 - (c) the host fruit has been purchased from a retail outlet, but not from a market or stall, and is accompanied by a receipt or invoice from the retail outlet showing that it was purchased in the preceding 24 hours; or
 - (d) the host fruit is moved in accordance with the written consent of the Chief, Division of Plant Industries.

Definitions

In this Proclamation:

fruit means the edible part of a plant derived from a flower;

host fruit means fruit specified in Schedule 2;

outer area means the part of New South Wales known as the New South Wales Fruit Fly Exclusion Zone, as declared in the Notification 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 Plant Health Assurance Certificate issued by a person authorised by the New South Wales Department of Agriculture to issue Plant Health Assurance Certificates;

Plant Health Certificate means a Plant Health Certificate issued by an authorised officer of the New South Wales Department of Agriculture; and

suspension area means the part of New South Wales specified in Schedule 2.

SCHEDULE 1 — SUSPENSION AREA

The part of New South Wales within a 30 kilometre radius of coordinates decimal degrees 35.527468 south and 144.970742 east. The part is represented in the map titled "Deniliquin Fruit Fly Outbreak Suspension Area."

SCHEDULE 2 — HOST FRUIT

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

The following berry fruit:

blackberry	mulberry
blueberry	raspberry
boysenberry	strawberry
cape gooseberry	
loganberry	

The following other fruit:

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

Note: The New South Wales Department of Agriculture's reference is **P132**.

For further information contact the New South Wales Department of Agriculture on (02) 6391 3583.

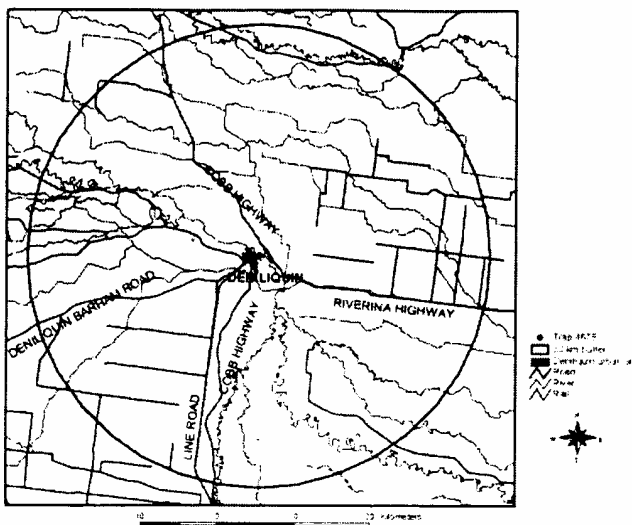
Signed and sealed at Sydney, this 15th day of January 2003.

By Her Excellency's Command,

RICHARD AMERY, M.P.,
Minister for Agriculture

GOD SAVE THE QUEEN!

Deniliquin Fruit Fly Outbreak Suspension Area



PLANT DISEASES ACT 1924

PROCLAMATION P132

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 Leeton.

Her Excellency Professor MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council in pursuance of section 4(1) of the Plant Diseases Act 1924 and being of the opinion that any host fruit from the outbreak area is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*) into the suspension area and that any host fruit from the outbreak area or the suspension area is likely to introduce the pest Queensland fruit fly into the outer area:

1. (a) regulate the importation, introduction or bringing into the suspension area of any host fruit originating from or which has moved through the outbreak area; and
 (b) regulate the importation, introduction or bringing into the outer area of any host fruit originating from or which has moved through the outbreak area or suspension area.
2. Host fruit that originates from or that has moved through the outbreak area must not be imported, introduced or brought into the suspension area unless the movement complies with the conditions of clause 4.
3. 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 the movement complies with the conditions of clause 4.
4. The host fruit must be transported in a manner that prevents or otherwise controls infestation with Queensland fruit fly, and unless one of the following conditions is satisfied:
 - (a) the host fruit is accompanied by a Plant Health Certificate issued by an inspector, certifying that the host fruit has been treated in a manner approved by the Chief, Division of Plant Industries; or

- (b) the host fruit is in a commercial consignment of host fruit in transit, that is, securely sealed in a container, or that is shrink wrapped on a pallet, or that is in a bulk bin, that is unopened and securely sealed while it is in transit through the outbreak area or in the suspension area, and that leaves the outbreak area and the suspension area within 6 hours of its entry into these areas;
- (c) the host fruit has been purchased within the outbreak area from an approved retail outlet, and is accompanied by proof of purchase of the host fruit, including a receipt or invoice from the approved retail outlet showing that it was purchased in the preceding 12 hours; or
- (d) the host fruit is moved in compliance with the written consent of the Chief, Division of Plant Industries.

Definitions

In this Proclamation:

approved retail outlet means supermarkets, wholesalers or other importers who are approved by an import permit under the Plant Diseases Act 1924 to import host fruit into the New South Wales Fruit Fly Exclusion Zone, and corner and specialty stores that purchased the host fruit from an approved wholesaler or importer, but does not include a roadside market or a stall;

fruit means the edible part of a plant derived from a flower;

host fruit means fruit specified in Schedule 3;

inspector means an inspector appointed under the Act;

outbreak area means the part of New South Wales specified in Schedule 1;

outer area means the part of New South Wales known as the New South Wales Fruit Fly Exclusion Zone, as declared in the Notification 236 published in *Government Gazette* No. 13 of 31 January 1997 at page 321, other than the suspension area; and

suspension area means the part of New South Wales specified in Schedule 2.

SCHEDULE 1 — OUTBREAK AREA

The part of New South Wales within a 3 kilometre radius of coordinates decimal degrees 34.549296 south and 146.39531 east. The part is represented in the map titled "Leeton Fruit Fly Outbreak (1135)".

SCHEDULE 2 — SUSPENSION AREA

The part of New South Wales within a 15 kilometre radius of coordinates decimal degrees 34.549296 south and 146.39531 east. The part is represented in the map titled "Leeton Fruit Fly Outbreak (1135)".

SCHEDULE 3 — HOST FRUIT

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