

## Biosecurity - Pacific Oyster Mortality Syndrome incursion response

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### Management of the biosecurity risk

The NSW government has a responsibility to follow a consistent response, based on best available evidence and risk assessment, to manage existing and new incursions of Ostreid herpesvirus-1 microvariant (OsHV-1  $\mu$ var), the causative agent for the disease Pacific Oyster Mortality Syndrome (POMS) in Pacific Oysters (*Crassostrea gigas*). POMS represents a current and significant threat to the NSW Pacific Oyster industry (valued at \$4.06M for the 2014-15 period), causing stock mortality in cultivated Pacific Oysters and loss of income in estuaries where the virus has been confirmed.

Impacts of OsHV-1  $\mu$ var on the broader NSW oyster industry (valued at \$40.64M during the 2014-15 period, which also comprises cultivation of the Sydney Rock Oyster, *Saccostrea glomerata*; Native Flat Oyster, *Ostrea angasi*; and Akoya Pearl Oyster, *Pinctada imbricata*) have the potential to include indirect impacts on normal business operations caused by formal management measures (such as a control order, biosecurity zone or other movement restrictions) that may be implemented to minimise the further spread of the disease.

This procedure describes the management actions and legislative provisions that may be used in response to suspected or confirmed outbreaks of OsHV-1  $\mu$ var in NSW waterways. This procedure is underpinned by the Strategic Risk Assessment for POMS Incursion Response and should be read in conjunction with policy Aquatic Biosecurity – Pests and Diseases.

### Scope

This procedure applies to all personnel engaged by NSW Department of Primary Industries (NSW DPI), an office within the NSW Department of Industry, and Local Land Services (LLS), including permanent officers, those under employment contract, term appointments (including secondments) or temporary arrangements that include contractors or consultants, permit holders and research collaborators that are in any part (including consultation) involved in a response to a suspected or confirmed outbreak of OsHV-1  $\mu$ var in NSW.

The procedure is applicable to all aspects of a response to a suspected or confirmed OsHV-1  $\mu$ var outbreak, including planning, fieldwork, consultation and implementation of management measures.

### Biosecurity legislation summary

POMS is listed as notifiable under Schedule 1, Part 2 of the Biosecurity Regulation 2017 (the Regulation) and powers are available for management under the Regulation and the *Biosecurity Act 2015* (the Act). OsHV-1  $\mu$ var is primarily managed by means of a zone regulation, specified as the POMS biosecurity zone under Part 3, Division 3 of the Regulation. A control order under Part 6 of the Act may also be used to provide immediate management powers following a new OsHV-1  $\mu$ var incursion. In addition to this procedure, there is a common duty of care and general biosecurity obligation.

The collection, use and disclosure of information in accordance with this procedure, including any internal or external discussion or distribution of information, must be in compliance with the *Privacy and Personal Information Protection Act 1998* or be exempted by the operation of section 387 of the Act.

Section 387 (2) of the Act provides authority for the disclosure of information about a person, without the consent of the person: to a public sector agency, or to any other person, but only if the disclosure is reasonably necessary for the purpose of exercising a biosecurity risk function.

### **Work health and safety**

The *Work Health and Safety Act 2011* places an obligation on the agency (NSW DPI and LLS) as a person conducting a business or Undertaking and workers to provide a safe and healthy workplace. Safe Work Method Statements that support activities included in this procedure must be used in identifying, assessing and controlling risks.

NSW DPI and LLS will work together to create a safe and supportive work environment when undertaking any activities for this procedure.

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# Pacific Oyster Mortality Syndrome incursion response procedure

## 1. Roles and responsibilities

### 1.1 NSW Department of Primary Industries will:

- respond to reports of Pacific Oyster Mortality reports as outlined in this procedure
- use a department approved laboratory for all POMS exclusion/confirmation
- use the zoning conditions under the Act and Regulation.

## 2. Disease investigation

Reports of unusual mortality in cultivated Pacific Oysters are subject to disease investigation and must be notified to NSW DPI.

- NSW DPI Aquatic Biosecurity will coordinate the collection of live and representative samples following appropriate protocols (INT16/130340, INT11/7208, INT11/11823)
- NSW DPI Aquatic Biosecurity will coordinate the transport of collected samples to the NSW DPI Laboratory Service, State Veterinary Diagnostic Laboratory (SVDL) for analysis by the Virology Laboratory
- if laboratory investigation excludes the presence of OsHV-1  $\mu$ var, the investigation and response will stand down
- however, if laboratory investigation confirms the presence of OsHV-1  $\mu$ var, consideration will be given to making a control order and to amend the POMS biosecurity zone.

## 3. Internal notification and consultation

- any reports of suspected new incursions of OsHV-1  $\mu$ var are to be made directly to NSW DPI Aquatic Biosecurity immediately, as required by Part 6 of the Regulation, or referred to NSW DPI Aquatic Biosecurity (including via LLS or an authorised officer, such as a Fisheries Officer)
- once notification of a suspected new OsHV-1  $\mu$ var incursion has been made, the NSW DPI Strategy Leader Aquatic Biosecurity will initially notify the NSW DPI Manager Animal Biosecurity Strategy & Standards and the NSW DPI Group Director Animal Biosecurity & Welfare (NSW Chief Veterinary Officer) verbally or via email
- if POMS is confirmed as the cause of mortality, NSW Aquatic Biosecurity:
  - will prepare a Deputy Director General NSW DPI Biosecurity & Food Safety briefing note, specifying all known details of the incursion, actions taken and future recommendations
  - may prepare media speaking points in conjunction with the NSW DPI Communications Branch, or
  - may prepare a concise text message, to be sent via the NSW DPI Aquaculture Management oyster permit holder text messaging service, to advise the broader NSW oyster industry of an incursion and notify of any movement restrictions.

## 4. Declaring a control order

- NSW DPI Aquatic Biosecurity may prepare a draft control order for the consideration of the Minister for Primary Industries (or delegate). The draft order can include proposed movement restrictions based on a full assessment of all available information relating to the specific disease incursion that can be implemented to provide immediate powers to manage a new incursion, until such time as the POMS biosecurity zone can be amended if required
- control orders can only be made by the Minister for Primary Industries (or delegate)
- the provisions of a control order may:
  - cover an entire estuary where OsHV-1  $\mu$ var is present, or is suspected to be present, including all of the waterways lakes, lagoons, inlet channels, creeks and tributaries
  - cover an area including a land-based facility such as an oyster hatchery, nursery or research facility

- prohibit movement of oysters, oyster cultivation material, other cultured species and culture equipment from the affected estuary to other unaffected estuaries within the POMS biosecurity zone.

## 5. Amending the POMS biosecurity zone

- if POMS has been confirmed as the cause of mortality in a previously unaffected estuary, NSW DPI Aquatic Biosecurity may seek to amend the POMS biosecurity zone to describe the new affected estuary as part of the biosecurity zone
- amendment of the POMS biosecurity zone will require a regulatory amendment of clause 50 of the Regulation
- NSW DPI Aquatic Biosecurity may prepare a draft regulatory amendment for consideration by, and seek endorsement from Deputy Director General NSW DPI Biosecurity & Food Safety
- if approved, an amendment will be progressed in conjunction with NSW DPI Legal Branch and the Parliamentary Council Office
- once finalised the amendment will be made to the Regulation and published in the NSW Government Gazette.

## 6. Considerations required for the refinement of movement controls

- any outcomes of consultation with the NSW oyster industry and the impact that proposed biosecurity conditions and movement restrictions may have on oyster industry operations within affected and non-affected estuaries
- all available information relating to biological and ecological impacts of the OsHV-1  $\mu$ var outbreak
- movement of oysters, oyster equipment, other cultured species, cultivation equipment and infrastructure from an affected estuary to an unaffected estuary will be considered on a case by case basis, after a full assessment of all available information regarding the disease outbreak.
- where the Minister for Primary Industries (or delegate) specifies that movements from an affected estuary to an unaffected estuary are to be allowed under the provisions of a control order, then:
  - the presence of OsHV-1  $\mu$ var may be suspected in the receiving area, and
  - based upon this suspicion, NSW DPI may develop a draft recommended control order or amendment to the POMS biosecurity zone including recommended movement restrictions for the receiving estuary for consideration by the Minister for Primary Industries (or delegate).
- decisions about the biosecurity conditions, movement controls and other provisions to be included in a control order or the POMS biosecurity zone will be made on a case-by-case basis by the Minister for Primary Industries (or delegate) after thorough consideration of all available information.

## 7. Definitions and acronyms

Control order	As described in Part 6 of the <i>Biosecurity Act 2015</i>
NSW DPI	NSW Department of Primary Industries
SVDL	NSW DPI Laboratory Service, State Veterinary Diagnostic Laboratory
LLS	Local Land Services
NSW	the state of New South Wales
OsHV-1 $\mu$ var	Ostreid herpesvirus micro variant type 1—OsHV-1
POMS	Pacific Oyster Mortality Syndrome
Biosecurity zone	As described in Part 7 of the <i>Biosecurity Act 2015</i>

## 8. Documentation

OsHV-1 Response Plan, May 2015 (INT13/104406)

Generic oyster sampling protocol (INT16/130340)

SVDL Veterinary Specimen Advice Form

(<http://www.dpi.nsw.gov.au/about-us/services/laboratory-services/sample-submission>)

Procedure: Oyster collection, storage and transport of samples for testing – Georges River farmed oysters (INT11/7208)

Procedure: Oyster surveillance visits (INT11/11823)

Strategic Risk Assessment POMS Incursion Response

Policy - Aquatic Biosecurity – Pests and Diseases

Policy - Biosecurity collection, use and disclosure of information

Policy - Records Management (IND-I-177)

Policy - Information Security (IND-I-197)

Policy - Classified Information (IND-I-196)

Policy - Government Information (Public Access) (IND-I-178)

Procedure - Biosecurity collection, use and disclosure of information

## 9. Records

Laboratory submission forms and reports will be prepared and stored within the NSW DPI Sample Manager system

Briefing notes and all other documentation associated with the investigation will be saved to a dedicated virtual folder created in HP Records Manager 8.

## 10. Revision History

Version	Date issued	Notes	By
1	01/07/2017	Substantially revised procedure in response to the <i>Biosecurity Act 2015</i> .	Aquatic risk management team

## 11. Contact

Biosecurity NSW – General Enquires

1800 808 095

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