



BIOSECURITY ACT 2015

Discussion Paper: NSW Rice Industry

December 2015

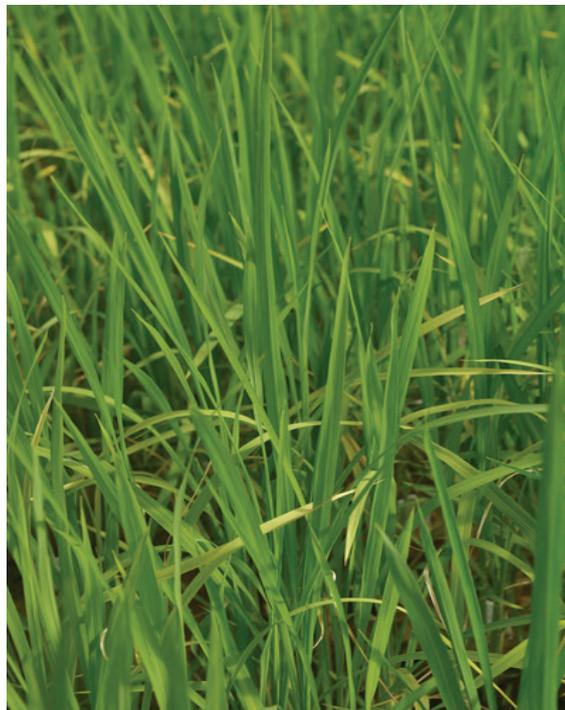


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Comments on this paper close on 12 February 2016

Email your comments to: submissions.biosecuritylegislation@dpi.nsw.gov.au

Post your comments to: Biosecurity Act 2015
NSW Department of Primary Industries
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Published December 2015

For more information

See: www.dpi.nsw.gov.au/biosecurityact

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Ref: INT15/120588

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2015). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser.

Summary

The *Biosecurity Act 2015* (Biosecurity Act) will repeal the *Plant Diseases 1924*, which currently provides the regulatory controls and powers with respect to certain plant pests and disease that could impact rice production in NSW.

Having considered existing management arrangements and risks associated with these pests and diseases, it is proposed to implement similar measures under the Biosecurity Act utilising a range of tools including **Prohibited Matter**, a **Biosecurity Zone** and the **General Biosecurity Duty**.

Background

What is the problem?

There are number of pests and diseases that are not currently found in NSW but would threaten the productivity of the rice industry should they be introduced. For example, golden apple snail, kernel smut of rice, khapra beetle, rice water weevil, panicle blight and bakanae.

Rice blast is present in the tropical wetlands of northern Australia and has been found in rice crops in northern Western Australia. In NSW, the major rice growing areas are free of this disease. Rice blast is considered one of the most economically significant diseases of rice as it can cause total crop failure.

Why is it important?

New South Wales produces almost 100% of Australia's total rice production, worth over \$275 million a year of which on average \$100 million per year is exported¹. In 2014, 2,655 rice producing properties in NSW contributed to the production of over 800,000 t of rice.

What is the outcome we are seeking?

The desired outcome is to support rice production and ensure market access by preventing, controlling and managing the negative impacts of pests and diseases that could impact rice production in NSW.

Current management arrangements

Rice pests and diseases (excluding noxious weeds) in NSW are currently controlled and managed through a number of proclamations, orders and permits made under the *Plant Diseases Act 1924* (PD Act). These instruments:

- declare certain exotic pests and diseases as 'emergency plant pests and diseases' and 'notifiable' for the purposes of the PD Act.
- establish the Rice Pest and Diseases Exclusion Zone (RPDEZ) and regulate the importation of rice plants, rice products, certain machinery, and any snail from the family Ampullariidea into the RPDEZ.

¹ Australian Bureau of Statistics, Australian agricultural exports 2013-14; Australian Bureau of Statistics, NSW agricultural exports 2013-14

Proposed management under the NSW Biosecurity Act 2015

Prohibited Matter

Golden apple snail, kernel smut of rice, khapra beetle, rice water weevil, panicle blight and bakanae have been included as **Prohibited Matter** in Schedule 2 to the Biosecurity Act.

Prohibited matter is tightly regulated, and it is an offence to deal with it in any way other than under the most limited and controlled circumstances (e.g., research permits). A legal duty to notify also applies where prohibited matter is present or suspected to be present.

If an authorised officer knows or suspects that there is prohibited matter on a property, he or she may accept a **Biosecurity Undertaking** from the owner or person in charge (and adjoining property holders) or issue a **Biosecurity Direction** to the person in charge (and adjoining property holders). A biosecurity undertaking or biosecurity direction will detail the actions and requirements that must be undertaken with respect to the prohibited matter.

An **Emergency Order** or **Control Order** can also be implemented to respond to an incursion of a pest or disease that poses a significant biosecurity risk. The orders are designed to isolate, prevent the spread and eliminate the biosecurity matter. The Biosecurity Act allows the Secretary and Minister to take action regardless of whether the biosecurity matter is on the prohibited matter list.

Biosecurity Zone

It is also proposed to establish the current the RPDEZ as a **Biosecurity Zone** under the Biosecurity Act. The intention of the 'Rice Biosecurity Zone' is to minimise the risk of entry into the area of prohibited matter and rice blast. The 'Rice Biosecurity Zone' will be established by regulation and will:

- Prohibit the importation into the Rice Biosecurity Zone of rice plants, rice products, certain machinery and coverings or goods in which, or with which, rice plant, rice product or certain machinery has been contained, packed or in contact with unless the consignment is:
 - heat treated edible rice produce; or
 - milled rice for the purpose of human consumption; or
 - accompanied by a Biosecurity Certificate that certifies the consignment has met the specific conditions of entry.

Individual and group permits will also be available to provide for exemptions to the zone requirements if necessary.

General Biosecurity Duty

The **General Biosecurity Duty (GBD)** will also apply to pests and diseases that affect rice production. The GBD applies in addition to any requirements included in a biosecurity zone or other instrument made under the Biosecurity Act.

The GBD requires any person dealing with biosecurity matter or a carrier of biosecurity matter (e.g., weeds, infested plant material, agricultural material) and who knows or ought to know of the biosecurity risks associated with that dealing to take measures to prevent, minimise or eliminate the risk as far as is reasonably practicable. For example, the GBD would require a rice farmer to ensure that when moving used rice farm equipment, it is clean and free of certain weed seeds.

How you can discharge your GBD may be outlined in Industry Standards, Codes of Practice, guidelines or through other advisory or education material.

The Biosecurity Act includes various offences for failing to discharge the GBD.

Note: The management of weeds under the Biosecurity Act is not addressed in this paper, but is the subject of a separate consultation paper.

What do you think?

We value your comments on how we can improve our biosecurity system and look forward to receiving your input into this important process.

Please complete the following survey on 'Rice Industry' at:
<https://www.surveymonkey.com/r/riceindustry>.

Alternatively, submit your feedback **by Friday, 12 February 2016** via [email](#) or post to:

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For more information about the *Biosecurity Act 2015* and regulatory framework, please visit www.dpi.nsw.gov.au/biosecurityact.

NSW Rice Industry

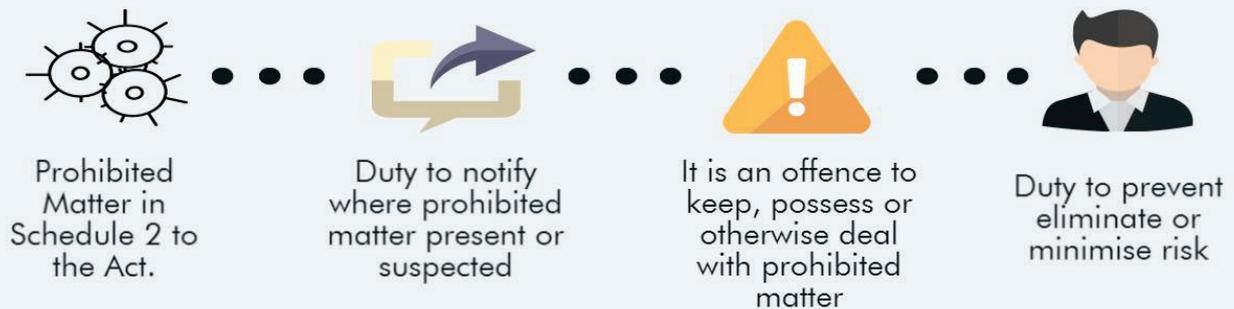
Biosecurity Act

How will it work?

The Biosecurity Act 2015 will repeal the Plant Diseases Act 1924 and provide the framework for managing biosecurity risks in the rice industry.

Golden apple snail, Kernel smut of rice, Khapra beetle, Rice water weevil, Panicle blight, Bakanae,

Prohibited Matter



All rice pests and diseases

