

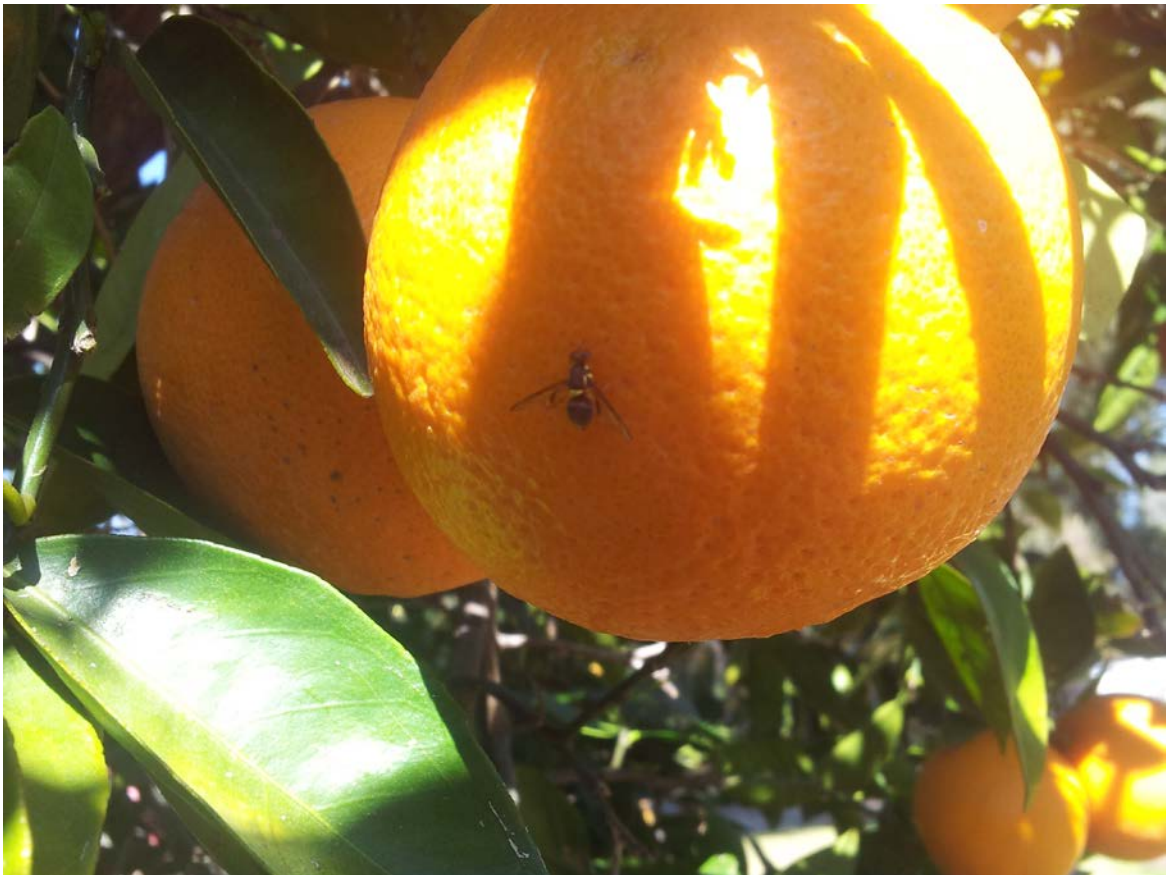


Department of
Primary Industries

BIOSECURITY ACT 2015

Supplementary Information Paper: Queensland Fruit Fly

July 2016



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For more information

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

Email: submissions.biosecuritylegislation@dpi.nsw.gov.au

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (July 2016). 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* (the Act) will repeal the *Plant Diseases Act 1924*. The *Plant Diseases Act 1924* and its subordinate legislation provide regulatory controls and powers to manage biosecurity risks associated with Queensland fruit fly. This paper follows on from the previous [Discussion paper: Queensland Fruit Fly](#) published in December 2015 and provides some further details about the proposal for the implementation of the Act.

Consultation

Consultation on discussion papers across a range of biosecurity issues concluded in February 2016. The responses have come from wide ranging plant biosecurity stakeholders. The majority of submissions on the topic of plant biosecurity came from industry (Figure 1).

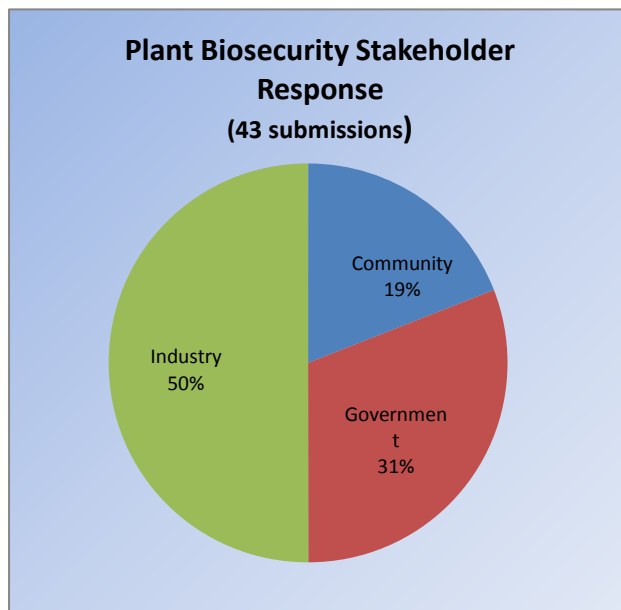


Figure 1. Responses to Plant Biosecurity Discussion Papers

Specifically, the Discussion Paper, Queensland Fruit Fly received four submissions, two from industry and two from government. Some of the comments were about the appropriateness of the proposed management approach and the need for additional supportive guidance material.

Proposed management under the NSW Biosecurity Act

The [general biosecurity duty](#) will apply to dealings with Queensland fruit fly and host fruit that could pose a biosecurity risk. This includes the movement of host fruit or used agricultural equipment into host fruit production areas. The duty requires everyone who knows or ought reasonably to know that their activities pose a biosecurity risk to take reasonably practicable steps to ensure that those risks are prevented, eliminated or minimised.

For example, [this duty can be discharged by following good biosecurity practices such as bait spraying, tree netting and sanitation \(i.e., removing fruit\)](#). Increasing awareness about risks from Queensland fruit fly amongst neighbouring properties will also assist in preventing its spread.

In addition to these proposed arrangements the Greater Sunraysia area will continue to be managed as a Pest Free Area from Queensland fruit fly. This is to enable industry to continue to implement programs to maintain the Pest Free Area and optimise market access opportunities. (See Appendix 1 for a map of this area.)

Specifically, it is proposed to declare this Pest Free Area in a **Control Order** made under the Act. This control order will continue to regulate the movement of host fruit into the area, consistent with current arrangements.

A control order is valid for up to five years and provides flexibility to respond to changing circumstances in a timely manner.

It is important that we work with Industry and communities to tell the story why Queensland fruit fly is a biosecurity risk and to let people know what their duties are in relation to Queensland fruit fly. This is and will continue to be a challenging task.

NSW DPI does and will continue to conduct research and activities to support Queensland managing in home gardening, production and market access.

Authorised Officers will also be on the ground to provide advice about how a person can discharge their general biosecurity duty. In high risk situations an authorised officer may also issue a Biosecurity Direction clearly outlining the actions the person must take to discharge their duty and mitigate the risk. Where a person does not comply with the direction, compliance action may be initiated.

Certification Assurance Schemes for Queensland fruit fly

In Australia, each state and territory maintains its own legislation that regulates the entry of produce susceptible to certain plant pests and diseases into their state or territory. These entry requirements often refer to certification schemes such as *Interstate Certification Assurance* arrangements and *Certification Assurance schemes*.

These certification schemes have been developed to facilitate market access by allowing an accredited business to self-certify that its produce meets specified requirements (for example ICA-02 where growers meet particular conditions spraying insecticides to control a range of insects and mites in fruit) and allow the movement of plants and their products from one location to another.

There are currently several certification schemes with respect to Queensland fruit fly host produce (for example ICA-26 which outlines accepted practices for pre-harvest treatment and post-harvest inspection of tomatoes, capsicums, chillies and eggplants for Queensland fruit fly).

The Act recognises and strengthens these schemes and includes provisions for certificates, accreditation, auditing and compliance.

A separate discussion paper on certification and accreditation matters is in development.

Further feedback

We value your feedback. If you would like to provide feedback on this ongoing process please contact us through the following:

Submissions.biosecuritylegislation@dpi.nsw.gov.au

or

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

Appendix 1: Greater Sunraysia Pest Free Area



Appendix 2: Proposed Management Approach

