

# Biosecurity Response

## Red imported fire ants

*Solenopsis invicta*



August 2023

### Fire ants spread in hay

Advice and FAQs for hay sellers, hay buyers, drought affected areas, charity organisations, pony clubs and horse owners

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#### What are the NSW entry requirements for hay from the fire ant infested area in Queensland?

To move hay and other baled materials from the [known fire ant infested area](#) in Queensland into NSW, it must, under the [NSW Biosecurity \(Fire Ant\) Emergency Order 2023](#) be accompanied by a Plant Health Certificate stating:

- it's been chemically treated (**fumigated with methyl bromide under APVMA permit PER84694 Expiry 31 December 2024**), and
- after treatment, it's been stored off the ground and under cover until it arrives in NSW, and
- it's dry and free of soil

Entry requirements for baled hay from the known infested area in Queensland have been in place under NSW law since 2002.

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#### Who must ensure the requirements are met?

The Emergency Order applies to everyone, including the person or business supplying the hay, the person or business responsible for transporting it into NSW including the driver, and the person or business responsible for ordering or receiving the hay in NSW. If non-compliance is established, an investigation would determine who was culpable, however, as a rule:

- the QLD-based hay supplier is responsible for having the hay fumigated, inspected, and certified
- the transport driver is responsible for making sure the certificate accompanies the hay in transit
- the NSW-based recipient is responsible for ensuring the hay delivery is not accepted unless it arrives with a certificate and for keeping the certificate on record.

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## Who provides hay fumigation services in Queensland?

On-site hay fumigation services can be purchased from providers in Queensland who fumigate containers, silos, agricultural goods, and machinery. Costs of hay fumigation under tarpaulin have been quoted at a rate of \$120 per 15 cubic metres, plus \$10 per cubic metre extra.

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## Where do I get a Plant Health Certificate?

Plant Health Certificates are issued by inspectors from the Queensland Government to applicants wanting to move fire ant materials into NSW from Queensland. A Plant Health Certificate will only be issued if the hay meets the NSW entry requirements above and must accompany the hay in transit.

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## What is the problem with hay from the known infested area?

Cut, raked, and baled hay is a highly attractive material for new fire ant queens to land on or crawl into to start a nest, as it provides a food source and preferred nesting structure. Hay that is cut, raked, baled, and stored in the known infested area has a high risk of carrying fire ant queens and nests. Fire ants have been introduced to properties in hay from the known infested area.

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## Why does hay need to be fumigated to enter NSW?

Unfortunately, fumigation using methyl bromide is the only chemical treatment that can be used on hay intended for livestock feed that will kill any fire ant queens nesting inside the bales. South Australia and Victoria also require baled hay from the known infested area to be fumigated.

Queensland laws allow hay to move out of the known infested area into the rest of Queensland if it has been rapidly processed (received its final two rakings within 24 hours of each other and has then been baled within 24 hours of the last raking). However, rapid processing is not acceptable under the NSW entry requirements as it does not mitigate the risk of contamination with fire ant queens from high density infestations and can result in live worker ants remaining inside bales. Movement of worker ants, dead or alive, into NSW constitutes a further offence under the prohibited matter provisions in the *NSW Biosecurity Act 2015*, with severe penalties.

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## Does chaff require treatment and certification?

Bagged hammer-milled chaff can be moved from the known infested area into NSW without treatment or certification, because the hammer-milling will effectively destroy live ants, aided by the bagging process. **However**, if a bag is not well sealed or unbagged chaff remains uncovered or in contact with the ground, it could become contaminated with fire ants. It is recommended that chaff is sealed in stout plastic bags immediately after hammer-milling and until it enters NSW, to ensure it does not carry fire ants into the state (a further offence as described above).

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## Does silage require treatment and certification?

Baled silage is listed under the Emergency Order as requiring the same fumigation treatment and certification as baled hay. However, fumigation is not practicable given baled silage needs to undergo anaerobic fermentation inside its wrapping. The fermentation process is likely to kill any ants inside the wrapped bales, but there is a risk that if the wrapping is punctured, ripped, or split, fire ants could re-infest the bales. Applications to bring wrapped, baled, fully fermented silage into

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NSW under an Individual Biosecurity Permit will be considered under strict conditions (such as minimum and maximum times since baling and the integrity of each bale's wrapping inspected at loading) along with certification. Other conditions may also apply. Applications can be made by emailing [invasive.species@dpi.nsw.gov.au](mailto:invasive.species@dpi.nsw.gov.au)

Loose, unbaled silage is listed under the Emergency Order as organic mulch requiring different treatment to baled hay. To bring loose, unbaled silage into NSW from the known infested area:

- it must be heat treated to a minimum temperature of 65.5 degrees Celsius
- immediately following treatment, it must be handled and stored off the ground and undercover until it arrives in NSW
- it must be accompanied by a Plant Health Certificate.

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## Advice to hay sellers in Queensland

- Supply a vendor declaration if selling hay from outside the known fire ant infested area in Queensland, to prove its point of origin (where it was grown and baled). This is not a legal requirement. It is good practice.
- Do not sell hay into NSW if it comes from the known infested area and does not meet the NSW entry requirements. This is an offence and carries severe penalties.

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## What if the hay has a BIP (a Biosecurity Instrument Permit) from Queensland?

A BIP is the document the Queensland Biosecurity Regulation requires in some cases for hay to be moved within Queensland. A BIP does not meet the NSW entry requirements for hay, and hay can't be moved into NSW under a BIP.

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## Advice to hay buyers in NSW

- Always get a vendor declaration from the supplier if you are buying hay from outside the known infested area in Queensland, to prove its point of origin (where it was grown and baled). This is not a legal requirement. It is good practice.
- Do not buy hay from the known infested area if it does not meet the NSW entry requirements. This is an offence and carries severe penalties.

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## Advice to people in drought affected parts of NSW

- You must not bring hay from the known infested area into NSW if it does not meet the NSW entry requirements. This is an offence and carries severe penalties.
- If you obtain hay from outside the known infested area, always get a vendor declaration from the supplier to prove its point of origin (where it was grown and baled). This is not a legal requirement. It is good practice.
- If receiving donated hay, you should enquire about its place of origin before arrival and request a vendor declaration. You should store these records for 4 years. This is not a legal requirement. It is good practice.
- If you are concerned about donated hay or think it has come from the known infested area, but it has arrived without a certificate, call the NSW Biosecurity Helpline on 1800 680 244

- For further information in relation to managing drought conditions, visit [www.droughthub.nsw.gov.au](http://www.droughthub.nsw.gov.au)
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## Advice to charity organisations

- Charity organisations sourcing hay for donation to drought-, fire-, or flood-affected areas of NSW must not move hay into NSW if it comes from the known infested area and does not meet the NSW entry requirements. This is an offence and carries severe penalties.
  - Ensure a vendor declaration is supplied with the hay if it is sourced from outside the known infested area to prove its point of origin (where it was grown and baled). This is not a legal requirement. It is good practice.
  - For more information on drought conditions in NSW, visit <https://edis.dpi.nsw.gov.au/>
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## Advice to pony clubs and horse owners

- To bring hay to a horse event in NSW, it is best to purchase it from outside the known infested area or from NSW and get a receipt and vendor declaration from the supplier to prove its origin (where it was grown and baled). It is not a legal requirement to get a vendor declaration. It is good practice.
  - Alternatively, bring bagged chaff or other bagged processed feed.
  - Do not bring hay into NSW if it comes from the known infested area and does not meet the NSW entry requirements. This is an offence and carries severe penalties.
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## Where can I get a vendor declaration and who fills it in?

The Australian Livestock Fodder Association provides a [vendor declaration template](#) that can be used for hay. While it is not a legal requirement to use one, it is good practice and provides evidence of the property address where the hay has come from in Queensland. You can download the template and have the hay supplier fill it in before you move or accept delivery of the hay in NSW.

If you suspect a vendor declaration is false or misleading regarding the place of origin of the hay, call the NSW Biosecurity Helpline on 1800 680 244.

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## Can hay from outside the known infested area be transported through the known infested area?

Yes, but only if it is in the known infested area for less than 12 hours, the vehicle has not stopped except for fuel, rest, meals, or emergencies, and it remains under cover and off the ground.

**For more information [www.dpi.nsw.gov.au/biosecurity/insect-pests/fire-ants](http://www.dpi.nsw.gov.au/biosecurity/insect-pests/fire-ants)**

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The content provided here is for information purposes only and in part is taken from the Biosecurity Act 2015, the Biosecurity Regulation 2017, and the Biosecurity (Fire Ant) Emergency Order 2023.

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