

# BIOSECURITY ACT 2015

## Biosecurity Regulation 2017

### GRAPEVINE PHYLLOXERA

NSW produces around 450,000 tonnes of wine grapes and 380 million litres of wine annually. NSW grape production is worth over \$170 million a year and contributes \$1.6 billion to Australia's \$5 billion viticulture industry. Phylloxera is a very small yellow aphid-like insect that infests the roots of grapevines and occasionally causes distinctive galls on grapevine leaves, severely impacting production.

The biosecurity framework and tools safeguard our economy, environment and community.

**This factsheet provides a summary of management arrangements for grapevine phylloxera biosecurity risks in NSW. More detailed information is available in the Biosecurity Regulation 2017, Biosecurity Order (Permitted Activities) 2017 and other documents at [dpi.nsw.gov.au/biosecurityact](http://dpi.nsw.gov.au/biosecurityact)**



#### ! GENERAL BIOSECURITY DUTY

##### ● OUTCOME IS TO PREVENT, ELIMINATE & MINIMISE RISK

- Any producer or person dealing with grapevine plants has a responsibility for managing biosecurity risks that they know about or could reasonably be expected to know about
- Implementing an on farm individual farm biosecurity plan and/or 'come clean go clean' practices are both ways to discharge your general biosecurity duty

#### ! BIOSECURITY ZONE

##### ● OUTCOME IS TO MANAGE AND CONTROL THE RISK OF GRAPEVINE PHYLLOXERA

- Grapevine phylloxera is a very serious risk to industry
- Regulates movement of potential carriers of grapevine phylloxera into and within NSW
- Grapevine phylloxera biosecurity zone will encompass all of NSW, and includes a Phylloxera Exclusion Zone (PEZ) and two Phylloxera Infested Zones (PIZ)
- Carriers include anything that could be contaminated with grapevine phylloxera, such as grapevine plants, grapes, unprocessed grape juice, machinery or equipment that have been used in a vineyard or vineyard soil

#### ! CERTIFICATION

- Existing Interstate Certification Assurance and Certification Assurance schemes are recognised in Parts 13-17 of the Biosecurity Act to facilitate market access
- Transitional arrangements are in place for accredited businesses to continue to self-certify produce that meets the requirements of the relevant arrangement

#### ! PROHIBITED MATTER

##### ● OUTCOME IS TO PREVENT ENTRY OF GRAPEVINE PHYLLOXERA INTO NSW OR PART OF NSW

- Grapevine phylloxera is prohibited matter, except in the Albury/Corowa PIZ and the Sydney Basin PIZ
- Listed under Schedule 2 of the Biosecurity Act
- Duty not to deal with matter unless in accordance with conditions specified in the Grapevine Phylloxera biosecurity zone
- Duty to notify presence or suspected presence immediately outside of the PIZ through the Exotic Plant Pest Hotline on 1800 084 881
- Offence to deal with or possess prohibited matter

# DEFINITIONS

## General biosecurity duty

The general biosecurity duty can apply to anyone. It provides that any person who deals with biosecurity matter or a carrier, who knows (or ought reasonably to know) of the biosecurity risk posed (or likely to be posed), has a biosecurity duty to ensure that the risk is prevented, eliminated or minimised – so far as is reasonably practicable.

## Biosecurity zones

A biosecurity zone is established by regulation and its purpose is to prevent, eliminate, minimise or otherwise manage a biosecurity risk or biosecurity impact. Generally, a biosecurity zone will apply to a specified part, or parts of NSW.

A biosecurity zone will be used to provide for the long term management of a particular biosecurity risk or biosecurity impact. For example, a biosecurity zone has been established to prevent the spread of grapevine phylloxera. The regulation establishes a Phylloxera Infested Zone (PIZ) and a Phylloxera Exclusion Zone (PEZ) and prohibits the movement of certain things from the PIZ into the PEZ.

## Certification

Certification provides information that a product is free from certain pests and diseases or it has been treated in a manner in accordance with trade requirements. These provisions will also provide support and recognition of some industry based market assurance schemes.

Plant Health Assurance Certificate is a biosecurity certificate or interstate biosecurity certificate issued in accordance with the requirements of a Certification Assurance Arrangement and includes those documents issued by a person who, prior to 1 July 2017, was authorised by the Department to issue those documents in accordance with the requirements of a Certification Assurance Arrangement.

## Prohibited matter

Prohibited matter is biosecurity matter that is listed in Schedule 2 of the Biosecurity Act.

This listed matter is biosecurity matter that could have significant adverse consequences to the economy, environment or community. Examples of prohibited matter include foot and mouth disease, highly pathogenic avian influenza, citrus canker, and parthenium weed.

Notification obligations apply with respect to prohibited matter. It is also an offence to deal with prohibited matter.

## Dealing

Dealing is used in the context of 'dealing with' biosecurity matter or a carrier or to 'engage in a dealing'.

A Dealing can include to keep, possess, care for, have custody of, control, produce, manufacture, supply, import, acquire, buy, sell, dispose of, move, release, use, treat, breed, propagate, grow, raise, feed, culture, experiment with, display, enter into an agreement that deals with, agree to deal with, and/or cause or permit a dealing.

For further information about the Act, visit our website or contact us:

**W** [dpi.nsw.gov.au/biosecurityact](http://dpi.nsw.gov.au/biosecurityact)

**E** [biosecuritylegislation@dpi.nsw.gov.au](mailto:biosecuritylegislation@dpi.nsw.gov.au)