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NEW SOUTH WALES

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SPECIAL SUPPLEMENT

HERITAGE ACT 1977

ERRATUM

THE notice published in the *NSW Government Gazette* No. 72 of 13 July 2012, relating to Royal Oak Inn (former) – Curtilage Revisions, Schedule “B”, should read as:

All those pieces or parcels of land known as part of Lot 101, DP 1058862 in Parish of Castle Hill, County of Cumberland, shown on the plan catalogued HC 01748 in the office of the Heritage Council of New South Wales.

PLANT DISEASES (MEDITERRANEAN FRUIT FLY) ORDER 2012

under the Plant Diseases Act 1924

I, SATENDRA KUMAR, Director Plant Biosecurity, with the delegated authority of the Minister for Primary Industries in pursuance of section 3A of the Plant Diseases Act 1924 (“the Act”), and in pursuance of sections 3 (2) and 4 of the Act being of the opinion that the importation, introduction or bringing of Mediterranean fruit fly, certain soil or certain host fruit into New South Wales is likely to introduce the pest Mediterranean fruit fly (*Ceratitis capitata*) into New South Wales, make the following Order:

- (a) prohibiting the importation, introduction or bringing of Mediterranean fruit fly or anything infested with Mediterranean fruit fly into New South Wales; and
- (b) regulating the importation, introduction or bringing of certain soil or certain host fruit into New South Wales.

1 Name of Order

This Order is the Plant Diseases (Mediterranean Fruit Fly) Order 2012.

2 Commencement

This Order commences on the date it is published in the *NSW Government Gazette*.

3 Interpretation

(1) In this Order:

area freedom certificate means a certificate:

- (a) approved by the officer responsible for plant biosecurity in the State or Territory, and
- (b) certifying that Mediterranean fruit fly is absent from the State or Territory or part of the State or Territory.

approved treatment means the treatment and manner and timing of harvest and packing relevant to the type of host fruit, as specified in Schedule 2.

Certification Assurance Arrangement means an arrangement approved by the Department of Primary Industries which enables a business accredited under the arrangement to certify that certain quarantine requirements have been satisfied for the movement of host fruit to interstate and/or intrastate markets.

Note: An example of an approved Certification Assurance Arrangement is the Interstate Certification Assurance (ICA) Scheme.

composite lots means a consignment comprising packages of different types of host fruit sourced from one or more suppliers.

host fruit means fruit of a type specified in Schedule 1 that is fresh, but does not include processed fruit.

lot means a discrete quantity of host fruit received from one grower at one time.

Mediterranean fruit fly means the pest *Ceratitis capitata*.

Plant Health Assurance Certificate means a certificate (known as a Plant Health Assurance Certificate) issued by a business accredited under a Certification Assurance Arrangement.

Plant Health Certificate means a certificate (known as a Plant Health Certificate) issued by:

- (a) an inspector or a person authorised pursuant to section 11 (3) of the Act; or
- (b) a person authorised to issue such a certificate under a law of another State or Territory that relates to plant biosecurity.

processed fruit means fruit that has been subjected to a processing activity such as cooking, drying, canning, juicing or freezing and includes pre-prepared fresh fruit that has been chopped, sliced or shredded, and packaged.

soil means any natural or artificial medium in which plants are grown or supported.

the Act means the Plant Diseases Act 1924.

used packaging means any covering or package that has contained any of the following:

- (a) host fruit,
- (b) soil, or
- (c) a plant, or any part of a plant, that produces any host fruit.

Note: Department, covering or package, inspector, occupier and owner all have the same meaning as in the Act.

4 Revocation of Proclamation P207

Pursuant to sections 4 and 3 (2) of the Act and Clause 8 of Schedule 3 to the Act, Proclamation P207 titled "Proclamation to regulate the importation, introduction and bringing into New South Wales of the pest and regulated items that are likely to introduce the pest Mediterranean fruit fly (*Ceratitis capitata*)" published in *NSW Government Gazette* No. 99 on 3 July 2009 at pages 3890 to 3891 is revoked, as is any Proclamation revived as a result of this revocation.

5 Prohibition on the introduction of Mediterranean fruit fly

Pursuant to section 4 (1) of the Act, the importation, introduction or bringing of any of the following into New South Wales is prohibited:

- (a) live Mediterranean fruit fly; or
- (b) anything that is infested with live Mediterranean fruit fly.

6 Regulation of the movement of certain soil or certain host fruit

- (1) Pursuant to section 4 (1) of the Act, the importation, introduction or bringing into New South Wales of soil or host fruit is regulated as specified in this clause.
- (2) Soil that originates from or has moved through a State or Territory where an infestation of Mediterranean fruit fly is known to exist must not be moved into New South Wales.
- (3) Host fruit that originates from or has moved through a State or Territory where an infestation of Mediterranean fruit fly is known to exist must not be moved into New South Wales unless:
 - (a) the host fruit is grown and sourced and packed on a property located in a part of a State or Territory, for which an area freedom certificate is currently in force; or
 - (b) the host fruit has, prior to movement, received an approved treatment and complies with the following conditions:
 - (i) the owner or occupier of the property or facility from which the host fruit originates must ensure the host fruit remains under secure conditions which prevent infestation by Mediterranean fruit fly, from post harvest to the time of dispatch and transport; and
 - (ii) prior to movement, the owner or occupier of the property or facility where the host fruit is packed must ensure that:
 - (A) any used packaging containing host fruit is free of soil, plant residues and other organic matter; and
 - (B) in the case of host fruit that has been consigned:
 1. as a lot for the purpose of producing smaller packs of host fruit and has been repacked in smaller packs; or
 2. as a packed lot for the purpose of producing composite lots, the host fruit has been received, handled, stored and repacked under secure conditions which prevent infestation by Mediterranean fruit fly; and
 - (C) any individual package contains only one kind of host fruit; and
 - (D) all previous incorrect information displayed on the outer covering of the package is removed and the outer covering is legibly marked with the following information:
 1. the district of production; and
 2. the name, address, postcode and the State or Territory of both the grower and the packer; or where the packer is sourcing from multiple growers, the name, address, postcode and the State or Territory of the packer; and

3. a brief description of the contents of the package;
or
- (E) where the property or facility is owned or occupied by a business accredited under a Certification Assurance Arrangement, the host fruit is packed and labelled in accordance with the Certification Assurance Arrangement.
- (4) The movement of any host fruit in accordance with clause 6 (3) (b) must be accompanied by:
- (a) a Plant Health Certificate certifying:
- (i) the origin of the host fruit; and
- (ii) that the host fruit has received an approved treatment; or
- (b) a Plant Health Assurance Certificate issued under a Certification Assurance Arrangement.

SCHEDULE 1 – Host Fruit

Abiu	Citron	Lemon	Pear
Acerola	Coffee berry	Lime	Pepino
Apple	Cumquat	Loganberry	Persimmon
Apricot	Custard apple	Longan	Plum
Avocado	Date	Loquat	Plumcot
Babaco	Dragon fruit (Than lung)	Lychee (Litchi)	Pomegranate
Banana	Durian	Mandarin	Prickly pear
Black sapote	Eggplant	Mango	Pummelo (Pomelo)
Blackberry	Feijoa	Mangosteen	Quince
Blueberry	Fig	Medlar	Rambutan
Boysenberry	Granadilla	Miracle fruit	Raspberry
Brazil cherry (Grumichama)	Grape	Monstera	Rollinia
Breadfruit	Grapefruit	Mulberry	Santol
Caimito (Star apple)	Grumichama	Nashi	Sapodilla
Cape gooseberry	Guava	Nectarine	Shaddock
Capsicum	Hog plum	Olive	Soursop
Carambola (Starfruit)	Jaboticaba	Orange	Sweetsop (Sugar apple)
Cashew Apple	Jackfruit	Passionfruit	Tamarillo
Casimiroa (White sapote)	Jew plum	Papaya (Pawpaw)	Tangelo
Cherimoya	Ju jube	Peach	Tomato
Cherry	Kiwifruit	Peacharine	Wax jambu (Rose apple)
Chilli			

SCHEDULE 2 – Approved Treatments for Host Fruit

1 Postharvest Fenthion Dip

Mangoes (Kensington Pride, R2E2 and Calypso varieties only):

- (a) treated postharvest by full immersion in a dip containing 412.5 mg/L fenthion for a period of 1 minute; and
- (b) dipping must be the final treatment before packing.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-01 Dipping with dimethoate or fenthion.

2 Postharvest Fenthion Flood Spray

Mangoes (Kensington Pride, R2E2 and Calypso varieties only):

- (a) treated postharvest by flood spraying, in a single layer with a mixture containing 412.5 mg/L fenthion at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the fruit for a minimum of 10 seconds after which the host fruit must remain wet for a further 60 seconds; and
- (b) spraying must be the final treatment before packing.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-02 Flood spraying with dimethoate or fenthion.

3 Methyl Bromide Fumigation

(1) Any host fruit:

- (a) fumigated postharvest with a fumigant containing 1000 g/kg methyl bromide as its only active constituent for 2 hours at the following rates:
- (i) 10.0°C – 14.9°C at 48 g/m³; or
- (ii) 15.0°C – 20.9°C at 40 g/m³; or
- (iii) 20.0°C – 25.9°C at 32 g/m³; or
- (iv) 26.0°C – 31.9°C at 24 g/m³; and
- (b) in the case of defective flower end-type papaya (pawpaw), is in a mature green condition prior to fumigation.

(2) In this clause:

mature green condition means the fruit is hard and has no more than 25% ripe colouring at the time of packing.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-04 Fumigating with methyl bromide.

4 Cold Treatment

(1) Any host fruit (excluding lemons), treated postharvest at a temperature of:

- (a) 0°C ± 0.5°C for a minimum of 14 days; or
- (b) 1.0°C ± 0.5°C for a minimum of 16 days; or
- (c) 2.0°C ± 0.5°C for a minimum of 18 days; or
- (d) 3.0°C ± 0.5°C for a minimum of 20 days.

(2) Lemons treated post harvest at a temperature of:

- (a) 1.0°C ± 0.5°C for a minimum of 14 days; or
- (b) 2.0°C ± 0.5°C for a minimum of 16 days; or
- (c) 3.0°C ± 0.5°C for a minimum of 18 days.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-07 Cold treatment.

5 Gamma Irradiation

Any host fruit approved for irradiation by the Food Standards Australia New Zealand (FSANZ) treated postharvest with gamma irradiation at a minimum dose of 150Gy.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-55 Irradiation treatment.

6 Mature green condition – Bananas

(1) Bananas harvested and packed in a mature green condition.

(2) In this clause:

mature green condition means the flesh is hard and not flexible, the skin is green and shows no yellow colouration except for areas towards the flower end of a fruit where the sun has bleached the skin but the flesh beneath is still hard, and has no pre-harvest cracks, splits, punctures or other breaks that penetrate through to the flesh.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-16 Certification of mature green condition of bananas.

7 Mature green condition – Tomatoes

(1) Tomatoes harvested and packed in a mature green condition.

(2) In this clause:

mature green condition means the fruit has no more than a 2 cm diameter area of pink to red colour at the stylar end at the time of colour sorting after harvest.

8 Hard condition

(1) Avocados (Hass, Lamb Hass, Sharwill, Reed and Fuerte varieties only) harvested in a hard condition and stored in secured conditions within 48 hours of harvest.

(2) In this clause:

hard condition means the flesh is not soft or softening, the skin is not cracked and the skin has no pre-harvest cracks, punctures, pulled stems or other breaks which penetrate through the skin and that have not healed with callus tissue.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-30 Hard condition of avocado for Mediterranean fruit fly and Queensland fruit fly.

Dated this 2nd day of November 2012.

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(an office within the Department of Trade and Investment, Regional Infrastructure and Services)

Note: The Department's reference is O-426

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