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Primary Industries Notices

CERTIFICATION OF EMERGENCY ANIMAL DISEASE OUTBREAK (PACIFIC OYSTER MORTALITY SYNDROME) ORDER 2016

under the

ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991

I, Scott Hansen, Director General, Department of Primary Industries, with the powers the Minister has delegated to me under section 67 of the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* and in pursuance of section 76 (1) (b) of that Act, make the following Order.

Dated this 4th day of February 2016

SCOTT HANSEN

Director General

Department of Primary Industries

(an office within the Department of Industry, Skills and Regional Development)

1 Name of Order

This Order is the *Certification of Emergency Animal Disease Outbreak (Pacific Oyster Mortality Syndrome) Order 2016*

2 Commencement

This Order commences on the date on which it is signed.

Note: Section 76 (3) (b) of the Act provides that this Order must be published in the *NSW Government Gazette* within 5 days after the date it is signed.

3 Definitions

Pacific Oyster Mortality Syndrome means the disease that is caused by the virus Ostried Herpes Virus type 1 (also known as OsHV-1).

the Act means the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991*.

4 Certification of outbreak of Pacific Oyster Mortality Syndrome

Pursuant to section 76 (1) (b) of the Act, the following certification is made:

- (a) an outbreak of the emergency animal disease, Pacific Oyster Mortality Syndrome, exists in Tasmania; and
- (b) it is necessary or expedient to take action under the Act, including to make instruments under the Act, to prevent, or reduce the risk of, the spread of Pacific Oyster Mortality Syndrome to New South Wales.

DECLARATION OF EMERGENCY ANIMAL DISEASES (AQUATIC ANIMAL DISEASES) ORDER 2016

under the

ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991

I, Scott Hansen, Director General, Department of Primary Industries, with the delegated authority of the Minister for Primary Industries in pursuance of section 67 of the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991*, and in pursuance of section 6A of that Act, make the following Order declaring Pacific Oyster Mortality Syndrome, Infection with pathogenic *Bonamia exitiosa* and Acute Hepatopancreatic Necrosis like Disease in prawns, to be emergency animal diseases for the purposes of that Act.

Dated this 4th day of February 2016

SCOTT HANSEN,

Director General

Department of Primary Industries

(an office within the Department of Industry, Skills and Regional Development)

DECLARATION OF EMERGENCY ANIMAL DISEASES (AQUATIC ANIMAL DISEASES) ORDER 2016

under the

ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991

1 Name of Order

This Order is the *Declaration of Emergency Animal Diseases (Aquatic Animal Diseases) Order 2016*.

2 Commencement

This Order commences on the date it is signed.

Note: Section 6A (2) (b) of the Act provides that this Order must be published in the *NSW Government Gazette* within 14 days after the date it is signed.

3 Definitions

In this Order:

Pacific Oyster Mortality Syndrome means the disease that is caused by the virus Ostreid Herpes Virus type 1 (also known as OsHV-1).

the Act means the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991*.

Note: **emergency animal disease** has the same meaning as in the Act.

4 Declaration of emergency animal diseases

Pursuant to section 6A of the Act, the following additional animal diseases are declared to be emergency animal diseases for the purposes of the Act:

Pacific Oyster Mortality Syndrome,

Infection with pathogenic *Bonamia exitiosa*,

Acute Hepatopancreatic Necrosis like Disease in prawns.

IMPORTATION (PACIFIC OYSTER MORTALITY SYNDROME) ORDER 2016

under the

ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991

I, Juliet Anne Corish, Deputy Chief Veterinary Officer, with the powers the Minister has delegated to me under section 67 of the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* and pursuant to section 28 of that Act, having the reasonable suspicion that an area outside New South Wales is infected with the emergency animal disease, Pacific Oyster Mortality Syndrome, make the following Order.

Dated this 4th day of February 2016

JULIET ANNE CORISH
Deputy Chief Veterinary Officer

1 Name of Order

This Order is the *Importation (Pacific Oyster Mortality Syndrome) Order 2016*.

2 Commencement

This Order commences on the date on which it is signed.

Note: Section 30 of the Act provides that notice of an Importation Order is to be published in the *NSW Government Gazette* as soon as practicable after it is signed.

3 Interpretation

(1) In this Order:

bivalve means fish of the Class Bivalvia and includes clams, oysters, cockles, mussels, scallops.

bivalve product has the same meaning as **animal product** in the Act and includes offal, gut, mucus or shells.

fittings has the same meaning as in the Act.

Pacific Oyster Mortality Syndrome means the disease that is caused by the virus Ostreid Herpes Virus type 1 (also known as OsHV-1).

Tasmanian State water means State waters as defined by the *Living Marine Resources Management Act 1995* (Tasmania).

the Act means the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991*.

(2) Unless otherwise defined in this Order, words and expressions that are defined in the Act have the same meaning in this Order.

4 Prohibition on entry or importation into New South Wales due to Pacific Oyster Mortality Syndrome

- 4.1 Pursuant to section 28 (1) of the Act, and subject to 4.2 below, the entry or importation of the following into New South Wales is prohibited:
- (a) live bivalves taken from Tasmanian State waters or originating in Tasmania;
 - (b) fittings used in connection with live bivalves described in clause 4.1 (a) unless such fittings have been cleaned and disinfected to remove all traces of bivalve or bivalve product;
 - (c) live bivalves that have been in contact with either of the following:
 - (i) water that has held live bivalves described in clause 4.1 (a); or
 - (ii) fittings that have previously been used in connection with live bivalves described in clause 4.1 (a) unless such fittings have been cleaned and disinfected to remove all traces of bivalve or bivalve product.
- 4.2 Live bivalves taken from Tasmanian State waters or originating in Tasmania may enter or be imported into New South Wales if:
- (a) they are securely packaged; and
 - (b) they are transported direct to a point of sale for immediate human consumption.