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GOVERNMENT NOTICES

Importation (White Spot Disease)

Order (No 5) 2017

under the

ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991

I, CHRISTINE MIDDLEMISS, 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, White Spot Disease, make the following Order.

Dated this 22nd day of June 2017

CHRISTINE MIDDLEMISS
Chief Veterinary Officer
(by delegation)

1. Name of Order

This Order is the Importation (White Spot Disease) Order (No 5) 2017.

2. Commencement

This Order commences on the date on which it is signed and expires at 12 midnight on the 30th June 2017.

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:

Certificate of Irradiation means a Certificate that:

- (a) certifies that Gamma irradiation treatment was applied to the product at the Treatment facility on the date stated in the Certificate; and
- (b) bears an individual lot number assigned by the Treatment Facility; and
- (c) describes the product that was treated including the species and total weight of the product.
- (d) is signed by an employee of the Treatment Facility who is authorised to sign the certificate on behalf of the Treatment Facility.

Cooked product means product that has been cooked at premises approved by and under the control of the Competent Authority to a minimum time and temperature standard where all the protein in the decapod crustaceans and polychaete worms is coagulated and no uncooked meat remains.

Competent Authority is the relevant state government agency that regulates food safety.

Decapod crustaceans means any crustacean of the Order Decapoda and includes, but is not limited to: school, tiger and banana prawns, shrimp, yabbies or pink nippers, slipper lobsters, crabs and hermit crabs.

Fittings has the same meaning as in the Act.

Gamma irradiation treatment means treatment by irradiation at a gamma radiation dose of at least 50 kilo Gray (kGy).

Inspector has the same meaning as in the Act.

Polychaete worm means any worm of the Class Polychaeta.

Treatment Facility means a treatment facility that applies gamma irradiation treatment to the decapod crustaceans.

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

The Area means the area defined in clause 5(1)(a) of this Order.

White Spot Disease means the disease that is caused by the virus *Whispovirus* (Family *Nimaviridae*). (Also known as infection with white spot syndrome virus).

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

4. Revocation of Importation (White Spot Disease) Order (No 4) 2017

Pursuant to section 43(2) of the *Interpretation Act 1987*, the '*Importation (White Spot Disease) Order (No 4) 2017*' dated 10 April 2017 is revoked.

5. Prohibition on entry or importation into New South Wales due to White Spot Disease of Crustaceans

- (1) Pursuant to section 28 (1) of the Act and except as provided in subclause (2), the entry or importation of the following into New South Wales is prohibited:
- (a) live or dead decapod crustaceans and polychaete worms taken from within the area in Queensland defined below and outlined in red in the map at Schedule 1:
- (i) the local government areas of Redland City Council, Moreton Bay Regional Council, Logan City Council, Brisbane City Council, Ipswich City Council, Gold Coast City Council and the following localities from Sunshine Coast Regional Council: Bells Creek, Beerburrum, Beerwah, Booroobin, Bribie Island North, Caloundra, Caloundra West,

Coochin Creek, Crohamhurst, Kings Beach, Glass House Mountains, Golden Beach, Mount Mellum, Moffat Beach, Landsborough, Peachester, Pelican Waters and Shelly Beach, and

- (ii) the waters of Moreton Bay Marine Park bounded by Redland City Council, Brisbane City Council, Moreton Bay Regional Council and a line running generally north westerly from Amity Point on North Stradbroke Island to the southern most point of Moreton Island and a line running generally westerly from Comboyuro Point Moreton Island to Skirmish Point on Bribie Island.
- (b) the prohibition in (1)(a) includes live or dead decapod crustaceans and polychaete worms:
- (i) originating from any of the waters within the area defined in subclause 1(a); or
 - (ii) originating from any commercial aquaculture prawn farm within the area defined in subclause 1(a).
- (c) fittings used in connection with cultivation or commercial catch of live or dead decapod crustaceans or polychaete worms described in subclause (1)(a) unless such fittings have been cleaned and disinfected to remove all traces of decapod crustaceans or polychaete worms or decapod crustaceans or polychaete worms product, in accordance with a protocol approved by the NSW Chief Veterinary Officer;
- (d) live or dead decapod crustaceans or polychaete worms that have been in contact with either of the following:
- (i) water that has held live or dead decapod crustaceans or polychaete worms described in subclause (1)(a); or
 - (ii) fittings that have previously been used in connection with live or dead decapod crustaceans or polychaete worms described in subclause (1)(a) unless such fittings have been cleaned and disinfected to remove all traces of decapod crustaceans or polychaete worms or decapod crustaceans or polychaete worms product in accordance with a protocol approved by the NSW Chief Veterinary Officer.
- (2) decapod crustaceans taken from within the Area defined in subclause (1)(a) may only enter or be imported into New South Wales if subclauses (a), (b) and (c) below are satisfied:
- (a) they first have been processed for human consumption as cooked product; and
 - (b) they are securely packaged; and
 - (c) they are transported directly to a point of sale in New South Wales for human consumption.
- (3) uncooked decapod crustaceans moved through the Area may only enter or be imported into New South Wales if subclauses (a) to (d) below are satisfied:
- (a) the uncooked decapod crustaceans originate from outside of the Area and are for human consumption only; and
 - (b) the uncooked decapod crustaceans are only unloaded in the Area for the purpose of transferring directly into the vehicle which will transport them into New South Wales; and

- (c) any containers or packaging or coverings containing the uncooked decapod crustaceans:
 - (i) remain intact and secured; and
 - (ii) clearly display information on the outer covering of any containers or packaging the name, address, postcode and the State or Territory of both the grower and the packer; and
- (d) the uncooked decapod crustaceans are not unloaded again until arrival in New South Wales.

Note: For example, uncooked decapod crustaceans originating from outside of the Area may be moved into the Area unloaded from a vehicle and then loaded onto an airplane.

- (4) The prohibition on entry or importation into New South Wales provided in subclause (1) to (3), do not apply to an Inspector while acting in the ordinary course of the Inspector's duties.

6. Movement of gamma irradiation treated decapod crustaceans into NSW for the purpose of processing and on-selling

- (1) Decapod crustaceans that have been subject to gamma irradiation treatment within the Area (the product) may be moved directly from the Area to a destination in NSW subject to all of the following conditions:
 - (a) a NSW inspector is notified no less than 48 business hours prior to the planned time of arrival of the product at the destination in NSW of:
 - (i) the address of the destination of the product; and
 - (ii) the description of the product including species, weight, type of packaging and number of packages; and
 - (iii) the estimated date and time of arrival of the product. The date and time of arrival of the product must be on a business day during business hours; and
 - (b) the product is moved into NSW:
 - (i) in refrigerated transport; and
 - (ii) in the same sealed insulated containers in which the gamma irradiation treatment was applied; and
 - (iii) accompanied by a copy of the relevant Certificate of Irradiation; and
 - (iv) in one journey on the same day (they must not be off loaded until they reach their destination); and
 - (v) subject to a permit from the Queensland Department of Agriculture and Fisheries; and
 - (vi) the NSW Chief Veterinary Officer is informed in writing via email by the person receiving the product of the date and time of the arrival of the product at its destination, as soon as possible after it arrives (email details of NSW Chief Veterinary Officer: christine.middlemiss@dpi.nsw.gov.au); and

7. Other requirements in relation to holding, processing and tracing of gamma irradiation treated decapod crustaceans in NSW

The decapod crustaceans (the product) may be unloaded at the destination from the sealed insulated containers, and processed as required. It may then be further transported to a point of sale in New South Wales if all of the following conditions are met with respect to the product:

- (1) it is stored in a separate part of the processing facility to other products being processed; and
- (2) it remains identifiable with appropriate marks on containers and boxes with the lot number allocated to the product by the Treatment Facility and with the name of the Treatment Facility; and
- (3) a copy of the “Certificate of Irradiation” is kept with the product at all times prior to it being processed into final packaging; and
- (4) each individual container into which the processed product is finally packaged is clearly labelled with:
 - (i) the name of the Treatment Facility; and
 - (ii) the relevant lot number; and
 - (iii) the details of the volume of product that was irradiated in that lot; and
 - (iv) the symbols “50Kgy” to indicate that the product was irradiated with this dose.
- (5) any waste product produced during processing (for example, water or organic matter) is disposed of to either the sewer (for water) or to general waste as appropriate.

SCHEDULE 1 - Map indicating Infected Area for White Spot Disease

