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**Plant Health and Plant Products Act 1995**

**ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF  
MEDITERRANEAN FRUIT FLY HOST MATERIAL INTO VICTORIA**

I, Patrick Sharkey, delegate of the Minister for Agriculture, make the following Order:

Dated 18 May 2009

PATRICK SHARKEY  
Manager Plant Standards

**1. Objective**

The objective of this Order is to prevent the entry or importation of the exotic pest Mediterranean fruit fly into Victoria.

**2. Authorising Provision**

This Order is made under section 24 of the **Plant Health and Plant Products Act 1995** ('the Act').

### 3. Revocation

This Order made on 28 May 2008 and published in Government Gazette G23 on 5 June 2008 is revoked.

### 4. Definitions

In this Order –

**‘accreditation program’** means any program under which a person is permitted to issue an assurance certificate, including any procedures available under the Interstate Certification Assurance (ICA) Scheme;

**‘authorised person’** means a person authorised as an inspector under the Act;

**‘Manager Plant Standards’** means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

**‘Mediterranean Fruit Fly’** means the exotic pest, *Ceratitis capitata* (Wiedemann);

**‘Mediterranean Fruit Fly host material’** means any fruit or vegetable as listed in the Schedule to this Order;

**‘Used package’** means any packaging that has contained Mediterranean Fruit Fly host material.

### 5. Controls applying to Mediterranean Fruit Fly host material

- (1) The entry or importation into Victoria of any Mediterranean Fruit Fly host material and used packages is prohibited.
- (2) Sub-clause (1) does not apply if the Mediterranean Fruit Fly host material and used packages –
  - (a) was grown and packed on, or last used on a property located in a State or Territory, or part of a State or Territory, for which an area freedom certificate, issued by an officer responsible for agriculture in the State or Territory where the Mediterranean Fruit Fly host material was grown, is currently in force certifying that the State or Territory, or part of the State or Territory, is known to be free from Mediterranean Fruit Fly; or
  - (b) is packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the department responsible for agriculture in the affected State or Territory; or
  - (c) is accompanied by a plant health declaration issued by an authorised person declaring that it has been treated in a manner approved by the Manager Plant Standards; or
  - (d) is accompanied by a plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory certifying that it has been treated in a manner approved by the Manager Plant Standards.

### 6. Verification of consignments

Where Mediterranean Fruit Fly host material or used package is required by clause 5(2) to be accompanied by a certificate or declaration, the host material or used package and the accompanying certificate or declaration must be:

- (a) presented to an authorised inspector for inspection; or
- (b) verified by a person accredited to do so by the Department of Primary Industries.

**Schedule**

Abiu	Durian	Orange
Acerola	Eggplant	Passionfruit
Apple	Feijoa	Pawpaw
Apricot	Fig	Peach
Avocado	Granadilla	Peacharine
Babaco	Grape	Pear
Banana	Grapefruit	Pepino
Black Sapote	Grumichama	Persimmon
Blackberry	Guava	Plum
Blueberry	Hog Plum	Plumcot
Boysenberry	Jaboticaba	Pomegranate
Brazil Cherry	Jackfruit	Prickly Pear
Breadfruit	Kiwifruit	Pummelo
Caimito (Star Apple)	Lemon	Quince
Cape Gooseberry	Lime	Rambutan
Capsicum	Loganberry	Raspberry
Carambola (Starfruit)	Longan	Rollinia
Cashew Apple	Loquat	Santal
Casimiro (White Sapote)	Lychee	Sapodilla
Cherimoya	Mandarin	Shaddock
Cherry	Mango	Soursop
Chilli	Mangosteen	Sweetsop (Sugar Apple)
Choko	Medlar	Tahitian Lime
Citron	Miracle Fruit	Tamarillo
Coffee Berry	Monstera	Tangelo
Cumquat	Mulberry	Tomato
Custard Apple	Nashi	Wax Jambu (Rose Apple)
Date	Nectarine	
Dragon Fruit (Than Lung)	Olive	

Note: Section 25 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and a penalty not exceeding 50 penalty units in the case of a natural person, and 200 penalty units in the case of a body corporate, for knowingly breaching an Importation Order.

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