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Plant Health and Plant Products Act 1995

ORDER PROHIBITING OR RESTRICTING THE IMPORTATION OR ENTRY OF SPIRALLING WHITEFLY HOST MATERIAL INTO VICTORIA

I, Joe Helper, Minister for Agriculture make the following Order:

Dated 7 January 2008

JOE HELPER MP
Minister for Agriculture

1. Objective

The objective of this Order is to prevent the importation or entry of the exotic pest spiralling whitefly (*Aleurodicus disperses*) 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

The Order made on 9 January 2007 and published in Government Gazette S4 on 10 January 2007 (p 2–3) 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 inspector' 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;

'spiralling whitefly' means the exotic pest *Aleurodicus dispersus* (Russell);

'spiralling whitefly host material' means any plant or part of a plant intended for propagation in a glasshouse, hothouse or indoor area.

5. Controls applying to spiralling whitefly

(1) The entry or importation into Victoria of any spiralling whitefly host material is prohibited.

(2) Sub-clause (1) does not apply if the spiralling whitefly host material –

(a) was sourced from a property that is 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 spiralling whitefly host material was grown is currently in force certifying that the State or Territory or that part of the State or Territory is free of spiralling whitefly; or

(b) is packed, labelled and certified in accordance with any conditions prescribed by the 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 the host material has been treated in a manner approved by the Manager Plant Standards; or

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- (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 the host material has been treated in a manner approved by the Manager Plant Standards.

6. Verification of Consignments

Where requested by an authorised inspector, spiralling whitefly host material imported into Victoria in accordance with clause 5(2) 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.

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 for a natural person, or 200 penalty units for a body corporate, for knowingly breaching an importation order.
