

Queensland



*Plant Protection Act 1989*

# **PLANT PROTECTION REGULATION 2002**

**Reprinted as in force on 6 February 2004**

**Reprint No. 1F revised edition**

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The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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Revised edition indicates further material has affected existing material. For example—

- a correction
- a retrospective provision
- other relevant information.

# Queensland



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# **PLANT PROTECTION REGULATION 2002**

[as amended by all amendments that commenced on or before 6 February 2004]

## **PART 1—PRELIMINARY**

### **1 Short title**

This regulation may be cited as the *Plant Protection Regulation 2002*.

### **2 Commencement**

This regulation commences on 1 September 2002.

### **3 Definitions**

The dictionary in schedule 13 defines particular words used in this regulation.

## **PART 2—PRESCRIBED PESTS AND NOTIFIABLE PESTS**

### **4 Prescription of pests**

Each organism, virus, viroid, disorder, condition or cause of specified symptoms in plants mentioned in schedule 1 is prescribed for section 4(1)<sup>1</sup> of the Act.

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<sup>1</sup> Section 4 (Pest declarations) of the Act

## **5 References to prescribed pests**

(1) If a prescribed pest has a life cycle, a reference in this regulation to the pest includes a reference to the pest at each stage of the pest's life cycle.

*Examples of stages of the pest's life cycle—*

Egg, larva, pupa, adult.

(2) If schedule 1 states an abbreviated or common name for a prescribed pest, the body of this regulation refers to the pest by that name.

## **6 Notifiable pests**

Each pest mentioned in schedule 2 is declared to be a notifiable pest for section 12(1)<sup>2</sup> of the Act.

# **PART 3—GENERAL OFFENCES**

## **7 Sale of infested plant prohibited**

A person must not, in trade or commerce, sell or dispose of, or possess for sale, a plant the person knows is, or reasonably believes may be, infested with a prescribed pest.

Maximum penalty—20 penalty units.

## **8 Labelling for introduction**

A person must not possess a plant introduced into Queensland in trade or commerce unless—

- (a) the plant is identified as to the place where it was grown or despatched; and
- (b) if the plant is in a package, a clear and legible description of the contents of the package is clearly marked on the package

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<sup>2</sup> Section 12 (Notification of pests) of the Act

together with the name and address of both the sender and the recipient.

Maximum penalty—20 penalty units.

## **9 Certification of disinfection**

(1) If an inspector gives a direction under section 13<sup>3</sup> of the Act to a person to disinfect a plant, the person must disinfect the plant within 72 hours before introducing or moving the plant.

Maximum penalty—20 penalty units.

(2) If the plant is disinfested under the inspector's direction, the inspector must, if the recipient of the plant requests, give the recipient a certificate to that effect.

## **10 Plant to be repacked if certificate given**

A person must, within 24 hours of receiving a certificate issued under section 9, repack and remove the plant from the place of treatment.

Maximum penalty—20 penalty units.

## **11 Graft union**

A person must not sell a grafted citrus fruit tree unless it is of upright growth with the stock-scion union at least 100 mm above the point where the first lateral root branches from the main stem.

Maximum penalty—20 penalty units.

# **PART 4—BACTROCERA PHILIPPINENSIS**

## **12 Definitions for pt 4**

In this part—

“**approved person**” means—

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3 Section 13 (Special powers in relation to specific pest infestations) of the Act

- (a) a person approved by the chief executive; or
- (b) an inspector of the department of the Northern Territory that deals with matters relating to agriculture in the Northern Territory.

**“pest quarantine area”** means the pest quarantine area declared under section 13.

### **13 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for *bactrocera philippinensis*.

### **14 Object of quarantine**

The object of the quarantine is to prevent the introduction of *bactrocera philippinensis* into Queensland.

### **15 Bactrocera philippinensis and infested plant**

A person must not, without an inspector’s approval, introduce into Queensland—

- (a) *bactrocera philippinensis*; or
- (b) a plant infested with *bactrocera philippinensis*.

### **16 Restriction on introducing fruit**

(1) A person must not introduce into Queensland fruit grown in, or despatched from, the area within 50 km of the place in the Northern Territory, situated at latitude 12°24'20" south and longitude 130°55'7" east.<sup>4</sup>

(2) Subsection (1) does not apply to fruit—

- (a) for which an inspector’s approval has been given; or
- (b) that complies with subsections (3) and (4).

(3) The fruit is of a species and cultivar approved by the chief executive or an inspector as a non-host of *bactrocera philippinensis*.

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<sup>4</sup> Latitude 12°24'20" south, longitude 130°55'7" east is near Darwin.



(4) The fruit is—

- (a) accompanied by a certificate for the fruit issued by an approved person stating the fruit has been treated in an approved way, including, for example, that the fruit has been sorted to meet an approved non-host condition; and
- (b) packed in a container marked with the following—
  - (i) the words ‘Treated for fruit fly’ or ‘TF/FF’;
  - (ii) the day the fruit was treated;
  - (iii) the name and postal address of the person carrying on the business that treated the fruit.

(5) For subsection (4)(b), the marking on the container must be—

- (a) in clearly legible letters of at least 5 mm high; and
- (b) indelible; and
- (c) in a position on the outside of the container so the marking can be clearly seen.

## **PART 5—BANANA PESTS**

### *Division 1—Preliminary*

#### **17 Definitions for pt 5**

In this part—

**“banana plant”**—

- (a) generally, means a plant of the genera *Musa* or *Ensete*; and
- (b) for division 3, see also section 20.

**“banana plant pest”** see section 25.

**“ground cover vegetation”** means any low spreading plant that covers the soil and retards movement of soil.

**“pest banana plant”** means a plant of the genera—

- (a) *Musa* spp., other than—

- (i) a plant that produces edible fruit; or
  - (ii) an indigenous plant that is not a volunteer plant.
- (b) *Ensete* spp.

**“pest quarantine area”** means each of the pest quarantine areas declared under section 18.

**“pest site”** see section 25.

**“treatment method A”** see schedule 5, item 1.

**“treatment method B”** see schedule 5, item 2.

**“treatment method C”** see schedule 5, item 3.

**“treatment method D”** see schedule 5, item 4.

### *Division 2—Pest quarantine areas and objects of quarantine*

## **18 Declaration of pest quarantine areas**

(1) Each area described in schedule 3 is declared to be a pest quarantine area for pests of banana plants.<sup>5</sup>

(2) Attachment 1 to this regulation shows the approximate location of each pest quarantine area.

(3) The attachment—

- (a) does not form part of this regulation; and
- (b) must be revised if the area of a pest quarantine area is amended.

(4) The revision must be made when the pest quarantine area is amended.

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5 Maps of the quarantine areas are available for inspection at the department’s head office at 80 Ann Street, Brisbane and at the following places—

- (a) Maroochy Horticultural Research Station at Mayers Road, Nambour;
- (b) Centre for Wet Tropics Research at South Johnstone Road, South Johnstone;
- (c) the department’s regional office at 21 Redden Street, Cairns.

## 19 Objects of quarantine

The objects of the quarantine for each pest quarantine area are—

- (a) to prevent the introduction into Queensland of pests that infest banana plants; and
- (b) to prevent the spread of the pests in Queensland; and
- (c) to prevent, control or remove pest infestations of banana plants in the pest quarantine area.

### *Division 3—General pest control measures*

## 20 Definition for div 3

In this division—

“**banana plant**” does not include the fruit of the plant.

## 21 Restriction on introducing banana plants

(1) A person must not, without an inspector’s approval, introduce a banana plant into Queensland unless the plant—

- (a) is a banana plantlet; and
- (b) is in a sealed pest-proof container; and
- (c) is accompanied by—
  - (i) a QBAN certificate for the plant; or
  - (ii) an inspector’s certificate stating the plant may be introduced; and
- (d) is transported in a way that prevents infestation by a banana plant pest.

(2) In this section—

“**banana plantlet**” means a banana plant that—

- (a) has been grown in a QBAN facility; and
- (b) is in a tissue culture medium in a closed container.

“**QBAN certificate**” means a document that—

- (a) is given by a QBAN facility for a plant; and

- (b) states the plant has been tested and found to be free of each of the following viruses—
  - (i) banana bunchy top;
  - (ii) banana streak;
  - (iii) cucumber mosaic.

**“QBAN facility”** means a banana plant nursery or other place approved by the Banana Industry Protection Board under the *Banana Industry Protection Act 1989* to give a QBAN certificate.

## **22 Restriction on moving banana plants**

A person must not, without an inspector’s approval, move a banana plant—

- (a) into a pest quarantine area; or
- (b) from a parcel of land in a pest quarantine area to another parcel of land in the area; or
- (c) out of a pest quarantine area.

## **23 Restriction on moving soil, appliances and other things**

**(1)** A person must not, without an inspector’s approval, move soil on which a banana plant has been growing or an appliance or other thing that has been in contact with an infested plant or soil on which an infested plant has been growing—

- (a) into a pest quarantine area; or
- (b) from a parcel of land in a pest quarantine area to another parcel of land in the area; or
- (c) out of a pest quarantine area.

**(2)** In this section—

**“infested plant”** means a banana plant infested with 1 or more of the following—

- (a) bacterial wilt of banana, also known as—
  - (i) banana blood disease; or
  - (ii) banana bugtok disease; or

- (iii) banana moko disease;
- (b) fusarial wilt of banana, also known as banana Panama disease;
- (c) leaf spot of banana, also known as banana black Sigatoka disease.

**“other thing”** includes clothing, footwear, packaging material and banana bunch covers, but does not include fruit of a banana plant.

## **24 Restriction on planting and cultivating banana plants**

(1) A person must not, without an inspector’s approval—

- (a) plant a banana plant in a pest quarantine area; or
- (b) cultivate a banana plant in a pest quarantine area.

(2) However, a person may plant or cultivate a banana cultivar mentioned in schedule 4, parts 1 or 2, if the cultivar is planted and cultivated in—

- (a) a pest quarantine area for the part of the schedule in which the cultivar is in; and
- (b) a residential plantation.

(3) An inspector may give an approval to plant or cultivate a pest banana plant only if satisfied the planting and cultivation are to be carried out—

- (a) for research or educational purposes; and
- (b) in a way that is not likely to spread the plant’s seed.

(4) In this section—

**“residential plantation”** means a group of no more than 10 banana plants or 30 pseudostems that are not cultivated for sale.

### *Division 4—Pest control measures for movement of fruit*

## **25 Definitions for div 4**

In this division—

**“banana plant pest”** means the following pests—

- (a) bacterial wilt of banana, also known as—

- (i) banana blood disease; or
- (ii) banana bugtok disease; or
- (iii) banana moko disease;
- (b) banana black Sigatoka disease.

“**pest site**” means an area within approximately 50 km of a place where a banana plant pest has been found.

## **26 Declaration of pest area**

(1) If the chief executive considers it necessary to prevent a banana plant pest spreading in Queensland, the chief executive may—

- (a) declare an area in a pest quarantine area to be a pest area; and
- (b) define the boundaries of the area so declared.

(2) The chief executive must give notice of the declaration—

- (a) in a newspaper, if any, published at least 5 days in any week, and circulating generally throughout the locality in which the pest area is situated; or
- (b) in another newspaper published in Brisbane and circulating generally throughout Queensland.<sup>6</sup>

(3) The notice must state the following—

- (a) that an area has been declared to be a pest area;
- (b) the location and boundaries of the area;
- (c) where a map showing the boundaries of the area is available for public inspection;
- (d) the restrictions on movement of fruit of a banana plant growing in the pest area.

## **27 Restriction on moving fruit**

(1) This section applies to fruit of a banana plant growing in a pest site if—

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<sup>6</sup> A copy of the notice may be inspected on the department’s website at <[www.dpi.qld.gov.au](http://www.dpi.qld.gov.au)>.

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- (a) the chief executive declares the pest site to be a pest area under section 26; and
- (b) the person moves the fruit—
  - (i) out of the pest area; or
  - (ii) from a parcel of land in the pest area to another parcel of land in the area.

(2) The person must not, without an inspector's approval, move the fruit unless the person moves the fruit in a way that complies with the restrictions on movement of fruit stated in the declaration.

***Division 5—Other pest control measures***

***Subdivision 1—Treatment methods for banana plants***

**28 Treatment methods**

Treatment methods A, B, C and D for treating banana plants under this part are described in schedule 5, items 1 to 4.

***Subdivision 2—Notifiable pests***

**29 Bacterial wilt of banana**

(1) This section applies to an owner of land in a pest quarantine area if a banana plant is growing on the land in a pest site.

(2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must—

- (a) treat the plant using treatment method B or C; and
  - (b) fence off the pest site from other banana plants.
- (3) The owner must—
- (a) treat the plant and fence off the pest site within 1 day after becoming aware the pest has been found; and
  - (b) as soon as practicable after the day the plant is treated, plant and grow ground cover vegetation on the pest site.

(4) The owner must not, without an inspector's approval, plant a banana plant on the pest site.

(5) The owner must grow the ground cover vegetation on the pest site unless the owner has an inspector's approval stating the vegetation need not be grown on the site.

(6) In this section—

“**pest site**” means an area within 20 m of a place where bacterial wilt of banana, also known as the following, has been found—

- (a) banana blood disease;
- (b) banana bugtok disease;
- (c) banana moko disease.

### **30 Banana black Sigatoka disease**

(1) This section applies to an owner of land in a pest quarantine area who grows a banana plant on the land within 500 m of a place where banana black Sigatoka disease has been found.

(2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must—

- (a) treat the plant's leaf tissue that is dead or not green in colour by—
  - (i) burning it; or
  - (ii) burying it under at least 60 cm of soil; and
- (b) treat the plant using treatment method B, C or D.

(3) The owner must—

- (a) treat the leaf tissue mentioned in subsection (2)(a) within 1 day after an inspector gives the owner a direction to treat the leaf tissue; and
- (b) treat the plant within 3 days after an inspector gives the owner a direction to treat the plant.

(4) In this section—

“**banana plant**” does not include a banana black Sigatoka resistant cultivar mentioned in schedule 6.



**31 Banana bract mosaic and banana bunchy top**

(1) This section applies to an owner of land in a pest quarantine area who grows a banana plant on the land within 20 m of a place where the following viruses have been found—

- (a) banana bract mosaic;
- (b) banana bunchy top.

(2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must—

- (a) spray the plant with diesel oil or kerosene; and
- (b) treat it using treatment method A or B.

(3) The owner must spray and treat the plant within 1 day after becoming aware the virus has been found.

**32 Fusarial wilt of banana, also known as banana Panama disease**

(1) This section applies to an owner of land in a pest quarantine area if—

- (a) the owner is growing a banana plant on the land; and
- (b) the plant is infested with banana Panama disease.

(2) Unless the owner has an inspector's approval stating the plant does not have to be treated under this section, the owner must—

- (a) treat the plant using treatment method B or C; and
- (b) fence off the pest site from other banana plants.

(3) The owner must—

- (a) treat the plant and fence off the pest site within 7 days after becoming aware the plant is infested; and
- (b) as soon as practicable after treating the plant, plant and grow ground cover vegetation on the pest site.

(4) The owner must not, without an inspector's approval, plant a banana plant on the pest site for at least 5 years after the day the plant is treated.

(5) The owner must grow the ground cover vegetation for at least 5 years after the day the plant is treated unless the owner has an inspector's approval to plant a banana plant on the pest site.

(6) In this section—

**“pest site”** means the area within 5 m of a plant infested with banana Panama disease.

### **33 Pest banana plants**

(1) This section applies to an owner of land in a pest quarantine area if a pest banana plant is growing on the land.

(2) Unless the owner has an inspector’s approval to grow the plant, the owner must, within 1 day after becoming aware the plant is on the land—

- (a) collect and burn the fruit and seeds of the plant; and
- (b) inject the plant’s pseudostem at a height of 30 cm above the ground with—
  - (i) 15 ml of a 1% solution of 2,4-D; or
  - (ii) 15 ml of a 3.6% solution of glyphosate.

### *Subdivision 3—Other pests*

### **34 Banana yellow Sigatoka and leaf speckle**

(1) This section applies to an owner of land in a pest quarantine area if—

- (a) the owner grows a banana plant on the land; and
- (b) there is an infested leaf on the plant.

(2) Unless the owner has an inspector’s approval stating the plant does not have to be treated under this section, the owner must treat each infested leaf by—

- (a) removing it from the plant; and
- (b) leaving it to rot on the surface of the soil.

(3) The owner must treat each infested leaf within 7 days after the owner becomes aware it is an infested leaf.

(4) In this section—

**“infested leaf”** means a banana plant leaf that is infested with the banana yellow Sigatoka pest or banana leaf speckle pest and the visible symptoms of the infestation of either or both of the pests are showing—

- (a) if the banana plant is grown on land in the northern pest quarantine area<sup>7</sup>—on more than 5% of the leaf; or
- (b) if the banana plant is grown on land in any other pest quarantine area—
  - (i) at any time between 1 November and 31 May—on more than 15% of the leaf; or
  - (ii) at any time between 1 June and 31 October—on more than 30% of the leaf.

*Subdivision 4—Volunteer plants***35 Treating volunteer plants**

(1) This section applies to an owner of land in a pest quarantine area if a volunteer plant that is a banana plant is growing on the land.

(2) The owner must, within 5 days after becoming aware the plant is on the land, treat it using treatment method A, B or C.

*Subdivision 5—Regrowth and weeds***36 Treating regrowth**

(1) If a person treats a banana plant under section 29, 32 or 33,<sup>8</sup> the person must treat any regrowth of the plant by spraying it with a 0.2% solution of 2,4-D.

(2) If a person treats a banana plant under section 30, 31 or 35,<sup>9</sup> the person must treat any regrowth of the plant by—

- (a) removing the regrowth from the soil and cutting it into pieces no more than 5 cm in diameter; or

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7 See schedule 3 (Pest quarantine areas for pests of banana plants), section 3 (Northern pest quarantine area).

8 Section 29 (Bacterial wilt of banana), 32 (Fusarial wilt of banana, also known as banana Panama disease) or 33 (Pest banana plants)

9 Section 30 (Banana black Sigatoka disease), 31 (Banana bract mosaic and banana bunchy top) or 35 (Treating volunteer plants)

(b) spraying it with a 0.2% solution of 2,4-D.

(3) The person must treat the regrowth as soon as practicable after becoming aware of it.

### **37 Keeping land free of weeds and other plants**

An owner of land in a pest quarantine area who grows a banana plant on the land must keep the land within 2 m of the plant free from weeds or other plants that are—

- (a) more than 60 cm high; and
- (b) growing in numbers that an inspector reasonable believes would be likely to hinder—
  - (i) symptom expression of a pest infestation on the banana plant; or
  - (ii) inspection of the banana plant by an inspector.

## **PART 6—FIRE ANTS**

### *Division 1—Preliminary*

### **38 Definitions for pt 6**

In this part—

**“approved disposal site”**, for a restricted area, means a site in or near the restricted area approved by an inspector for treatment and disposal of things infested or possibly infested with fire ant.

**“approved risk management plan”** see section 52(2).

**“authorised person”**, at an approved disposal site, means a person authorised in writing by an inspector to receive fire ant declarations at the site from an owner.

**“business person”** see section 52(1).

**“DPI fire ant approved symbol”** see section 56.

**“fire ant”** means the following pests—

- (a) tropical fire ant;
- (b) red imported fire ant.

**“fire ant declaration”** see section 50(2).

**“high risk item”** see section 38A.

**“pest quarantine area”** means the pest quarantine area declared under section 39.

**“restricted area”** means a restricted area declared under section 49.

**“restricted item”** means any of the following—

- (a) soil;
- (b) baled hay or straw;
- (c) an appliance used in agriculture or for moving soil.

**“show cause period”** see section 60(1)(e).

**“soil”** includes a soil substitute that could be used as a growing medium for a plant.

*Examples—*

- potting mix
- organic mulch

**“treat”** means treat in a way directed by an inspector.

### **38A Meaning of “high risk item”**

(1) A **“high risk item”** means any of the following—

- (a) red imported fire ant;
- (b) soil or any thing that has soil attached;

*Examples—*

- a plant that has soil on the plant’s roots
- turf

(c) waste material, other than soil, that—

- (i) comes from the ground; or
- (ii) is manufactured from material that comes from the ground;

*Examples—*

- material extracted from the ground as part of building construction

- kiln dust
- (d) waste bio-solids that are a product of processing or manufacturing an animal, a plant or anything that comes from an animal or a plant;

*Examples—*

- solid waste from a sewerage treatment plant
- solid waste produced by processing an animal at an abattoir
- (e) a container used for growing, harvesting, moving, packing or storing that contains soil or has soil attached;

*Examples of a container—*

bee hive, bin, carton, case, crate, pallet, pot

- (f) baled hay or straw;
- (g) an appliance used—
  - (i) to disturb soil; or
  - (ii) for packing or moving a thing mentioned in paragraph (a) to (f).

(2) Also, if an inspector decides any thing associated with a person's commercial activity may spread fire ant, and notifies the person of the decision, the thing is a “**high risk item**”.

### *Division 2—Pest quarantine area and objects of quarantine*

#### **39 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for fire ant.

#### **40 Objects of quarantine**

The objects of the quarantine are—

- (a) to prevent fire ant spreading in Queensland; and
- (b) to eradicate it in Queensland; and
- (c) to prevent the introduction of tropical fire ant into Queensland.

***Division 3—Pest control measures for pest quarantine area******Subdivision 1—Restrictions on moving live fire ants, restricted items and other things*****41 Restriction on moving live fire ants**

A person must not, without an inspector's approval, move a live fire ant—

- (a) from a parcel of land in the pest quarantine area to another parcel of land in the area; or
- (b) out of the pest quarantine area.

**42 Restriction on land owner's movement of restricted items and other things**

(1) This section applies to an owner of land if an inspector—

- (a) reasonably believes the land is infested with fire ant; and
- (b) gives the owner a written notice stating—
  - (i) the land is infested with fire ant; and
  - (ii) the things on the land the inspector reasonably believes are infested with fire ant.

(2) The owner must not, without an inspector's approval, move, or allow another person to move, a restricted item or other thing mentioned in subsection (1)(b)(ii)—

- (a) from the owner's land to another parcel of land in the pest quarantine area; or
- (b) out of the pest quarantine area.

**43 Restriction on other person's movement of restricted items and other things**

(1) This section applies to a person carrying on a commercial activity in the pest quarantine area if an inspector—

- (a) reasonably believes the activity may spread fire ant in the pest quarantine area; and

- (b) gives the person a written notice stating—
  - (i) that the activity may spread fire ant in the pest quarantine area; and
  - (ii) the things associated with the activity the inspector reasonably believes may spread fire ant.

(2) The person must not, without an inspector’s approval, move, or allow another person to move, a restricted item or other thing mentioned in subsection (1)(b)(ii)—

- (a) from a parcel of land in the pest quarantine area to another parcel of land in the area; or
- (b) out of the pest quarantine area.

(3) In deciding whether the activity or other thing may spread fire ant, the inspector must have regard to—

- (a) the nature of the activity or thing; and
- (b) where the activity is carried out.

### *Subdivision 2—Other obligations of land owners*

#### **44 Definition for sdiv 2**

In this subdivision—

“**land**” does not include premises in which a person resides.

#### **45 Obligation of land owner to allow surveillance**

(1) If an inspector requires an owner of land in the pest quarantine area to allow the inspector to carry out surveillance on the land to look for and monitor the spread of fire ant, the owner must not refuse to allow the inspector to carry out surveillance.

(2) Without limiting subsection (1), an inspector may carry out surveillance on the land by putting fire ant baits, lures or traps on the land.

(3) The inspector may direct the owner to remove any thing on the land that would obstruct the inspector carrying out surveillance on the land.

*Examples of things an inspector may direct to be removed—*

- rubbish



- scrap
- vegetation

(4) When making the requirement or direction, the inspector must give the person an offence warning.

#### **46 Preventative treatment of land, plants and other things**

(1) If an inspector considers it necessary to prevent fire ant spreading in the pest quarantine area, the inspector may require an owner of land in the pest quarantine area to allow the inspector to treat—

- (a) the land; or
- (b) a plant, or other thing the inspector reasonably believes may spread fire ant, on the land.

(2) The owner must not refuse to allow the inspector to carry out the treatment.

(3) The inspector may direct the owner to remove any thing on the land that would obstruct the inspector treating the land, or plant or other thing on the land.

*Examples of things an inspector may direct to be removed—*

- rubbish
- scrap metal
- vegetation

(4) When making the requirement or direction, the inspector must give the person an offence warning.

#### **47 Obligation of owner of land in the vicinity of infested land**

An owner of land in the vicinity of land infested with fire ant must, if directed by an inspector, monitor the owner's land for fire ant in the way the inspector considers appropriate for finding fire ant.

#### **47A Restriction on who may treat fire ant and infested thing**

(1) An owner of land in the pest quarantine area must not, without an inspector's approval, treat, or allow another person other than an inspector or an authorised person to treat, the following on the land—

- (a) fire ant;

(b) a thing infested with fire ant.

(2) In this section—

“**authorised person**” means a person authorised by the chief executive.

#### **48 Treatment of infested land, plants and other things**

(1) If an inspector requires an owner of land infested with fire ant to allow an inspector or an authorised person to treat—

(a) the land; or

(b) a plant, or other thing infested with fire ant, on the land;

the owner must not refuse to allow an inspector or authorised person to carry out the treatment.

(2) When making the requirement, the inspector must give the person an offence warning.

(3) In this section—

“**authorised person**” means a person authorised by the chief executive.

### *Division 4—Pest control measures for restricted areas*

#### *Subdivision 1—Restricted areas*

#### **49 Declaration of restricted area**

(1) If the chief executive considers it necessary to prevent fire ant spreading or to eradicate fire ant in Queensland, the chief executive may—

(a) declare an area in the pest quarantine area to be a restricted area; and

(b) define the boundaries of the area so declared.

(2) The chief executive must give notice of the declaration—

(a) in a newspaper published in Brisbane and circulating generally throughout Queensland; and

(b) in another newspaper, if any, published at least 5 days in any week, and circulating generally throughout the locality in which the restricted area is situated.

(3) The notice must state each of the following—

- (a) that an area has been declared to be a restricted area;
- (b) the location and boundaries of the area;
- (c) where a map showing the boundaries of the area is available for public inspection;
- (d) if a person is an owner of land in the area, the circumstances under which the owner must sign a fire ant declaration;
- (e) if a person is carrying on a commercial activity in the area, the circumstances under which the person is required to treat high risk items and sign a fire ant declaration;
- (f) the restriction on disturbing soil in the area;
- (g) the circumstances under which high risk items associated with a business person's commercial activity must be treated and certified.
- (h) where a copy of the fire ant declaration can be obtained;
- (i) if a person is carrying on a commercial activity in the area, the circumstances under which the person must have an approved risk management plan;
- (j) if a person is required under section 52 to implement a risk management plan, the day from which the plan must be implemented.

***Subdivision 2—Movement, treatment and other restrictions***

**49A Application of sdiv 2**

This subdivision does not limit another provision of this part.

**50 Owner must sign fire ant declaration when moving restricted item**

(1) This section applies to an owner of land in a restricted area if the owner moves a restricted item that the owner knows, or reasonably believes, is not infested with fire ant—

- (a) from the owner's land to another person's parcel of land in the restricted area; or

(b) out of the restricted area.

(2) The owner must not, without an inspector's approval, move the item unless the owner signs a declaration in the approved form (a "**fire ant declaration**") stating that the owner will move the item in a way that complies with the requirements of the declaration.

(3) The owner must give the declaration to the person receiving the item.

(4) The person receiving the item must keep the declaration for at least 1 year, unless the person has a reasonable excuse.

(5) However, an owner need not comply with this section if the owner has an approved risk management plan under section 52.

### **51 Restriction on moving infested thing**

(1) An owner of land in a restricted area must not, without an inspector's approval, move, or allow another person to move a restricted item, or other thing, infested with fire ant—

(a) from the owner's land to another person's parcel of land in the restricted area; or

(b) out of the restricted area.<sup>10</sup>

(2) However, the owner may move the thing to an approved disposal site for the restricted area.

(3) If the owner moves the thing to an approved disposal site, the owner must—

(a) sign a fire ant declaration for the thing before the owner moves the thing to the site; and

(b) give the declaration to an authorised person at the site.

(4) The authorised person must keep the declaration for at least 1 year, unless the person has a reasonable excuse.

### **51A Disturbing soil**

An owner of land in a restricted area must not, without an inspector's approval, disturb more than 1 m<sup>3</sup> of soil on the land.

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<sup>10</sup> See section 12(2) (Notification of pests) of the Act.

*Examples of disturbing soil—*

- compacting, covering, excavating or exposing soil
- moving soil from a part of the land to another part
- stockpiling soil

### **51B Treatment of high risk item by person carrying on commercial activity**

(1) This section applies to a person carrying on a commercial activity in a restricted area if the person—

- (a) has a high risk item on the site where the commercial activity is carried out; and
- (b) knows, or reasonably believes, the item is not infested with fire ant.

(2) The person must treat the high risk item before moving, or allowing another person to move, the item—

- (a) from a parcel of land in the restricted area to another parcel of land in the area; or
- (b) out of the restricted area.

(3) However, an inspector may give the person an approval stating the high risk item does not have to be treated under this section.

(4) This section applies whether or not the person is required to implement and keep an approved risk management plan.

### **51C When person carrying on commercial activity must sign fire ant declaration**

(1) This section applies to a person mentioned in section 51B(1) who is not required to implement and keep an approved risk management plan.

(2) The person must, before moving the high risk item under section 51B(2), sign a fire ant declaration.

(3) The person must give the declaration to the person receiving the item.

(4) The person receiving the item must keep the declaration for at least 1 year, unless the person has a reasonable excuse.

### ***Subdivision 3—Risk management plans***

#### **52 Business person must have risk management plan**

(1) This section applies to a person (a “**business person**”) carrying on a commercial activity in a restricted area if an inspector—

- (a) reasonably believes the activity may spread fire ant—
  - (i) from a parcel of land in the restricted area to another parcel of land in the area; or
  - (ii) out of the restricted area; and
- (b) gives the person notice, either in writing or orally, to that effect.

(2) The business person must implement and keep a risk management plan that complies with section 54 for the commercial activity (an “**approved risk management plan**”).

(3) In deciding whether the activity or other thing may spread fire ant, the inspector must have regard to—

- (a) the nature of the activity or thing; and
- (b) where the activity is carried out.

(4) If an inspector gives a business person oral notice under subsection (1)(b), the person may request written notice.

(5) The inspector must give the business person written notice within 14 business days after the request.

(6) However, the business person is taken to have been given notice on the day the inspector gives the person oral notice.

(7) This section does not limit another provision of this part.

#### **53 Restriction on business person moving thing associated with commercial activity**

(1) A business person who has been given a notice under section 52 must not, without an inspector’s approval, move, or allow another person to move, a thing associated with the business person’s commercial activity unless—

- (a) the person has an approved risk management plan for the person’s commercial activity; and

(b) the movement complies with the plan.

(2) This section does not limit another provision of this part.

### **53A Certifying high risk item**

(1) This section applies to a business person who is, under section 51B(2),<sup>11</sup> required to treat a high risk item associated with the person's commercial activity.

(2) The person must ensure the item is accompanied by a certificate, comprising of 1 or more documents, complying with subsection (3).

(3) The certificate must—

(a) state each of the following—

- (i) the name of the person's business;
- (ii) the number of the person's approved risk management plan;
- (iii) the date of movement of the high risk item;
- (iv) a description of the high risk item;
- (v) the number or amount of the high risk item; and

(b) if the person has been given a sign under section 56(1)<sup>12</sup>—display the DPI fire ant approved symbol shown on the sign; and

(c) be either—

- (i) attached to the high risk item; or
- (ii) if the high risk item is in a package—attached to the package; or
- (iii) part of another document connected with the sale or movement of the high risk item.

*Examples—*

- a receipt for the sale of the high risk item
- an invoice for the movement of the high risk item

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11 Section 51B (Treatment of high risk item by person carrying on commercial activity)

12 Section 56 (DPI fire ant approved symbol)

(4) However, an inspector may give the person an approval stating the high risk item is not required to have a certificate accompanying it.

#### **54 Requirements for risk management plan**

(1) A risk management plan must manage the risks associated with the commercial activity carried on in a restricted area by a business person by using appropriate management techniques to protect the activity, or the things associated with the activity, from spreading fire ant.

(2) A business person must seek advice from an inspector on matters relevant to the preparation of the person's plan.

(3) The plan has no effect unless it has been approved by an inspector.

#### **55 Approval of risk management plan**

(1) An inspector must, when deciding whether to approve the risk management plan, consider if it—

- (a) takes into account the risks posed by the commercial activity carried on by the person that may spread fire ant; and
- (b) identifies each high risk item or procedure associated with the activity that may spread fire ant; and
- (c) ensures each high risk item is not infested with fire ant.

(2) The factors the inspector must consider, if applicable to the commercial activity, include, but are not limited to, the following—

- (a) purchase of high risk items;
- (b) movement of high risk items onto and off the site where the commercial activity is carried out;
- (c) storage and use of high risk items on the site;
- (d) methods to increase the early detection of fire ant on the site;
- (e) monitoring of the site to detect the presence of fire ant;
- (f) treatment for fire ant at the site;
- (g) treatment of a high risk item before moving the item off the site;
- (h) staff training on detection of fire ant.

(3) The person must provide information the inspector reasonably requires to decide whether the plan should be approved.



(4) Before approving the risk management plan, the inspector may—

- (a) inspect, test or treat or take samples of a high risk item or other thing associated with the person's commercial activity; or
- (b) do anything else the inspector reasonably considers necessary or desirable.

(5) An inspector may approve a business person's risk management plan subject to conditions.

## **56 DPI fire ant approved symbol**

(1) If a business person has an approved risk management plan, an inspector may give the person a sign displaying a symbol (a "**DPI fire ant approved symbol**").

(2) If the business person is given a sign under subsection (1), the person must display the sign—

- (a) in a conspicuous position at the site where the person's commercial activity is carried out; and
- (b) so it is clearly visible when entering the site.

## **57 Term of approved risk management plan**

An approved risk management plan remains in force—

- (a) for any term stated initially in it; or
- (b) for any term an inspector later directs; or
- (c) until it is cancelled or suspended.

## **58 Audits**

An inspector may audit a risk management plan to decide if it has been satisfactorily implemented and kept under this part.

***Subdivision 4—Cancellation and suspension of approved risk management plan***

**59 Grounds for cancellation and suspension**

Each of the following is a ground for cancelling or suspending a business person's approved risk management plan—

- (a) an inspector reasonably believes the person has not complied with the plan;
- (b) the approval was obtained by incorrect or misleading information or documents;
- (c) the person has not complied with—
  - (i) a condition of the approval; or
  - (ii) a direction by an inspector to amend the plan.

**60 Procedure for cancellation and suspension—general**

(1) If an inspector considers a ground exists to cancel or suspend a business person's approved risk management plan, the inspector must give the person written notice stating each of the following—

- (a) the proposed action;
- (b) the grounds for the proposed action;
- (c) the facts and circumstances that form the basis for the grounds;
- (d) if the proposed action is a suspension—the proposed suspension period;
- (e) that the person may make, within a stated period (the “**show cause period**”), written representations to show why the proposed action should not be taken.

(2) The show cause period must end at least 14 business days after the person is given the notice.

(3) If the inspector decides to take the proposed action, the inspector must, within 5 business days after making the decision, inform the person of the decision by written notice.

(4) The decision takes effect when the notice is given.

**61 Immediate suspension**

(1) This section applies despite sections 59 and 60.

(2) If an inspector considers it necessary to prevent fire ant spreading or to eradicate fire ant in Queensland, the inspector may, by written notice to a business person, immediately suspend the person's approved risk management plan until the earlier of the following—

- (a) the inspector informs the person of the inspector's decision by notice under section 60(3), given after complying with section 60(1) and (2);
- (b) the end of 60 days after notice to the person.

**62 Notice of decision and appeal**

If the inspector cancels, suspends or immediately suspends an approval, the notice under section 60(3) or 61(2) must state—

- (a) the decision, and the reasons for it; and
- (b) that the person may apply to the chief executive under section 21M<sup>13</sup> of the Act for reconsideration of the decision; and
- (c) how to apply.

*Division 5—Introduction restrictions for tropical fire ants***63 Live tropical fire ants and infested things**

(1) A person must not, without an inspector's approval, introduce the following into Queensland—

- (a) a live tropical fire ant;
- (b) any thing the person reasonably believes may be infested with tropical fire ant.

(2) An inspector may give an approval only if the inspector is satisfied the introduction of the thing will not pose a significant risk of introducing tropical fire ant into Queensland.

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13 Section 21M (Application for reconsideration of administrative decisions) of the Act

## 64 Restricted items

(1) This section applies for restricted items that come from another State in which tropical fire ant is known to be living.

(2) A person must not, without an inspector's approval, introduce the restricted item into Queensland.

(3) An inspector may give an approval only if the restricted item is accompanied by a certificate, from an interstate inspector, that states—

- (a) the item is dispatched from a property that is more than 5 km from an infestation of tropical fire ant; or
- (b) the item, when inspected by the interstate inspector, was free from evidence of tropical fire ant.

## PART 7—FIRE BLIGHT

### 65 Definitions for pt 7

In this part—

**“authorised person”** means a person authorised by—

- (a) the chief executive of an interstate department; or
- (b) an interstate inspector.

**“fire blight area”** means an area in a State, other than Queensland, where there is an infestation of fire blight.

**“pest quarantine area”** means the pest quarantine area declared under section 66.

**“regulated fire blight host plant”**, for a fire blight area, means a plant that—

- (a) is—
  - (i) a hybrid mentioned in schedule 7; or
  - (ii) of a species mentioned in schedule 7; or
  - (iii) of a species within a genus mentioned in schedule 7; and
- (b) has—

- (i) for fruit—been grown within 5 km of the fire blight area; or
- (ii) for a plant (other than fruit)—been within 20 km of the fire blight area.

## **66 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for fire blight.

## **67 Object of quarantine**

The object of the quarantine is to prevent the introduction of fire blight into Queensland.

## **68 Restriction on introducing regulated fire blight host plant**

(1) A person must not, without an inspector's approval, introduce a regulated fire blight host plant into Queensland.

(2) However, the person may introduce the plant, other than its fruit, if—

- (a) the plant has been grown in a nursery that has been certified, by an interstate inspector, to be—
  - (i) located more than 10 km from a fire blight area; and
  - (ii) free from evidence of fire blight when inspected by an interstate inspector in the autumn and spring before the certificate was made; and
- (b) the plant is accompanied by a certificate, from an interstate inspector or authorised person, that states the plant was growing in the nursery for the entire year before the certificate was made.

# **PART 8—GRAPE PHYLLOXERA**

## **69 Definitions for pt 8**

In this part—

“**clarified juice**” means juice of grapes—

- (a) that is visibly clear; and
- (b) from which solids have been removed such that it contains no more than 1% of solids.

**“filtered juice”** means clarified juice processed through a filter that removes all particles larger than 50 microns in diameter.

**“fresh juice”** means the liquid fraction from must that—

- (a) excludes skins, seeds and other large solids; but
- (b) may contain some suspended solids.

**“fruit of a grape plant”** includes whole table grapes and whole wine grapes.

**“grape plant”** means a grape plant *Vitis* Spp. and includes the following—

- (a) vine cuttings, buds and vegetative tissue (or plant parts) for propagation;
- (b) germplasm establishment cuttings;
- (c) any vegetative part of the grape plant.

**“grape plant product”**, of a grape plant, means a product derived from the plant and includes—

- (a) fruit of the grape plant, other than fruit packed in the fresh state for human consumption; and
- (b) clarified juice, filtered juice, fresh juice, marc and must.

**“marc”** means the solids residue, containing skins, seeds, and possibly stems, from pressing must or wine fermented on skins.

**“must”**, for grapes, means the total product of crushing grape berries and includes juice, skins, seeds, pulp, and possibly some stems and leaves.

**“pest quarantine area”** means the pest quarantine area declared under section 70.

## **70 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for grape phylloxera.

**71 Object of quarantine**

The object of the quarantine is to prevent the introduction of grape phylloxera into Queensland.

**72 Restriction on introducing grape phylloxera and infested plant**

(1) A person must not, without an inspector's approval, introduce into Queensland—

- (a) grape phylloxera; or
- (b) a grape plant infested with grape phylloxera.

(2) An inspector may give an approval only if the inspector is satisfied—

- (a) the introduction of the pest or plant will not pose a significant risk of introducing grape phylloxera into Queensland; and
- (b) the pest or plant has been treated in an approved way.

**73 Restriction on introducing grape plant, grape plant product, appliance and other thing**

(1) A person must not, without an inspector's approval, introduce into Queensland—

- (a) a grape plant, other than fruit of the plant packed in the fresh state for human consumption; or
- (b) a grape plant product that comes from the plant; or
- (c) an appliance or other thing that has been in contact with the plant or the soil on which the plant has been growing.

(2) An inspector may give an approval only if the inspector is satisfied—

- (a) the introduction of the plant, product, appliance or other thing will not pose a significant risk of introducing grape phylloxera into Queensland; and
- (b) the plant, product, appliance or other thing has been introduced in an approved way.

(3) In this section—

“**other thing**” includes clothing, footwear, tools and packaging material, but does not include fruit of a grape plant packed in the fresh state for human consumption.

**74 Introducing fruit of grape plant**

A person may introduce into Queensland fruit of a grape plant packed in the fresh state for human consumption.

**PART 9—MANGO LEAFHOPPER***Division 1—Preliminary***75 Definitions for pt 9**

In this part—

**“authorised person”** means a person authorised (by the chief executive, or an interstate inspector, of an interstate department of the State in which mango leafhopper has been detected and a mango plant was grown or despatched) to—

- (a) competently treat the mango plant in an approved way; and
- (b) issue a treatment certificate.

**“pest quarantine area”** means the pest quarantine area declared under section 76.

**“treatment certificate”**, for a plant, means a certificate stating the plant has been treated in an approved way.

*Division 2—Pest quarantine area and object of quarantine***76 Declaration of pest quarantine area**

The area north of latitude 13°45' south is declared to be a pest quarantine area for mango leafhopper.<sup>14</sup>

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<sup>14</sup> Latitude 13°45' south passes near Coen.



**77 Objects of quarantine**

The objects of the quarantine are—

- (a) to prevent the introduction of mango leafhopper into Queensland; and
- (b) to prevent mango leafhopper being brought out of the pest quarantine area; and
- (c) to prevent its spread in the pest quarantine area.

***Division 3—General pest control measures*****78 Restriction on introducing mango leafhopper and infested plant**

A person must not, without an inspector's approval, introduce into Queensland—

- (a) mango leafhopper, or
- (b) a plant infested with mango leafhopper.

**79 Restriction on introducing mango plant**

(1) A person must not, without an inspector's approval, introduce into Queensland a mango plant grown in or despatched from another State in which mango leafhopper has been detected.

(2) Subsection (1) does not apply—

- (a) to the fruit of the mango plant if the stem of the fruit is removed at the abscission layer; or
- (b) to a mango plant if it is accompanied by a treatment certificate for the plant issued by—
  - (i) an interstate inspector; or
  - (ii) an authorised person.

**80 Restriction on movement of mango leafhopper and infested plant**

A person must not, without an inspector's approval—

- (a) move a mango leafhopper, or a plant, out of the pest quarantine area; or

- (b) move a mango leafhopper, or a plant infested with mango leafhopper, from a parcel of land within the pest quarantine area to another parcel of land within the area.

### **81 Treatment of infested land and mango plant**

If an owner of land within the pest quarantine area finds a mango leafhopper on the land, the owner must take the reasonable measures that an inspector requires to control the pest.<sup>15</sup>

*Example of a reasonable measure—*

Treating a plant with a chemical treatment.

## **PART 10—RED-BANDED MANGO CATERPILLAR**

### **82 Definition for pt 10**

In this part—

“**pest quarantine area**” means the pest quarantine area declared under section 83.

### **83 Declaration of pest quarantine area**

The area north of latitude 13°45' south is declared to be a pest quarantine area for mango caterpillar.<sup>16</sup>

### **84 Object of quarantine**

The object of the quarantine is to prevent mango caterpillar spreading in Queensland.

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15 See section 12 (Notification of pests) of the Act for obligations of an owner of land to notify an inspector and the chief executive of the existence of a notifiable pest on the land.

16 Latitude 13°45' south passes near Coen.

**85 Restriction on moving live mango caterpillars and mango plants**

A person must not, without an inspector's approval, move a live mango caterpillar or a mango plant—

- (a) from a parcel of land in the pest quarantine area to another parcel of land in the area; or
- (b) into or out of the pest quarantine area.

**PART 11—MEDITERRANEAN FRUIT FLY****86 Definitions for pt 11**

In this part—

**“approved condition”**, for a plant, means the plant is in a condition approved by the chief executive or an inspector.

**“host plant”** means a plant mentioned in schedule 8.

**“pest quarantine area”** means the pest quarantine area declared under section 87.

**87 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for Mediterranean fruit fly.

**88 Object of quarantine**

The object of the quarantine is to prevent the introduction of Mediterranean fruit fly into Queensland.

**89 Restriction on introducing mediterranean fruit fly and infested plant**

(1) A person must not, without an inspector's approval, introduce into Queensland—

- (a) Mediterranean fruit fly; or

(b) a plant infested with Mediterranean fruit fly.

(2) An inspector may give an approval only if the inspector is satisfied the introduction of Mediterranean fruit fly or the plant will not pose a significant risk of introducing Mediterranean fruit fly into Queensland.

## **90 Restriction on introducing Mediterranean fruit fly host plant**

(1) This section applies for a host plant, if the host plant has been grown at or comes from a place that is within 50 km of an infestation of Mediterranean fruit fly.

(2) A person must not introduce the host plant into Queensland unless—

- (a) for a host plant mentioned in schedule 8, part 1—an inspector approves the introduction of the plant; or
- (b) for a host plant mentioned in schedule 8, part 2—the plant has been harvested in a mature green condition; or
- (c) for a host plant mentioned in schedule 8, part 3—the plant’s skin has not been broken and the flesh has not been exposed when the plant was harvested.

(3) An inspector may give an approval under subsection (2)(a) only if the inspector is satisfied the host is free from evidence of Mediterranean fruit fly and the plant—

- (a) has been treated for mediterranean fruit fly; or
- (b) is in an approved condition.

## **PART 12—PAPAYA RINGSPOT**

### **91 Definition for pt 12**

In this part—

**“pest quarantine area”** means the pest quarantine area declared under section 92.

**92 Declaration of pest quarantine area**

The area south of latitude 24°30' south and east of longitude 150°00' east<sup>17</sup> is declared to be a pest quarantine area for papaya ringspot.

**93 Object of quarantine**

The object of the quarantine is to prevent papaya ringspot being brought out of the pest quarantine area.

**94 Restriction on moving prohibited plants**

(1) A person must not, without an inspector's approval, bring a prohibited plant out of the pest quarantine area.

(2) An inspector may give an approval under subsection (1) only if the inspector is satisfied the plant is free of papaya ringspot.

(3) In this section—

“**plant**” does not include the fruit or seed of the plant.

“**prohibited plant**” means—

- (a) a plant of the genus *Carica*; or
- (b) a plant of the family *Cucurbitaceae*.

*Example for paragraph (a) of a plant of the genus Carica—*

papaya plant

*Examples for paragraph (b) of plants of the family Cucurbitaceae—*

- cucumber
- melon
- pumpkin
- squash.

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17 Latitude 24°30' south, longitude 150°00' east is in the vicinity of Moura.

## PART 13—POTATO PESTS

### *Division 1—Preliminary*

#### 95 Definitions for pt 13

In this part—

“**pest quarantine area**” means the pest quarantine area declared under section 96.

“**potato pest**” means the following pests—

- (a) golden nematode;
- (b) potato cyst nematode.

“**potato pest area**” means an area in a State, other than Queensland, within 20 km of an infestation of a potato pest.

“**restricted item**” means the following—

- (a) soil;
- (b) a plant of the *Solanaceae* family.

*Examples of plants of the Solanaceae family—*

- capsicum
- potato
- thornapple
- tobacco
- tomato.

### *Division 2—Pest quarantine area and object of quarantine*

#### 96 Declaration of pest quarantine area

The whole of Queensland is declared to be a pest quarantine area for potato pest.

**97 Object of quarantine**

The object of the quarantine is to prevent the introduction into Queensland of potato pest.

***Division 3—General pest control measures*****98 Introduction of restricted item**

(1) A person must not introduce a restricted item into Queensland if the restricted item has been in a potato pest area unless—

- (a) an inspector has given approval; and
- (b) if the approval is given on conditions, the person has complied with the conditions.

(2) An inspector may give an approval under subsection (1) only if the inspector is satisfied the introduction of the restricted item will not pose a significant risk of introducing potato pest into Queensland.

**99 Introduction of other thing**

(1) A person must not introduce a thing, other than a restricted item, into Queensland if the thing has come from a potato pest area unless—

- (a) the thing is accompanied by a certificate from an interstate inspector that states potato pest does not exist at the place; or
- (b) an inspector has given approval and, if the approval is given on conditions, the person has complied with the conditions; or
- (c) the thing is not a plant and all soil has been removed from it.

(2) An inspector may give an approval only if the inspector is satisfied the introduction of the thing will not pose a significant risk of introducing potato pest into Queensland.

**100 Restrictions on planting potato tuber**

A person must not, without an inspector's approval, plant a potato tuber if the potato tuber—

- (a) has been in a potato pest area; and
- (b) is not substantially free of soil.

## PART 14—STRAWBERRY PLANT PESTS

### 101 Definitions for pt 14

In this part—

**“accredited business”** means a business accredited under a strawberry runner certification scheme by the chief executive of an interstate department.

**“authorised person”** means a person authorised, by an interstate inspector or the chief executive of an interstate department of the State in which a strawberry plant is grown, to issue a strawberry runner scheme certificate for the plant.

**“pest quarantine area”** means the pest quarantine area declared under section 102.

**“strawberry plant”** means a plant of the genus *Fragaria* spp.

**“strawberry plant pest”** means the following—

- (a) *Strawberry crinkle virus*;
- (b) *Strawberry mild yellow edge associated virus*;
- (c) strawberry mottle virus (uncharacterised).

**“strawberry runner certification scheme”** means a scheme for the production of strawberry plants that—

- (a) ensures the plants grown by an accredited business are free of strawberry plant pest at the time of despatch from the business; and
- (b) is monitored by the chief executive for an interstate department of the State in which the plants are grown; and
- (c) is approved by the chief executive.

**“strawberry runner scheme certificate”**, for a plant, means a certificate that states the plant has been produced under the conditions of a strawberry runner certification scheme.

### 102 Declaration of pest quarantine area

The whole of Queensland is declared to be a pest quarantine area for strawberry plant pest.



**103 Object of quarantine**

The object of the quarantine is to prevent the introduction of strawberry plant pest into Queensland.

**104 Restriction on introducing strawberry plant pest and infested plant**

A person must not, without an inspector's approval, introduce into Queensland—

- (a) strawberry plant pest; or
- (b) a plant infested with strawberry plant pest.

**105 Restriction on introducing strawberry plants**

(1) A person must not, without an inspector's approval, introduce into Queensland a strawberry plant unless the plant—

- (a) has been produced by an accredited business; and
- (b) is accompanied by a strawberry runner scheme certificate for the plant issued by—
  - (i) an interstate inspector; or
  - (ii) an authorised person.

(2) An inspector may give an approval only if the inspector is satisfied the introduction of the plant will not pose a significant risk of introducing strawberry plant pest into Queensland.

## PART 15—PESTS OF SUGARCANE

### *Division 1—Sugarcane smut*

#### *Subdivision 1—Preliminary*

#### **106 Definitions for div 1**

In this division—

**“clearance certificate”**, for an appliance, means a certificate—

- (a) issued by—
  - (i) an inspector of the department of government of Western Australia that deals with agricultural matters; or
  - (ii) a person approved by the chief executive; and
- (b) stating that all plant material, sugarcane smut spores and soil have been removed from the appliance by—
  - (i) disassembling it (if necessary); and
  - (ii) steam cleaning or washing it with a water and detergent mixture under high pressure.

**“host plant”** means a plant mentioned in schedule 9.

**“Ord Irrigation District”** means the Ord Irrigation District in Western Australia constituted as an irrigation district under section 28(1) of the *Rights in Water and Irrigation Act 1914* (WA).

**“pest quarantine area”** means the pest quarantine area declared under section 107.

**“sugarcane plant”** means a plant of the genus *Saccharum*.

#### *Subdivision 2—Pest quarantine area and objects of quarantine*

#### **107 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for sugarcane smut.

**108 Objects of quarantine**

The objects of the quarantine are—

- (a) to prevent the introduction into Queensland of sugarcane smut; and
- (b) to restrict the introduction into Queensland, and the use and sale in Queensland, of appliances that may spread sugarcane smut.

***Subdivision 3—Pest control measures in pest quarantine area*****109 Restriction on entry of pests, plants, soil and appliances etc.**

(1) A person must not, without an inspector's approval, introduce into Queensland—

- (a) sugarcane smut; or
- (b) a plant infested with sugarcane smut; or
- (c) a host plant from Western Australia or the Northern Territory; or
- (d) soil from a parcel of land in the Ord Irrigation District on which a host plant was growing; or
- (e) any appliance that—
  - (i) is intended to be used on a parcel of land being prepared for planting a host plant, or on which a host plant is growing, in the pest quarantine area; and
  - (ii) has been in contact with a host plant, or on a parcel of land on which a host plant was growing, in the Ord Irrigation District.

(2) Subsection (1)(e) does not apply to an appliance if—

- (a) it is accompanied by a clearance certificate issued after its last contact with a host plant or the last time it was on a parcel of land on which a host plant was growing; and
- (b) the person introducing it notifies the chief executive, as soon as practicable before it is introduced, of—
  - (i) the day and place of entry into Queensland; and
  - (ii) a place in Queensland where the appliance may be examined by an inspector.

**110 Restriction on using appliances**

(1) This section applies to a person who uses an appliance in the pest quarantine area on a parcel of land—

- (a) being prepared for planting a host plant; or
- (b) on which a host plant is growing.

(2) The person must not, without an inspector's approval, use the appliance on the land if the appliance has, within 1 year before its use, been—

- (a) in contact with a host plant in the Ord Irrigation District; or
- (b) on a parcel of land on which a host plant was growing in the district.

**111 Restriction on selling appliances**

A person must not, without an inspector's written approval, sell an appliance in the pest quarantine area if the appliance—

- (a) is of a type normally used to transport or farm sugarcane plants; and
- (b) has, within 1 year before the sale, been—
  - (i) in contact with a host plant in the Ord Irrigation District; or
  - (ii) on a parcel of land on which a host plant was growing in the district.

**112 Restriction on using clothing and footwear**

(1) This section applies to clothing or footwear that has been in contact with a host plant, or on a parcel of land on which a host plant was growing, in the Ord Irrigation District.

(2) A person must not, without an inspector's approval, use the clothing or footwear in the pest quarantine area on a parcel of land—

- (a) being prepared for planting a host plant; or
- (b) on which a host plant is growing.

(3) Subsection (2) does not apply if, at any time before being used on the land in the pest quarantine area—

- (a) for clothing—it was washed for at least 10 minutes in a water and detergent mixture at a temperature of more than 60°C; and
- (b) for footwear—it was cleaned by removing all sugarcane smut spores and soil with a hot water and detergent mixture.

### *Division 2—Other sugarcane pests*

#### *Subdivision 1—Preliminary*

#### **113 Definitions for div 2—**

In this division—

“**pest quarantine area**” means each of the pest quarantine areas declared under section 114.

“**sugarcane plant pest**” means a pest mentioned in schedule 11.

#### *Subdivision 2—Pest quarantine areas and objects of quarantine*

#### **114 Declaration of pest quarantine areas**

(1) Each area described in schedule 10 is declared to be a pest quarantine area for a sugarcane plant pest.<sup>18</sup>

(2) Attachment 2 to this regulation shows the approximate location of each pest quarantine area.

(3) The attachment—

- (a) does not form part of this regulation; and
- (b) must be revised if the area of a pest quarantine area is amended.

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18 Maps of the quarantine areas are available for inspection at the department’s head office at 80 Ann Street, Brisbane and at the following places—

- (a) Maroochy Horticultural Research Station at Mayers Road, Nambour;
- (b) Centre for Wet Tropics Research at South Johnstone Road, South Johnstone;
- (c) the department’s regional office at 21 Redden Street, Cairns.

(4) The revision must be made when the pest quarantine area is amended.

### **115 Objects of quarantine**

The objects of the quarantine for each pest quarantine area are—

- (a) to prevent the introduction into Queensland of sugarcane plant pests; and
- (b) to prevent the spread of the pests in Queensland; and
- (c) to control or remove pest infestation of sugarcane plants in the pest quarantine area.

### *Subdivision 3—General pest control measures*

### **116 Restriction on introducing sugarcane plant**

(1) A person must not, without an inspector's approval, introduce a sugarcane plant into Queensland.

(2) An inspector may give an approval only if the inspector is satisfied the introduction of the plant will not pose a significant risk of introducing a sugarcane plant pest into Queensland.

### **117 Restriction on moving sugarcane plant**

(1) A person must not, without an inspector's approval, move a sugarcane plant—

- (a) into a pest quarantine area; or
- (b) out of a pest quarantine area.

(2) This section does not apply to a person moving sugarcane directly to a mill.

### **118 Restriction on moving appliances**

A person must not, without an inspector's approval, move into or out of a pest quarantine area—

- (a) an appliance that has been in contact with a sugarcane plant; or
- (b) soil on which a sugarcane plant is growing or has been growing.

### **118A Restriction on planting and cultivating non-approved sugarcane variety**

A person must not, without an inspector's approval, plant or cultivate in a pest quarantine area a variety of sugarcane that is not, under section 11A<sup>19</sup> of the Act, declared by the chief executive to be an approved plant variety for planting or cultivating in the area.<sup>20</sup>

### **119 Restriction on planting infested plant**

(1) A person must not, without an inspector's approval, plant an infested plant in a pest quarantine area.

(2) An inspector may give an approval only if the inspector is satisfied the planting is to be carried out—

- (a) for research or educational purposes; and
- (b) in a way that is not likely to spread the pest.

(3) In this section—

**“infested plant”** means a sugarcane plant infested with a sugarcane plant pest.

### **120 Restriction on cultivating sugarcane plant infested with sugarcane Fiji disease**

(1) A person must not, without an inspector's approval, cultivate a sugarcane plant infested with sugarcane Fiji disease.

(2) An inspector may give an approval only if the inspector is satisfied the cultivation is to be carried out—

- (a) on conditions in the approval; and
- (b) in a way that is not likely to spread sugarcane Fiji disease—

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19 Section 11A (Approved plant variety) of the Act

20 See the *Plant Protection (Approved Sugarcane Varieties) Declaration 2003*.

- (i) in a pest quarantine area; or
- (ii) out of a pest quarantine area.

### **121 Restriction on cultivating sugarcane plant infested with a sugarcane plant pest other than sugarcane Fiji disease**

(1) A person must not, without an inspector's approval, cultivate a sugarcane plant infested with a sugarcane plant pest, other than sugarcane Fiji disease, after the plant's fourth year of cultivation.

(2) In this section—

**“fourth year of cultivation”**, for a sugarcane plant, means the fourth year after planting the plant.

### **122 Restriction on moving sugarcane plant infested with sugarcane plant pest**

(1) This section applies to an owner of land in a pest quarantine area if the owner is growing a sugarcane plant infested with a sugarcane plant pest on the land.

(2) The owner must not, without an inspector's approval, move, or allow another person to move, a plant—

- (a) from the owner's land to another person's parcel of land in the pest quarantine area; or
- (b) out of the pest quarantine area

(3) This section does not apply to a person who is moving sugarcane directly to a mill.

## **PART 16—WHITE BLISTER OF BRASSICA**

### **123 Definition for pt 16**

In this part—

**“pest quarantine area”** means the pest quarantine area declared under section 124.



**124 Declaration of pest quarantine area**

The whole of Queensland is declared to be a pest quarantine area for white blister of brassica.

**125 Objects of quarantine**

The objects of the quarantine for the pest quarantine area are—

- (a) to prevent the introduction into Queensland of white blister of brassica; and
- (b) to prevent its spread in Queensland; and
- (c) to control or remove pest infestation of white blister of brassica in the pest quarantine area.

**126 Restriction on introduction**

A person must not, without an inspector's approval, introduce into Queensland—

- (a) white blister of brassica; or
- (b) a plant infested with white blister of brassica; or
- (c) a plant of the genus *Brassica* spp.

*Examples of plants of the genus Brassica—*

- broccoli
- cabbage
- cauliflower.

**PART 17—CAPE YORK PENINSULA  
TARGETED PESTS****127 Definitions for pt 17**

In this part—

**“pest quarantine area”** means the pest quarantine area declared under section 128.

**“targeted pest”** means a pest mentioned in schedule 12.

### **128 Declaration of pest quarantine area**

The area north of latitude 13°45' south is declared to be a pest quarantine area for a targeted pest.<sup>21</sup>

### **129 Object of quarantine**

The objects of the quarantine are—

- (a) to prevent a targeted pests being brought out of the pest quarantine area; and
- (b) to prevent its spread in the pest quarantine area.

### **130 Restriction on moving targeted pest and plant infested with targeted pest out of pest quarantine area**

(1) A person must not, without an inspector’s approval, move the following out of the pest quarantine area—

- (a) a targeted pest;
- (b) a plant infested with a targeted pest.

(2) An inspector may give an approval only if the inspector is satisfied the movement of the targeted pest or plant will not pose a significant risk of spreading the targeted pest in Queensland.

### **131 Restriction on moving plant infested with targeted pest within pest quarantine area**

(1) A person must not, without an inspector’s approval, move a plant infested with a targeted pest within the pest quarantine area.

(2) An inspector may give an approval only if the inspector is satisfied the movement of the targeted pest or plant will not pose a significant risk of spreading the targeted pest in the pest quarantine area.

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<sup>21</sup> Latitude 13°45' south passes near Coen.

**PART 18—TRANSITIONAL PROVISION FOR PLANT  
PROTECTION AMENDMENT REGULATION  
(NO. 5) 2003**

**132 Notification of new restrictions for restricted area**

(1) This section applies if, before the commencement of this section, the chief executive declares an area to be a restricted area.

(2) If the chief executive decides the amending regulation should, on or after the commencement, apply to the restricted area, the chief executive must give notice of the decision in each newspaper in which the chief executive gave notice of the declaration.

(3) The notice must state the following—

- (a) a sufficient reference to the location of the restricted area to identify the area;
- (b) the day the restricted area was declared;
- (c) that each of the following are in addition to the information or requirements stated, under the unamended regulation, section 49(3),3 in the notice of the declaration—
  - (i) if a person is carrying on a commercial activity in the area, the circumstances under which the person is required to treat high risk items and sign a fire ant declaration;
  - (ii) the restriction on disturbing soil in the area;
  - (iii) the circumstances under which high risk items associated with a business person's commercial activity must be treated and certified.

(4) If the chief executive gives notice under subsection (2), the amending regulation applies to the restricted area from the day of publication, or first publication, of the notice.

(5) In this section—

**“amending regulation”** means the Plant Protection Amendment Regulation (No. 5) 2003.

**“unamended regulation”** means this regulation as in force before the commencement.

**SCHEDULE 1****PRESCRIBED PESTS**

section 4

**PART 1—ANIMALS****Insects and mites**

<b>Common name</b>	<b>Scientific name and author</b>
African black beetle	<i>Heteronychus arator</i> (Fabricius)
Argentine ant	<i>Linepithema humile</i> (Mayr)
ash whitefly	<i>Siphoninus phillyreae</i> (Haliday)
<i>Bactrocera atrisetosa</i>	<i>Bactrocera atrisetosa</i> (Perkins)
<i>Bactrocera decipiens</i>	<i>Bactrocera decipiens</i> (Drew)
<i>Bactrocera kirki</i>	<i>Bactrocera kirki</i> (Froggatt)
<i>Bactrocera tau</i>	<i>Bactrocera tau</i> (Walker)
<i>Bactrocera trilineola</i>	<i>Bactrocera trilineola</i> Drew
<i>Bactrocera trivialis</i>	<i>Bactrocera trivialis</i> (Drew)
<i>Bactrocera xanthodes</i>	<i>Bactrocera xanthodes</i> (Broun)
banana fruit fly	<i>Bactrocera musae</i> (Tryon)
banana skipper	<i>Erionota thrax</i> (Linnaeus)
banana stem weevil	<i>Odoiporus longicollis</i> (Oliver)
banana weevil borer	<i>Cosmopolites sordidus</i> (Germar)
Bezzi fruit fly	<i>Bactrocera occipitalis</i> (Bezzi)

## SCHEDULE 1 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
black carpenter ant	<i>Camponotus pennsylvanicus</i> (De Geer)
breadfruit fruit fly	<i>Bactrocera umbrosa</i> (Fabricius)
Californian red scale	<i>Aonidiella aurantii</i> (Maskell)
carambola fruit fly	<i>Bactrocera carambolae</i> Drew and Hancock
Chinese fruit fly	<i>Bactrocera minax</i> (Enderlein)
citrus blackfly	<i>Aleurocanthus woglumi</i> Ashby
citrus fruit borer	<i>Citripestis sagitifera</i> (Moore)
citrus gall wasp	<i>Bruchophagus muli</i> (Boucek and Brough)
citrus psylla or Asian citrus psylla	<i>Diaphorina citri</i> (Kuwayama)
citrus red mite	<i>Panonychus citri</i> (McGregor)
codling moth	<i>Cydia pomonella</i> (Linnaeus)
Colorado potato beetle	<i>Leptinotarsa decemlineata</i> (Say)
Cook Islands fruit fly	<i>Bactrocera melanotus</i> (Coquillett)
cotton boll weevil	<i>Anthonomus grandis</i> Boheman
cucumber fly	<i>Bactrocera cucumis</i> (French)
cut worm	<i>Agrotis interjectionis</i> (Guenée)
Dacus bivattatus	<i>Dacus bivattatus</i> (Bigot)
Dacus ciliatus	<i>Dacus ciliatus</i> Loew
European corn borer	<i>Pyrausta nubilalis</i> (Hübner)
European flower thrips	<i>Thrips vulgatissimus</i> Haliday
European red mite	<i>Panonychus ulmi</i> (Koch)
European wasp	<i>Vespula germanica</i> (Fabricius)

## SCHEDULE 1 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
Fijian fruit fly	<i>Bactrocera passiflorae</i> (Froggatt)
granary weevil	<i>Sitophilus granarius</i> (Linnaeus)
grape leaf-folder	<i>Desmia funeralis</i> (Hübner)
grape leafhopper	<i>Erythroneura elegantula</i> Osborn
grape phylloxera	<i>Daktulosphaira vitifoliae</i> (Fitch)
grape thrips	<i>Drepanothrips reuteri</i> Uzel
grasshoppers and locusts	Acrididae
guava fruit fly	<i>Bactrocera correcta</i> (Bezzi)
hesian fly	<i>Mayetiola destructor</i> (Say)
Indian fruit fly	<i>Bactrocera caryeae</i> (Kapoor)
Japanese bayberry whitefly	<i>Parabemisia myricae</i> (Kuwana)
Japanese beetle	<i>Popillia japonica</i> Newmann
Japanese citrus fruit fly	<i>Bactrocera tsuneonis</i> (Miyake)
khapra beetle	<i>Trogoderma gladrum</i> (Herbst)
khapra beetle	<i>Trogoderma granarium</i> Everts
khapra beetle	<i>Trogoderma inclusum</i> Le Conte
large grain borer	<i>Prostephanus truncates</i> (Horn)
mango leafhopper	<i>Idioscopus clypealis</i> (Lethierry)
mango leafhopper	<i>Idioscopus nitidulus</i> (= <i>niveosparsus</i> ) (Walker)
mango pulp weevil	<i>Sternochetus frigidus</i> (Fabricius)
mango seed weevil	<i>Sternochetus mangiferae</i> (Fabricius)
Mediterranean fruit fly	<i>Ceratitidis capitata</i> (Wiedemann)
melon fly	<i>Bactrocera cucurbitae</i> (Coquillett)

## SCHEDULE 1 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
melon thrips	<i>Thrips palmi</i> Karny
Mexican fruit fly	<i>Anastrepha ludens</i> (Loew)
New Zealand flower thrips	<i>Thrips obscuratus</i> (Crawford)
omnivorous leafroller	<i>Platynota sultana</i> Walsingham
Oriental fruit fly	<i>Bactrocera dorsalis</i> (Hendel)
Pacific spider mite	<i>Eotetranychus willamettei</i> (McGregor)
palm leaf beetle	<i>Brontispa longissima</i> (Gestro)
papaya fruit fly	<i>Bactrocera papayae</i> Drew and Hancock
peach fruit fly	<i>Bactrocera zonata</i> (Saunders)
pea leafminer	<i>Liriomyza huidobrensis</i> (Blanchard)
Philippine fruit fly	<i>Bactrocera philippinensis</i> Drew and Hancock
pink bollworm	<i>Pectinophora gossypiella</i> (Saunders)
pinkspotted bollworm	<i>Pectinophora scutigera</i> (Holdaway)
poinsetta whitefly	<i>Bemisia argentifolii</i> (= <i>B. tabaci</i> (Gennadius), (type B.) Bellows and Perring
potato moth	<i>Phthorimaea operculella</i> (Zeller)
Queensland fruit fly	<i>Bactrocera tryoni</i> (Froggatt)
red-banded mango caterpillar (abbreviated name—mango catepillar)	<i>Deanolis sublimbalis</i> (Snellen)
red imported fire ant	<i>Solenopsis invicta</i> Buren
rice weevil	<i>Sitophilus oryzae</i> (Linnaeus)

## SCHEDULE 1 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
Russian wheat aphids	<i>Diuraphis noxia</i> (Mordvilko)
serpentine leafminer	<i>Liriomyza trifolii</i> (Burgess)
silverleaf whitefly	<i>Bemisia argentifolii</i> (= <i>B. tabaci</i> (Gennadius), (type B.) Bellows and Perring
solanum fruit fly	<i>Bactrocera latifrons</i> (Hendel)
South African citrus thrips	<i>Scirtothrips aurantii</i> Faure
spiraling whitefly	<i>Aleurodicus dispersus</i> Russell
Sri Lankan fruit fly	<i>Bactrocera kandiensis</i> Drew and Hancock
stem borer	<i>Chilo</i> spp.
sugarcane borer	<i>Scirpophaga</i> spp.
sugarcane borer	<i>Sesamia</i> spp.
sugarcane borer	<i>Tetramoera schistanceana</i> (Snellen)
sugarcane leafhopper	<i>Eumetopina</i> spp.
sugarcane leafhopper	<i>Pyrilla perpusilla</i> (Walker)
sugarcane planthopper	<i>Perkinsiella</i> spp.
sugarcane scale	<i>Aulacaspis tegalensis</i> (Zehntner)
sugarcane weevil borer	<i>Rhabdoscelus obscurus</i> (Boisduval)
sugarcane whitefly	<i>Aleurodicus barodensis</i> (Maskell)
sugarcane woolly aphid	<i>Ceratovacuna lanigera</i> Zehntner
tobacco beetle	<i>Lasioderma serricorne</i> (Fabricius)
tobacco stem borer	<i>Scrobipalpa heliopa</i> (Lower)
Tongan fruit fly	<i>Bactrocera facialis</i> (Coquillett)
tropical fire ant	<i>Solenopsis geminata</i> (Fabricius)



## SCHEDULE 1 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
variegated grape leafhopper	<i>Erythroneura variabilis</i> Beamer
warehouse beetle	<i>Trogoderma variabile</i> Ballion
western flower thrips	<i>Frankliniella occidentalis</i> (Pergande)
western grapeleaf skeltonizer	<i>Harrisiana brillians</i> Barnes and McDunnough
woolly whitefly	<i>Aleurothrixus floccosus</i> (Maskell)

**Molluscs**

<b>Common name</b>	<b>Scientific name and author</b>
giant African snail	<i>Achatina fulica</i> Bowditch
green snail	<i>Helix aperta</i> (Born)

**PART 2—PESTS ASSOCIATED WITH PLANT DISEASE****A. ORGANISMS****Nematodes**

*Bursaphelenchus xylophilus* (Steiner and Buhner) Nickle

*Ditylenchus destructor* Thorne

*Globodera pallida* (Stone) Behrens (abbreviated name—potato cyst nematode)

## SCHEDULE 1 (continued)

*Globodera rostochiensis* (Wollenweber) Behrens (abbreviated name—golden nematode)

*Heterodera avenae* (Wollenweber) Filipjev

*Heterodera glycines* Ichinohe

*Pratylenchus coffeae* (Zimmermann) Filipjev and Schuurmans Stekhoven

*Pratylenchus goodeyi* Sher and Allen

*Rhadinaphelenchus cocophilus* (Cobb) Goodey

*Xiphinema index* Thorne and Allen

**Plants**

A plant of the genera *Musa* spp., other than—

- (a) a plant that produces edible fruit; or
- (b) an indigenous plant that is not a volunteer plant.

*Berberis* spp.

*Ensete* spp.

*Mahonia* spp.

*Orobanche ramosa* L. (common name—branched broomrape)

*Striga asiatica*

**Phytoplasmas**

apple chat fruit phytoplasma

apple proliferation phytoplasma

apple rubbery wood phytoplasma

apricot chlorotic leaf roll phytoplasma

## SCHEDULE 1 (continued)

apricot witches broom phytoplasma  
Australian grapevine yellows phytoplasma  
cherry albino (X disease) phytoplasma  
cherry necrotic rusty mottle phytoplasma  
cherry western X (peach X) phytoplasma  
grapevine flavesence doree phytoplasma  
little cherry phytoplasma  
little peach phytoplasma  
palm lethal yellowing phytoplasma  
Parry's disease (pear) phytoplasma  
peach chlorotic leaf roll phytoplasma  
peach eastern X phytoplasma  
peach red suture phytoplasma  
peach rosette phytoplasma  
peach yellows phytoplasma  
pear decline phytoplasma  
plum chlorotic leaf roll phytoplasma  
sugarcane grassy shoot phytoplasma  
sugarcane white leaf phytoplasma

**Bacteria**

*Acidovorax avenae* subsp. *avenae* (Manns) Willems *et al.*

*Agrobacterium tumefaciens* biovar 3 (E.F. Smith and Town.)

## SCHEDULE 1 (continued)

*Clavibacter michiganensis* subsp. *sepedonicus* (Spiek and Kotth.) Davies *et al.*

*Erwinia amylovora* (Burrill) Winslow *et al.* (abbreviated name—fire blight)

*Leifsonia xyli* subsp. *xyli* (Davies *et al.*) Evtushenko

“*Liberobacter asiatica*” Jagoueix *et al.*

*Panotoea stewartii* subsp. *stewartii* (E.F. Smith) Mergaert *et al.*

*Pseudomonas angulata* (Fromme and Murray) Holland

“*Pseudomonas celebensis*” = banana blood disease bacterium (uncharacterised)

*Pseudomonas syringae* pv. *phaseolicola* (Burkeholder) Young *et al.*

*Pseudomonas syringae* pv. *syringae* Van Hall

*Pseudomonas syringae* pv. *tabaci* (Wolf and Foster) Young *et al.*

*Pseudomonas syzygii* I. Roberts *et al.*

*Ralstonia solanacearum* (E.F. Smith) Yabuuchi *et al.*

*Xanthomonas albilineans* (Ashby) Dowson

*Xanthomonas axonopodis* pv. *citri* (Hasse) Vauterin

*Xanthomonas axonopodis* pv. *vasculorum* (Cobb) Dye

*Xanthomonas campestris* pv. *campestris* (Pammel) Dowson

*Xanthomonas campestris* pv. *oryzae* (Ishiyama) Swings *et al.*

*Xanthomonas campestris* pv. *phaseoli* (E. F. Smith) Dye

*Xanthomonas campestris* pv. *vasculorum* (Cobb)

*Xanthomonas fragariae* J.K. Kennedy and King

*Xanthomonas oryzae* pv. *oryzicola* (Ishiyama) Swings *et al.*

*Xyella fastidiosa* Wells *et al.*

*Xylophilus ampelinus* (Panagopoulos) Willems *et al.*

## SCHEDULE 1 (continued)

**Fungi**

*Albugo candida* (Pers.) Kuntze (abbreviated name—white blister of brassica)

*Ascochyta rabiei* (Pass.) Labr.

*Asperisporium caricae* (Speg.) Maubl.

*Cercospora longipes* E.J. Butler

*Claviceps africana* Freder., Mantle and De Milliano

*Claviceps gigantea* S.F. Fuentes, Isla, Ullstrup and Rodriguez

*Claviceps sorghi* P. Kulkarni, Seshadri and Hedge

*Coleosporium ipomoeae* (Schwein.) Burrill

*Colletotrichum kahawae* J.M. Waller and P.D. Bridge

*Colletotrichum lindemuthianum* (Sacc. and Magnus) Scribm.

*Cryphonectria cubensis* (Bruner) Hodges

*Deuterophoma tracheiphila* Petri

*Elsinoe fawcettii* Bitanc. and Jenkins

*Eutypa lata* (Pers.:Fr.) Tul. and C. Tul.

*Exobasidium vexans* Masee

*Fusarium moniliforme* J. Sheld. var. *subglutinans* Wollenw. and Reinking

*Fusarium oxysporum* Schltdl. Fr. f. sp. *cubense* (E.F. Smith) W.C. Snyder and H.N. Hansen

*Fusarium oxysporum* Schltdl. Fr. f.sp. *chrysanthemi* G.M. Armstrong, J.K. Armstrong and R.H. Littrell

*Fusarium oxysporum* Schltdl. Fr. f.sp. *lycopersici* (Sacc.) W.C. Snyder and H.N. Hansen

*Fusarium oxysporum* Schltdl. Fr. f.sp. *vasinfectum* (Atk.) W.C. Snyder and H.N. Hansen

## SCHEDULE 1 (continued)

*Guignardia bidwellii* (Ellis) Viala and Ravaz (anamorph *Phyllosticta ampelicida* (Engelman) Aa)

*Guignardia citricarpa* Kiely (anamorph *Phyllosticta citricarpa* (McAlpine) Aa)

*Guignardia musae* Racib. (anamorph *Phyllosticta musarum* (Cooke) Aa)

*Gymnosporangium* R. Hedw.

*Hemileia vastatrix* Berk. and Broome

*Microbotryum violaceum* (Pers.:Pers.) G. Deml. and Oberwinkler

*Monilinia fructigena* Honey in Whetzel

*Mycosphaerella angulata* W.A. Jenkins (anamorph *Cercospora brachypus* Ellis and Everh.)

*Mycosphaerella fijiensis* M. Morelet (anamorph *Paracercospora fijiensis* (M. Morelet) Deighton)

*Mycosphaerella musae* (Speg.) Syd. and P. Syd.

*Mycosphaerella musicola* J.L. Mulder (anamorph *Pseudocercospora musae* (Zimm.) Deighton)

*Pachymetra chaunorhiza* B.J. Croft and M.W. Dick

*Peronosclerospora maydis* (Racib.) C.G. Shaw

*Peronosclerospora philippinensis* (W. Weston) C.G. Shaw

*Peronosclerospora sacchari* (T. Miyake) Shirai and K. Hara

*Peronosclerospora sorghi* (W. Weston and Uppal) C.G. Shaw

*Peronosclerospora spontanea* (W. Weston) C.G. Shaw

*Peronospora hyoscyami* de Bary

*Phakopsora euvitis* Y. Ono

*Phoma tracheiphila* (Petri) L.A. Kantsch. and Gikaschvili

*Phymatotrichopsis omnivora* (Duggar) Hennebert

*Physopella ampelopsidis* (Dietel and P. Syd.) Cummins and Ramachar

## SCHEDULE 1 (continued)

*Phytophthora cinnamomi* Rands

*Plasmodiophora brassicae* Woronin

*Plasmopara halstedii* (Farl.) Berl. and DeToni

*Pseudopezizicola tetraspora* Korf, R.C. Pearson and Zhuang

*Pseudopezizicola tracheiphila* (Müller-Thurg.) Korf and Zhuang (anamorph  
*Phialophora tracheiphila* (Sacc. and D. Sacc.) Korf)

*Puccinia asparagi* D.C.

*Puccinia horiana* Henn.

*Puccinia psidii* G. Winter

*Pyricularia oryzae* Cavara

*Sclerospora graminicola* (Sacc.) J. Schröt.

*Sphaceloma arachidis* Bitanc. and Jenkins

*Sporisorium cruentum* (Kühn) K. Vánky

*Stagonospora sacchari* T.T. Lo and Y. Ling

*Synchytrium endobioticum* (Schilb.) Percival

*Tilletia indica* Mitra

*Uromyces gladioli* Henn.

*Uromyces transversalis* (Thüm.) G. Winter

*Ustilago scitaminea* Syd. (abbreviated name—sugarcane smut)

## SCHEDULE 1 (continued)

**B. VIRUSUS AND VIROIDS****viruses**

*Apple chlorotic leaf spot virus*

apple flat limb virus (uncharacterised)

*Apple mosaic virus*

apple ringspot virus (uncharacterised)

apple rough skin virus (uncharacterised)

apple star crack virus (uncharacterised)

apricot ring pox virus (uncharacterised)

*Arabis mosaic virus*

*Artichoke Italian latent virus*

*Banana bract mosaic virus* (abbreviated name—banana bract mosaic)

*Banana bunchy top virus* (abbreviated name—banana bunchy top)

*Banana streak virus* (abbreviated name—banana streak)

bratislava mosaic virus (uncharacterised)

cherry black canker virus (uncharacterised)

*Cherry rasp leaf virus*

*Citrus tristeza virus*

*Cucumber mosaic virus* (abbreviated name—cucumber mosaic)

grapevine Ajinashika virus (uncharacterised)

*Grapevine Algerian latent virus*

*Grapevine Bulgarian latent virus*

*Grapevine chrome mosaic virus*



## SCHEDULE 1 (continued)

grapevine corky bark virus (uncharacterised)

grapevine enation virus (uncharacterised)

*Grapevine fanleaf virus*

grapevine fleck virus (uncharacterised)

*Grapevine leafroll virus*

*Grapevine virus A*

*Grapevine virus B*

*Grapevine virus D*

*Grapevine yellow vein virus*

*Maize dwarf mosaic virus*

*Myrobalan latent ringspot virus*

*Papaya ringspot virus* type P (abbreviated name—papaya ringspot)

*Papaya ringspot virus* type W (abbreviated name—papaya ringspot)

*Peach rosette mosaic virus*

*Pea seed-borne mosaic virus*

Peach wart virus (uncharacterised)

*Peanut stripe virus*

*Plum pox virus*

prune diamond canker virus (uncharacterised)

*Prune dwarf virus*

*Prunus necrotic ringspot virus*

*Sorghum mosaic virus*

*Squash mosaic virus*

*Strawberry crinkle virus*

*Strawberry mild yellow edge associated virus*

## SCHEDULE 1 (continued)

strawberry mottle virus (uncharacterised)

*Sugarcane bacilliform virus*

*Sugarcane Fiji disease virus*

*Sugarcane mosaic virus*

sugarcane Ramu stunt virus (uncharacterised)

*Sugarcane streak virus*

sugarcane striate mosaic associated virus (uncharacterised)

*Tobacco mosaic virus*

*Tobacco ringspot virus*

*Tomato black ring virus*

*Tomato leaf curl virus*

*Tomato mosaic virus*

*Tomato ringspot virus*

*Watermelon mosaic virus*

*Wheat streak mosaic virus*

*Zucchini yellow mosaic virus*

**viroids**

*Apple scar skin viroid*

*Avocado sunblotch viroid*

*Chrysanthemum stunt viroid*

*Citrus exocortis viroid*

*Coconut cadang-cadang viroid*

*Dapple apple viroid*

## SCHEDULE 1 (continued)

grapevine stem pitting viroid (uncharacterised)  
grapevine summer mottle viroid (uncharacterised)  
grapevine vein necrosis viroid (uncharacterised)  
*Grapevine yellow speckle viroid-1*  
*Grapevine yellow speckle viroid-2*  
*Potato spindle tuber viroid*

**C. DISORDERS**

<b>Disorder</b>	<b>Description</b>
bacterial wilt	An occlusion and necrosis of the xylem tissue associated with invasion by plant pathogenic bacteria.
blight	A necrosis of leaf or stem tissue, with sudden onset, associated with a plant pathogenic bacterium (bacterial blight) or fungus (fungal blight).
canker	A sharply delineated necrosis or suberisation of the cortical tissue of leaves or stems, associated with a plant pathogenic bacterium or fungus.
downy mildew	A necrosis or organoid gall of leaf or stem tissue associated with intercellular hyphae and emergent sporophores of a fungus of the family Peronosporaceae.

## SCHEDULE 1 (continued)

<b>Disorder</b>	<b>Description</b>
ergot	An organoid gall of floral and ovule tissue associated with intercellular and extracellular hyphae and emergent sporophores of a fungus of the genus <i>Claviceps</i> Tul., order Hypocreales.
fusarial wilt	An occlusion and necrosis of the xylem tissue, associated with plant pathogenic strains of a fungus of the genus <i>Fusarium</i> Link ex Fr., order Moniliales.
gall	A swelling of tissue resulting from multiplication of cells (histoplasia), enlargement of cells (hypertrophy) or replacement with tissue of another organism, and associated with an intracellular or intercellular fungus, bacterium, phytoplasma, virus or mite.
grey mould	A necrosis of leaf, stem or floral tissue associated with intercellular and extracellular hyphae or emergent sporophores of a fungus of the genus <i>Botrytis</i> Pers. ex Fr., order Moniliales, or <i>Sclerotinia</i> Fuckel, order Helotiales.
mosaic (mottle or yellows)	A uniform or patchy variation of normal green colour associated with intracellular phytoplasm, virus or viroid infection.
mutant plant	A plant with recombinant deoxyribonucleic acid (DNA) acquired artificially or by natural transmission but having an undesired quality of increasing the weed potential of the plant or interfering with pest management programs.
powdery mildew	A necrosis or suberisation of leaf or stem tissue associated with intracellular and extracellular hyphae and sporophores of a fungus of the order Erysiphales.

## SCHEDULE 1 (continued)

<b>Disorder</b>	<b>Description</b>
rust	An organoid gall of leaf or stem tissue associated with intercellular hyphae, aeciospores, uredospores or teliospores of a fungus of the order Uredinales.
smut	An organoid gall of leaf, stem, floral or meristematic tissue associated with intercellular hyphae and chlamydospores of a fungus of the order Ustilaginales.
spot	A localised necrosis or yellowing of leaf or stem tissue, associated with a plant pathogenic bacterium, fungus or virus.
white blister	An organoid gall of leaf or stem tissue associated with intercellular hyphae, sporeangia, zoospores and oospores of a fungus of the genus <i>Albugo</i> , order Peronosporales.
witches broom	A gall resulting in massed outgrowths of vegetative buds and associated with an intracellular or intercellular fungus, bacterium, phytoplasma, virus or mite.

**Additional information about the disorders listed in part 2, item C of this schedule**

1. For bacterial wilt, mosaic (mottle or yellows) and witches broom, the description's reference is *Plant Pathologist's Pocketbook*, CAB, Commonwealth Mycological Institute, Kew, Surrey, UK.

2. For all other disorders, apart from mutant plant, the description's reference is *Ainsworth and Bisby's Dictionary of the Fungi*, CAB, Commonwealth Mycological Institute, Kew, Surrey, UK.

**SCHEDULE 2****NOTIFIABLE PESTS**

section 6

**PART 1—ANIMALS**

<b>Common name</b>	<b>Scientific name and author</b>
mango leafhopper	<i>Idioscopus clypealis</i> (Lethierry)
mango leafhopper	<i>Idioscopus nitidulus</i> (= <i>niveosparsus</i> ) (Walker)
red-banded mango caterpillar	<i>Deanolis sublimbalis</i> (Snellen)
red imported fire ant	<i>Solenopsis invicta</i> Buren
tropical fire ant	<i>Solenopsis geminata</i> (Fabricius)

**PART 2—PESTS ASSOCIATED WITH PLANT DISEASE****A. ORGANISMS****Bacteria**

“*Pseudomonas celebensis*” = banana blood disease bacterium  
(uncharacterised)

*Ralstonia solanacearum* (E.F. Smith) Yabuuchi *et al*

## SCHEDULE 2 (continued)

**Fungi**

*Fusarium oxysporum* Schltdl. Fr. f. sp. *cubense* (E.F. Smith) W.C. Snyder and H.N. Hansen

*Mycosphaerella fijiensis* M. Morelet (anamorph *Paracercospora fijiensis* (M. Morelet) Deighton)

*Ustilago scitaminea* Syd.

**Plants**

A plant of the genera *Musa* spp., other than—

- (a) a plant that produces edible fruit; or
- (b) an indigenous plant that is not a volunteer plant.

*Ensete* spp.

**B. VIRUSES AND VIROIDS****Viruses**

*Banana bract mosaic virus*

*Banana bunchy top virus*

*Sugarcane Fiji disease virus*

## SCHEDULE 2 (continued)

**C. DISORDERS**

<b>Common name</b>	<b>Also known as</b>
banana black Sigatoka disease	
banana bunchy top disease	
banana bract mosaic disease	
bacterial wilt of banana	(a) banana blood disease; or (b) banana bugtok disease; or (c) banana moko disease
fusarial wilt of banana	banana Panama disease
leaf spot of banana	banana black Sigatoka disease
sugarcane Fiji disease	
sugarcane smut	



**SCHEDULE 3****PEST QUARANTINE AREAS FOR PESTS OF  
BANANA PLANTS**

section 18(1)

**1 Far northern pest quarantine area**

The far northern pest quarantine area consists of the area of Queensland north of latitude 13°45' south.<sup>22</sup>

**2 Northern buffer pest quarantine area**

The northern buffer pest quarantine area is the area within the following boundary—

- from latitude 15°55' south where it intersects the eastern boundary of the Great Barrier Reef Region to the boundary of the Cook and Douglas local government areas where it intersects the mainland shore at latitude 15°55'25" south
- then along the southern boundary of the Cook local government area through latitude 16° south to where the boundary next intersects latitude 16° south
- to latitude 16° south, longitude 141° east
- to latitude 13°45' south, longitude 141° east
- to latitude 13°45' south where it intersects the eastern boundary of the Great Barrier Reef Region
- then along the eastern boundary of the Great Barrier Reef Region to where it intersects latitude 15°55' south.

**3 Northern pest quarantine area**

The northern pest quarantine area is the area within the following boundary—

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22 Latitude 13°45' south passes near Coen.

## SCHEDULE 3 (continued)

- from latitude 22° south where it intersects the eastern boundary of the Great Barrier Reef Region to the eastern bank of the Isaac River where it intersects latitude 22° south
- along the bank through longitude 148° east to where the bank next intersects longitude 148° east
- along longitude 148° east to the top of the Denham Range
- then north-easterly along the top of the Denham Range to where it intersects the top of the Leichardt Range at latitude 21°23'21" south, longitude 148°19'23" east
- then north-westerly along the top of the Leichardt Range to where it intersects the northern bank of the Burdekin River
- along the bank through longitude 145° east to where the bank next intersects longitude 145° east
- along longitude 145° east to where it first intersects the boundary of the Douglas local government area
- along the boundary of the Douglas local government area to the mainland shore at latitude 15°55'25" south
- to latitude 15°55' south where it intersects the eastern boundary of the Great Barrier Reef Region
- then along the eastern boundary of the Great Barrier Reef Region to where it intersects latitude 22° south.

**4 Southern buffer pest quarantine area**

The southern buffer pest quarantine area consists of—

- (a) the Banana, Calliope, Duaringa, Eidsvold, Fitzroy, Gladstone, Livingstone, Monto, Mt Morgan and Rockhampton local government areas; and
- (b) the part of the Broadsound local government area south of latitude 22° south.

## SCHEDULE 3 (continued)

**5 Special pest quarantine area**

The special pest quarantine area consists of the Biggenden, Bundaberg, Burnett, Cooloola, Hervey Bay, Isis, Kolan, Maryborough, Miriam Vale, Perry, Tiaro and Woocoo local government areas.

**6 Southern pest quarantine area**

The southern pest quarantine area consists of—

- (a) the Beaudesert, Boonah, Brisbane, Caboolture, Caloundra, Crows Nest, Esk, Gatton, Gold Coast, Ipswich, Kilcoy, Laidley, Logan, Maroochy, Noosa, Pine Rivers, Redcliffe and Redland local government areas; and
- (b) the area of the City of Brisbane.

**SCHEDULE 4****CULTIVARS FOR RESIDENTIAL PLANTATIONS**

section 24(2)

**PART 1—FAR NORTHERN, NORTHERN BUFFER,  
NORTHERN AND SOUTHERN BUFFER PEST  
QUARANTINE AREAS**

Blue Java

Bluggoe

Ducasse

FHIA 01 (Goldfinger)

FHIA 02

Goly Goly Pot Pot

Kluai Namwa Khom (Dwarf Ducasse)

Pisang Ceylan (Mysore type)

Sh 3436

Simoi

Tu-8

War War

Yangambi Km5

## SCHEDULE 4 (continued)

**PART 2—SPECIAL AND SOUTHERN PEST  
QUARANTINE AREAS**

Blue Java

Bluggoe

Ducasse

FHIA 01 (Goldfinger)

Kluai Namwa Khom

Lady Finger

Pisang Ceylan (Mysore type)

## **SCHEDULE 5**

### **TREATMENT METHODS**

section 28

#### **1. Treatment method A**

- remove the plant, including the corm, suckers and pseudostem from the soil
- cut each pseudostem into pieces no more than 60 cm long and split each piece lengthwise
- cut the corm into pieces no more than 5 cm in diameter.

#### **2. Treatment method B**

- remove the fruit from the plant or spray the fruit with a permanent marker dye to make it unsuitable for human or animal consumption
- inject each pseudostem at a height of 30 cm above the ground with 15 ml of a 1% solution of 2,4-D.

#### **3. Treatment method C**

- remove the fruit from the plant or spray the fruit with a permanent marker dye to make it unsuitable for human or animal consumption
- inject each pseudostem at a height of 30 cm above the ground with 15 ml of a 3.6% solution of glyphosate.

#### **4. Treatment method D**

- remove the plant, including the corm, suckers and pseudostem from the soil
- cut the pseudostem and leaf tissue, other than leaf tissue that is dead or not green in colour, into pieces no more than 60 cm long

## SCHEDULE 5 (continued)

- cut the corm, suckers and butt of each pseudostem into pieces no more than 5 cm in diameter
- leave the pseudostem and leaf tissue pieces to rot on the surface of the soil or bury them under at least 60 cm of soil
- leave the pieces of the corm, suckers and butt of each pseudostem to rot on the surface of the soil or bury them under at least 1 m of soil.

**SCHEDULE 6****BANANA BLACK SIGATOKA RESISTANT CULTIVARS**

section 30(4)

Blue Java

Bluggoe

Ducasse

FHIA 01 (Goldfinger)

FHIA 02

FHIA 25

Kluai Namwa Khom (Dwarf Ducasse)

Pisang Ceylan (Mysore type)

SH 3436

Simoi

Tu-8

Yangambi Km5



**SCHEDULE 7****REGULATED FIRE BLIGHT HOST PLANTS**section 65, definition “**regulated fire blight host plant**”**Hybrid***Rubus* hybrids**Common name**

thornless blackberry

**Species***Prunus salicina**Rubus ideus***Common name**

plum

red raspberry

**Genus***Amelanchier**Cotoneaster**Crataegus**Cydonia**Eriobotrya**Malus**Mespilus**Pyracantha**Pyrus**Sorbus**Stranvaesia***Examples of common names**

service berry, June berry

cotoneaster

hawthorn

quince

loquat

apple

medlar

fire thorn

pear

mountain ash

—

## SCHEDULE 8

### MEDITERRANEAN FRUIT FLY HOST PLANTS

section 86, definition “host plant”

#### PART 1—HOST PLANTS REQUIRING TREATMENT

Common name	Scientific name and author
abiu	<i>Pouteria caimito</i> (Ruiz and Pavon) Radlk. [Sapotaceae]
acerola	<i>Malpighia glabra</i> (L.) [Malpighiaceae] <i>M.glabra x M.punicifolia</i> (L.) (Barbados cherry)
akee	<i>Blighia sapida</i> K.Konig [Spaindacea]
akia	<i>Wikstroemia phillyreifolia</i> Gray [Thymelaeaceae]
almond (with husk)	<i>Prunus amygdalus</i> Batsch => <i>Prunus dulcis</i> (Mill.) D.A. Webb
apple	<i>Malus domestica</i> Borkh L. [Rosaceae] <i>Malus sylvestris</i> Mill. [Rosaceae] (crab apple)
apricot	<i>Prunus armeniaca</i> L. [Rosaceae]
Barbados cherry	<i>Malpighia punicifolia</i> (L.) [Malpighiaceae]
blackberry	<i>Rubus fruticosus</i> L. [Rosaceae]
black sapote	<i>Diospyros ebenum</i> J. König ex Retz. [Ebanaceae]
black walnut	<i>Juglans nigra</i> L. [Juglandaceae]
blueberry	<i>Vaccinium corymbosum</i> L. [Ericaceae]

## SCHEDULE 8 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
breadfruit	<i>Artocarpus altilis</i> (Parkinsonia) Fosb. [Moraceae]
bourbon orange	<i>Ochrosia elliptica</i> Labill. [Apocynaceae]
boxthorn	<i>Lycium europaeum</i> L. [Solanaceae]
Brazil cherry	see Grumichama
calamondin orange	<i>Citrofortunella mitis</i> (Blanco) J. Ingram and H. Moore [Rutaceae]
camito (star cherry)	<i>Chrysophyllum cainito</i> L. [Sapotaceae]
Cape gooseberry	<i>Physalis peruviana</i> L. [Solanaceae]
capsicum	<i>Capsicum annuum</i> L. var. <i>grossum</i> (L.) sendt [Solanaceae]
carambola (star fruit)	<i>Averrhoa carambola</i> L. [Oxalidaceae]
cashew apple	<i>Anacardium occidentale</i> L. [Anacardiaceae]
casimiroa (white sapote)	<i>Casimiroa edulis</i> LaLave and Lex. [Rutaceae]
cherimoya	<i>Annona cherimolia</i> Mill. [Annonaceae]
cherry	<i>Prunus avium</i> L. (sweet cherry) [Rosaceae] <i>Prunus avium</i> L. (sour cherry) [Rosaceae]
chilli	<i>Capsicum annuum</i> v <i>acuminatum</i> Fingerh. [Solanaceae] (chillies) <i>Capsicum annuum</i> v <i>cerasiforme</i> (Miller) Irish [Solanaceae] (cherry peppers) <i>Capsicum annuum</i> v <i>conoides</i> (Miller) Irish [Solanaceae] (tabasco)
citron	<i>Citrus medica</i> L. [Rutaceae]

## SCHEDULE 8 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
coffee berry	<i>Coffea arabica</i> [Rubiaceae] (Arabian coffee)
	<i>Coffea canephora</i> Pierre and Froehner [Rubiaceae]
	<i>Coffea excelsa</i> Chiov. [Rubiaceae] (excelsa coffee)
	<i>Coffea liberica</i> Hiern. [Rubiaceae] (Liberian coffee)
	<i>Coffea robusta</i> Linden [Rubiaceae] (robusta coffee)
custard apple	<i>Annona squamosa</i> L. x <i>A. cherimolia</i> Mill. [Annonaceae]
date	<i>Phoenix dactylifera</i> L. [Arecaceae]
eggplant	<i>Solanum melongena</i> L. [Solanaceae]
feijoa	<i>Acca sellowiana</i> (Berg.) Burret [Myrtaceae]
fig	<i>Ficus carica</i> L. [Moraceae]
granadilla	<i>Passiflora quadrangularis</i> L. [Passifloraceae]
grape	<i>Vitis vinifera</i> L. [Vitaceae] (wine grape)
	<i>Vitis labrusca</i> L. [Vitaceae] (Isabella grape)
grapefruit	<i>Citrus paradisi</i> Macf. [Rutaceae]
grumichama	<i>Eugenia braziliensis</i> Lam. [Myrtaceae]

## SCHEDULE 8 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
guava	<i>Psidium guajava</i> L. [Myrtaceae] <i>P. littorale</i> Raddi syn => <i>p.cattleianum</i> Sabine [Myrtaceae] (strawberry guava) <i>P. cattleianum</i> Sabine var. <i>lucidum</i> [Myrtaceae] (yellow cattley guava) <i>P. cattleianum</i> Sabine var. <i>guineense</i> Sw. [Myrtaceae] (Brazilian guava) <i>P. friedrichsthalianum</i> Nied. [Myrtaceae] (Costa Rican guava)
hawthorne	<i>Crataegis</i> spp. [Rosaceae]
ironwood	<i>Sideroxylon inerme</i>
jaboticaba	<i>Myrciaria cauliflora</i> (DC.) Berg. [Myrtaceae]
jackfruit	<i>Artocarpus heterophyllus</i> Lam. [Moraceae]
jambu	<i>Syzygium cumini</i> (L.) Skeels [Myrtaceae]
Jerusalem cherry	<i>Solanum pseudocapsicum</i> L. [Solanaceae]
kiwifruit	<i>Actinidia deliciosa</i> (a. Chev.) Liang and Ferguson [Actinidiaceae]
kei apple	<i>Dovyalis caffra</i> (Hook.f. and Harv.) Warb.
kumquat	<i>Fortunella japonica</i> (Thumb.) Swing.; * <i>F.margarita</i> (Lour.) Swing. [Rutaceae]
lemon	<i>Citrus limon</i> x <i>C. chinense</i> [Rutaceae]
lemon (Meyer)	<i>Citrus meyeri</i> Tanaka L [Rutaceae]
loganberry	<i>Rubus loganobaccus</i> L. H. Bailey [Rosaceae]
longan	<i>Euphoria longan</i> (Lour.) Stued. [Sapindaceae]
loquat	<i>Eriobotrya japonica</i> (Thunb.) Lindley {Rosaceae}

## SCHEDULE 8 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
Madagascar olive	<i>Noronihia emarginata</i> (Lam.) Thours ex Hook {Oleaceae}
mamey sapote	<i>Pouteria spanota</i> (jacq.) H.E. Moore and Stearn [Sapotaceae]
mandarin	<i>Citrus reticulata</i> Blanco [Rutaceae]
mango	<i>Mangifera indica</i> L. [Anacardiaceae]
mock orange	<i>Murraya paniculata</i> L. Jack [Rutaceae] M exotica
mombin	<i>Spondias</i> spp.
monstera	<i>Monstera deliciosa</i> Liebm. [Araceae]
mountain apple (Malay apple)	<i>Syzygium malaccensis</i> L. Merrill and L.M. Perry [Myrtaceae] Eugenia
mulberry	<i>Morus nigra</i> L. [Moraceae]
nashi	<i>Pyrus pyrifolia</i> var. <i>culta</i> (Mak.) Nakai or P. <i>betulaefolia</i> [Rosaceae]
natal plum	<i>Carissa macrocarpa</i> <i>Terminalia chebula</i>
nectarine	<i>Prunus persicae</i> var. <i>nectarina</i> (R.Br.) Maxim. [Rosaceae]
orange	<i>Citrus aurantium</i> L.; <i>C. sinensis</i> L, Osbeck [Rutaceae]
otaheite apple	<i>Spondias cytherea</i> Sonn. [Anacardiaceae]
peach	<i>Prunus persicae</i> L. Batsch [Rosaceae]
pear	<i>Pyrus communis</i> L. [Rosaceae]
pepino	<i>Solanum muricatum</i> Aiton [Solanaceae]

## SCHEDULE 8 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
persimmon	<i>Diospyros kaki</i> L.f. [Ebenaceae] (Japanese persimmon) <i>D.decandra</i> Lour. [Ebenaceae] (persimmon)
plum	<i>Prunus domestica</i> [Rosaceae] (prune) <i>Prunus insitita</i> L. [Rosaceae] (damson plum) <i>Prunus salicina</i> [Rosaceae] (Japanese plum)
pomegranate	<i>Punica granatum</i>
pond apple	<i>Annona glabra</i>
prickly pear	<i>Opuntia ficus indica</i> L. Miller [Cactaceae] or <i>Opuntia stricta</i> (Haw.) Haw
pummelo	<i>Citrus grandis</i> (L.) Osbeck [Rutaceae]
quince	<i>Cydonia oblonga</i> Miller [Rosaceae]
raspberry	<i>Rubus idaeus</i> L. [Rosaceae]
rollinia	<i>Rollinia deliciosa</i> Safford [Annonaceae]
rose apple	<i>Syzygium jambos</i> (L.) Alston [Myrtaceae]
santol	<i>Sandoricum indicum</i> Cav. [Meliaceae]
sapodilla	<i>Manilkara zapota</i> (L.) Van Royen [Sapotaceae]
soursop	<i>Annona muricata</i> L. [Annonaceae]
Spanish cherry	<i>Mimusops elengi</i> L. [Sapotaceae]
Surinam cherry	<i>Eugenia uniflora</i> L. [Myrtaceae]
sweetsop (sugar apple)	<i>Annona squamosa</i> L. [Annonaceae]
tamarillo	<i>Cyphomandra betacea</i> (Cao) Sendtner [Solanaceae]
tangelo	<i>Citrus reticulata</i> x <i>C. paradisi</i> [Rutaceae]

## SCHEDULE 8 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
tomato (pink and red type)	<i>Lycopersicon lycopersicum</i> (L.) Karst. ex Farw. [Solanaceae]
tree tomato	<i>Cyphomandra betacea</i> (Cav.) Sendtn. [Solanaceae]
tropical almond	<i>Terminalia catappa</i> L. [Combretaceae]
walnut	<i>Juglans regia</i> L. [Juglandaceae]
wax apple (rose apple)	<i>Eugenia jambos</i> L. [Myrtaceae] (L.) Alston
wax jambu	<i>Syzygium samarangense</i> (Blume) Merrill and L.M. Perrt [Myrtaceae]

**PART 2—HOST PLANTS REQUIRING TREATMENT  
UNLESS HARVESTED IN A MATURE GREEN  
CONDITION**

<b>Common name</b>	<b>Scientific name and author</b>
avocado	<i>Persea americana</i> Mill. [Lauraceae]
babaco (ripe)	<i>Carica pentagona</i> Heilb [Caricaceae]
banana	<i>Musa</i> spp. [Musaceae]
lime	<i>Citrus aurantiifolia</i> (Christm.) Swing. [Rutaceae] (West Indian lime) <i>C. latifolia</i> [Rutaceae] (Tahitian lime) <i>C. reticulata</i> var. <i>Austera</i> Lyb. [Rutaceae] (Rangpur lime)
papaya	<i>Carica papaya</i> L. [Caricaceae]



## SCHEDULE 8 (continued)

**PART 3—HOST PLANTS REQUIRING TREATMENT IF  
SKIN BROKEN AND FLESH EXPOSED AT HARVEST**

<b>Common name</b>	<b>Scientific name and author</b>
durian	<i>Durio zibethinus</i> Murray [Bombacaceae]
lychee	<i>Litchi chinensis</i> Sonn. [Sapindaceae]
mangosteen	<i>Garcinia mangostana</i> L. [Clusiaceae]
passionfruit	<i>Passiflora edulis</i> f. <i>edulis</i> Sims [Passifloraceae] (purple passionfruit)
	<i>P. edulis</i> f. <i>flavicarpa</i> Sims [Passifloraceae] (yellow passionfruit)
pomegranate	<i>Punica granatum</i> L. [Punicaceae]
rambutan	<i>Nephelium lappaceum</i> L. [Sapindaceae]

**SCHEDULE 9****HOST PLANTS FOR SUGARCANE SMUT**section 106, definition “**host plant**”**PART 1—HOST PLANTS WITH COMMON NAME**

<b>Common name</b>	<b>Scientific name</b>
blady grass	<i>Imperata cylindrica</i> (L.) Raeusch
itch grass	<i>Rottboellia cochinchinensis</i> (Lour.) Clayton
giant plume grass or sugarcane plume grass	<i>Saccharum giganteum</i> (Walt.) Pers.
pit pit	<i>Saccharum edule</i> Hassk.
sugarcane	(a) <i>Saccharum</i> (interspecific hybrids); or (b) <i>Saccharum officinarum</i> L.
uba cane or Japanese cane	<i>Saccharum sinense</i> Roxb.
wild cane or pit pit	<i>Saccharum spontaneum</i> L.

**PART 2—HOST PLANTS WITHOUT COMMON NAME****Scientific name***Saccharum barberi* Jeswiet*Saccharum robustum* Brandes and Jeswiet ex Grassl

**SCHEDULE 10****PEST QUARANTINE AREAS FOR PESTS OF  
SUGARCANE PLANTS**

section 114

**1 Far northern pest quarantine area**

The far northern pest quarantine area consists of the area of Queensland, north of latitude 13°45' south.<sup>23</sup>

**2 Coen to Townsville pest quarantine area**

The Coen to Townsville pest quarantine area consists of the area of Queensland—

- (a) south of latitude 13°45' south; and
- (b) north of latitude 19°15' south.<sup>24</sup>

**3 Townsville to Bowen-Collinsville pest quarantine area**

The Townsville to Bowen-Collinsville pest quarantine area is the area within the following boundary—

- from latitude 19°15' south where it intersects the border of Queensland and the Northern Territory to where latitude 19°15' south intersects the eastern boundary of the Great Barrier Reef Region;<sup>25</sup>
- then along the eastern boundary of the Great Barrier Reef Region to where it intersects latitude 19°53' south;

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23 Latitude 13°45' south passes near Coen.

24 Latitude 19°15' south passes near Townsville.

25 Latitude 19°15' south passes near Townsville.

**SCHEDULE 10 (continued)**

- to latitude 19°53' south, longitude 148°05' east;<sup>26</sup>
- to latitude 20°12' south, longitude 147°55' east;<sup>27</sup>
- to latitude 20°33' south, longitude 147°51' east;<sup>28</sup>
- to where latitude 20°33' south intersects the border of Queensland and the Northern Territory;
- then along the border of Queensland and the Northern Territory to where it intersects latitude 19°15' south.

**4 Bowen-Collinsville to Rockhampton pest quarantine area**

The Bowen-Collinsville to Rockhampton pest quarantine area consists of the area of Queensland—

- (a) south of the southern boundary of the Townsville to Bowen-Collinsville pest quarantine area; and
- (b) north of latitude 23°27' south.<sup>29</sup>

**5 Rockhampton to Howard pest quarantine area**

The Rockhampton to Howard pest quarantine area consists of the area of Queensland—

- (a) south of latitude 23°27' south; and
- (b) north of latitude 25°18.7' south.<sup>30</sup>

**6 Howard to New South Wales border pest quarantine area**

The Howard to New South Wales border pest quarantine area—

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26 Latitude 19°53' south, longitude 148°05' east is in the vicinity of Abbot Point.  
 27 Latitude 20°12' south, longitude 147°55' east is in the vicinity of Mt Aberdeen.  
 28 Latitude 20°33' south, longitude 147°51' east is in the vicinity of Collinsville.  
 29 Latitude 23°27' south passes near Rockhampton.  
 30 Latitude 25°18.7' south passes near Howard.

## SCHEDULE 10 (continued)

- (a) consists of the area of Queensland south of latitude 25°18.7' south; but
- (b) does not include the Woodford special pest quarantine area.

**7 Woodford special pest quarantine area**

The Woodford special pest quarantine area is the area within the following boundary—

- from latitude 26°50' south, longitude 152°53' east<sup>31</sup> to latitude 26°50' south, longitude 152°34' east;<sup>32</sup>
- to latitude 27°04' south, longitude 152°34' east;<sup>33</sup>
- to latitude 27°04' south, longitude 152°53' east;
- to latitude 26°50' south, longitude 152°53' east.

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31 Latitude 26°50' south, longitude 152°53' east is in the vicinity of Peachester.

32 Longitude 152°34' east passes near Kilcoy.

33 Latitude 27°04' south passes near Mount Mee.

**SCHEDULE 11****SUGARCANE PLANT PESTS**

section 113

leaf scald disease caused by *Xanthomonas albilineans* (Ashby) Dowson

ratoon stunting disease caused by *Leifsonia xyli* subsp. *xyli* (Davies *et al.*)  
Evtushenko

*Sugarcane Fiji disease virus*

*Sugarcane mosaic virus*

sugarcane striate mosaic associated virus (uncharacterised)

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## SCHEDULE 12

### CAPE YORK PENINSULA TARGETED PESTS

section 127, definition “targeted pest”

#### PART 1—ANIMALS

##### Insects and mites

<b>Common name</b>	<b>Scientific name and author</b>
Bactrocera atrisetosa	<i>Bactrocera atrisetosa</i> (Perkins)
Bactrocera decipiens	<i>Bactrocera decipiens</i> (Drew)
Bactrocera kirki	<i>Bactrocera kirki</i> (Froggatt)
Bactrocera tau	<i>Bactrocera tau</i> (Walker)
Bactrocera trilineola	<i>Bactrocera trilineola</i> Drew
Bactrocera trivialis	<i>Bactrocera trivialis</i> (Drew)
Bactrocera xanthodes	<i>Bactrocera xanthodes</i> (Broun)
banana skipper	<i>Erionota thrax</i> (Linnaeus)
banana stem weevil	<i>Odioporus longicollis</i> (Oliver)
Bezzi fruit fly	<i>Bactrocera occipitalis</i> (Bezzi)
breadfruit fruit fly	<i>Bactrocera umbrosa</i> (Fabricius)
Chinese fruit fly	<i>Bactrocera minax</i> (Enderlein)
citrus blackfly	<i>Aleurocanthus woglumi</i> Ashby
citrus fruit borer	<i>Citripestis sagitifera</i> (Moore)
citrus gall wasp	<i>Bruchophagus muli</i> (Boucek and Brough)

## SCHEDULE 12 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
citrus psylla or Asian citrus psylla	<i>Diaphorina citri</i> (Kuwayama)
Cook Islands fruit fly	<i>Bactrocera melanotus</i> (Coquillett)
cut worm	<i>Agrotis interjectionis</i> (Guenée)
Fijian fruit fly	<i>Bactrocera passiflorae</i> (Froggatt)
guava fruit fly	<i>Bactrocera correcta</i> (Bezzi)
Indian fruit fly	<i>Bactrocera caryeae</i> (Kapoor)
Japanese citrus fruit fly	<i>Bactrocera tsuneonis</i> (Miyake)
mango leafhopper	<i>Idioscopus clypealis</i> (Lethierry)
mango leafhopper	<i>Idioscopus nitidulus</i> (= <i>niveosparsus</i> ) (Walker)
mango pulp weevil	<i>Sternochetus frigidus</i> (Fabricius)
melon fly	<i>Bactrocera cucurbitae</i> (Coquillett)
peach fruit fly	<i>Bactrocera zonata</i> (Saunders)
Philippine fruit fly	<i>Bactrocera philippinensis</i> (Drew and Hancock)
planthoppers	<i>Perkinsiella</i> spp.
red-banded mango caterpillar	<i>Deanolis sublimbalis</i> (Snellen)
red imported fire ant	<i>Solenopsis invicta</i> (Buren)
Sri Lankan fruit fly	<i>Bactrocera kandiensis</i> Drew and Hancock
stem borer	<i>Chilo</i> spp.
solanum fruit fly	<i>Bactrocera latifrons</i> (Hendel)
sugarcane borer	<i>Scirpophaga</i> spp.
sugarcane borer	<i>Sesamia</i> spp.
sugarcane borer	<i>Tetramoera schistanceana</i> (Snellen)



## SCHEDULE 12 (continued)

<b>Common name</b>	<b>Scientific name and author</b>
sugarcane leafhopper	<i>Eumetopina</i> spp.
sugarcane leafhopper	<i>Pyrilla perpusilla</i> (Walker)
sugarcane planthopper	<i>Perkinsiella</i> spp.
sugarcane whitefly	<i>Aleurodicus barodensis</i> (Maskell)
sugarcane woolly aphid	<i>Ceratovacuna lanigera</i> Zehntner
Tongan fruit fly	<i>Bactrocera facialis</i> (Coquillett)

**Molluscs**

<b>Common name</b>	<b>Scientific name</b>
giant African snail	<i>Achatina fulica</i> Bowditch

**PART 2—PESTS ASSOCIATED WITH PLANT DISEASE****A. ORGANISMS****Bacteria**

“*Liberobacter asiatica*” Jagoueix et al

*Panotoea stewartii* subsp. *stewartii* (E.F. Smith) Mergaert et al.

“*Pseudomonas celebensis*” = banana blood disease bacterium (uncharacterised)

*Pseudomonas syzygii* I. Roberts et al.

*Ralstonia solanacearum* (E.F. Smith) Yabuuchi et al.

## SCHEDULE 12 (continued)

*Xanthomonas albilineans* (Ashby) Dowson

*Xanthomonas axonopodis* pv. *citri* (Hasse) Vauterin

**Fungi**

*Claviceps sorghi* P. Kulkarni, Seshadri and Hedge

*Cryphonectria cubensis* (Bruner) Hodges

*Elsinoe fawcettii* Bitanc. and Jenkins

*Fusarium oxysporum* Schldl. Fr. f. sp. *cubense* (E.F. Smith) W.C. Snyder and H.N. Hansen

*Hemileia vastatrix* Berk. and Broome

*Mycosphaerella fijiensis* M. Morelet (anamorph *Paracercospora fijiensis* (M. Morelet) Deighton)

*Peronosclerospora philippinensis* (W. Weston) C.G. Shaw

*Peronosclerospora sacchari* (T. Miyake) Shirai and K. Hara

*Peronosclerospora sorghi* (W. Weston and Uppal) C.G. Shaw

*Physopella ampelopsidis* (Dietel and P. Syd.) Cummins and Ramachar

*Puccinia psidii* G. Winter

*Stagonospora sacchari* T.T. Lo and Y. Ling

*Ustilago scitaminea* Syd.

**B. VIRUSUS AND VIROIDS**

*Banana bract mosaic virus*

*Banana bunchy top virus*

## SCHEDULE 12 (continued)

*Citrus tristeza virus*

*Coconut cadang-cadang viroid*

*Peanut stripe virus*

*Sorghum mosaic virus*

*Sugarcane Fiji disease virus*

sugarcane Ramu stunt virus (uncharacterised)

*Sugarcane mosaic virus*

*Tomato leaf curl virus*

**SCHEDULE 13****DICTIONARY**

section 3

**“accredited business”** see section 101.

**“approved condition”** see section 86.

**“approved disposal site”** see section 38.

**“approved person”** see section 12.

**“approved risk management plan”** see section 38.

**“approved way”** means a way approved by the chief executive or an inspector.

**“authorised person”**—

- (a) for part 6—see section 38; and
- (b) for part 7—see section 65; and
- (c) for part 9—see section 75; and
- (d) for part 14—see section 101.

**“banana leaf speckle pest”** means the banana leaf speckle disease caused by *Mycosphaerella musae* (Speg.) Syd. and P. Syd.

**“banana plant”** see section 17.

**“banana plant pest”** see section 25.

**“banana yellow Sigatoka pest”** means the banana yellow Sigatoka disease caused by *Mycosphaerella musicola* J.L. Mulder (anamorph *Pseudocercospora musae* (Zim.) Deighton).

**“business person”** see section 52(1).

**“clarified juice”** see section 69.

**“clearance certificate”** see section 106.

**“DPI fire ant approved symbol”** see section 56(1).

**“far northern pest quarantine area”**—

## SCHEDULE 13 (continued)

(a) for part 5—see schedule 3, section 1; and

(b) for part 15—see schedule 10, section 1.

**“filtered juice”** see section 69.

**“fire ant”** see section 38.

**“fire ant declaration”** see section 50(2).

**“fire blight area”** see section 65.

**“fresh juice”** see section 69.

**“fruit of a grape plant”** see section 69.

**“grape plant”** see section 69.

**“grape plant product”** see section 69.

**“Great Barrier Reef Region”** means the Great Barrier Reef Region under the *Great Barrier Reef Marine Park Act 1975* (Cwlth).

**“ground cover vegetation”** see section 17.

**“high risk item”**, for part 6, see section 38A.

**“host plant”**—

(a) for part 11—see section 86; and

(b) for part 15—see section 106.

**“interstate department”** means the department of another State that deals with matters relating to agriculture in the State.

**“interstate inspector”** means an inspector for an interstate department.

**“leaf scald disease”** means a disease of sugarcane caused by *Xanthomonas albilineans* (Ashby) Dowson.

**“local government area”** means a part of Queensland established as a local government area under the *Local Government Act 1993*.

**“mango plant”** means a plant of the genus *Mangifera* spp.

**“marc”** see section 69.

## SCHEDULE 13 (continued)

“**mill**”, for sugarcane, means a mill under the *Sugar Industry Act 1999*, section 76.<sup>34</sup>

“**must**”, for grapes, see section 69.

“**northern buffer pest quarantine area**” see schedule 3, section 2.

“**northern pest quarantine area**” see schedule 3, section 3.

“**offence warning**”, for a requirement under this regulation, means a warning that, without reasonable excuse, it is an offence for the person to whom the requirement is given, or of whom it is made, not to comply with it.

“**Ord Irrigation District**” see section 106.

“**package**” includes a box, basket, case, container, crate, carton, cover or wrapper.

“**pest banana plant**” see section 17.

“**pest quarantine area**”—

- (a) for part 4—see section 12; and
- (b) for part 5—see section 17; and
- (c) for part 6—see section 38; and
- (d) for part 7—see section 65; and
- (e) for part 8—see section 69; and
- (f) for part 9—see section 75; and
- (g) for part 10—see section 82; and
- (h) for part 11—see section 86; and
- (i) for part 12—see section 91; and
- (j) for part 13—see section 95; and
- (k) for part 14—see section 101; and

---

34 *Sugar Industry Act 1999*, section 76 (Meaning of “mill”)

A “**mill**” is works that are—

- (a) equipped for the manufacture of sugar from cane; or
- (b) proposed to be constructed and equipped for the manufacture of sugar from cane and established as a new mill under division 3.

## SCHEDULE 13 (continued)

- (l) for part 15—
    - (i) for division 1—see section 106; and
    - (ii) for division 2—see section 113; and
  - (m) for part 16—see section 123; and
  - (n) for part 17—see section 127.
- “pest site”** see section 25.
- “potato pest”** see section 95.
- “potato pest area”** see section 95.
- “prescribed pest”** means a pest mentioned in schedule 1.
- “ratoon stunting disease”** means a disease of sugarcane caused by *Leifsonia xyli* subsp. *xyli* (Davies *et al.*) Evtushenko.
- “reasonably believes”** means to believe on grounds that are reasonable in the circumstances.
- “regulated fire blight host plant”** see section 65.
- “restricted area”** see section 38.
- “restricted item”**—
  - (a) for part 6—see section 38; and
  - (b) for part 13—see section 95.
- “show cause period”** see section 60(1)(e).
- “soil”**, for part 6, see section 38.
- “southern buffer pest quarantine area”** see schedule 3, section 4.
- “southern pest quarantine area”** see schedule 3, section 6.
- “special pest quarantine area”** see schedule 3, section 5.
- “strawberry plant”** see section 101.
- “strawberry plant pest”** see section 101.
- “strawberry runner certification scheme”** see section 101.
- “strawberry runner scheme certificate”** see section 101.
- “sugarcane Fiji disease”** means a disease of sugarcane caused by *Sugarcane Fiji disease virus*.

## SCHEDULE 13 (continued)

“**sugarcane mosaic disease**” means a disease of sugarcane caused by *Sugarcane mosaic virus*.

“**sugarcane plant**” see section 106.

“**sugarcane plant pest**” see section 113.

“**sugarcane striate mosaic disease**” means a disease of sugarcane caused by sugarcane striate mosaic associated virus (uncharacterised).

“**targeted pest**” see section 127.

“**treat**”, for part 6, see section 38.

“**treatment certificate**” see section 75.

“**treatment method A**” see schedule 5, item 1.

“**treatment method B**” see schedule 5, item 2.

“**treatment method C**” see schedule 5, item 3.

“**treatment method D**” see schedule 5, item 4.



## **ATTACHMENT 1**

section 18(2) and (3)

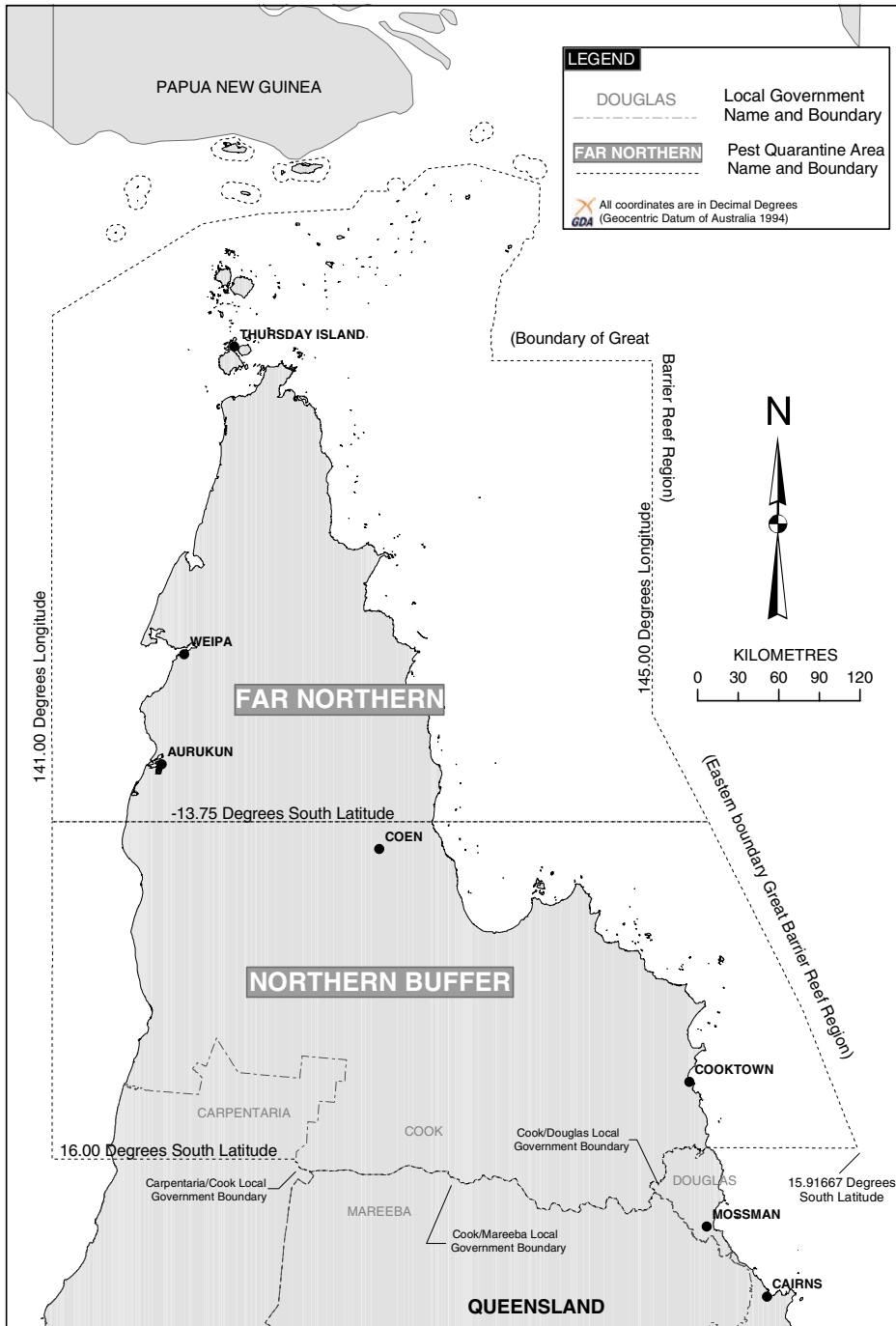
Map 1—Far northern and northern buffer pest quarantine areas

Map 2—Northern pest quarantine area

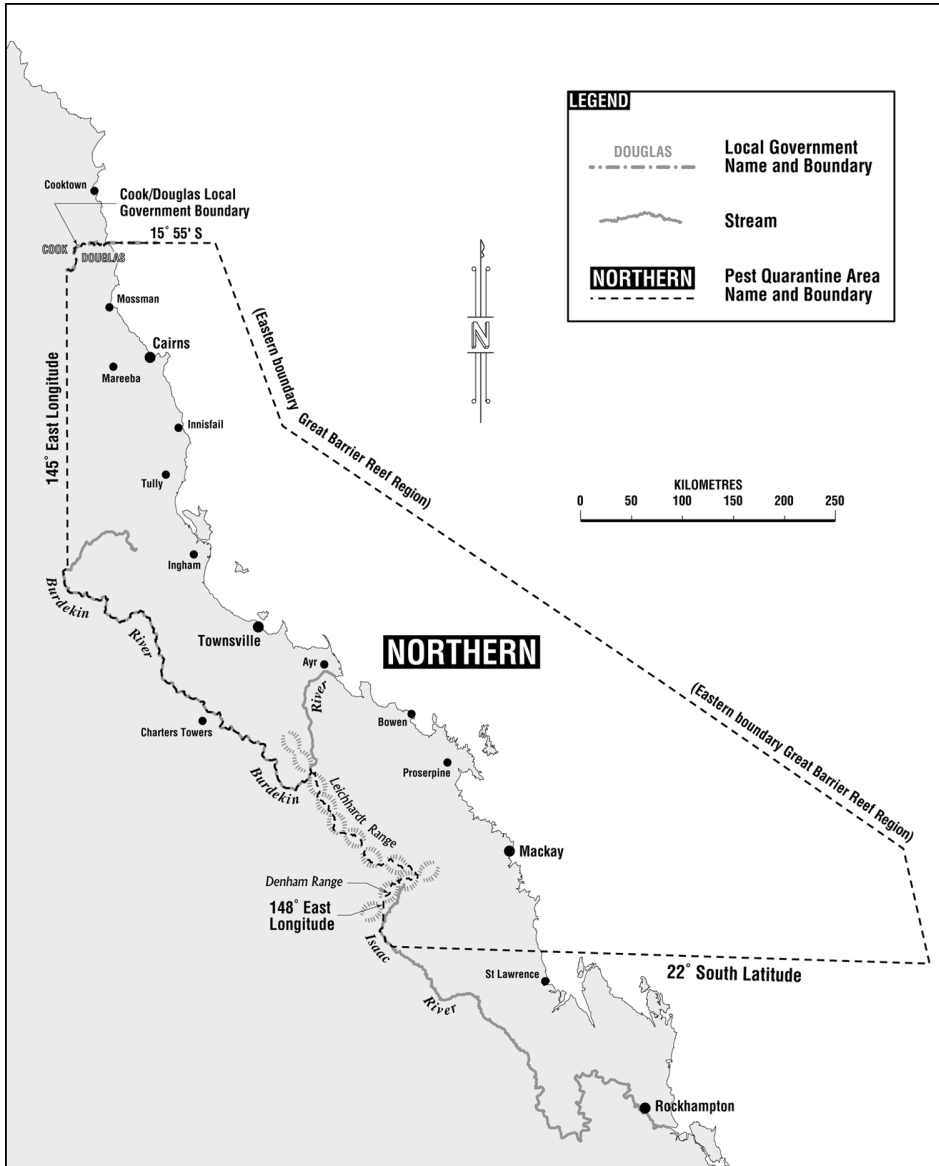
Map 3—Southern buffer and special pest quarantine areas

Map 4—Southern pest quarantine area

Map 1

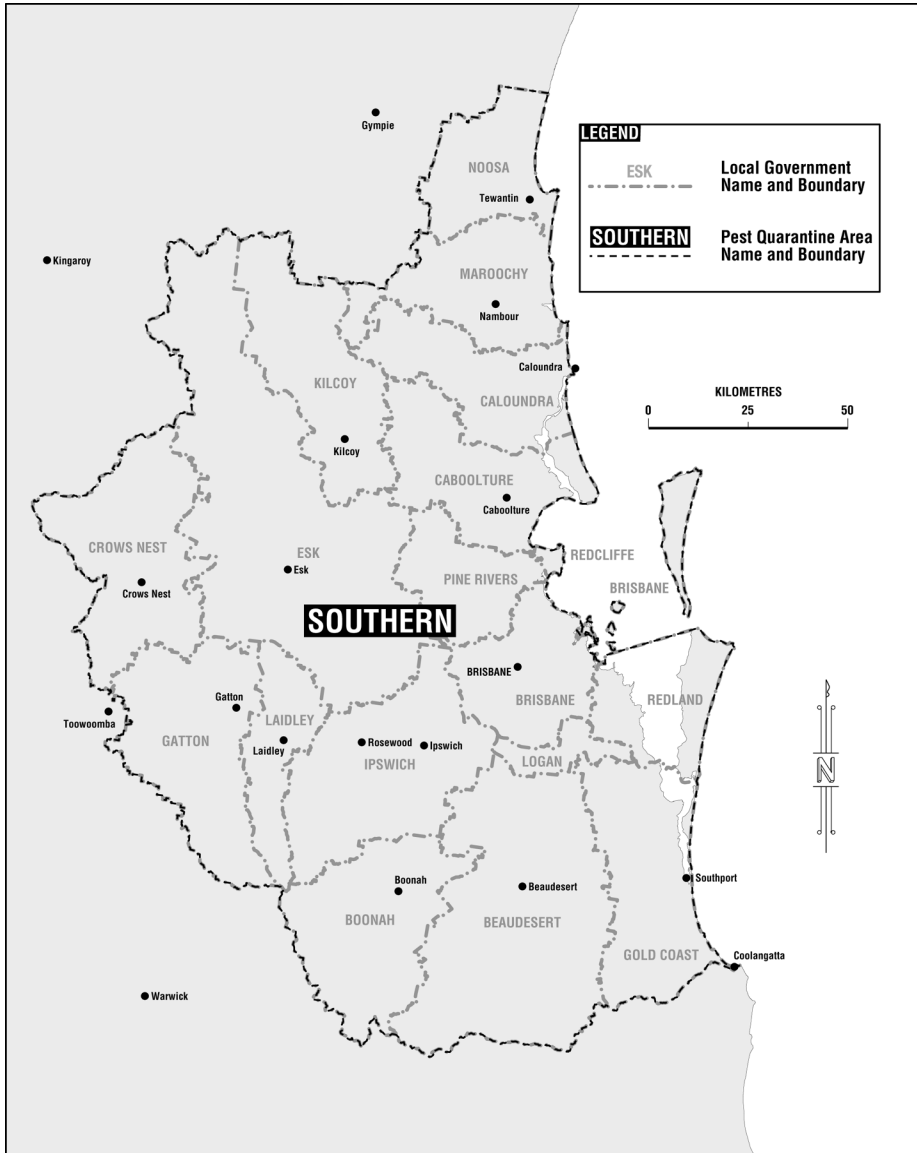


Map 2





Map 4



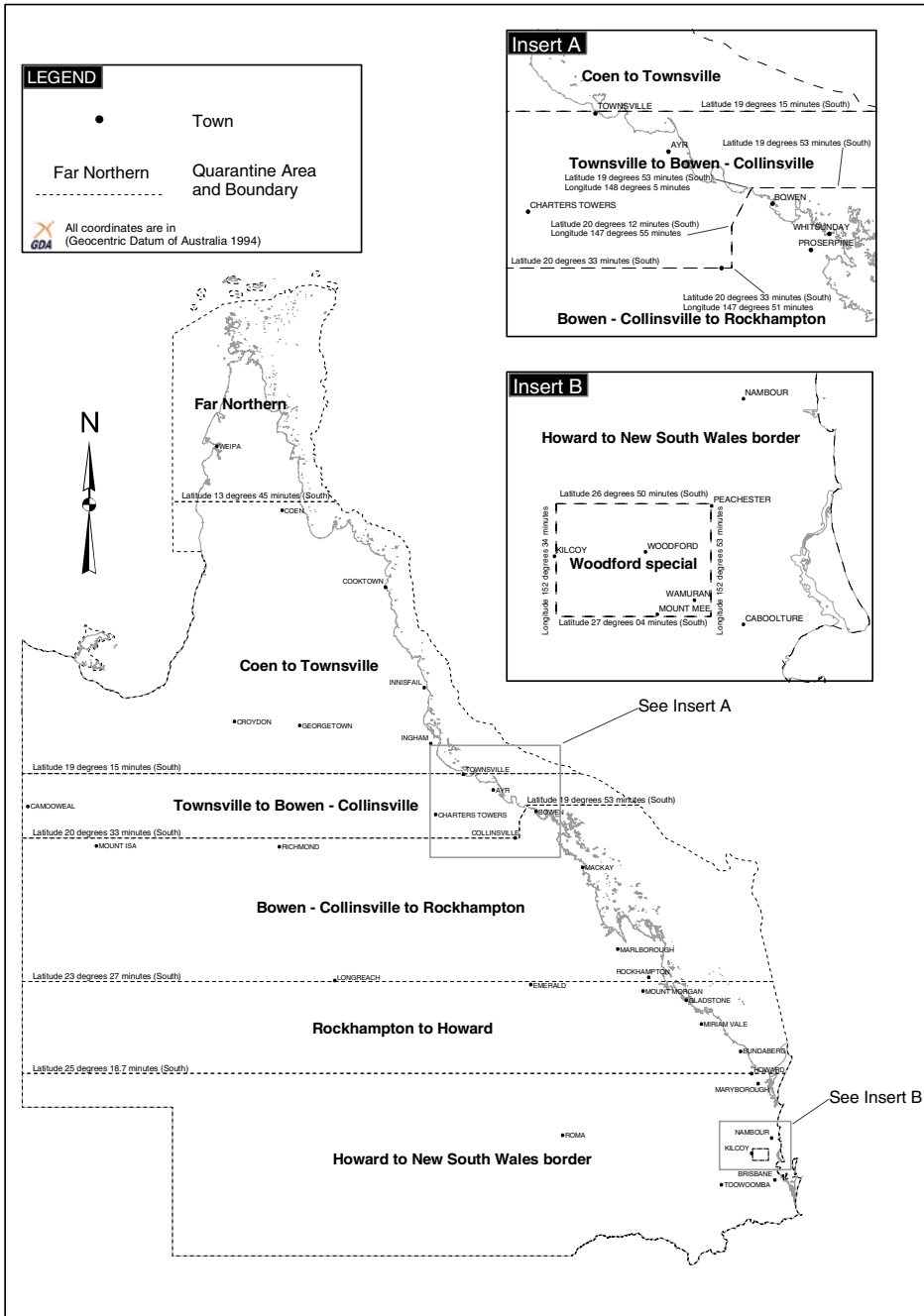
**ATTACHMENT 2**

section 114(2) and (3)

The map shows—

- Far northern pest quarantine area
- Coen to Townsville pest quarantine area
- Townsville to Bowen-Collinsville pest quarantine area
- Bowen-Collinsville to Rockhampton pest quarantine area
- Rockhampton to Howard pest quarantine area
- Howard to New South Wales border pest quarantine area
- Woodford special pest quarantine area.

Map



## ENDNOTES

### 1 Index to endnotes

		Page
2	Date to which amendments incorporated . . . . .	126
3	Key . . . . .	126
4	Table of reprints . . . . .	127
5	List of legislation . . . . .	127
6	List of annotations . . . . .	128

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 6 February 2004. Future amendments of the Plant Protection Regulation 2002 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered



## **4 Table of reprints**

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

## **5 List of legislation**

### **Plant Protection Regulation 2002 SL No. 205**

made by the Governor in Council on 22 August 2002

notfd gaz 23 August 2002 pp 1478–81

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2002 (see s 2)

exp 1 September 2012 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Plant Protection Amendment Regulation (No. 3) 2002 SL No. 235**

notfd gaz 30 August 2002 pp 1557–61

commenced on date of notification

### **Plant Protection Amendment Regulation (No. 1) 2003 SL No. 22**

notfd gaz 21 February 2003 pp 622–3

commenced on date of notification

### **Plant Protection Amendment Regulation (No. 2) 2003 SL No. 158**

notfd gaz 4 July 2003 pp 844–5

commenced on date of notification

### **Plant Protection Amendment Regulation (No. 3) 2003 SL No. 211**

notfd gaz 12 September 2003 pp 128–31

ss 1–2 commenced on date of notification

remaining provisions commenced 12 September 2003 (see s 2)

### **Plant Protection Amendment Regulation (No. 4) 2003 SL No. 303**

notfd gaz 28 November 2003 pp 1032–5

commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

### **Plant Protection Amendment Regulation (No. 5) 2003 SL No. 366**

notfd gaz 19 December 2003 pp 1307–13

commenced on date of notification

### **Plant Protection Amendment Regulation (No. 1) 2004 SL No. 4**

notfd gaz 6 February 2004 pp 417–8

commenced on date of notification

## **6 List of annotations**

### **Labelling for introduction**

**s 8** amd 2003 SL No. 366 s 3

### **Banana yellow Sigatoka and leaf speckle**

**s 34** amd 2002 SL No. 235 s 3

## **PART 6—FIRE ANTS**

### **Definitions for pt 6**

**s 38** def “**DPI fire ant approved symbol**” ins 2003 SL No. 366 s 4(2)

def “**high risk item**” sub 2003 SL No. 366 s 4(1)–(2)

def “**restricted item**” sub 2003 SL No. 366 s 4(1)–(2)

def “**soil**” ins 2003 SL No. 366 s 4(2)

def “**treat**” ins 2003 SL No. 366 s 4(2)

### **Meaning of “high risk item”**

**s 38A** ins 2003 SL No. 366 s 5

### **Obligation of land owner to allow surveillance**

**s 45** amd 2003 SL No. 366 s 6

### **Preventative treatment of land, plants and other things**

**s 46** amd 2003 SL No. 366 s 7

### **Restriction on who may treat fire ant and infested thing**

**s 47A** ins 2003 SL No. 366 s 8

### **Treatment of infested land, plants and other things**

**s 48** amd 2003 SL No. 366 s 9

### **Declaration of restricted area**

**s 49** amd 2003 SL No. 366 s 10

## **Division 4—Pest control measures for restricted areas**

### **Movement, treatment and other restrictions**

**sdiv 2 hdg** amd 2003 SL No. 366 s 11

### **Application of sdiv 2**

**s 49A** ins 2003 SL No. 366 s 12

### **Owner must sign fire ant declaration when moving restricted item**

**s 50** amd 2003 SL No. 366 s 13

### **Restriction on moving infested thing**

**s 51** amd 2003 SL No. 366 s 14

### **Disturbing soil**

**s 51A** ins 2003 SL No. 366 s 15

### **Treatment of high risk item by person carrying on commercial activity**

**s 51B** ins 2003 SL No. 366 s 15

### **When person carrying on commercial activity must sign fire ant declaration**

**s 51C** ins 2003 SL No. 366 s 15

**Certifying high risk item**

s 53A ins 2003 SL No. 366 s 16

**Approval of risk management plan**

s 55 amd 2003 SL No. 366 s 17

**DPI fire ant approved symbol**

prov hdg amd 2003 SL No. 366 s 18(1)

s 56 amd 2003 SL No. 366 s 18(2)–(3)

**Introduction of restricted item**

s 98 sub 2004 SL No. 4 s 3

**Definitions for div 1**

s 106 def “bureau chief executive” om 2003 SL No. 211 s 4(1)

def “clearance certificate” amd 2003 SL No. 211 s 4(2)

def “infested leaf” amd 2003 No. 303 s 3

**Restriction on planting and cultivating non-approved sugarcane variety**

s 118A ins 2003 SL No. 211 s 5

**PART 18—TRANSITIONAL PROVISION FOR PLANT PROTECTION  
AMENDMENT REGULATION (No. 5) 2003**

pt 18 hdg prev pt 18 hdg exp 2 September 2002 (see s 133)

pres pt 18 hdg ins 2003 SL No. 366 s 19

**Notification of new restrictions for restricted area**

s 132 prev s 132 exp 2 September 2002 (see s 133)

pres s 132 ins 2003 SL No. 366 s 19

**Expiry of pt 18**

s 133 exp 2 September 2002 (see s 133)

**SCHEDULE 1—PRESCRIBED PESTS**

amd 2003 SL No. 22 s 3; 2003 SL No. 158 s 3

**SCHEDULE 13—DICTIONARY**

def “DPI fire ant approved symbol” ins 2003 SL No. 366 s 20(2)

def “high risk item” sub 2003 SL No. 366 s 20(1)–(2)

def “package” ins 2003 SL No. 366 s 20(2)

def “soil” ins 2003 SL No. 366 s 20(2)

def “treat” ins 2003 SL No. 366 s 20(2)