



*Biosecurity Act 2014*

# **Biosecurity Regulation 2016**

**Current as at 12 August 2016**





Queensland

# Biosecurity Regulation 2016

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# Biosecurity Regulation 2016

## Chapter 1 Preliminary

### 1 Short title

This regulation may be cited as the *Biosecurity Regulation 2016*.

### 2 Commencement

This regulation commences on 1 July 2016 immediately after the commencement of the *Natural Resources and Mines Legislation (Fees) Amendment Regulation (No. 1) 2016*, part 11.

### 3 Definitions

The dictionary in schedule 11 defines particular words used in this regulation.

## Chapter 2 Biosecurity obligations

### Part 1 Prohibited and restricted matter regulations

#### 4 Prohibited matter—Act, s 30(1)(a)

The biosecurity matter mentioned in schedule 1, part 1 is declared to be prohibited matter.

*Note—*

Biosecurity matter may also be prohibited matter under section 29 and schedule 1 of the Act.

## **5 Restricted matter—Act, ss 39(1)(a) and 40**

- (1) The biosecurity matter mentioned in schedule 1, part 2, column 1 is declared to be restricted matter.

*Note—*

Biosecurity matter may also be restricted matter under section 38 and schedule 2 of the Act.

- (2) For section 40 of the Act—
- (a) the biosecurity matter is taken to be included in the provision of schedule 2 of the Act that is mentioned in schedule 1, part 2, column 2 opposite the biosecurity matter; and
  - (b) the category number or category numbers that are mentioned in schedule 1, part 2, column 3 opposite the biosecurity matter are assigned to the biosecurity matter.

## **Part 2 Codes of practice**

### **Division 1 Labelling of fertilisers and contaminants in fertilisers**

#### **6 Code of practice about labelling of fertilisers and contaminants in fertilisers—Act, s 104(1)**

Schedule 2 sets out a code of practice about the labelling of fertilisers and the levels of contaminants in fertilisers.

#### **7 Effect of code of practice—Act, s 26(1)**

The code of practice in schedule 2 states a way of discharging a person's general biosecurity obligation in relation to the

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labelling of fertilisers and the level of contaminants in fertilisers.

*Notes—*

- 1 Unless otherwise stated in a code of practice, the code of practice does not state all that the person to whom the code of practice applies must do, or must not do, to discharge the person's general biosecurity obligation. See section 26(2) of the Act.
- 2 For applying the general biosecurity obligation offence provision, the person fails to discharge the general biosecurity obligation if the person contravenes, or otherwise acts inconsistently with, a code of practice, or does not follow a way that is as effective as, or more effective than, the code of practice for discharging the general biosecurity obligation. See section 26(3) of the Act.

## **Division 2                      Feed for food producing animals**

### **8                      Code of practice for feed about food producing animals—Act, s 104(1)**

Schedule 3 sets out a code of practice about feed for food producing animals.

### **9                      Effect of code of practice—Act, s 26(1)**

The code of practice in schedule 3 states a way of discharging a person's general biosecurity obligation in relation to feed for food producing animals.

*Notes—*

- 1 Unless otherwise stated in a code of practice, the code of practice does not state all that the person to whom the code of practice applies must do, or must not do, to discharge the person's general biosecurity obligation. See section 26(2) of the Act.
- 2 For applying the general biosecurity obligation offence provision, the person fails to discharge the general biosecurity obligation if the person contravenes, or otherwise acts inconsistently with, a code of practice, or does not follow a way that is as effective as, or more effective than, the code of practice for discharging the general biosecurity obligation. See section 26(3) of the Act.

## **Part 3**                      **Obligations relating to restricted matter**

### **Division 1**                **Category 3 restricted matter**

#### **Subdivision 1**        **Ways for disposing category 3 restricted matter**

##### **10**      **Object of subdivision**

This subdivision prescribes ways for disposing of category 3 restricted matter for section 43(1)(a) of the Act.

##### **11**      **Ways of disposing of category 3 restricted matter—invasive plants**

- (1) This section applies to invasive plants that are category 3 restricted matter.
- (2) The matter may be disposed of by—
  - (a) burying the matter in the ground at a depth that ensures any seeds or vegetative material being disposed of cannot grow; or
  - (b) transporting the matter directly to a waste facility if the matter is—
    - (i) in a sealed container or a covered vehicle; or
    - (ii) covered in a way that prevents the restricted matter from being lost or released during transport; or
  - (c) sealing the matter in plastic and leaving the matter in the sun until any vegetative material being disposed has decomposed.



**11A Ways of disposing of category 3 restricted matter—invasive animals**

Category 3 restricted matter that is an invasive animal may be disposed of in a way authorised under another Act or a law of the Commonwealth.

**Subdivision 1A Purposes for disposing of category 3 restricted matter**

**11B Object of subdivision**

This subdivision prescribes purposes for disposing of category 3 restricted matter for section 43(1)(f) of the Act.

**11C Disposing of category 3 restricted matter—purpose authorised under another law**

Category 3 restricted matter that is an invasive animal may be disposed of for a purpose authorised under another Act or a law of the Commonwealth.

**Subdivision 1B Ways for distributing category 3 restricted matter**

**11D Object of subdivision**

This subdivision prescribes ways for distributing category 3 restricted matter for section 43(1)(a) of the Act.

**11E Distributing category 3 restricted matter—way authorised under another law**

Category 3 restricted matter that is an invasive animal may be distributed in a way authorised under another Act or a law of the Commonwealth.

## **Subdivision 2      Purposes for distributing category 3 restricted matter**

### **12      Object of subdivision**

This subdivision prescribes purposes for distributing category 3 restricted matter for section 43(1)(f) of the Act.

### **13      Distributing category 3 restricted matter—biological control**

- (1) This section applies to category 3 restricted matter listed in—
- (a) schedule 4, part 1, column 1; and
  - (b) schedule 4, part 2, column 1.

- (2) The matter may be distributed for the purpose of biological control if the matter is—

- (a) infested with a recognised biological control agent for the matter; and
- (b) released into the environment at a site, or as near as practicable to a site, where the same species of restricted matter is present.

- (3) For subsection (2)(b), a reference to the same species of restricted matter is a reference to the same species of restricted matter infested with the same recognised biological control agent mentioned in subsection (2)(a).

- (4) In this section—

***recognised biological control agent***, for category 3 restricted matter listed in schedule 4, part 1, column 1 or part 2, column 1, means a plant, animal or disease listed in schedule 4, part 1, column 2 or part 2, column 2, opposite the category 3 restricted matter.

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**14 Distributing category 3 restricted matter—scientific research**

Category 3 restricted matter that is an invasive animal may be distributed for the purpose of scientific research if—

- (a) the purpose of the scientific research is to track the movements of the animal using a tracking device fitted to the animal; and
- (b) it is intended that the animal will be recaptured or destroyed at the end of the scientific research.

**15 Distributing category 3 restricted matter—destroying animal**

- (1) A person may distribute category 3 restricted matter that is an invasive animal to another person for the purpose of the other person destroying the animal.
- (2) The other person must destroy the animal as soon as practicable after the animal is distributed to the person.

**16 Distributing category 3 restricted matter—tracking and destroying**

- (1) This section applies to the following animals that are category 3 restricted matter—
  - (a) european foxes (*Vulpes vulpes*);
  - (b) european rabbits (*Oryctolagus cuniculus*);
  - (c) feral chital axis deer (*Axis axis*);
  - (d) feral fallow deer (*Dama dama*);
  - (e) feral goats (*Capra hircus*);
  - (f) feral pigs (*Sus scrofa*);
  - (g) feral red deer (*Cervus elaphus*);
  - (h) feral rusa deer (*Rusa timorensis*, syn. *Cervus timorensis*).

- (2) A person may release the category 3 restricted matter into the environment for the purpose of tracking and destroying the type of category 3 restricted matter.

**16A Distributing category 3 restricted matter—purpose authorised under another law**

Category 3 restricted matter that is an invasive animal may be distributed for a purpose authorised under another Act or a law of the Commonwealth.

**Subdivision 3 Distributing thing infested with category 3 restricted matter**

**17 Distributing grain infested with category 3 restricted matter—Act, s 43(2)(a)**

- (1) Grain that is, or may be, infested with category 3 restricted matter may be distributed if the grain is moved in a way that ensures the grain is not released into the environment.
- (2) In this section—  
*distributed* means—
  - (a) giving the grain to another person; or
  - (b) selling or trading the grain.

**Division 2 Category 7 restricted matter**

**18 Ways of disposing of category 7 restricted matter—Act, s 44(2)**

- (1) The following ways of disposing of category 7 restricted matter are prescribed for section 44(2) of the Act—
  - (a) burying the matter in the ground above the high water mark; or

- (b) placing the matter in a waste disposal receptacle.
- (2) If the category 7 restricted matter is fish, the fish must be buried, or placed in a waste disposal receptacle, in a whole state.
- (3) For subsection (2), a fish is in a whole state if no part of the fish has been removed, including, for example, by—
  - (a) gutting, gilling or filleting the fish; or
  - (b) cutting fillets of the fish into smaller pieces; or
  - (c) removing the head of the fish; or
  - (d) mincing the fish; or
  - (e) cutting the fins or tail off the fish.
- (4) In this section—

*waste disposal receptacle* means a litter bin or other waste container from which the person reasonably believes the restricted matter will be collected by another person and disposed of at a waste disposal site.

*waste disposal site* see the *Waste Reduction and Recycling Act 2011*, section 8A.

## Part 4                      Notifiable incidents

### 19      **Conditions—Act, s 47(7), definition *notifiable incident*, paragraph (b)(v)**

- (1) Tick fever in a cattle tick carrier located in the cattle tick free zone is prescribed as a condition for section 47(7) of the Act, definition *notifiable incident*, paragraph (b)(v).
- (2) In this section—

*tick fever* means the condition caused by *Babesia bovis*, *Babesia bigemina* or *Anaplasma marginale*.

## **Part 5** **Maximum acceptable level of contaminants in carriers**

### **20 Application of part**

This part does not apply to—

- (a) salt; or
- (b) infant formula; or
- (c) canned food.

### **21 Maximum acceptable level of contaminant—Act, s 503(2)(e)**

- (1) This section applies to a carrier mentioned—
  - (a) in schedule 19, subsection S19—4 or schedule 21 of the food standards code; or
  - (b) opposite polychlorinated biphenyls in schedule 19, subsection S19—5 of the food standards code.
- (2) For subsection (1)(a), the maximum acceptable level of a contaminant in the carrier is the limit for the carrier, if any, stated in the schedule.
- (3) For subsection (1)(b), the maximum acceptable level of polychlorinated biphenyls in the carrier is the limit for the carrier stated in the schedule.
- (4) If a provision of schedule 19 or 21 of the food standards code affects or determines, in whole or in part, the method used to calculate the limit, the maximum acceptable level must be calculated in accordance with the provision.

### **22 Maximum acceptable level of THC—Act, s 503(2)(e)**

- (1) This section applies to a carrier that is derived from a food producing animal.
- (2) The maximum acceptable level of THC in the carrier is zero.

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## Part 6 Diagnostic testing

### 23 Effect ss 23, 26 and 27—Act, s 25(1)

Sections 25, 28 and 29 are identified as provisions that prescribe a way of discharging a person's general biosecurity obligation in relation to diagnostic testing.

*Notes—*

- 1 Unless otherwise stated in this regulation, a regulation provision does not prescribe all that the person to whom the provision applies must do, or must not do, to discharge the person's general biosecurity obligation. See section 25(2) of the Act.
- 2 For applying the general biosecurity obligation offence provision, the person fails to discharge the general biosecurity obligation if the person contravenes a regulation provision. See section 25(3) of the Act.

### 24 Application of part

This part does not apply to a person—

- (a) who is employed under the *Public Service Act 2008*; and
- (b) who uses an exotic disease diagnostic test kit or method in the course of their employment as a public service employee.

### 25 Restrictions on use

A person must not use an exotic disease diagnostic test kit or method, unless—

- (a) the test kit or method and its use have been approved under section 26; and
- (b) any conditions of the approval are complied with.

### 26 Test kit or method approval

- (1) The chief executive may approve an exotic disease diagnostic test kit or method and its use (a *test kit or method approval*).

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- (2) The approval may be made—
  - (a) on the chief executive’s own initiative; or
  - (b) in response to an application under section 27.
- (3) The chief executive may impose conditions that are not inconsistent with this part on the approval.

## **27 Application for test kit or method approval**

- (1) A person may apply to the chief executive, in the approved form, for a test kit or method approval.
- (2) The chief executive must decide whether to grant or refuse the approval.
- (3) When deciding the application, the chief executive must consider whether the exotic disease diagnostic test kit or method—
  - (a) has been approved by the animal health committee; and

*Note—*

Tests approved by the animal health committee are listed on the website of the former Sub-Committee on Animal Health Laboratory Standards.

  - (b) is proposed to be used under conditions that do not adversely affect the sensitivity or specificity of the exotic disease diagnostic test kit or method; and
  - (c) is proposed to be used by an appropriately qualified person.
- (4) If the chief executive decides not to grant the approval, the chief executive must give an information notice to the applicant.

## **28 Notifying test result**

- (1) This section applies if—
  - (a) a person uses an exotic disease diagnostic test kit or method under a test kit or method approval; and



- 
- (b) the use results in—
    - (i) a positive result; or
    - (ii) for a test specifically applied to exclude an agent not normally diagnosed in the State—a negative result.
  - (2) The person must give notice of the result (a *result notice*) to the chief executive.
  - (3) A result notice must be given in the approved way and within the approved period.
  - (4) If there is no approved way, a result notice must be written.
  - (5) If there is no approved period, a result notice must be given within 24 hours after the person becomes aware of the result.
  - (6) The person must give a duplicate sample of the thing tested to an approved testing facility within a reasonable period stated by the chief executive if—
    - (a) the person gives a result notice to the chief executive; and
    - (b) the chief executive asks for the duplicate sample or requires the duplicate sample as a condition of the approval.
  - (7) In this section—

*approved* means approved under the test kit or method approval.

## 29 Disclosing test result

- (1) A person must not disclose the results of the use of an exotic disease diagnostic test kit or method unless the disclosure is—
  - (a) required by section 28; or
  - (b) approved by the chief executive; or
  - (c) expressly permitted or required under this or another Act.
- (2) In this section—

*disclose* includes publish to the public by the internet, newspaper, periodical or other form of communication.

*results*, of the use of an exotic disease diagnostic test kit or method, means—

- (a) a positive result or negative result mentioned in section 28(1)(b); or
- (b) for an exotic disease diagnostic test kit or method that is used other than under a test kit or method approval—
  - (i) a positive result; or
  - (ii) for a test specifically applied to exclude an agent not normally diagnosed in the State—a negative result.

## **Part 7                      Bees and apiaries**

### **30            Effect of part—Act, s 25(1)**

This part is identified as a provision that prescribes a way of discharging a person's general biosecurity obligation in relation to the keeping and movement of bees.

*Notes—*

- 1 Unless otherwise stated in this regulation, a regulation provision does not prescribe all that the person to whom the provision applies must do, or must not do, to discharge the person's general biosecurity obligation. See section 25(2) of the Act.
- 2 For applying the general biosecurity obligation offence provision, the person fails to discharge the general biosecurity obligation if the person contravenes a regulation provision. See section 25(3) of the Act.

### **31            Distance between apiaries**

- (1) A person must not establish a large apiary site within less than 0.8km from another large apiary site.
- (2) A person must not establish an apiary site within less than 2km from a queen bee breeding apiary.

(3) In this section—

*large apiary site* means an apiary site containing an apiary made up of more than 40 hives.

*queen bee breeding apiary* means an apiary in which queen bees are bred for sale.

### **32 Asian honey bee**

- (1) A person must not keep a live Asian honey bee in the person's possession, or under the person's control, unless the person keeps the bee under a biosecurity authorisation.
- (2) A person must not move a live Asian honey bee unless the person moves the bee under a biosecurity authorisation.

## **Part 8 Non-native invasive ornamental fish**

### **33 Effect of part—Act, s 25(1)**

This part is identified as a provision that prescribes a way of discharging a person's general biosecurity obligation in relation to non-native invasive ornamental fish.

*Notes—*

- 1 Unless otherwise stated in this regulation, a regulation provision does not prescribe all that the person to whom the provision applies must do, or must not do, to discharge the person's general biosecurity obligation. See section 25(2) of the Act.
- 2 For applying the general biosecurity obligation offence provision, the person fails to discharge the general biosecurity obligation if the person contravenes a regulation provision. See section 25(3) of the Act.

### **34 Dealing with non-native invasive ornamental fish**

- (1) A person must not bring a non-native invasive ornamental fish into the State.

- (2) A person must not keep a non-native invasive ornamental fish in the person's possession or under the person's control.

## Part 9 RAM statements

### 35 Effect of part—Act, s 25(1)

This part is identified as a provision that prescribes a way of discharging a person's general biosecurity obligation in relation to feed.

*Notes—*

- 1 Unless otherwise stated in this regulation, a regulation provision does not prescribe all that the person to whom the provision applies must do, or must not do, to discharge the person's general biosecurity obligation. See section 25(2) of the Act.
- 2 For applying the general biosecurity obligation offence provision, the person fails to discharge the general biosecurity obligation if the person contravenes a regulation provision. See section 25(3) of the Act.

### 36 Positive RAM statement

- (1) This section applies to feed intended to be fed to—
- (a) a vertebrate animal other than—
    - (i) an aquarium fish; or
    - (ii) a captive bird, other than poultry, emus or ostriches; or
    - (iii) a cat or dog; or
    - (iv) an animal, other than a ruminant, that is used for a scientific purpose; or
  - (b) a bee; or
  - (c) a crustacean or mollusc.
- (2) A responsible person must ensure feed that contains restricted animal material has the following statement (a ***positive RAM***

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*statement*) applied to it, or accompanying it, in accordance with this part—

‘This product contains restricted animal material—DO NOT FEED TO CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS.’

(3) In this section—

*responsible person* means a person who sells or supplies feed.

### 37 Negative RAM statement

(1) This section applies to feed intended to be fed to—

(a) a vertebrate animal other than—

(i) an aquarium fish; or

(ii) a captive bird, other than poultry, emus or ostriches; or

(iii) a cat or dog; or

(iv) an animal, other than a ruminant, that is used for a scientific purpose; or

(b) a bee; or

(c) a crustacean or mollusc.

(2) A responsible person must ensure manufactured feed that does not contain restricted animal material has the following statement (a *negative RAM statement*) applied to it, or accompanying it, in accordance with this part—

‘This product does not contain restricted animal material.’

(3) In this section—

*manufactured feed* does not include feed that—

(a) is chaff, hay or straw; or

(b) is milk, milk products or milk by-products; or

(c) consists of a whole, cracked or rolled single or mixed grain product.

*responsible person* means a person who sells or supplies feed.

### **38 Appearance of statement**

- (1) If a positive RAM statement or a negative RAM statement must be applied to, or accompany, feed under this part, the statement must—
  - (a) be either—
    - (i) written or stamped on, or written or stamped on a notice fixed to, the outside of any container of feed in a position where the statement can be clearly seen on the container; or
    - (ii) if the feed is sold in bulk and the statement cannot be applied to a container of feed in the way mentioned in subparagraph (i)—a written notice given to a person to whom the feed is supplied before or when the feed is delivered to the person; and
  - (b) use characters that are either dark print on a light background or light print on dark background; and
  - (c) use characters that are at least—
    - (i) if the statement is written or stamped on a container containing the feed—10mm high; or
    - (ii) otherwise—3mm high.
- (2) A notice under subsection (1)(a) must be at least 45mm by 120mm.
- (3) A notice under subsection (1)(a)(ii) may be fixed to or form part of a delivery docket or invoice given to the person to whom the feed is supplied.

### **39 Statement to remain on container**

- (1) This section applies if, under this part, feed must have a positive RAM statement or a negative RAM statement applied to it.

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- (2) A person must not knowingly take the statement off, or cause the statement to be taken off, a container of the feed.

#### **40 Defacing label or obscuring statements**

A person must not knowingly mark, deface or otherwise obscure a positive RAM statement or a negative RAM statement.

#### **41 Feeding ruminants**

- (1) This section applies if, under this part, feed must have a positive RAM statement applied to, or accompanying, it.
- (2) A person must not feed the feed to a ruminant unless—
- (a) the person—
    - (i) is permitted by the chief executive, under section 46B of the Act, to feed restricted animal material to a ruminant lawfully used for a scientific purpose; and
    - (ii) feeds the feed to the ruminant in the way permitted by the chief executive; or
  - (b) the feeding of restricted animal material to the ruminant is authorised under another Act or a law of the Commonwealth.

## **Chapter 3 Matters relating to local governments**

#### **42 Annual payments by local governments—Act, s 60(2)**

- (1) The maximum amount for section 60(2) of the Act is the amount calculated using the formula—

$$MA = R \times X$$

where—

**MA** means the maximum amount a local government is required to pay for a financial year.

**R** means the average annual amount of general rates levied for all parcels of rateable land in the area that is or becomes the local government's local government area for the 3 most recent financial years for which the chief executive has information about the amount of general rates levied for parcels of rateable land in the area.

**X** means—

- (a) for a very large urban local government whose area is entirely or partly in an operational area or benefited by a barrier fence part—0.4%;
- (b) for a very large urban local government whose area is not entirely or partly in an operational area or benefited by a barrier fence part—0.2%;
- (c) for a large urban local government whose area is entirely or partly in an operational area or benefited by a barrier fence part—1.3%;
- (d) for a large urban local government whose area is not entirely or partly in an operational area or benefited by a barrier fence part—0.3%;
- (e) for a small urban local government whose area is entirely or partly in an operational area or benefited by a barrier fence part—4%;
- (f) for a small urban local government whose area is not entirely or partly in an operational area or benefited by a barrier fence part—1%;
- (g) for a rural local government whose area is entirely or partly in an operational area or benefited by a barrier fence part—15%;



- (h) for a rural local government whose area is not entirely or partly in an operational area or benefited by a barrier fence part—8%.
- (2) In this section—

**large urban local government** means a local government that has a population of more than 70,000 but fewer than 200,001.

**rateable land** has the meaning given by the *Local Government Act 2009*, section 93 or the *City of Brisbane Act 2010*, section 95.

**rural local government** means a local government that has a population of not more than 20,000.

**small urban local government** means a local government that has a population of more than 20,000 but fewer than 70,001.

**very large urban local government** means a local government that has a population of at least 200,001.

## Chapter 4 Invasive animal barrier fencing

### Part 1 Invasive animal boards

#### 43 Darling Downs–Moreton Rabbit Board

- (1) The number of directors of the Darling Downs–Moreton Rabbit Board is 6.
- (2) The board is to manage the European rabbit.
- (3) The board is responsible for the barrier fence part shown as the ‘rabbit fence’ on the barrier fence map.
- (4) The operational area of the board is the part of the State shown as the Darling Downs–Moreton Rabbit District on the barrier fence map.

*Note—*

For the continuation of the Darling Downs–Moreton Rabbit Board, see schedule 3, section 133 of the Act.

## Part 2                      Barrier fence

### 44            **Building authority for a wild dog check fence—Act, s 90(b)**

- (1) This section applies if a section of the barrier fence part, shown as the ‘wild dog check fence’ on the barrier fence map, is in the local government area of a local government.
- (2) The local government is responsible for that section of the barrier fence part.

## Chapter 5                Prevention and control measures for biosecurity matter

### Part 1                      Preliminary

#### 45            **Meaning of *biosecurity zone map***

- (1) A *biosecurity zone map* is a map, identifying a biosecurity zone, held by the department and published on its website.

*Editor's note—*

A biosecurity zone map can generally be reduced or enlarged to show the exact location of the boundaries of a biosecurity zone identified on the map.

- (2) A reference to a particular biosecurity zone map by name is a reference to the biosecurity zone map of that name.

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**46 Ensuring biosecurity matter or a carrier is dealt with in accordance with risk minimisation requirement**

- (1) A person (the *responsible person*) ensures biosecurity matter or a carrier is dealt with in accordance with a risk minimisation requirement for dealing with the biosecurity matter or carrier if—
  - (a) for a requirement to treat the biosecurity matter or carrier with a stated chemical product—the person ensures the biosecurity matter or carrier is treated with the chemical product; or
  - (b) for a requirement to treat the biosecurity matter or carrier by changing its temperature—the person ensures the biosecurity matter or carrier is heated or cooled to the stated temperature, for the stated period, and otherwise in the stated way; or
  - (c) for movement of the biosecurity matter or carrier from a place free of a stated biosecurity matter—the person ensures the surveillance procedures have been undertaken at the place in a stated way; or
  - (d) for a requirement to deal with the biosecurity matter or carrier by complying with a stated procedure or in another stated way—the person ensures the procedure is complied with or the biosecurity matter or carrier is dealt with in the stated way.
- (2) If the risk minimisation requirement requires an appropriately qualified person to deal with the biosecurity matter or carrier, a person complies with the requirement by arranging for an appropriately qualified person to deal with the biosecurity matter or carrier under subsection (1).
- (3) In this section—

*stated* means stated in the biosecurity manual.

*surveillance procedures*, in relation to a place, means procedures directed at—

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- (a) confirming the presence, or finding out the extent of the presence, at the place, of the biosecurity matter that the procedure relates to; or
- (b) confirming the absence, at the place, of the biosecurity matter that the procedure relates to.

## **Part 2**                      **Relationship with general biosecurity obligation**

### **47**      **Effect of chapter—Act, s 25(1)**

- (1) This chapter is identified as a provision that prescribes a way of discharging a person’s general biosecurity obligation in relation to—
  - (a) dealing with biosecurity matter or a carrier; or
  - (b) carrying out an activity.

*Notes—*

- 1 Unless otherwise stated in this regulation, a regulation provision does not prescribe all that the person to whom the provision applies must do, or must not do, to discharge the person’s general biosecurity obligation. See section 25(2) of the Act.
  - 2 For applying the general biosecurity obligation offence provision, the person fails to discharge the general biosecurity obligation if the person contravenes a regulation provision. See section 25(3) of the Act.
- (2) Subsection (1) applies unless a section in this chapter states otherwise.

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## **Part 3                      Statewide restrictions and requirements**

### **Division 1                Statewide entry restrictions**

#### **48      Banana pest carrier**

- (1) A person must not move into the State—
  - (a) a banana pest carrier from a State where freckle disease has been found; or
  - (b) a banana pest carrier, other than the fruit of a banana plant, from a State where bunchy top, Panama disease tropical race 4 or Cavendish-competent Panama disease tropical race 1 has been found.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
  - (a) any of the following apply—
    - (i) the carrier has come from a certified interstate free area for all banana pests;
    - (ii) for a banana pest carrier that is a banana plantlet—the plantlet has been grown under a scheme for the clean planting of banana plants that is stated in the biosecurity manual;
    - (iii) the person gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
  - (b) if paragraph (a)(ii) or (iii) applies—the person ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

## 49 Bee louse carrier

- (1) A person must not move a bee louse carrier into the State from a State where bee louse has been found.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
  - (a) the carrier has come from a certified interstate free area for bee louse; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

- (4) In this section—

***apiary appliance*** means any apparatus, fitting, implement or utensil that has been used for beekeeping or processing, handling or storing an apiary product.

***apiary product*** means bee collected pollen, bee comb, comb sections, cut comb honey, honey dew, propolis, queen candy, raw beeswax, royal jelly or unprocessed honey.

***bee louse*** means the bee louse (Braula fly) (*Braula coeca*).

*Note—*

The bee louse is mentioned as prohibited matter in schedule 1 of the Act, (subject to section 29 of the Act). See chapter 2, part 2, division 2, of the Act for particular obligations relating to prohibited matter.

***bee louse carrier*** means—

- (a) a bee; or
- (b) an apiary appliance; or
- (c) an apiary product; or

- (d) a hive.

## 50 Branched broomrape carrier

- (1) A person must not move a branched broomrape carrier into the State from a State where branched broomrape has been found.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier into the State if—
  - (a) the carrier has come from a certified interstate free area for branched broomrape; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier; or
  - (c) for a branched broomrape carrier that is a seed potato—the seed potato has been certified and is moved in accordance with the national standard for certification of seed potatoes.
- (4) In this section—

***branched broomrape*** means branched broomrape (*Orobanche ramosa*).

*Note—*

Branched broomrape is mentioned as prohibited matter in schedule 1 of the Act, (subject to section 29 of the Act). See chapter 2, part 2, division 2, of the Act for particular obligations relating to prohibited matter.

***branched broomrape carrier*** means—

- (a) hay; or

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- (b) fodder; or
- (c) potatoes; or
- (d) straw; or
- (e) cereals, pulses and small grains that are seeds used for cropping; or
- (f) unprocessed almond hulls and shells; or
- (g) soil that has come into contact with a carrier mentioned in paragraph (a) to (f); or
- (h) an appliance that has come into contact with a carrier mentioned in paragraph (a) to (g).

## 51 Cucumber green mottle mosaic virus carrier

- (1) A person must not move a cucumber green mottle mosaic virus carrier into the State—
  - (a) from a State where *cucumber green mottle mosaic virus* has been found; and
  - (b) for trade or the carrying on of a business.
- (2) However, a person may move the carrier if—
  - (a) the carrier has come from a certified interstate free area for the *cucumber green mottle mosaic virus*; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.
- (3) In this section—

***cucumber green mottle mosaic virus carrier*** means—



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- (a) a plant (a *cucurbitaceae plant*) of the family *Cucurbitaceae*, other than a fruit of the plant; or  
*Examples of plants of the family Cucurbitaceae—*  
cucumber, melon, pumpkin, squash
  - (b) soil, or other growing mediums, that have come into contact with a cucurbitaceae plant; or
  - (c) an appliance that has been used for planting, producing or harvesting a cucurbitaceae plant; or  
*Examples of appliances for paragraph (c)—*  
knives, secateurs
  - (d) materials that have been used to package a cucurbitaceae plant.

## 52 European house borer carrier

- (1) A person must not move a European house borer carrier, other than an excluded European house borer carrier, into the State from a State where European house borer has been found.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
  - (a) the carrier has come from a certified interstate free area for the European house borer; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.
- (4) In this section—

***compliance arrangement*** means the Compliance Arrangement for Manufacture of Pinewood Pallets and Packaging published by the Western Australian department of agriculture and food.

***European house borer*** means the European house borer (*Hylotrupes bajulus*).

*Note—*

The European house borer is mentioned as prohibited matter in schedule 1 of the Act, (subject to section 29 of the Act). See chapter 2, part 2, division 2, of the Act for particular obligations relating to prohibited matter.

***European house borer carrier*** means—

- (a) a tree of the genera *Abies*, *Picea*, *Pinus* or *Pseudotsuga*;  
or
- (b) wood, or wooden articles, from a tree mentioned in paragraph (a).

*Examples of wooden articles for paragraph (b)—*

furniture, pallets, sawn timber

***excluded European house borer carrier*** means a European house borer carrier that is a wood pallet or wooden packaging material manufactured under the compliance arrangement.

### **53 Giant pine scale carrier**

- (1) A person must not move a giant pine scale carrier into the State from a State where giant pine scale has been found.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
  - (a) the carrier has come from a certified interstate free area for giant pine scale; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation

requirements for the carrier, before moving the carrier; and

- (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

- (4) In this section—

***giant pine scale*** means giant pine scale (*Marchalina hellenica*).

*Note—*

Giant pine scale is mentioned as prohibited matter in schedule 1 of the Act, (subject to section 29 of the Act). See chapter 2, part 2, division 2, of the Act for particular obligations relating to prohibited matter.

***giant pine scale carrier*** means a carrier that is—

- (a) a plant of the family *Pinaceae*; or  
*Examples of plants of the family Pinaceae—*  
cedar, fir, pine, spruce
- (b) soil that has come into contact with a carrier mentioned in paragraph (a); or
- (c) an appliance that has come into contact with a carrier mentioned in paragraph (a) or (b).

## 54 **Mango malformation disease carrier**

- (1) A person must not move a mango malformation disease carrier into the State from a State where mango malformation disease has been found.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
  - (a) the carrier has come from a certified interstate free area for mango malformation disease; or
  - (b) the person—

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- (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
  - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.
- (4) In this section—

***mango malformation disease*** means a fungal disease of mango plants caused by several different species of *Fusarium*, including *Fusarium mangiferae*.

*Note—*

Mango malformation disease is mentioned as prohibited matter in schedule 1 of the Act (subject to section 29 of the Act). See chapter 2, part 2, division 2 of the Act for particular obligations relating to prohibited matter.

***mango malformation disease carrier*** means a carrier that is a mango plant, other than the fruit of the plant.

## 55 Mediterranean fruit fly carrier

- (1) A person must not move a Mediterranean fruit fly carrier into the State from a State where Mediterranean fruit fly has been found.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
  - (a) the carrier has come from a certified interstate free area for Mediterranean fruit fly; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and

- (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

- (4) In this section—

***Mediterranean fruit fly*** means the Mediterranean fruit fly (*Ceratitidis capitata*).

*Note—*

The Mediterranean fruit fly is mentioned as prohibited matter in schedule 1 of the Act (subject to section 29 of the Act). See chapter 2, part 2, division 2 of the Act for particular obligations relating to prohibited matter.

***Mediterranean fruit fly carrier*** means a carrier that is—

- (a) a plant mentioned in schedule 6 that is bearing fruit; or
- (b) the fruit of a plant mentioned in schedule 6, other than fruit that has been processed.

***processing***, for fruit, means altering the form of the fruit to allow for domestic consumption.

*Examples—*

cooking, drying, freezing, pickling, segmenting

## 56 **Pyriiform scale carrier**

- (1) A person must not move a pyriiform scale carrier into the State—
  - (a) from a State where pyriiform scale has been found; and
  - (b) for trade or the carrying on of a business.
- (2) However, the person may move the pyriiform scale carrier if—
  - (a) the carrier has come from a certified interstate free area for pyriiform scale; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation

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requirements for the carrier, before moving the carrier; and

- (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

- (3) In this section—

*pyriform scale carrier* means a plant, other than a cut flower or a tree that has no foliage or soil on its roots, that is—

- (a) a potted plant; and
- (b) of a family mentioned in schedule 7.

## 57 Potato pest carrier

- (1) A person must not move a potato pest carrier into the State from a State where potato pest has been found.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
  - (a) for a potato pest carrier that is not a seed potato—the carrier has not come from interstate potato pest infested land or linked land; or
  - (b) for a potato pest carrier that is a seed potato—the seed potato has been certified and is moved in accordance with the national standard for certification of seed potatoes; or
  - (c) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance

with the risk minimisation requirements for the carrier.

(4) In this section—

***interstate potato pest infested land*** means a parcel of land outside the State on which a potato pest has been found.

***linked land*** means land to which any of the following applies—

- (a) the land adjoins interstate potato pest infested land;
- (b) the land has been planted with seed from interstate potato pest infested land;
- (c) an appliance, that has been used on interstate potato pest infested land, is used on the land;
- (d) water can drain directly from interstate potato pest infested land to the land;
- (e) a person has dealt with a potato pest carrier on the land in contravention of a corresponding law relating to a potato pest.

***national plan*** means the document titled ‘Australian Potato Industry—Australian National Potato Cyst Nematode Management Plan—Final Plan’.

*Editor’s note—*

The national plan is available on the department’s website.

***potato pest*** means—

- (a) the golden potato cyst nematode (*Globodera rostochiensis*); or
- (b) the white potato cyst nematode (*Globodera pallida*).

*Note—*

Each of the potato pests is mentioned as prohibited matter in schedule 1 of the Act, (subject to section 29 of the Act). See chapter 2, part 2, division 2, of the Act for particular obligations relating to prohibited matter.

***potato pest carrier*** means—

- (a) a plant of the *Solanaceae* family; or

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*Examples—*

- capsicum
- potato
- thornapple
- tobacco
- tomato

- (b) soil; or
- (c) an appliance that has come into contact with a potato pest carrier mentioned in paragraph (a) or (b).

***processing potato*** means a potato that, when harvested, is sent directly to—

- (a) a facility for processing; or
- (b) a facility for storage before being processed.

***ware potato*** means a potato that is grown to be consumed without being processed and is not intended for replanting for the purpose of producing a new potato plant.

## **Division 2                      Statewide pest management requirements**

### **Subdivision 1                  Panama disease tropical race 4**

#### **58                  Notice of presence of Panama disease tropical race 4**

- (1) This section applies if the chief executive or an inspector—
- (a) knows Panama disease tropical race 4 is present on land or in or on a plant; or
- (b) reasonably believes there is a significant risk that Panama disease tropical race 4 is present on land or in or on a plant.



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- (2) The chief executive or the inspector may give each of the following persons a notice stating the knowledge or reasonable belief—
- (a) in relation to land—
    - (i) the occupier of the land; or
    - (ii) the owner of the land;
  - (b) in relation to a plant—the person with possession or control of the plant.
- (3) The notice may require the person to whom the notice is given to—
- (a) if the notice relates to a plant—
    - (i) destroy the plant; or
    - (ii) destroy surrounding plants that pose a biosecurity risk related to Panama disease tropical race 4; or
  - (b) if the notice relates to land—destroy any plants, on the land, that pose a biosecurity risk related to Panama disease tropical race 4; or
- Examples—*
- 1 Plants in or on which Panama disease tropical race 4 is known to be, or is reasonably suspected of being, present.
  - 2 Plants surrounding plants mentioned in paragraph 1.
- (c) adopt and comply with stated processes and procedures that minimise the biosecurity risk posed by the Panama disease tropical race 4.
- (4) If a person is required to carry out an action under subsection (3), the person must—
- (a) carry out the action; and
  - (b) if the biosecurity manual states a way for the carrying out of the action—comply with the stated way.

## 59 Revoking notice

The chief executive or an inspector may revoke a notice given under section 58 if the chief executive or inspector is satisfied on reasonable grounds the land or plant no longer poses a significant biosecurity risk.

## 60 Panama disease tropical race 4 affected land

- (1) A person must not move the following, or cause the following to be moved, from affected land—
  - (a) a banana pest carrier; or
  - (b) any other thing that has, or could have, come into contact with soil, or other growing mediums, on the land.

*Examples—*

clothing, footwear, packaging material, banana bunch covers

- (2) However, a person may move, or cause the movement of, a banana pest carrier or other thing mentioned in subsection (1) from the land if the carrier or thing has been treated in accordance with the risk minimisation requirements, for dealing with Panama disease tropical race 4.
- (3) In this section—

***affected land*** means land that a notice mentioned in section 58 applies to.

## Subdivision 2 Cattle tick infested land

### 61 Eradicating cattle tick from infested land

- (1) This section applies to a person who is the owner or occupier of infested land for cattle tick.
- (2) The person must—
  - (a) take action to eradicate cattle tick from the land; and

- (b) if the biosecurity manual states a way or procedure for the eradication of cattle tick from land—comply with the stated way or procedure.

## Part 4 **Far northern pest biosecurity zone regulatory provisions**

### **62 Establishing biosecurity zones—Act, s 128(1)(a)**

- (1) The part of the State north of latitude 11°49' south (the *far northern biosecurity zone 1*) is established as a biosecurity zone for each far northern pest.
- (2) The part of the State south of latitude 11°49' south and north of latitude 13°45' south (the *far northern biosecurity zone 2*) is established as a biosecurity zone for each far northern pest.

### **63 Moving particular far northern pests or carrier from a biosecurity zone**

- (1) A person must not move a far northern pest mentioned in schedule 8 or a far northern pest carrier—
  - (a) from far northern biosecurity zone 1 to a place outside the biosecurity zone; or
  - (b) from far northern biosecurity zone 2 to a place outside the biosecurity zone, other than far northern biosecurity zone 1.
- (2) However, a person may move a carrier that is a banana plantlet if—
  - (a) the plantlet has been grown—
    - (i) under a scheme for the clean planting of banana plants that is stated in the biosecurity manual; and
    - (ii) otherwise in the way stated in the biosecurity manual; and

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- (b) the person ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

- (3) In this section—

***far northern pest carrier*** means—

- (a) an appliance that has come into contact with—
- (i) a hive; or
  - (ii) a mango plant; or
  - (iii) soil, or other growing mediums, in which a banana plant, a mango plant or a sugar cane plant has been grown; or
  - (iv) a vegetative part of a sugar cane plant; or
- (b) a banana appliance; or
- (c) a hive; or
- (d) material that is a product or by-product of the processing of—
- (i) a plant; or
- Examples—*  
mulch, sawdust
- (ii) anything that comes from a plant; or
- Examples—*  
green waste, compost

- (e) a plant; or

*Note—*

Under schedule 5 of the Act, a plant is defined to include, among other things, the whole or part of the fruit or nut of a shrub, tree or vine.

- (f) soil; or

- 
- (g) other growing mediums.

**64 Planting or cultivating a banana plant in a biosecurity zone**

- (1) This section applies to an owner or occupier of land in far northern biosecurity zone 1 or 2.
- (2) The person must not plant or cultivate a banana plant on the land unless the banana plant is identified in the biosecurity manual as a cultivar that is resistant to black Sigatoka.
- (3) The person must only plant or cultivate—
  - (a) no more than 10 banana plants on the land; and
  - (b) no more than 30 pseudostems on the land.

*Note for subsections (2) and (3)—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

**65 Treating an unmanaged banana plant**

- (1) This section applies to an owner or occupier of land in far northern biosecurity zone 1 or 2.
- (2) The person must treat an unmanaged banana plant on the land in accordance with the method of treating unmanaged banana plants stated in the biosecurity manual.
- (3) In this section—

*unmanaged banana plant* means a banana plant that is not subject to all of the following commercial practices—

- (a) deleafing;
- (b) desuckering;
- (c) weed control;
- (d) bunch control.

## **Part 5**                      **Fire ant biosecurity zone regulatory provisions**

### **Division 1**                **Biosecurity zones**

#### **66**        **Establishing biosecurity zones—Act, s 128(1)(a)**

- (1) The part of the State identified as fire ant biosecurity zone 1 (*fire ant biosecurity zone 1*) on the fire ant biosecurity zone map is established as a biosecurity zone for fire ants.
- (2) The part of the State identified as fire ant biosecurity zone 2 (*fire ant biosecurity zone 2*) on the fire ant biosecurity zone map is established as a biosecurity zone for fire ants.
- (3) The part of the State identified as fire ant biosecurity zone 3 (*fire ant biosecurity zone 3*) on the fire ant biosecurity zone map is established as a biosecurity zone for fire ants.

### **Division 2**                **Keeping and moving fire ants and fire ant carriers**

#### **67**        **Moving a fire ant from or within a fire ant biosecurity zone**

A person must not move a live fire ant, from a place in a fire ant biosecurity zone to another place, within or outside the biosecurity zone, unless the person moves the fire ant under a biosecurity authorisation.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

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**68 Moving soil from fire ant biosecurity zone 1 or fire ant biosecurity zone 2**

A person must not move soil from a place (the *original place*) in fire ant biosecurity zone 1 or fire ant biosecurity zone 2 to another place outside the biosecurity zone, unless—

- (a) the other place is—
  - (i) a waste facility in fire ant biosecurity zone 1 or fire ant biosecurity zone 2 and the person moves the soil directly to the waste facility; or
  - (ii) if the original place is in fire ant biosecurity zone 2—a place in fire ant biosecurity zone 1; or
- (b) the person moves the soil under a biosecurity authorisation.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

**69 Moving another fire ant carrier from or within fire ant biosecurity zone 1 or fire ant biosecurity zone 2**

- (1) A person must not move a fire ant carrier, other than soil, from a place (the *original place*) in fire ant biosecurity zone 1 or fire ant biosecurity zone 2 to another place, within or outside the biosecurity zone, unless—
  - (a) if the other place is a waste facility in fire ant biosecurity zone 1 or fire ant biosecurity zone 2—the person moves the carrier directly to the waste facility; or
  - (b) the person ensures the carrier has been at the original place for less than 24 hours, before moving the carrier; or
  - (c) the person moves the carrier under a biosecurity authorisation; or
  - (d) for a special risk fire ant carrier—

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- (i) the person takes reasonable steps to ensure the carrier has been kept at the original place in a way that complies with section 71(2) and (3); and
- (ii) the person keeps a written record of the steps taken to ensure the carrier is dealt with as mentioned in subparagraph (i).

*Examples of a record for subparagraph (ii)—*

- taking a digital photograph showing the way a carrier was kept at a particular time
- keeping a record of a treatment mentioned in section 71(2)(c), (3)(a) or (4), definition *fire ant resistant surface*, paragraph (c)

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## **70 Moving soil or other fire ant carriers from or within fire ant biosecurity zone 3**

- (1) A person must not move soil from a place in fire ant biosecurity zone 3 to a place outside the biosecurity zone.
- (2) A person must not move a fire ant carrier, other than soil, from a place (the *original place*) in fire ant biosecurity zone 3 to another place unless—
  - (a) if the other place is a waste facility in biosecurity zone 3—the person moves the carrier directly to the waste facility; or
  - (b) the person ensures the carrier has been at the original place for less than 24 hours, before moving the carrier; or
  - (c) the person moves the carrier under a biosecurity authorisation; or
  - (d) for a special risk fire ant carrier—
    - (i) the person takes reasonable steps to ensure the carrier has been kept at the original place in a way that complies with section 71(2) and (3); and



- (ii) the person keeps a written record of the steps taken to ensure the carrier is dealt with as mentioned in subparagraph (i).

*Examples of a record for subparagraph (ii)—*

- taking a digital photograph showing the way a carrier was kept at a particular time
- keeping a record of a treatment mentioned in section 71(2)(c), (3)(a) or (4), definition *fire ant resistant surface*, paragraph (c)

*Note for subsections (1) and (2)—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## 71 Keeping a special risk fire ant carrier in a fire ant biosecurity zone

- (1) This section applies to—
- (a) a person who puts or otherwise deals with a special risk fire ant carrier in a place within a fire ant biosecurity zone and allows it to remain at the place for at least 24 hours; or
  - (b) the owner of a place in a fire ant biosecurity zone who allows a special risk fire ant carrier to remain at the place for at least 24 hours.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

- (2) The person must ensure—
- (a) the carrier is covered in a way that prevents fire ants from infesting the carrier; and  
*Example—*  
keeping the carrier in a shed or under a shade cloth or tarpaulin
  - (b) the carrier is kept—
    - (i) above ground level; or

*Example—*

keeping the carrier in a truck or trailer or on an elevated platform

- (ii) at ground level on a fire ant resistant surface; and
  - (c) if paragraph (b)(ii) applies—the area where the carrier is stored is treated with an appropriate barrier chemical to create a 30cm wide chemical perimeter around the area.
- (3) However, the person need not comply with subsection (2) for a carrier that is turf or a potted plant, if the person—
- (a) ensures the carrier is treated with an appropriate chemical product; and
  - (b) keeps a written record, stating the chemical product used and the way it was used for the treatment, is kept.
- (4) In this section—

***appropriate barrier chemical*** means an appropriate chemical product used to create a chemical barrier.

***appropriate chemical product*** means a chemical product for use on, or in relation to, fire ants.

***fire ant resistant surface*** means—

- (a) concrete or bitumen that does not contain cracks through which fire ants could access a fire ant carrier on the concrete or bitumen; or
- (b) a barrier that cannot be penetrated by fire ants; or

*Example—*

plastic sheeting at least 200 microns thick

- (c) an area of compacted ground, other than sand, that has been treated with an appropriate chemical product before a fire ant carrier is put on the area.

***treated***, with an appropriate chemical product, means treated in a way—

- (a) stated in the instructions on the approved label for the chemical product; or

- (b) authorised by a permit issued by APVMA.

## **72 Producing hay in a fire ant biosecurity zone**

- (1) This section applies to a person who produces hay in a fire ant biosecurity zone.
- (2) The person must ensure—
- (a) cut hay is baled within 24 hours after the hay is finally raked; and
  - (b) the final raking of the hay, and the raking before the final raking, are done within 24 hours of each other; and
  - (c) baled hay is removed from the paddock it was baled in within 24 hours after being baled.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## **73 Keeping a fire ant outside fire ant biosecurity zones**

A person must not keep, in the person's possession or under the person's control, a live fire ant outside the fire ant biosecurity zones unless the fire ant is kept under a biosecurity authorisation.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.



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**77 Keeping an electric ant outside electric ant biosecurity zone**

A person must not keep, in the person's possession or under the person's control, a live electric ant outside the electric ant biosecurity zone, unless the electric ant is kept under a biosecurity authorisation.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

**Part 7 Banana pest biosecurity zone regulatory provisions**

**Division 1 Biosecurity zones**

**78 Establishing biosecurity zones—Act, s 128(1)(a)**

- (1) The part of the State identified as the northern banana biosecurity zone (the *northern banana biosecurity zone*) on the banana biosecurity zone map is established as a biosecurity zone for banana pests.
- (2) The part of the State identified as the southern banana biosecurity zone (the *southern banana biosecurity zone*) on the banana biosecurity zone map is established as a biosecurity zone for bunchy top.

**Division 2 Movement restrictions**

**79 Moving a banana pest carrier other than banana fruit from a banana biosecurity zone**

- (1) A person must not move a banana pest carrier, other than banana fruit, from the northern banana biosecurity zone or the southern banana biosecurity zone to a place in the State outside the biosecurity zone.

*Notes—*

- 1 Under section 48, there are restrictions on moving a banana pest carrier into the State.
  - 2 Under section 63, there are restrictions on moving a far northern pest carrier, which includes banana pest carriers, from far northern biosecurity zone 1 or 2.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
- (a) either of the following apply—
    - (i) for a banana pest carrier that is a banana plantlet—the plantlet has been grown under a scheme for the clean planting of banana plants that is stated in the biosecurity manual;
    - (ii) the person gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
  - (b) the person ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## **80 Moving a banana pest carrier other than banana fruit into northern banana biosecurity zone**

- (1) A person must not move a banana pest carrier, other than banana fruit, into the northern banana biosecurity zone.

*Note—*

Under section 48, there are restrictions on moving a banana pest carrier into the State.

- (2) However, a person may move the carrier only if—

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- (a) for a banana pest carrier that is a banana plantlet—the plantlet has been grown under a scheme for the clean planting of banana plants that is stated in the biosecurity manual; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## **Part 8                      Cattle tick biosecurity zone    regulatory provisions**

### **Division 1                      Biosecurity zones**

#### **81                      Establishing biosecurity zones—Act, s 128(1)(a)**

- (1) The part of the State identified as the cattle tick infested zone (the *cattle tick infested zone*) on the cattle tick biosecurity zone map is established as a biosecurity zone for cattle ticks.
- (2) The part of the State identified as the cattle tick free zone (the *cattle tick free zone*) on the cattle tick biosecurity zone map is established as a biosecurity zone for cattle ticks.

## Division 2                      Notifying the presence of cattle ticks

### 82            Notifying presence of cattle ticks

- (1) This section applies if—
- (a) a person—
    - (i) keeps a cattle tick carrier on land in the cattle tick free zone; or
    - (ii) is the owner of land in the cattle tick free zone on which a cattle tick carrier is kept; and
  - (b) the person becomes aware or believes, or ought reasonably to believe, that cattle ticks are present on the land; and
  - (c) the person has no grounds to believe that an inspector has already been made aware of the presence of cattle ticks on the land.
- (2) The person must notify an inspector of the presence of cattle ticks on the land.

*Notes—*

- 1 The presence of cattle ticks on land may also be a notifiable incident for which a person is required to advise an inspector under section 47 of the Act.
- 2 A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

- (3) In this section—

***present***, on land, means—

- (a) on the land; or
- (b) on a cattle tick carrier that is on the land.



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## **Division 3                      Moving cattle tick carriers**

### **83            Moving a cattle tick carrier into or through the cattle tick free zone**

- (1) This section applies in relation to the movement of a cattle tick carrier from a place in the cattle tick infested zone, other than a feedlot, into the cattle tick free zone.
- (2) This section also applies in relation to the movement of a high risk tick carrier in a vehicle in the cattle tick free zone if—
  - (a) the carrier is being transported between 2 places in the cattle tick infested zone through the cattle tick free zone; and
  - (b) either of the following apply—
    - (i) the vehicle has stopped in the cattle tick free zone for at least 2 hours at any one time, or for a total period of at least 4 hours;
    - (ii) while the vehicle is in the cattle tick free zone, the carrier is removed from the vehicle or another cattle tick carrier is loaded into the vehicle.
- (3) A person must not move the carrier unless—
  - (a) for high risk tick carriers—
    - (i) the person gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) the person ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier; or
  - (b) for low risk tick carriers—
    - (i) the person ensures the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and

- (ii) the person keeps a written record of the steps taken to ensure the matters mentioned in subparagraph (i).
- (4) However, subsection (3)(a) does not apply if—
  - (a) the high risk tick carrier is being moved directly to a clearing facility in the cattle tick free zone; and
  - (b) the person—
    - (i) ensures the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) keeps a written record of the steps taken to ensure the matters mentioned in subparagraph (i).
- (5) Section 194 of the Act applies to a movement to which subsection (3)(b) applies.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## **84 Moving a cattle tick carrier from infested land to the free zone or a prescribed facility**

- (1) This section applies in relation to the movement of a cattle tick carrier from infested land to—
  - (a) a part of the cattle tick free zone outside the boundary of the infested land; or
  - (b) a place in the cattle tick infested zone; or
  - (c) a prescribed facility, whether in the cattle tick free zone or the cattle tick infested zone.
- (2) The owner of the infested land must not allow a person to move the carrier unless—
  - (a) for high risk tick carriers—
    - (i) the owner gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation

- 
- requirements for the carrier, before moving the carrier; and
- (ii) the owner takes reasonable steps to ensure, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier; or
- (b) for low risk tick carriers—
- (i) the owner ensures the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
  - (ii) the owner takes reasonable steps to ensure a written record, of the steps taken to ensure the matters mentioned in subparagraph (i), is kept.
- (3) However, subsection (2)(a) does not apply if—
- (a) the high risk tick carrier is being moved directly to a clearing facility in the cattle tick free zone; and
  - (b) the owner—
    - (i) ensures the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) takes reasonable steps to ensure a written record, of the steps taken to ensure the matters mentioned in subparagraph (i), is kept.
- (4) Section 194 of the Act applies to a movement to which subsection (2)(b) applies.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## **85 Moving a cattle tick carrier from feedlot in cattle tick infested zone**

- (1) This section applies in relation to the movement of a cattle tick carrier from a feedlot in the cattle tick infested zone to a place outside the cattle tick infested zone.

- (2) A person must not move the carrier unless the person—
  - (a) ensures the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
  - (b) keeps a written record of the steps taken to ensure the matters mentioned in paragraph (a).
- (3) Section 194 of the Act applies to the movement.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## **86 Moving a cattle tick carrier from clearing facility in cattle tick free zone**

- (1) This section applies in relation to the movement of a cattle tick carrier from a clearing facility in the cattle tick free zone to another place in the cattle tick free zone or the cattle tick infested zone.
- (2) A person must not move the carrier unless—
  - (a) for high risk tick carriers—
    - (i) the person gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) the person ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier; or
  - (b) for low risk tick carriers—
    - (i) the person ensures the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) the person keeps a written record of the steps taken to ensure the matters mentioned in subparagraph (i).

- (3) Section 194 of the Act applies to a movement to which subsection (2)(b) applies.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## 87 Information for movement record—Act, s 195

- (1) The following information is prescribed for section 195(1)(g) of the Act—

- (a) for each treatment for cattle tick performed in relation to the animal for the purposes of the movement that the record keeping provision applies to—

- (i) the date of the treatment; and  
(ii) the type of treatment; and

*Example—*

a dip in a plunge dip

- (b) for each inspection for cattle tick performed in relation to the animal for the purposes of the movement that the record keeping provision applies to—

- (i) the date of the inspection; and  
(ii) the name and contact details of the person who inspected the animal.

- (2) In this section—

***record keeping provision*** means sections 83(3)(b)(ii) and (4)(b)(ii), 84(2)(b)(ii) and (3)(b)(ii), 85(2)(b) or 86(2)(b)(ii).

*Note—*

For additional requirements relating to keeping records of movements, see chapter 7, part 3, division 4 of the Act.





biosecurity zone for papaya ringspot and papaya ringspot carriers that are plants of the family *Cucurbitaceae*.

## **91 Moving a papaya ringspot carrier from papaya ringspot biosecurity zone 1**

- (1) A person must not move a papaya ringspot carrier that is a plant of the genus *Carica* from the papaya ringspot biosecurity zone 1 to a place in the State outside the biosecurity zone.
- (2) However, the person may move the carrier if—
  - (a) the person gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
  - (b) the person ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## **92 Moving a papaya ringspot carrier from papaya ringspot biosecurity zone 2**

A person must not move a papaya ringspot carrier that is a plant of the family *Cucurbitaceae* from the papaya ringspot biosecurity zone 2 to a place in the State outside papaya ringspot biosecurity zone 1.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.



## Part 11 **Sugar cane pest biosecurity zone regulatory provisions**

### 93 **Establishing biosecurity zones—Act, s 128(1)(a)**

- (1) The part of the State identified as sugar cane biosecurity zone 1 (*sugar cane biosecurity zone 1*) on the sugar cane biosecurity zone map is established as a biosecurity zone for—
  - (a) the *Fiji leaf gall virus* (syn. Fiji disease virus); and
  - (b) the *Sugarcane striate mosaic-associated virus*.
- (2) The part of the State identified as sugar cane biosecurity zone 2 (*sugar cane biosecurity zone 2*) on the sugar cane biosecurity zone map is established as a biosecurity zone for—
  - (a) the *Fiji leaf gall virus* (syn. Fiji disease virus); and
  - (b) the *Sugarcane striate mosaic-associated virus*.
- (3) The part of the State identified as sugar cane biosecurity zone 3 (*sugar cane biosecurity zone 3*) on the sugar cane biosecurity zone map is established as a biosecurity zone for the *Fiji leaf gall virus* (syn. Fiji disease virus).
- (4) Each of the parts of the State identified as sugar cane biosecurity zones 4 and 5 (*sugar cane biosecurity zones 4 and 5*) on the sugar cane biosecurity zone map is established as a biosecurity zone for—
  - (a) the *Fiji leaf gall virus* (syn. Fiji disease virus); and
  - (b) the *Sugarcane mosaic virus* (Strain A).
- (5) The part of the State identified as sugar cane biosecurity zone 6 (*sugar cane biosecurity zone 6*) on the sugar cane biosecurity zone map is established as a biosecurity zone for—
  - (a) the *Fiji leaf gall virus* (syn. Fiji disease virus); and
  - (b) the *Sugarcane striate mosaic-associated virus*; and

- (c) the *Sugarcane mosaic virus* (Strain A).

*Note for subsections (1) to (5)—*

The *Fiji leaf gall virus* (syn. Fiji disease virus) is mentioned as category 1 restricted matter in schedule 2 of the Act (subject to section 38 of the Act). See section 42 of the Act for particular reporting obligations relating to category 1 restricted matter.

## **94 Moving a sugar cane pest carrier into or from a sugar cane biosecurity zone**

- (1) A person must not move a sugar cane pest carrier—
- (a) from a place within the State into sugar cane biosecurity zone 1 or 5; or
  - (b) from any of sugar cane biosecurity zones 1 to 6 to a place outside the biosecurity zone but within the State; or
  - (c) from a place outside of the State into any of sugar cane biosecurity zones 1 to 6.
- (2) However, a person may move the carrier under a biosecurity authorisation.
- (3) Also, a person may move the carrier if—
- (a) for a sugar cane pest carrier that is a sugar cane plantlet—the plantlet has been grown under a scheme for the clean planting of sugar cane that is stated in the biosecurity manual; or
  - (b) the person—
    - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
    - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

(4) In this section—

***sugar cane pest carrier*** means—

- (a) a vegetative part of a sugar cane plant; or
- (b) soil, or other growing mediums, in which a sugar cane plant has been grown; or
- (c) an appliance that has come into contact with a part of a sugar cane plant mentioned in paragraph (a) or soil mentioned in paragraph (b).

*Note—*

Under section 63, there are also restrictions on moving a far northern pest carrier, including a sugar cane pest carriers, from far northern biosecurity zone 1 or 2.

***sugar cane plantlet*** means a young or small sugar cane plant.

## Chapter 6      Obligations for biosecurity entities and designated animal identification

### Part 1            Marking and maintenance of marked or branded HIN

#### 95      Marking or branding of HIN—Act, s 158(5)

- (1) A registered biosecurity entity's HIN must be—
  - (a) marked, or branded, in a legible way—
    - (i) on the front of the hive; and
    - (ii) in block letters and figures at least 25mm high; and

- (b) maintained so that it remains legible.
- (2) The first HIN on a hive must be placed in the centre of the front of the hive.
- (3) Any subsequent HIN must be placed in the corners of the front of the same hive in a clockwise sequence, starting from the top left hand corner of the hive.
- (4) Subsection (1)(b) does not apply to—
  - (a) a HIN marked or branded by another registered biosecurity entity; or
  - (b) a mark or brand issued under the repealed Apiaries Act 1982 and marked or branded by a former owner of the hive.

*Note—*

See the *Biosecurity (Transitional) Regulation 2016* for who is taken, for section 158(5) of the Act, to be a registered biosecurity entity that has been allocated a HIN.

## **Part 2**

# **Special designated animal identification and tracing system**

### **Division 1**

## **Approved devices and movement records**

#### **96 Movement requirements for goats—Act, s 180(c)(iii)**

The following movement requirements are prescribed for section 180(c)(iii) of the Act—

- (a) the goat must not have been bred in captivity;
- (b) if, before the first part of the movement takes place, the goat is held at the place where it is living in a wild state—the goat must be held at the place for no longer than 10 days;

- (c) the goat must be held at the sorting place for no longer than 10 days.

**97 Information for movement record—Act, s 195(1)(g)**

- (1) The following information is prescribed for section 195(1)(g) of the Act—

- (a) for cattle—whether or not the animal has ever been treated with a hormonal growth promotant;
- (b) for all special designated animals other than pigs—whether or not the animal has ever been fed restricted animal material.

- (2) In this section—

*hormonal growth promotant* means a product that—

- (a) contains 1 or more hormones, or anabolic substances, as an ingredient, including, for example—
  - (i) 17 beta oestradiol; and
  - (ii) progesterone; and
  - (iii) oestradiol benzoate; and
  - (iv) testosterone propionate; and
  - (v) trenbolone acetate; and
  - (vi) zeronal; and
- (b) is used for the promotion of growth of bovines or bubalines.

*Note—*

Section 87 also prescribes information for section 195(1)(g) of the Act.

## **Division 2                      National Livestock Identification System**

### **98      Animal with microchip delivered to meat processing facility—Act, s 186(1)(a)**

The following information is prescribed for section 186(1)(a) of the Act, if the approved device fitted to the animal includes a microchip—

- (a) the day the animal arrived at the meat processing facility;
- (b) the PIC of the place of origin for the animal;
- (c) the PIC of the meat processing facility;
- (d) any number shown by the animal's approved device or microchip;
- (e) the serial number on the copy of the movement record given to the receiver when the receiver takes delivery of the animal.

### **99      Animal without microchip delivered to meat processing facility—Act, s 186(1)(a)**

The following information is prescribed for section 186(1)(a) of the Act if the approved device fitted to the animal does not include a microchip—

- (a) the day the animal arrived at the meat processing facility;
- (b) the PIC of the place of origin for the animal;
- (c) the PIC of any place, other than the place of origin, shown by the animal's approved device;
- (d) the PIC of the meat processing facility;
- (e) the PIC of any place, other than the place of origin, and the serial number shown on the copy of the movement record given to the receiver when the receiver takes delivery of the animal;

- 
- (f) if the animal is 1 of a group of animals received at the meat processing facility—
    - (i) the number of goats received; and
    - (ii) the number of sheep received.

**100 Animal with microchip slaughtered at meat processing facility—Act, s 186(1)(b)**

The following information is prescribed for section 186(1)(b) of the Act if the approved device fitted to the animal includes a microchip—

- (a) the day the animal was slaughtered;
- (b) the PIC of the place of origin for the animal;
- (c) the establishment number of the meat processing facility;
- (d) any number shown by the animal's approved device or microchip;
- (e) the serial number on the copy of the movement record given to the receiver when the receiver takes delivery of the animal.

**101 Animal without microchip slaughtered at meat processing facility—Act, s 186(1)(b)**

- (1) The following information is prescribed for section 186(1)(b) of the Act if the approved device fitted to the animal does not include a microchip—
  - (a) the day the animal was slaughtered;
  - (b) the PIC of the place of origin for the animal;
  - (c) the PIC of the meat processing facility;
  - (d) if the animal is 1 of a group of animals slaughtered at the meat processing facility—
    - (i) the number of goats slaughtered; and

- (ii) the number of sheep slaughtered;
- (e) if the place of origin for the animal is not a saleyard—
  - (i) whether or not the animal was bred by the vendor; and
  - (ii) the PIC of any place, other than the place of origin, shown by the animal's approved device; and
  - (iii) the PIC of any place, other than the place of origin, and the serial number shown on the copy of the movement record given to the receiver when the receiver takes delivery of the animal.
- (2) In this section—

*vendor* means the person who sells the animal to the meat processing facility.

**102 Animal with microchip delivered to saleyard or live export holding—Act, s 187(a)**

The following information is prescribed for section 187(a) of the Act if the approved device fitted to the animal includes a microchip—

- (a) the day the animal arrived at the saleyard or live export holding;
- (b) the PIC of the place of origin for the animal;
- (c) the PIC of the saleyard or live export holding;
- (d) the serial number on the copy of the movement record given to the receiver when the receiver takes delivery of the animal;
- (e) any number shown by the animal's approved device or microchip.



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**103 Animal without microchip delivered to saleyard or live export holding—Act, s 187(a)**

The following information is prescribed for section 187(a) of the Act if the approved device fitted to the animal does not include a microchip—

- (a) the day the animal arrived at the saleyard or live export holding;
- (b) the PIC of the place of origin for the animal;
- (c) the PIC of any place, other than the place of origin, shown by the animal's approved device;
- (d) the PIC of the saleyard or live export holding;
- (e) the PIC of any place, other than the place of origin, and the serial number shown on the copy of the movement record given to the receiver when the receiver takes delivery of the animal;
- (f) if the animal is 1 of a group of animals delivered to the saleyard or live export holding—
  - (i) the number of sheep delivered; and
  - (ii) the number of goats delivered.

**104 Animal with microchip moved from live export holding to place outside Australia—Act, s 187(b)**

- (1) This section applies if—
  - (a) an animal is moved from a live export holding to a place outside Australia; and
  - (b) the approved device fitted to the animal includes a microchip.
- (2) The following information is prescribed for section 187(b) of the Act—
  - (a) the day the animal was moved from the live export holding to the place outside Australia;
  - (b) the PIC of the live export holding;

[s 105]

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- (c) any number shown by the animal's approved device or microchip;
  - (d) the serial number of the certificate under the *Export Control Act 1982* (Cwlth) for the export of the animal;
  - (e) a code for the destination for the animal.
- (3) For subsection (3)(e), the information to be given is 'EEEEEEEE'.

**105 Animal without microchip moved from live export holding to place outside Australia—Act, s 187(b)**

- (1) This section applies if—
- (a) an animal is moved from a live export holding to a place outside Australia; and
  - (b) the approved device fitted to the animal does not include a microchip.
- (2) The following information is prescribed for section 187(b) of the Act—
- (a) the day the animal was moved from the live export holding to the place outside Australia;
  - (b) the PIC of the live export holding;
  - (c) the PIC of any place, other than the place of origin, shown by the animal's approved device;
  - (d) the serial number of the certificate under the *Export Control Act 1982* (Cwlth) for the export of the animal;
  - (e) a code for the destination for the animal;
  - (f) if the animal is 1 of a group of animals moved from the live export holding—
    - (i) the number of goats moved;
    - (ii) the number of sheep moved.
- (3) For subsection (2)(e), the information to be given is 'EEEEEEEE'.

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**106 Animal with microchip moved from saleyard—Act, s 187(b)**

- (1) This section applies if—
  - (a) an animal is moved from a saleyard to a place; and
  - (b) the approved device fitted to the animal includes a microchip.
- (2) The following information is prescribed for section 187(b) of the Act—
  - (a) the day the animal was moved from the saleyard to the place;
  - (b) the PIC of the saleyard;
  - (c) any number shown by the animal’s approved device or microchip;
  - (d) the serial number on the copy of the movement record given to the receiver when the receiver takes delivery of the animal;
  - (e) the PIC of the destination for the animal.

**107 Animal without microchip moved from saleyard—Act, s 187(b)**

- (1) This section applies if—
  - (a) an animal is moved from a saleyard to a place; and
  - (b) the approved device fitted to the animal does not include a microchip.
- (2) The following information is prescribed for section 187(b) of the Act—
  - (a) the day the animal was moved from the saleyard to the place;
  - (b) the PIC of the saleyard;
  - (c) the PIC of any place, other than the place of origin, shown by the animal’s approved device;

- (d) the serial number on the copy of the movement record given to the receiver when the receiver takes delivery of the animal;
- (e) the PIC of the destination for the animal;
- (f) if the animal is 1 of a group of animals moved from the saleyard—
  - (i) the number of goats moved; and
  - (ii) the number of sheep moved.

**108 Animal delivered to restricted agricultural show—Act, s 188(2)**

- (1) The following information is prescribed for section 188(2) of the Act—
  - (a) the day the animal arrived at the restricted agricultural show;
  - (b) the PIC of the show place;
  - (c) any number shown by the approved device or a microchip;
  - (d) the serial number on the copy of the movement record given to the receiver when the receiver takes delivery of the animal.
- (2) In this section—  
*show place* see section 189(4) of the Act.

**109 Animal moved from show place—Act, s 189(2)**

The following information is prescribed for section 189(2) of the Act—

- (a) the day the animal arrived at the place from the relevant show place;
- (b) the PIC of the place of origin for the animal from which the animal left to travel to the relevant show place;

- (c) the PIC of the place where the animal is received from the relevant show place;
- (d) any number shown by the approved device or a microchip;
- (e) the serial number on the copy of the movement record given to the receiver when the receiver takes delivery of the animal.

**110 Animal with microchip delivered to transit facility—Act, s 190(2)**

The following information is prescribed for section 190(2) of the Act if the animal is delivered to a place that is a transit facility—

- (a) the day the animal arrived at the transit facility;
- (b) the day the animal departed from the transit facility;
- (c) the PIC of the place of origin for the animal;
- (d) the PIC of the destination for the animal;
- (e) if the animal is one of a group of animals, the number of animals in the group;
- (f) the serial number shown on the copy of the movement record given to the receiver when the receiver takes delivery of the animal.

**111 Animal with microchip delivered to another place—Act, s 190(2)**

- (1) This section applies if—
  - (a) an animal is moved to a place other than a transit facility; and
  - (b) the approved device fitted to the animal includes a microchip.
- (2) The following information is prescribed for section 190(2) of the Act—

- (a) the day the animal arrived at the place;
- (b) the PIC of the place of origin for the animal;
- (c) the PIC of the place that the animal has been delivered to;
- (d) any number shown by the approved device or a microchip;
- (e) the serial number shown on the copy of the movement record given to the receiver when the receiver takes delivery of the animal.

**112 Animal without microchip delivered to another place—Act, s 190(2)**

- (1) This section applies if—
  - (a) an animal is moved to a place other than a transit facility; and
  - (b) the approved device fitted to the animal does not include a microchip.
- (2) The following information is prescribed for section 190(2) of the Act—
  - (a) the day the animal arrived at the place;
  - (b) the PIC of the place of origin for the animal;
  - (c) the PIC of any place, other than the place of origin, shown by the animal's approved device;
  - (d) the PIC of the place that the animal has been delivered to;
  - (e) the PIC of any place, other than the place of origin, and the serial number shown on the copy of the movement record given to the receiver when the receiver takes delivery of the animal;
  - (f) if the animal is 1 of a group of animals received at the place—
    - (i) the number of goats received; and

- (ii) the number of sheep received.

**113 Animal with microchip delivered to another place—Act, s 190(4)**

The following information is prescribed for section 190(4) of the Act if the approved device fitted to the animal includes a microchip—

- (a) the day the animal arrived at the place;
- (b) the PIC of the place of origin for the animal;
- (c) the PIC of the place that the animal has been delivered to;
- (d) any number shown by the approved device or a microchip;
- (e) the serial number shown on the copy of the movement record given to the receiver when the receiver takes delivery of the animal.

**114 Animal without microchip delivered to another place—Act, s 190(4)**

The following information is prescribed for section 190(4) of the Act if the approved device fitted to the animal does not include a microchip—

- (a) the day the animal arrived at the place;
- (b) the PIC of the place of origin for the animal;
- (c) the PIC of any place, other than the place of origin, shown by the animal's approved device;
- (d) the PIC of the place that the animal has been delivered to;
- (e) the PIC of any place, other than the place of origin, and the serial number shown on the copy of the movement record given to the receiver when the receiver takes delivery of the animal;

- (f) if the animal is 1 of a group of animals received at the place—
  - (i) the number of goats received; and
  - (ii) the number of sheep received.

## **Chapter 7 Prohibited and restricted matter permits**

### **115 Prescribed restricted matter permit—Act, s 212(d)**

An educational use permit is prescribed for section 212(d) of the Act.

### **116 Information for permit plan—Act, s 213(2)(c)**

The following information is prescribed for section 213(2)(c) of the Act—

- (a) how the prohibited matter or restricted matter will be contained so as to manage biosecurity risks;
- (b) whether the prohibited matter or restricted matter will be transported and, if it is to be transported, the form of transportation to be used;
- (c) the scope and nature of the proposed dealings with the prohibited matter or restricted matter;
- (d) how theft of the prohibited matter or restricted matter will be dealt with;
- (e) how any escape or accidental release of the prohibited matter or restricted matter will be dealt with;
- (f) the persons who will deal with the prohibited matter or restricted matter under the permit;
- (g) if the prohibited matter or restricted matter will be disposed of or destroyed before the term of the permit



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ends—how and when the prohibited matter or restricted matter will be disposed of or destroyed.

**117 Authorities—Act, s 214(3)(a)**

The following authorities are prescribed for section 214(3)(a) of the Act—

- (a) the Commonwealth department responsible for matters relating to agriculture;
- (b) the department.

**118 Authorities—Act, s 220(2)(a)(ii)**

The following authorities are prescribed for section 220(2)(a)(ii) of the Act—

- (a) a university;
- (b) the CSIRO;
- (c) a government entity under the *Public Service Act 2008*, section 24;
- (d) another entity that performs genuine medical research;  
*Example—*  
The Australian Defence Force
- (e) the holder of an exhibition licence, under the *Exhibited Animals Act 2015*, that allows the display of an animal in a zoo or wildlife park.

**119 Standards, codes of practice, guidelines and other matters—Act, s 221(1)(a)**

- (1) The following are identified for section 221(1)(a) of the Act—
  - (a) AS/NZS 2243.3—2010 (Safety in laboratories - Microbiological safety and containment);
  - (b) AS/NZS 2982—2010 (Laboratory design and construction);

(c) the guide to physical containment levels and facility types.

(2) In this section—

*AS/NZS* means an Australian/New Zealand Standard jointly published by Standards Australia and Standards New Zealand.

*guide to physical containment levels and facility types* means version 1.3 of the Guide to Physical Containment Levels and Facility Types published by the Commonwealth Office of the Gene Technology Regulator.

## **120 Conditions for prohibited matter or restricted matter permit—Act, s 224(2)**

(1) The following conditions are prescribed for section 224(2) of the Act—

- (a) the holder of the permit must maintain adequate public liability insurance to cover damage resulting from the keeping, escape or release of the prohibited matter or restricted matter (the *permit matter*) that the permit applies to;
- (b) the holder of the permit must contain the permit matter in a way that allows an authorised officer to inspect the permit matter;
- (c) if the permit does not authorise the permit matter to be bred—the holder of the permit must not breed the permit matter;
- (d) if the permit does not authorise the permit matter to be propagated—the holder of the permit must not propagate the permit matter;
- (e) the holder of the permit must keep a written record of—
  - (i) the date on which the holder takes possession of the permit matter; and
  - (ii) the amount of permit matter received by the holder; and

- (iii) details of any change to the amount of permit matter possessed by the holder; and
  - (iv) if the permit matter includes an animal—the sex of the animal, if applicable; and
  - (v) if the permit matter has an individual identifier—the number of the individual identifier; and
  - (vi) if the permit matter is moved from the premises where the dealings under the permit are being undertaken—details of the movement, including the place that the permit matter is moved to; and
  - (vii) details of any theft, escape or accidental release of the permit matter including the action taken as a result of the theft, escape or release; and
  - (viii) the date on which permit matter is destroyed or disposed of;
- (f) the holder of the permit must—
- (i) have a plan stating the ways the holder will minimise the biosecurity risks likely to arise from the theft, escape or accidental release of the permit matter; and
  - (ii) update the plan, as necessary, to best minimise the biosecurity risks likely to arise from the theft, escape or accidental release of the permit matter; and
  - (iii) implement the plan if the permit matter is stolen or escapes;
- (g) the holder of the permit must prepare a written report that states the matters mentioned in subsection (1)(e);
- (h) the holder of the permit must give the written report to the chief executive as required under subsection (2).
- (2) For subsection (1)(h), the written report must be given to the chief executive—

- (a) if a condition, stating when the report must be given to the chief executive, is imposed on the permit—in accordance with the condition; or
- (b) otherwise—as soon as practicable after—
  - (i) the end of each financial year; and
  - (ii) the expiry, surrender or cancellation of the permit; and
  - (iii) the theft, escape or accidental release of the permit matter.

## **Chapter 8      Miscellaneous**

### **Part 1                      Prohibited feed for pigs and poultry**

#### **121      Material that is not prohibited feed for pigs and poultry—Act, s 45A(2)(a)**

The following materials are prescribed for section 45A(2)(a) of the Act—

- (a) gelatine;
- (b) milk of Australian origin;
- (c) milk, a milk product or a milk by-product legally imported into Australia for the purpose of feeding a designated animal;
- (d) a milk product made in Australia and derived from—
  - (i) milk of Australian origin; or
  - (ii) milk, a milk product or a milk by-product legally imported into Australia for the purpose of feeding a designated animal;

- (e) used cooking oil that was—
  - (i) used for cooking in Australia; and
  - (ii) collected and processed in accordance with the National Standard for Recycling of Used Cooking Fats and Oils Intended for Animal Feeds.

## Part 2                      Restricted animal material

### 122      **Material that is not restricted animal material—Act, s 45B(2)**

- (1) The following materials are prescribed for section 45B(2) of the Act—
  - (a) gelatine;
  - (b) tallow;
  - (c) milk of Australian origin;
  - (d) milk, a milk product or a milk by-product legally imported into Australia for the purpose of feeding a designated animal;
  - (e) a milk product made in Australia and derived from—
    - (i) milk of Australian origin; or
    - (ii) milk, a milk product or a milk by-product legally imported into Australia for the purpose of feeding a designated animal;
  - (f) used cooking oil that was—
    - (i) used for cooking in Australia; and
    - (ii) collected and processed in accordance with the National Standard for Recycling of Used Cooking Fats and Oils Intended for Animal Feeds;
  - (g) mineralised sea bird guano.

- (2) In this section—

*tallow* means a product that—



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**124 Appointment of authorised persons—Act, s 246(1)(b)**

The following classes of persons are prescribed for section 242(1)(b) of the Act—

- (a) holders who are individuals, and employees of holders, of a licence to sell S7 poisons, other than for human therapeutic use, granted under the *Health (Drugs and Poisons) Regulation 1996*, section 233;
- (b) employees of Australian Banana Growers' Council Inc. QLD IA11797;
- (c) employees or contractors of Horticulture Innovation Australia Ltd. ACN 602 100 149;
- (d) employees of Burdekin Productivity Services Ltd. ACN 107 846 060;
- (e) employees of Herbert Cane Productivity Services Ltd. ACN 100 551 826;
- (f) employees of Mackay Area Productivity Services Ltd. ACN 108 512 812;
- (g) employees of MSF Sugar Ltd ACN 009 658 708;
- (h) employees of Plane Creek Productivity Services Ltd. ACN 109 199 831;
- (i) employees of Tully Cane Productivity Services Ltd. ACN 101 601 450.

**125 Inspectors—Act, s 251(1)**

The unit of the police service known as the Stock and Rural Crime Investigation Squad is prescribed for section 251(1) of the Act.

## **Part 4                      Compliance agreements**

### **126      Details for application—Act, s 396(2)(a)**

The following details are prescribed for section 396(2)(a) of the Act—

- (a) the applicant's name;
- (b) the applicant's address;
- (c) the applicant's email address;
- (d) the applicant's telephone number or facsimile number.

## **Chapter 9              Fees**

### **127      Fees**

The fees payable under the Act are stated in schedule 10.

### **128      Waiver of particular fees**

- (1) The chief executive may waive a fee under section 148(1)(e) of the Act if the chief executive is satisfied the application is not being made for the purpose of carrying on a business of primary production.
- (2) An authorised officer may waive a fee under section 419 of the Act if the authorised officer is satisfied the recipient of the biosecurity certificate will gain no commercial benefit as a result of being given the certificate.





# **Schedule 1      Biosecurity matter declared to be prohibited or restricted matter**

sections 4 and 5

## **Part 1                      Prohibited matter**

pyriform scale (*Protopulvinaria pyriformis*)

*Note—*

Biosecurity matter may also be prohibited matter under section 29 and schedule 1 of the Act.

## **Part 2                      Restricted matter**

<b>Biosecurity matter</b>	<b>Act, schedule 2 provision</b>	<b>Category numbers</b>
jack beardsley mealybug ( <i>Pseudococcus jackbeardsleyi</i> (Gimpel and Miller))	Restricted matter affecting plants	1

*Note—*

Biosecurity matter may also be restricted matter under section 38 and schedule 2 of the Act.

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## Schedule 2      Code of Practice for the Labelling of Fertilisers and for Contaminants in Fertilisers

section 6

### Part 1              Preliminary

#### 1              Short title

This code of practice may be cited as the *Code of Practice for the Naming and Describing of Fertilisers and for the Levels of Contaminants in Fertilisers*.

#### 2              Dictionary

The dictionary in schedule 4 defines particular words used in this code of practice.

#### 3              Meaning of *fertiliser*

- (1) *Fertiliser* is a substance that is manufactured, represented, supplied or used for the purpose of directly or indirectly—
- (a) fertilising soil; or
  - (b) supplying nutrients to plants; or
  - (c) conditioning the soil by altering the chemical, physical or biological condition of the soil.
- (2) However, fertiliser does not include a substance declared, under a Commonwealth Act or regulation, to be an agricultural chemical product or a veterinary chemical product.

#### **4 Substances exempted from code**

(1) This code does not apply to any of the following substances unless the substance's seller claims it is fertiliser—

- (a) composted or unprocessed animal manure;
- (b) material attached to and supplying nutrients to seed;
- (c) peat or peat moss;
- (d) pelletised or mixed animal manure, whether or not mixed with vegetable matter;
- (e) planting unit mixture;

*Example—*

material in a seedling tube giving nutrients to the seedling

- (f) potting mixture;
- (g) unprocessed manufacturer's waste.

(2) In this section—

*claim*, a substance is a fertiliser, includes state the name of a nutrient, and its percentage content, on a label fixed to the substance.

#### **5 Fertilisers exempted from code**

- (1) This code applies only to fertiliser manufactured for sale.
- (2) However, this code does not apply to fertiliser sold to a person to manufacture other fertiliser for trade or commerce.

#### **6 Meaning of *nutrient***

Any of the following elements is a *nutrient* if it is included in a fertiliser for the purpose of supporting plant growth—

- (a) boron;
- (b) calcium;
- (c) chlorine;
- (d) cobalt;

- (e) copper;
- (f) iron;
- (g) magnesium;
- (h) manganese;
- (i) molybdenum;
- (j) nitrogen;
- (k) phosphorus;
- (l) potassium;
- (m) selenium;
- (n) silicon;
- (o) sulfur;
- (p) zinc.

## **7 Meaning of *impurity***

An *impurity* in a fertiliser is—

- (a) a substance that is in the fertiliser—
  - (i) as a result of being in a component used to make the fertiliser; or
  - (ii) as a by-product of manufacturing processes for the fertiliser; but
- (b) a substance in the fertiliser that is not for the purpose of supporting plant growth.

## **8 Meaning of *minimum claim concentration***

- (1) The *minimum claim concentration*, for a nutrient mentioned in schedule 1, column 1, is the concentration mentioned opposite the nutrient in schedule 1, columns 2 or 3.
- (2) If a nutrient is not present in a fertiliser at, or above, the minimum claim concentration for the nutrient, the manufacturer of a fertiliser must not claim, on the label for the fertiliser, that the nutrient is present in the fertiliser.

## Part 2                      Labelling of fertilisers

### Division 1                      General requirements

#### 9                      Fertiliser must be labelled

- (1) Fertiliser must be labelled.
- (2) The label must contain—
  - (a) the name of the fertiliser; and
  - (b) the name and principal place of business of the fertiliser's manufacturer; and
  - (c) if the fertiliser is manufactured outside of Australia—the name and business address of the Australian distributor of the fertiliser; and
  - (d) the claimed percentage content of designated nutrients in the fertiliser (the *statement of designated nutrients*) set out in accordance with division 2; and
  - (e) a summary of the claimed concentration of particular nutrients in the fertiliser (the *nutrient analysis*) set out in accordance with division 3; and
  - (f) a statement of the concentration of impurities (the *statement of impurities*) in the fertiliser set out in accordance with division 4; and
  - (g) a warning statement (the *warning statement*) for the fertiliser set out in accordance with division 5.

#### 10                      Meaning of *percentage content*

- (1) The *percentage content*, for a nutrient, is—
  - (a) for a nutrient contained in a solid fertiliser—
    - (i) the content of the nutrient in the fertiliser as a percentage on a weight-for-weight basis; or

*Example—*

P 4.1% w/w

- 
- (ii) the content of the nutrient in the fertiliser as grams for each kilogram on a weight-for-weight basis; or
- Example—*
- P 41g/kg w/w
- (b) for a nutrient contained in a liquid fertiliser—
- (i) the content of the nutrient in the fertiliser as a percentage on a weight-for-volume basis; or
- Example—*
- P 4.1% w/v
- (ii) the content of the nutrient in the fertiliser as grams for each litre on a weight-for-volume basis; or
- Example—*
- P 41g/L w/v
- (iii) the content of the nutrient in the fertiliser as milligrams for each litre on a weight-for-volume basis; or
- Example—*
- P 41mg/L w/v
- (c) for a nutrient contained in a fertiliser that is anhydrous ammonia—the content of the nutrient in the fertiliser as a percentage on a weight-for-weight basis.
- Example—*
- N as ammonium 82% w/w
- (2) If a provision of this code requires the percentage content of a nutrient to be stated, the methods for stating percentage content mentioned in subsection (1)(b)(ii) or (iii) must only be used in addition to the method of stating percentage content mentioned in subsection (1)(b)(i).

## **Division 2                      Statement of designated nutrients**

### **11            Application of div 2**

This division applies to the following nutrients (each a *designated nutrient*)—

- (a) nitrogen;
- (b) phosphorous;
- (c) potassium;
- (d) sulfur.

### **12            Position and content of statement**

(1) The statement of designated nutrients must—

- (a) be positioned directly below the fertiliser's name on the label; and
- (b) be enclosed in parenthesis; and
- (c) state the percentage content of each designated nutrient, separated by hyphens, in the order the designated nutrients are listed under section 11(a) to (d).

*Example of format of statement of designated nutrients—*

(N-P-K-S)

where—

‘N’ represents the percentage content of nitrogen; and

‘P’ represents the percentage content of phosphorous; and

‘K’ represents the percentage content of potassium; and

‘S’ represents the percentage content of sulfur.

(2) The percentage content of a designated nutrient must be—

- (a) if the manufacturer or seller claims the designated nutrient is present in the fertiliser at or above the minimum claim concentration for the designated nutrient—



- (i) rounded to the nearest whole number, with a percentage content ending with '.5' to be rounded downwards; and
  - (ii) stated without a percentage symbol; or
- (b) otherwise—stated as '0'.

## Division 3                      Nutrient analysis

### 13                      Position and content

- (1) The nutrient analysis must contain an entry for a nutrient mentioned in schedule 2, part 2, column 1 if the manufacturer or seller of the fertiliser claims the nutrient is present in the fertiliser at or above the minimum claim concentration for the nutrient.
- (2) If the manufacturer or seller claims the nutrient is present only in one relevant form, the entry for the nutrient must state—
- (a) the description of the relevant form in accordance with schedule 2; and
  - (b) opposite the description, the percentage content of the nutrient in the fertiliser.
- (3) If the manufacturer or seller claims the nutrient is present in the fertiliser in more than one relevant form, the entry must state—
- (a) the name of the nutrient; and
  - (b) for each relevant form—
    - (i) the description of the relevant form in accordance with schedule 2; and
    - (ii) opposite the description, the percentage content of the relevant form claimed to be in the fertiliser; and
  - (c) below the final relevant form listed for the nutrient under paragraph (b)—
    - (i) the word 'Total' followed by the nutrient's name or symbol (the *total indicator*); and

- (ii) opposite the total indicator, the total percentage content of the nutrient claimed to be in the fertiliser.

*Example of content of nutrient analysis under subsections (1) to (3)—*

Nitrogen

Nitrate	7.8%
Ammonium	7.8%
Total Nitrogen	15.6%

Phosphorus

Water Soluble	4.0%
Citrate Soluble	1.0%
Citrate Insoluble	0.1%
Total P	5.1%

Potassium as sulfate 11.9%

Sulfur as sulfate 6.5%

Calcium as phosphate 3.7%

Zinc as oxide 2.1%

- (4) Without limiting subsections (1) to (3), subsection (5) applies if—
- (a) the manufacturer or seller claims a micro-nutrient is present in the fertiliser at or above the minimum claimed concentration for the micro-nutrient; and
  - (b) the presence of the nutrient does not cause a chemical interaction.
- (5) The nutrient analysis must contain an entry for the micro-nutrient that—
- (a) lists each chemical form of the micro-nutrient under the name of the nutrient; and

- 
- (b) states the percentage content of each chemical form of the nutrient opposite the form; and
  - (c) if the micro-nutrient is a chelate—states the type of chelate.
- (6) If a micro-nutrient is added to the fertiliser, during the manufacturing process, in a particular chemical form (the *initial chemical form*) but the final chemical form of the micro-nutrient in the fertiliser is not known, the nutrient analysis must state—
- (a) the name of the micro-nutrient; and
  - (b) that the micro-nutrient was added during the manufacturing process in the initial chemical form but chemical interactions may have changed the chemical form of the nutrient.
- (7) In this section—
- relevant form*, for a nutrient, means a form mentioned opposite the nutrient in schedule 2, part 2, column 2.

## Division 4                      Statement of impurities

### 14            Application of division

This division applies if any of the following impurities (each a *present impurity*) are in a fertiliser—

- (a) for all fertilisers—cadmium, molybdenum, selenium, lead or mercury at concentrations greater than the minimum amount;
- (b) for phosphatic fertilisers—fluorine, if present in the fertiliser at a concentration greater than 40g for each kilogram of phosphorous in the fertiliser;
- (c) for a fertiliser containing urea—biuret, if present in the fertiliser at any concentration.

## **15 Position and content**

- (1) The statement of impurities must—
  - (a) appear on the label—
    - (i) separate from the nutrient analysis; and
    - (ii) under the heading ‘Impurities’; and
  - (b) state the name and concentration of all present impurities.
- (2) For subsection (1)(b), the concentration of a present impurity, required under that subsection to be stated in the statement of impurities, must be stated as—
  - (a) for biuret—grams of biuret for each kilogram of nitrogen in the fertiliser on a weight-for-weight basis; and
  - (b) for cadmium, if the fertiliser is a phosphatic fertiliser—milligrams of cadmium for each kilogram of phosphorous in the fertiliser on a weight-for-weight basis; and
  - (c) for cadmium, if the fertiliser is not a phosphatic fertiliser—milligrams of cadmium for each kilogram of fertiliser on a weight-for-weight basis; and
  - (d) for lead—milligrams of lead for each kilogram of fertiliser on a weight-for-weight basis; and
  - (e) for fluorine—
    - (i) the percentage of fluorine in the fertiliser on a weight-for-weight basis; and
    - (ii) grams of fluorine for each kilogram of phosphorus in the fertiliser on a weight-for-weight basis; and
  - (f) for mercury—milligrams of mercury for each kilogram of fertiliser on a weight-for-weight basis; and
  - (g) for molybdenum—the percentage of molybdenum in the fertiliser on a weight-for-weight basis; and
  - (h) for selenium—the percentage of selenium in the fertiliser on a weight-for-weight basis.



- (2) The maximum amount of fluorine that a phosphate fertiliser may contain is—
  - (a) for superphosphate fertiliser—fluorine at a concentration of 2.5% of the total product; or
  - (b) for rock phosphate fertiliser—fluorine at a concentration of 4% of the total product.
- (3) The maximum amount of lead that a fertiliser may contain is—
  - (a) for fertiliser containing more than 25% organic matter—300mg of lead for each kilogram of fertiliser; or
  - (b) for fertiliser wholly consisting of trace elements—2000mg of lead for each kilogram of fertiliser; or
  - (c) for fertiliser partly consisting of trace elements—500mg of lead for each kilogram of fertiliser; or
  - (d) for fertiliser not mentioned in paragraphs (a), (b) or (c)—100mg of lead for each kilogram of fertiliser.
- (4) The maximum amount of mercury fertiliser may contain is 5mg of mercury for each kilogram of fertiliser.

## Schedule 1 Minimum claim concentration

section 8(1)

Column 1 Nutrient	Solid fertiliser	Liquid fertiliser
	Column 2 Minimum claim concentration	Column 3 Minimum claim concentration
	% w/w	% w/v
boron	0.02	0.005
calcium	0.5	0.1
cobalt	0.001	0.001
copper	0.05	0.005
iron	0.1	0.005
magnesium	0.5	0.1
manganese	0.05	0.005
molybdenum	0.001	0.001
nitrogen	0.5	0.1
phosphorus	0.5	0.1
potassium	0.5	0.1
selenium	0.001	0.001
silicon	0.5	0.1
sulfur	0.5	0.1
zinc	0.05	0.005

## **Schedule 2**      **Description of forms for nutrient analysis**

section 13

### **Part 1**                      **Describing nutrient forms**

#### **1**      **Format**

- (1) If the manufacturer or seller of a fertiliser claims a nutrient is present in the fertiliser only in one relevant form, the description of the form is the combination of—
  - (a) the name of the nutrient mentioned in part 2, column 1; and
  - (b) the words appearing opposite the nutrient name in part 2, column 2.

*Example—*

Calcium as carbonate

- (2) If the manufacturer or seller of a fertiliser claims a nutrient is present in the fertiliser in more than one relevant form, the description of the form is the scientific description of the form in part 2, column 2, that appears opposite the nutrient name in part 2, column 1, but with—
  - (a) the word ‘as’ not appearing; and
  - (b) the first letter capitalised.

*Example—*

Carbonate

- (3) However, if the words ‘in any form’, ‘in any other form’ or ‘in elemental form’ appear in part 2, column 2 opposite a nutrient mentioned in part 2, column 1, the description of a form of the nutrient, not mentioned in part 2, column 2 opposite the nutrient, must use the scientific name of the form.

*Example—*

Potassium oxide



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**Part 2** **Nutrients and forms**

<b>Column 1 Nutrient</b>	<b>Column 2 Form</b>
Calcium	as carbonate
	as chloride
	as hydroxide
	as nitrate
	as oxide
	as silicate
	as sulfate
	as superphosphate
	in any other form
Magnesium	as carbonate
	as chloride
	as hydroxide
	as nitrate
	as oxide
	as silicate
	as sulfate
	in any other form
Nitrogen	as ammonium
	as nitrate
	as urea
	in any other form

<b>Column 1 Nutrient</b>	<b>Column 2 Form</b>
Potassium	as carbonate as chloride as nitrate as phosphate as sulfate as thiosulfate in any other form
Phosphorous	as citrate insoluble as citrate soluble as water soluble
Silicon	in any form
Sulfur	in elemental form as sulfate in any other form

## Schedule 3      Warnings

sections 16 and 17(b)

<b>Column 1 Trigger</b>	<b>Column 2 Warning statement</b>
<p>1. The fertiliser—</p> <p>(a) contains urea; and</p> <p>(b) may be applied to foliage; and</p> <p>(c) contains biuret at a concentration of between 10g and 20g of biuret for each kilogram of nitrogen in the fertiliser.</p>	<p>This fertiliser contains biuret. Repeated foliar sprays may cause damage to citrus.</p>
<p>2. The fertiliser—</p> <p>(a) contains urea; and</p> <p>(b) may be applied to foliage; and</p> <p>(c) contains biuret at a concentration of between 20g and 30g of biuret for each kilogram of nitrogen in the fertiliser.</p>	<p>This fertiliser contains biuret. It is not recommended for repeated foliar applications on horticultural crops.</p>
<p>3. The fertiliser—</p> <p>(a) contains urea; and</p> <p>(b) may be applied to foliage; and</p> <p>(c) contains biuret at a concentration of more than 30g of biuret for each kilogram of nitrogen in the fertiliser.</p>	<p>This fertiliser contains biuret. It is not recommended for foliar application other than on turf.</p>

<b>Column 1 Trigger</b>	<b>Column 2 Warning statement</b>
4. The fertiliser contains urea but is not intended to be applied to foliage.	This fertiliser is for soil application only. Do not use in foliar sprays.
5. The fertiliser— (a) is a phosphatic fertiliser; and (b) contains fluorine at a concentration greater than the minimum amount.	This product contains fluorine as an impurity. Do not feed this product to livestock or use in stock feed mixtures. If top dressing pastures do not graze for 3 weeks or until rain or irrigation is received.
6. The fertiliser contains— (a) phosphorus acid; or (b) salts of phosphorus acid containing the phosphite ion.	Use of this product in crops for which a Phosphorous Acid Maximum Residue limit has not been established may cause detectable levels in farm produce and adversely affect saleability. It must not be used in foliar sprays.
7. The fertiliser is— (a) for use on pastures; and (b) contains molybdenum at a concentration greater than the minimum amount.	Excessive use of molybdenum (Mo) can be harmful to stock. Plant levels of Mo can be high for 4 weeks after application. It is advisable to keep stock off treated areas for this period. Molybdenum application may induce copper deficiency in grazing animals. This is most likely to occur on sandy soils low in copper. Check rate and frequency of molybdenum use with appropriate authorities.

<b>Column 1 Trigger</b>	<b>Column 2 Warning statement</b>
<p>8. The fertiliser—</p> <p>(a) is for use on pastures; and</p> <p>(b) contains selenium at a concentration greater than the minimum amount.</p>	<p>Excessive use of selenium (Se) can be toxic to livestock. This product should not be used if selenium deficiency does not exist in stock grazing on the area where it is to be applied. Do not allow stock access to spilt or unused fertiliser. This product must not be applied at a rate greater than that stated on the label or advice note.</p>
<p>9. The fertiliser—</p> <p>(a) is soluble, a suspension, or a liquid; and</p> <p>(b) contains lead at a concentration greater than 500mg of lead for each kilogram of fertiliser.</p>	<p>For soil application only. This product is unsuitable for use as a foliar spray.</p>
<p>10. The fertiliser—</p> <p>(a) contains more than the minimum amount for cadmium; and</p> <p>(b) does not contain more than the minimum amounts for lead or mercury.</p>	<p>This product contains heavy metal impurities. Its use may result in accumulation of cadmium in the soil. Depending on soil characteristics, irrigation water quality, plant species and variety, crop uptake of cadmium may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code. In pasture, the offal from grazing animals may also exceed these limits.</p>

<b>Column 1 Trigger</b>	<b>Column 2 Warning statement</b>
<p>11. The fertiliser—</p> <p>(a) contains more than the minimum amount for lead; and</p> <p>(b) does not contain more than the minimum amounts for cadmium or mercury.</p>	<p>This product contains heavy metal impurities. Its use may result in accumulation of lead in the soil and may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code.</p>
<p>12. The fertiliser—</p> <p>(a) contains more than the minimum amount for mercury; and</p> <p>(b) does not contain more than the minimum amounts for cadmium or lead.</p>	<p>This product contains heavy metal impurities. Its use may result in accumulation of mercury in the soil and may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code.</p>
<p>13. The fertiliser—</p> <p>(a) contains more than the minimum amounts of cadmium and lead; and</p> <p>(b) does not contain more than the minimum amount for mercury.</p>	<p>This product contains heavy metal impurities. Its use may result in accumulation of cadmium and lead in the soil. Depending on soil characteristics, irrigation water quality, plant species and variety, crop uptake of cadmium may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code. In pasture, the offal from grazing animals may also exceed these limits.</p>

<b>Column 1 Trigger</b>	<b>Column 2 Warning statement</b>
<p>14. The fertiliser—</p> <p>(a) contains more than the minimum amounts of cadmium and mercury; and</p> <p>(b) does not contain more than the minimum amount for lead.</p>	<p>This product contains heavy metal impurities. Its use may result in accumulation of cadmium and mercury in the soil. Depending on soil characteristics, irrigation water quality, plant species and variety, crop uptake of cadmium may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code. In pasture, the offal from grazing animals may also exceed these limits.</p>
<p>15. The fertiliser—</p> <p>(a) contains more than the minimum amounts for lead and mercury; and</p> <p>(b) does not contain more than the minimum amount for cadmium.</p>	<p>This product contains heavy metal impurities. Its use may result in accumulation of lead and mercury in the soil and may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code.</p>

<b>Column 1 Trigger</b>	<b>Column 2 Warning statement</b>
16. The fertiliser contains more than the minimum amounts for cadmium, lead and mercury.	This product contains heavy metal impurities. Its use may result in accumulation of cadmium, lead and mercury in the soil. Depending on soil characteristics, irrigation water quality, plant species and variety, crop uptake of cadmium may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code. In pasture, the offal from grazing animals may also exceed these limits.
17. The fertiliser— (a) is a phosphatic fertiliser; and (b) may be used as stock feed supplements; and (c) contains cadmium at a concentration greater than 100mg of cadmium for each kilogram of phosphorous in the fertiliser.	This product should not be fed to livestock or used in stock feed mixtures.



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## Schedule 4      Dictionary

## section 2

*designated nutrient* see section 11.

*fertiliser* see section 3.

*impurity* see section 7.

*micro-nutrient* means—

- (a) boron; or
- (b) chlorine; or
- (c) cobalt; or
- (d) copper; or
- (e) iron; or
- (f) manganese; or
- (g) molybdenum; or
- (h) silicon; or
- (i) zinc.

*minimum amount* means—

- (a) for cadmium—1mg for cadmium for each kilogram of fertiliser; and
- (b) for fluorine in a phosphatic fertiliser—40g of fluorine for each kilogram of phosphorous in the fertiliser; and
- (c) for lead—20mg of lead for each kilogram of fertiliser; and
- (d) for mercury—0.2mg of mercury for each kilogram of fertiliser; and
- (e) for molybdenum—molybdenum present in the fertiliser at a concentration greater than 0.001% of fertiliser; and
- (f) for selenium—selenium present in the fertiliser at a concentration greater than 0.001% of fertiliser.

***minimum claim concentration*** see section 8(1).

***nutrient*** see section 6.

***nutrient analysis*** see section 9(e).

***percentage content***, for a nutrient, see section 10.

***phosphate fertiliser*** means fertiliser containing phosphorous at a concentration greater than 2% of the total product.

***statement of designated nutrients*** see section 9(d).

***statement of impurities*** see section 9(f).

***warning statement*** see section 9(g).

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## Schedule 3      Code of Practice for Feed for Food Producing Animals

section 8

### Part 1              Preliminary

#### 1      Short title

This code of practice may be cited as the *Code of Practice for Feed for Food Producing Animals*.

#### 2      Dictionary

The dictionary in schedule 3 defines particular words used in this code of practice.

### Part 2              Definitions

#### 3      Meaning of *food producing animal*

*Food producing animal*—

- (a) is an animal that—
  - (i) produces food for human consumption; or
  - (ii) is used as food for humans; and
- (b) includes the following animals, whether or not the animal does, or will, meet the requirements mentioned in paragraph (a)—
  - (i) bees;
  - (ii) crocodiles;
  - (iii) crustaceans and molluscs;
  - (iv) fish other than ornamental fish;

- (v) horses;
- (vi) kangaroos;
- (vii) pigs;
- (viii) poultry;
- (ix) rabbits;
- (x) ruminants.

#### **4 Meaning of *feed***

- (1) *Feed* is a single material, or more than 1 material, intended to be fed to an animal for the purposes of maintaining the animal's life, normal growth, productivity, work capacity and reproductive capacity.
- (2) *Feed* includes—
  - (a) a lick; and
  - (b) a premix; and
  - (c) a medicated premix.
- (3) Feed may be made up of—
  - (a) 1 or more feed ingredients; or
  - (b) 1 or more feed additives; or
  - (c) a combination of the things mentioned in paragraphs (a) and (b).

#### **5 Meaning of *manufactured feed***

*Manufactured feed* is any feed that has undergone manufacturing, treatment or mixing.

#### **6 Meaning of *feed ingredient***

- (1) *Feed ingredient* is a substance that is nutritive for food producing animals.
- (2) A feed ingredient may be organic or inorganic.

**7 Meaning of *feed additive***

*Feed additive* is a substance—

- (a) purposefully added to feed; and
- (b) that is not normally consumed as a feed ingredient; and
- (c) which affects the characteristics of the feed or the animal that the substance is fed to.

**8 Meaning of *medicated feed***

*Medicated feed* is any feed containing a veterinary chemical product.

**Part 3 Feed labelling****9 Contents of label**

- (1) Feed intended to be fed to food producing animals must be labelled unless the feed—
  - (a) is made or mixed by a person for the person's own use; or
  - (b) is chaff, hay or silage; or
  - (c) consists of a whole, cracked or rolled single or mixed grain product; or
  - (d) is a vegetable or animal protein meal; or
  - (e) is molasses, fat or oil; or
  - (f) is created as a by-product or another process.

*Example—*

feed created as a by-product of cereal milling or food processing

- (2) The label must contain the following information about the feed—
  - (a) information about the class of animal by which the feed is intended to be consumed;

*Examples—*

lactating cows, weaner pigs, laying hens, all ruminants

- (b) whether the feed—
    - (i) is a complete food; or
    - (ii) provides supplements only;
  - (c) if the feed is manufactured in Australia—the name, business address and business telephone number of the manufacturer;
  - (d) if the feed is manufactured outside of Australia—the name, business address and business telephone number of the Australian distributor of the feed;
  - (e) either—
    - (i) the batch or lot identification number; or
    - (ii) the date of manufacture;
  - (f) if the feed is a premix or medicated feed—
    - (i) a best before date; or
    - (ii) an expiry date.
- (3) For subsection (2)(f), the best before date or expiry date must not be later than—
- (a) for non-medicated licks or milk replacers—24 months after the date of manufacture; or
  - (b) for non-medicated premixes—
    - (i) if the premix is liquid—18 months after the date of manufacture; or
    - (ii) if the premix is solid—24 months after the date of manufacture;
  - (c) for medicated feed—6 months after the date of manufacture.
- (4) In this section—
- batch or lot identification number***, for feed, means a unique number or marking identifying the batch in which the feed was manufactured.

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**10 Feed labelling method**

- (1) The label must be—
  - (a) either—
    - (i) written or stamped on, or fixed to, the outside of any container of feed in a position where the label can be clearly seen on the container; or
    - (ii) if the feed is sold in bulk and a label cannot be stamped on or fixed to a container of feed—a written notice given to a person to whom the feed is supplied before or when the feed is delivered to the person; and
  - (b) written in English; and
  - (c) written in characters that are proportional to the size of the label, but at least 1.5mm high; and
  - (d) written in characters that are either—
    - (i) dark print on a light background; or
    - (ii) light print on dark background.
- (2) A notice under subsection (1)(a)(ii) may be fixed to, or form part of, a delivery docket or invoice given to the person to whom the feed is supplied.

**Part 4 Medicated feed statements****11 Application of part**

This part applies in addition to the requirements under part 3.

*Note—*

For additional requirements relating to feed, see chapter 2, part 9 of the regulation.

**12 Medicated feed statements**

- (1) This section applies to medicated feed prepared—
  - (a) by or under the instruction of a veterinary surgeon; and

- (b) for a food producing animal under the care of the veterinary surgeon.
- (2) The medicated feed must have the following statement (a ***medicated feed statement***) applied to it—  
‘MEDICATED FEED PREPARED UNDER VETERINARY SURGEON’S INSTRUCTIONS.’

### 13 Appearance of statement

- (1) This section applies if a medicated feed statement must be applied to feed under this part.
- (2) The statement must be written or stamped, in a position where it can be clearly seen, on—
  - (a) if the feed is sold in bulk and is labelled in accordance with section 10(1)(a)(ii)—the label; or
  - (b) otherwise—
    - (i) a label for the feed; or
    - (ii) a separate label that is fixed to the outside of all containers of the feed; or
    - (iii) the outside of all containers of the feed.
- (3) The statement must be written, in English, in characters—
  - (a) that are—
    - (i) not less than 1.5mm high; and
    - (ii) if the statement is written or stamped on a label or a separate label—proportional to the size of the label or separate label; and
  - (b) that are—
    - (i) dark print on a light background; or
    - (ii) light print on dark background.
- (4) In this section—  
***separate label*** means a label other than a label mentioned in section 10(1)(a).



## Part 5

# Prohibited and restricted materials in feed

### 14 Waste products in feed

A person must not place any of the following substances in feed intended to be fed to food producing animals—

- (a) manure;
- (b) poultry litter;
- (c) animal bedding material;
- (d) industrial waste that—
  - (i) is not feed; and
  - (ii) is not a feed ingredient.

### 15 Cannabis in feed

- (1) A person must not place cannabis in feed intended to be fed to food producing animals.
- (2) A person must not feed cannabis to food producing animals or allow food producing animals to feed on cannabis.
- (3) Subsections (1) and (2) do not apply to cannabis that is—
  - (a) processed cannabis; or
  - (b) oil extracted from processed cannabis; or
  - (c) meal ground from processed cannabis.
- (4) In this section—

*cannabis* means—

  - (a) the plant *Cannabis sativa*, whether living or dead; or
  - (b) any part of the plant *Cannabis sativa*, whether living or dead.

*denatured*, for seed harvested from industrial cannabis plants, means that the seed will not grow because it has been cracked,

de-hulled, heated, or treated in another way that prevents growth.

***industrial cannabis plant*** means a cannabis plant with a THC concentration in its leaves and flowering heads of no more than 1%.

***processed cannabis*** means—

- (a) industrial cannabis plants that have been harvested or chemically or mechanically treated or artificially treated in another way and have no leaf, flowers or seed; or
- (b) denatured seeds from industrial cannabis plants.

## **16 Other prohibited materials in feed**

A person must not place a substance mentioned in schedule 1 in feed intended to be fed to food producing animals.

## **17 Contaminants in feed**

- (1) This section applies to feed, intended to be fed to food producing animals, stated in schedule 2, column 2.
- (2) The maximum permitted level of a contaminant mentioned in schedule 2, column 1 for feed stated opposite the contaminant is the level stated opposite the feed in schedule 2, column 3.
- (3) For subsection (2), the level is calculated on—
  - (a) for a contaminant mentioned in schedule 2, part 5, column 1—the basis stated opposite the contaminant in schedule 2, part 5, column 4, and in accordance with subsection (5); or
  - (b) otherwise—a dry weight basis with 12% moisture.
- (4) However, if the feed is a whole fish, the level is calculated on a fresh weight basis.
- (5) The maximum permitted level of a contaminant mentioned in schedule 2, part 5 must be calculated based on the World Health Organization toxic equivalents, using the World Health Organization toxic equivalency factors for dioxin-like compounds, 2005.

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**18 Agricultural and veterinary chemicals in feed**

- (1) This section applies if—
- (a) a substance mentioned in column 2, table 1 of the MRL standard is being used in or as feed intended to be fed to food producing animals; and
  - (b) the substance contains a compound mentioned opposite the substance in column 1, table 1 of the MRL standard, other than—
    - (i) aldrin; or
    - (ii) BHC; or
    - (iii) chlordane; or
    - (iv) dieldrin; or
    - (v) HCB; or
    - (vi) heptachlor; or
    - (vii) lindane.
- (2) The maximum amount of the compound that may be present in the substance is the maximum residue limit stated opposite the compound and substance in column 3, table 1 of the MRL standard.

**19 Pesticide residues in feed**

- (1) This section applies if—
- (a) a substance mentioned in column 1, table 4 of the MRL standard is being used in or as feed intended to be fed to food producing animals; and
  - (b) the substance contains a compound mentioned opposite the substance in column 2, table 4 of the MRL standard, other than—
    - (i) aldrin; or
    - (ii) BHC; or
    - (iii) chlordane; or
    - (iv) dieldrin: or

- (v) endrin; or
  - (vi) HCB; or
  - (vii) heptachlor; or
  - (viii) lindane.
- (2) The maximum amount of the compound that may be present in the substance is the maximum residue limit stated opposite the compound and substance in column 3, table 4 of the MRL standard.

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## Schedule 1      Prohibited substances

## section 16

boldenone  
carbadox  
chloramphenicol  
clenbuterol  
dienoestrol diacetate  
diethylstilboestrol  
ethyloestrenol  
hexoestrol  
hydroxyquinone  
medroxyprogesterone acetate  
megestrol  
methandriol  
nandrolone  
nitrofurans, including—

- furazolidone
- nitrofurazone

nitroimidazoles  
phenothiazine  
piperazine and related compounds  
promazine and related compounds  
reserpine  
salbutamol  
stanozolol  
sulfonamides, including—

Schedule 3

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- phthalysulfacetamide
  - sulfacetamide
  - sulfacetamide sodium
  - sulfachloropyridazine
  - sulfafurazole
  - sulfaguanidine
  - sulfamethoxydiazine
  - sulfamomomethoxine
  - sulfanilimide
  - sulfanitran
  - sulfapyridine
  - sulfathiazole
- thyrostats, including thiouracil

## Schedule 2      Maximum permitted levels of contaminants

section 17(2)

### Part 1                      Contaminants—veterinary chemical products

Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level
1. A veterinary chemical product that is included in feed if the inclusion is not permitted under— <ul style="list-style-type: none"> <li>(a) any instructions on the approved label for the product; or</li> <li>(b) a condition of a permit for the compound; or</li> <li>(c) the <i>Chemical Usage (Agricultural and Veterinary) Control Act 1988</i>, section 12D.</li> </ul>	all feed	nil
2. A residue of a veterinary chemical product mentioned in item 1.	all feed	nil

## Part 2 Contaminants—plant toxins

Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level
		<b>dry weight basis with 12% moisture</b>
1. pyrrolizidine alkaloids other than all feed ontonecine based pyrrolizidine alkaloids (sum of substances containing the 6,7-dihydro-5H= pyrrolizidine moiety, calculated as monocrotaline)	all feed	1mg/kg
2. tetrahydrocannabinol (sum of delta 9 tetrahydrocannabinol (CAS No. 1972-08-3) and delta 9= tetrahydrocannabinolic acids A and B calculated as delta 9= tetrahydrocannabinol)	all feed	10mg/kg

## Part 3 Contaminants—mycotoxins

Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level
		<b>dry weight basis with 12% moisture</b>
1. aflatoxin B1	peanut shells or screenings and peanut meal in feed for dairy animals	0.02mg/kg
	oilseed meal, other than peanut meal, in feed for dairy animals	0.1mg/kg



Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level
		dry weight basis with 12% moisture
	feed for dairy animals, other than as otherwise listed for dairy animals in this part	0.2mg/kg

## Part 4 Contaminants—organochlorine compounds

Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level
		dry weight basis with 12% moisture
1. aldrin and dieldrin (sum of HHDN and HEOD)	all feed	0.01mg/kg
2. chlordane	all feed	0.01mg/kg
3. DDT (sum of p,p'-DDT; o,p'-DDT; p,p'-DDE and p,p'-TDE/(p,p'-DDD))	all feed	0.05mg/kg
4. endrin (sum of endrin and delta-keto endrin)	all feed	0.03mg/kg
5. HCB	all feed	0.01mg/kg
6. heptachlor (sum of heptachlor and heptachlor epoxide)	all feed	0.02mg/kg
7. BHC/HCH (other than $\gamma$ -HCH)	all feed	0.02mg/kg
8. lindane ( $\gamma$ -BHC/HCH)	all feed	0.1mg/kg

Schedule 3

Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level
9. polychlorinated biphenyls (sum of all feed polychlorinated biphenyls other than those otherwise listed in this schedule)		dry weight basis with 12% moisture 0.05mg/kg

## Part 5 Dioxins and dioxin-like PCBs

Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level	Column 4 Analytical basis
1. Dioxins and dioxin-like PCBs (sum of polychlorinated= dibenzo-para-dioxins (PCDDs), polychlorinated= dibenzofurans (PCDFs) and polychlorinated biphenyls (PCBs))	feed other than for fish	1.5 ng/kg	dry weight basis with 12% moisture
	feed for fish	7 ng/kg	dry weight basis with 12% moisture
	vegetable oils, mineral pre-mixes, anti-caking agents and binders for use as feed ingredients or feed additives	1.5ng/kg	dry weight basis with 12% moisture
	animal fat, including milk and egg fats for use as feed ingredients	3ng/kg	lipid basis

<b>Column 1 Contaminant</b>	<b>Column 2 Feed</b>	<b>Column 3 Maximum permitted level</b>	<b>Column 4 Analytical basis</b>
	fish oil for use as a feed ingredient	24ng/kg	lipid basis
	fish protein hydrolysates that— (a) contain more than 20% fat; and (b) are used as a feed ingredient	11ng/kg	dry weight basis with 12% moisture
	fish, other aquatic animals and their products for use as feed ingredients (other than fish oil and relevant protein hydrolysates containing more than 20% fat)	4.5ng/kg	dry weight basis with 12% moisture

## Part 6 Contaminants—metals

<b>Column 1 Contaminant</b>	<b>Column 2 Feed</b>	<b>Column 3 Maximum permitted level</b>
		<b>dry weight basis with 12% moisture</b>
1. cadmium	feed for cattle, sheep, goats and fish	1mg/kg

Schedule 3

Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level
		<b>dry weight basis with 12% moisture</b>
	feed ingredients of vegetable origin	1mg/kg
	feed ingredients of animal origin	2mg/kg
	feed additives of mineral origin based on phosphates	10mg/kg
	feed additives of mineral origin not based on phosphates	2mg/kg
	trace element feed additives based on copper, zinc oxide or manganous sulfate monhydrate	30mg/kg
	trace element feed additives not based on copper, zinc oxide or manganous sulfate monhydrate	10mg/kg
	feed additives that are binders and anti-caking agents	2mg/kg
	premixes	15mg/kg
	all feed, other than as otherwise listed for the contaminant cadmium	0.5mg/kg
2. lead	green fodder	30mg/kg
	feed additives based on phosphates	15mg/kg

Column 1 Contaminant	Column 2 Feed	Column 3 Maximum permitted level  dry weight basis with 12% moisture
	feed additives based on calcium carbonate	20mg/kg
	trace element feed additives based on zinc oxide	400mg/kg
	trace element feed additives based on manganous oxide, iron carbonate or copper carbonate	200mg/kg
	trace element feed additives not based on zinc oxide, manganous oxide, iron carbonate or copper carbonate	100mg/kg
	feed additives based on zeolites of volcanic origin	60mg/kg
	feed additives (binders and anti-caking agents) not based on zeolites of volcanic origin	30mg/kg
	premixes	200mg/kg
	all feed, other than as otherwise listed for the contaminant lead	5mg/kg
	all feed ingredients, other than as otherwise listed for the contaminant lead	10mg/kg

## Schedule 3

<b>Column 1 Contaminant</b>	<b>Column 2 Feed</b>	<b>Column 3 Maximum permitted level</b>
		<b>dry weight basis with 12% moisture</b>
3. mercury	feed ingredients of fish or other marine animal origin	0.4mg/kg
	feed for fish	0.2mg/kg
	all feed, other than as otherwise listed for the contaminant mercury	0.1mg/kg

**Part 7****Contaminants—radionuclides**

<b>Column 1 Contaminant</b>	<b>Column 2 Feed</b>	<b>Column 3 Maximum permitted level</b>
		<b>dry weight basis with 12% moisture</b>
1. caesium-134 or caesium-137	feed for pigs	250Bq/kg
	feed for poultry, emus, ostriches, lambs, calves	500Bq/kg
	feed other than for pigs, poultry, lambs, calves	1000Bq/kg
2. strontium-90	all feed	25Bq/kg
3. iodine-131	all feed	100Bq/kg
4. plutonium-239 or americium-241	all feed	4Bq/kg
5. other radionuclides not otherwise listed in this part	all feed	250Bq/kg

## Schedule 3 Dictionary

### section 2

*approved label*, for a veterinary chemical product, see the Commonwealth Act, schedule, section 3.

**BHC/HCH** means the chemical 1,2,3,4,5,6= hexachlorocyclohexane.

**Bq/kg** means becquerel for each kilogram.

**chlordan** means the chemical 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-4,7= methanoindene.

**Commonwealth Act** means the *Agricultural and Veterinary Chemicals Code Act 1994* (Cwlth).

**Commonwealth Regulation** means the *Agricultural and Veterinary Chemicals Code Regulations 1995* (Cwlth).

**delta-keto endrin** means the chemical (2R,3aR,3bS,4R,5R)= 2,5,7-Metheno-3H-cyclopenta(a)pentalen-3-one,= 3b,4,5,6,6,6a-hexachlorodecahydro-.

**endrin** means the chemical (1R,4S,4aS,5S,6S,7R,8R,8aR)-1,2,3,4,10,10-hexachloro-1,= 4,4a,5,6,7,8,8a-octahydro-6,7-epoxy-1,4:5,8= dimethanonaphthalene.

**feed additive** see section 7.

**feed ingredient** see section 6.

**food producing animal** see section 3.

**HCB** means the chemical hexachlorobenzene.

**HEOD** means the chemical (1R,4S,4aS,5R,6R,7S,8S,8aR)-1,2,3,4,10,10-hexachloro-1,4= ,4a,5,6,7,8,8a-octahydro-6,7-epoxy-1,4:5,8= dimethanonaphthalene.

**heptachlor** means the chemical 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-4,7=-methanoindene.

**heptachlor epoxide** means the chemical 2,3,4,5,6,7,7-heptachloro-1a,1b,5,5a,6,6a-hexahydro-2,5=-methano-2H-indene(1,2b)oxirene.

**HHDN** means the chemical (1R,4S,4aS,5S,8R,8aR)-1,2,3,4,10,10-hexachloro=-1,4,4a,5,8,8a-hexahydro-1,4:5,8-dimethanonaphthalene.

**lick** see the Commonwealth Regulation, section 3, definition *block* or *lick*.

**lindane** means the chemical 1 $\alpha$ ,2 $\alpha$ ,3 $\beta$ ,4 $\alpha$ ,5 $\alpha$ ,6 $\beta$ -hexachlorocyclohexane.

**maximum residue limit** see the MRL standard, section 5, definition *maximum residue limit*.

**medicated feed** see section 8.

**medicated feed statement** see section 12(2).

**medicated premix** see the Commonwealth Regulation, section 3, definition *medicated premix*.

**milk replacer** means food for feeding to stock from birth as a replacement for whole milk.

**MRL standard** means the *Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) 2012* (Cwlth), schedule.

**non-medicated lick** means a lick other than a medicated block or lick under the Commonwealth Regulation, schedule 3AA, section 1.

***o,p'*-DDT** means the chemical 1,1,1-trichloro=-2-(*o*-chlorophenyl)-2-(*p*-chlorophenyl)-ethane.

**organic** means derived from plants or animals.

**permit**, for a veterinary chemical product, see the Commonwealth Act, schedule, section 3.

***p,p'*-DDE** means the chemical 1,1-dichloro-2,2-bis(*p*-chlorophenyl) ethylene.



***p,p'-DDT*** means the chemical 1,1,1-trichloro-2,2-bis(p-chlorophenyl)ethane.

***p,p'-TDE/(p,p'-DDD)*** means the chemical 1,1-dichloro-2,2-bis(p-chlorophenyl)ethane.

***premix*** see the Commonwealth Regulation, section 3, definition *premix*.

***residue***, of a veterinary chemical product that is a compound mentioned in column 1, table 3 of the MRL standard, means a compound mentioned opposite in column 2, table 3 of the MRL standard.

***veterinary chemical product*** see the Commonwealth Act, schedule, section 5.

## Schedule 4 Category 3 restricted matter

section 13

### Part 1 Invasive plants

<b>Invasive plant</b>	<b>Recognised biological control agent</b>
alligator weed ( <i>Alternanthera philoxeroides</i> )	<ul style="list-style-type: none"> <li>• alligator weed flea beetle (<i>Agasicles hygrophila</i>, <i>Disonycha argentinensis</i>)</li> <li>• alligator weed stem-borer moth (<i>Arcola malloi</i>)</li> </ul>
annual ragweed ( <i>Ambrosia artemisiifolia</i> )	<ul style="list-style-type: none"> <li>• parthenium sap-feeding planthopper (<i>Stobaera concinna</i>)</li> <li>• parthenium stem-galling Tortricid moth (<i>Epiblema strenuana</i>)</li> <li>• ragweed leaf-feeding beetle (<i>Zygogramma suturalis</i>)</li> <li>• variegated ragweed beetle (<i>Zygogramma bicolorata</i>)</li> </ul>
belly-ache bush ( <i>Jatropha gossypifolia</i> and hybrids)	bellyache bush jewel bug ( <i>Agonosoma trilineatum</i> )
bitou bush ( <i>Chrysanthemoides monilifera</i> ssp. <i>rotundifolia</i> )	<ul style="list-style-type: none"> <li>• black boneseed beetle (<i>Chrysolina scotti</i>)</li> <li>• bitou bush seed fly (<i>Mesoclanis polana</i>)</li> <li>• bitou bush tip moth (<i>Comostolopsis germana</i>)</li> <li>• bitou leaf rolling moth (<i>Tortrix</i> sp.)</li> <li>• lacy-winged seed fly (<i>Mesoclanis magnipalpis</i>)</li> </ul>

Invasive plant	Recognised biological control agent
blackberry ( <i>Rubus anglocandicans</i> , <i>Rubus fruticosus</i> agg.)	<ul style="list-style-type: none"> <li>• painted boneseed beetle (<i>Chrysolina</i> sp. B)</li> <li>• tortoise beetle (<i>Cassida</i> sp. 3)</li> </ul> blackberry rust ( <i>Phragmidium violaceum</i> )
boneseed ( <i>Chrysanthemoides monilifera</i> ssp. <i>monilifera</i> )	<ul style="list-style-type: none"> <li>• bitou bush seed fly (<i>Mesoclanis polana</i>)</li> <li>• bitou bush tip moth (<i>Comostolopsis germana</i>)</li> <li>• bitou leaf rolling moth (<i>Tortrix</i> sp.)</li> <li>• black boneseed beetle (<i>Chrysolina scotti</i>)</li> <li>• boneseed beetle (<i>Chrysolina fasciata</i>)</li> <li>• boneseed leaf buckle mite (<i>Aceria</i> sp.)</li> <li>• lacy-winged seed fly (<i>Mesoclanis magnipalpis</i>)</li> <li>• painted boneseed beetle (<i>Chrysolina</i> sp. B)</li> </ul>
bridal creeper ( <i>Asparagus asparagoides</i> )	<ul style="list-style-type: none"> <li>• bridal creeper leafhopper (<i>Zygina</i> sp.)</li> <li>• bridal creeper leaf beetle (<i>Crioceris</i> sp.)</li> <li>• bridal creeper rust fungus (<i>Puccinia myrsiphylli</i>)</li> </ul>
cat's claw creeper ( <i>Dolichandra unguis-cati</i> )	<ul style="list-style-type: none"> <li>• cat's claw leaf-sucking lace bug (<i>Carvalhotingis visenda</i>)</li> <li>• cat's claw leaf-mining jewel beetle (<i>Hedwigiella jureceki</i> syn. <i>Hylaeogena jureceki</i>)</li> <li>• cat's claw leaf-tying Pyralid moth (<i>Hypocosmia pyrochroma</i>)</li> </ul>

<b>Invasive plant</b>	<b>Recognised biological control agent</b>
devil's rope pear ( <i>Cylindropuntia imbricata</i> )	devil's rope pear cochineal ( <i>Dactylopius tomentosus</i> )
giant sensitive plant ( <i>Mimosa diplotricha</i> )	<ul style="list-style-type: none"> <li>• giant sensitive plant psyllid (<i>Heteropsylla spinulosa</i>)</li> <li>• mimosa shoot-feeding coreid bug (<i>Scamurius</i> sp.)</li> <li>• stem-spot fungus (<i>Corynespora cassiicola</i>)</li> </ul>
gorse ( <i>Ulex europaeus</i> )	<ul style="list-style-type: none"> <li>• gorse seed weevil (<i>Exapion ulicis</i> syn. <i>Apion ulicis</i>)</li> <li>• gorse soft shoot moth (<i>Agonopterix umbellana</i>)</li> <li>• gorse spider mite (<i>Tetranychus lintearius</i>)</li> <li>• gorse thrips (<i>Sericothrips staphylinus</i>)</li> </ul>
groundsel bush ( <i>Baccharis halimifolia</i> )	<ul style="list-style-type: none"> <li>• broom twig-miner moth (<i>Lioplacis elliptica</i>)</li> <li>• foliage-feeding beetle (<i>Anacassis fuscata</i> = <i>Stolas fuscata</i>, <i>Anacassis phaeopoda</i>)</li> <li>• groundsel bush gall-fly (<i>Rhopalomyia californica</i>)</li> <li>• groundsel bush leaf skeletoniser (<i>Aristotelia ivae</i>)</li> <li>• groundsel bush rust fungus (<i>Puccinia evadens</i>)</li> <li>• groundsel foliage-feeding beetle (<i>Metallactus nigrofasciatus</i>)</li> <li>• groundsel foliage-feeding chrysomelid beetle (<i>Metallactus patagonicus</i>)</li> <li>• groundsel leaf-feeding beetle (<i>Trirhabda bacharidis</i>)</li> </ul>

Invasive plant	Recognised biological control agent
harrisia cactus ( <i>Harrisia martini</i> , <i>Harrisia pomanensis</i> , <i>Harrisia tortuosa</i> )	<ul style="list-style-type: none"> <li>• groundsel leaf-mining moth (<i>Bucculatrix ivella</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>• groundsel leafroller (<i>Lorita baccharivora</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>• groundsel plume moth (<i>Hellinsia balanotes</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>• groundsel root-boring weevil (<i>Heilipodus intricatus</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>• groundsel stem-borer beetle (<i>Megacyllene mellyi</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>• <i>Cactoblastis</i> sp. nr doddi</li> </ul>
	<ul style="list-style-type: none"> <li>• harrisia cactus long-horn beetle (<i>Alcidion cereicola</i> syn. <i>Nealcidion cereicola</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>• harrisia cactus weevil (<i>Eriocereophaga humeridens</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>• harrisia mealybug (<i>Hypogeococcus festerianus</i>)</li> </ul>
	lantana ( <i>lantana camara</i> )

**Invasive plant**

**Recognised biological control agent**

- lantana herringbone leaf-mining fly (*Ophiomyia camarae*)
- lantana leaf-feeding beetle (*Alagoasa parana*, *Charidotis pygmaea*)
- lantana leaf-feeding moth (*Salbia haemorrhoidalis*, *Neogalea sunia*)
- lantana leaf-feeding tingid bug, lantana flower-feeding bug (*Teleonemia elata*)
- lantana leaf-mining beetle (*Uroplata girardi*, *Uroplata fulvopustulata*, *Octotoma scabripennis*, *Octotoma championi*)
- lantana leaf-mining fly (*Calycomyza lantanae*)
- lantana leaf-sucking lace bug (*Teleonemia scrupulosa*)
- lantana leaf-rolling moth (*Ectaga garcia*)
- lantana leaf rust (*Prospodium tuberculatum*)
- lantana mealy bug (*Phenacoccus parvus*)
- lantana moth (*Diastema tigris*)
- lantana sap-sucking lace bug (*Leptobyrsa decora*)
- lantana sap-sucker mirid beetle (*Falconia intermedia*)
- lantana scrub-hairstreak butterfly (*Strymon bazochii* syn. *Thecla bazochii*, *Thecla agra*, *Strymon bazochii gundlachianus*)
- lantana seed-feeding fly (*Ophiomyia lantanae*)

Invasive plant	Recognised biological control agent
creeping lantana ( <i>lantana montevidensis</i> )	<ul style="list-style-type: none"> <li>• lantana stem-borer Cerambycid beetle (<i>Plagiohammus spinipennis</i>)</li> <li>• lantana stem-sucking treehopper (<i>Aconophora compressa</i>)</li> <li>• leaf-mining beetle (<i>Uroplata lantanae</i>)</li> <li>• stem-boring cerambycid, long-horned wood-boring beetle (<i>Aerenicopsis championi</i>)</li> <li>• hypena moth (<i>Hypena laceratalis</i>)</li> <li>• lantana flower-feeding moth (<i>Lantanophaga pusillidactyla</i>)</li> <li>• lantana leaf-feeding beetle (<i>Charidotis pygmaea</i>)</li> <li>• lantana leaf-mining fly (<i>Calycomyza lantanae</i>)</li> <li>• lantana leaf-rolling moth (<i>Ectaga garcia</i>)</li> </ul>
madeira vine ( <i>Anredera cordifolia</i> )	leaf-feeding beetle ( <i>Plectonycha correntina</i> )
mesquites ( <i>Prosopis glandulosa</i> , <i>Prosopis pallida</i> , <i>Prosopis velutina</i> )	<ul style="list-style-type: none"> <li>• leaf-tying gelechiid moths (<i>Evippe</i> sp.)</li> <li>• mesquite sap-sucking psyllid (<i>Prosopidopsylla flava</i>)</li> <li>• mesquite seed-feeding bruchid beetle (<i>Algarobius bottimeri</i>, <i>Algarobius prosopis</i>)</li> </ul>
mimosa pigra ( <i>Mimosa pigra</i> )	<ul style="list-style-type: none"> <li>• leaf beetles (<i>Chlamisus mimosae</i>)</li> <li>• green-seed weevil (<i>Sibinia fastigiata</i>)</li> <li>• mexican seed-feeding bruchid (<i>Acanthoscelides quadridentatus</i>)</li> <li>• mimosa dry-season rust (<i>Diabole cubensis</i>)</li> </ul>

**Invasive plant**

**Recognised biological control agent**

- mimosa flower-feeding weevil (*Coelocephalopion pigrae*)
  - mimosa flower bud weevil (*Coelocephalopion aculeatum*)
  - mimosa foliage-feeding Geometrid moth (*Leuciris fimbriaria*)
  - mimosa green seed weevil (*Chalcodermus serripes*)
  - mimosa leaf-feeding beetle (*Malacorhinus irregularis*)
  - mimosa leaf-feeding looper moth (*Macaria pallidata*)
  - mimosa seed weevil (*Acanthoscelides puniceus*)
  - mimosa shoot-feeding Coreid bug (*Scamurius* sp.)
  - mimosa stem-boring moth (*Carmenta mimosa*)
  - mimosa stem-mining moth (*Neurostrota gunniella*)
  - mimosa wet-season fungus (*Phloeospora mimosa-pigre* = *Sphaerulina mimosa-pigre*)
  - *Rhytiphora piperitia*
- prickly pear—tiger pear  
(*Opuntia aurantiaca*)
- cactoblastis moth (*Cactoblastis cactorum*)
  - eastern cactus-boring moth (*Melitara prodenialis* syn. *Zophodia prodenialis*, *Melitara bollii*)
  - monacantha cochineal (*Dactylopius ceylonicus*)
  - prickly pear moth-borer (*Tucumania tapiacola*)



Invasive plant	Recognised biological control agent
prickly pear—drooping tree pear ( <i>Opuntia monacantha</i> )	<ul style="list-style-type: none"> <li>• tiger pear cochineal (<i>Dactylopius austrinus</i>)</li> <li>• cactoblastis moth (<i>Cactoblastis cactorum</i>)</li> <li>• monacantha cochineal (<i>Dactylopius ceylonicus</i>)</li> </ul>
prickly pear—westwood pear ( <i>Opuntia streptacantha</i> )	<ul style="list-style-type: none"> <li>• tree pear beetle (<i>Lagocheirus funestus</i> syn. <i>Archlagocheirus funestus</i>)</li> <li>• cactoblastis moth (<i>Cactoblastis cactorum</i>)</li> <li>• prickly pear cochineal (<i>Dactylopius opuntiae</i>)</li> <li>• spotted cactus longhorn beetle (<i>Moneilema blapsides</i> syn. <i>Moneilema ulkei</i>)</li> </ul>
prickly pear—common ( <i>Opuntia stricta</i> )	<ul style="list-style-type: none"> <li>• prickly pear bug (<i>Chelinidea tabulata</i>)</li> <li>• blue cactus borer (<i>Melitara dentata</i>)</li> <li>• cactoblastis moth (<i>Cactoblastis cactorum</i>)</li> <li>• cactus borer (<i>Melitara</i> sp.)</li> <li>• cactus borer beetle (<i>Moneilema variolare</i>)</li> <li>• cactus bug (<i>Chelinidea vittiger</i>)</li> <li>• cactus moth (<i>Loxomorpha flavidissimalis</i>)</li> <li>• eastern cactus-boring moth (<i>Melitara prodenialis</i>)</li> <li>• prickly pear bug (<i>Chelinidea tabulata</i>)</li> <li>• prickly pear cochineal (<i>Dactylopius confusus</i>, <i>Dactylopius opuntiae</i>)</li> </ul>

**Invasive plant**

**Recognised biological control agent**

- prickly pear—velvety tree pear (*Opuntia tomentosa*)

  - prickly pear snout moth (*Olycella junctolineella* syn. *Melitara junctolineella*, *Zophodia junctolineella*)
  - prickly pear moth-borer (*Tucumania tapiacola*)
  - prickly pear spider mite (*Tetranychus opuntiae*)
  - spotted cactus longhorn beetle (*Moneilema blapsides* syn. *Moneilema ulkei*)
- parkinsonia (*Parkinsonia aculeata*)

  - cactoblastis moth (*Cactoblastis cactorum*)
  - cochineal (*Dactylopius coccus*)
  - Dodd's cactoblastis (*Cactoblastis doddi*)
  - prickly pear bug (*Chelinidea tabulata*)
  - prickly pear cochineal (*Dactylopius opuntiae*)
  - spotted cactus longhorn beetle (*Moneilema blapsides*)
  - tree pear beetle (*Lagocheirus funestus* syn. *Archlagocheirus funestus*)
  - parkinsonia defoliating caterpillar (*Eueupithecia cisplatensis*)
  - parkinsonia geometrid moth (*Eueupithecia* sp. 3445QA)
  - parkinsonia leaf bug (*Rhinacloa callicrates*)
  - parkinsonia seed beetle (*Penthobruchus germani*)
  - seed-feeding bruchid beetle (*Mimosetes ulkei*)

Invasive plant	Recognised biological control agent
parthenium ( <i>Parthenium hysterophorus</i> )	<ul style="list-style-type: none"> <li>• leaf feeding moth (<i>Bucculatrix parthenica</i>)</li> <li>• leaf rust (<i>Puccinia xanthii</i> var. <i>parthenii-hysterophorae</i>, <i>Puccinia abrupta</i> var. <i>partheniicola</i>)</li> <li>• parthenium sap-feeding planthopper (<i>Stobaera concinna</i>)</li> <li>• parthenium seed-feeding weevil (<i>Smicronyx lutulentus</i>)</li> <li>• parthenium stem-boring moth (<i>Platphalonidia mystica</i>)</li> <li>• parthenium stem-galling tortricid moth (<i>Epiblema strenuana</i>)</li> <li>• parthenium stem-boring weevil (<i>Listronotus setosipennis</i>)</li> <li>• mexican clearwing stem-boring moth (<i>Carmenta</i> sp. nr <i>ithacae</i>)</li> <li>• stem-galling weevil (<i>Conotrachelus albocinereus</i>)</li> <li>• variegated ragweed beetle (<i>Zygogramma bicolorata</i>)</li> </ul>
prickly acacia ( <i>Vachellia nilotica</i> )	<ul style="list-style-type: none"> <li>• kenyan geometrid moth, leaf-feeding looper caterpillar (<i>Chiasmia inconspicua</i>)</li> <li>• prickly acacia geometrid moth (<i>Chiasmia assimilis</i>)</li> <li>• prickly acacia leaf-feeding beetle (<i>Homichloda barkeri</i>)</li> <li>• prickly acacia leaf-feeding caterpillar (<i>Cometaster pyrula</i>)</li> <li>• prickly acacia seed-feeding beetle (<i>Bruchidius sahlbergi</i>)</li> <li>• prickly acacia tip-boring moth (<i>Cuphodes profluens</i>)</li> </ul>

<b>Invasive plant</b>	<b>Recognised biological control agent</b>
rubber vine ( <i>Cryptostegia grandiflora</i> )	<ul style="list-style-type: none"> <li>• rubber vine moth (<i>Euclasta gigantalis</i> ssp. <i>whalleyi</i>)</li> <li>• rubber vine pyralid moth (<i>Euclasta whalleyi</i>)</li> <li>• rubber vine rust (<i>Maravalia cryptostegiae</i>)</li> </ul>
salvinia ( <i>Salvinia molesta</i> )	<ul style="list-style-type: none"> <li>• salvinia stem-borer moth (<i>Samea multiplicalis</i>)</li> <li>• south american salvinia weevil (<i>Cyrtobagous salviniae</i>)</li> </ul>
water hyacinth ( <i>Eichhornia crassipes</i> )	<ul style="list-style-type: none"> <li>• chevroned water hyacinth weevil (<i>Neochetina bruchi</i>)</li> <li>• mottled water hyacinth weevil (<i>Neochetina eichhorniae</i>)</li> <li>• water hyacinth stem-borer moth (<i>Niphograpta albiguttalis</i>, <i>Xubida infusella</i>)</li> </ul>
water lettuce ( <i>Pistia stratiotes</i> )	water lettuce weevil ( <i>Neohydronomus affinis</i> syn. <i>Neohydronomus pulchellus</i> )

## Part 2 Invasive animals

<b>Invasive animal</b>	<b>Recognised biological control agent</b>
european rabbit ( <i>Oryctolagus cuniculus</i> )	<ul style="list-style-type: none"> <li>• myxoma virus (the agent causing myxomatosis)</li> <li>• rabbit haemorrhagic disease virus (the agent causing rabbit haemorrhagic disease)</li> </ul>

## Schedule 5      Non-native invasive ornamental fish

schedule 11, definition *non-native invasive ornamental fish*

<b>Column 1 Species</b>	<b>Column 2 Common name</b>
<i>Ameiurus brunneus</i>	snail bullhead
<i>Ameiurus catus</i>	white catfish
<i>Ameiurus melas</i>	black bullhead
<i>Ameiurus natalis</i>	yellow bullhead
<i>Ameiurus nebulosus</i>	brown bullhead
<i>Ameiurus platycephalus</i>	flat bullhead
<i>Ameiurus serracanthus</i>	spotted bullhead
<i>Anabas cobojuis</i>	gangetic climbing perch
<i>Astyanax aeneus</i>	banded tetra
<i>Astyanax fasciatus</i>	banded astyanax
<i>Ctenopoma argentoventer</i>	silverbelly ctenopoma
<i>Ctenopoma kingsleyae</i>	tailspot ctenopoma
<i>Ctenopoma multispine</i>	manyspined ctenopoma
<i>Ctenopoma muriei</i>	ocellated labyrinth fish
<i>Ctenopoma nigropannosum</i>	twospot climbing perch
<i>Ctenopoma ocellatum</i>	eyespot ctenopoma
<i>Ctenopoma weeksii</i>	mottled ctenopoma
<i>Dormitator lebretonis</i>	
<i>Eleotris amblyopsis</i>	large scaled spiny cheek sleeper

<b>Column 1 Species</b>	<b>Column 2 Common name</b>
<i>Eleotris sandwicensis</i>	sandwich island sleeper
<i>Helicophagus leptorhynchus</i>	
<i>Helicophagus waandersii</i>	
<i>Himantura kittipongi</i>	
<i>Himantura krempfi</i>	marbled freshwater whip ray
<i>Himantura oxyrhyncha</i>	marbled whip ray
<i>Ictalurus balsanus</i>	balsas catfish
<i>Ictalurus dugesii</i>	lerma catfish
<i>Ictalurus furcatus</i>	blue catfish
<i>Ictalurus lupus</i>	headwater catfish
<i>Ictalurus mexicanus</i>	rio verde catfish
<i>Ictalurus ochoterenai</i>	chapala catfish
<i>Ictalurus pricei</i>	yaqui catfish
<i>Noturus albater</i>	ozark madtom
<i>Noturus baileyi</i>	smoky madtom
<i>Noturus crypticus</i>	chucky madtom
<i>Noturus elegans</i>	elegant madtom
<i>Noturus eleutherus</i>	mountain madtom
<i>Noturus exilis</i>	slender madtom
<i>Noturus fasciatus</i>	saddled madtom
<i>Noturus flavater</i>	checkered madtom
<i>Noturus flavipinnis</i>	yellowfin madtom
<i>Noturus flavus</i>	stonecat
<i>Noturus funebris</i>	black madtom

<b>Column 1 Species</b>	<b>Column 2 Common name</b>
<i>Noturus furiosus</i>	carolina madtom
<i>Noturus gilberti</i>	orange-fin madtom
<i>Noturus gladiator</i>	
<i>Noturus gyrinus</i>	tadpole madtom
<i>Noturus hildebrandi hildebrandi</i>	least madtom
<i>Noturus hildebrandi lautus</i>	
<i>Noturus insignis</i>	margined madtom
<i>Noturus lachneri</i>	ouachita madtom
<i>Noturus leptacanthus</i>	speckled madtom
<i>Noturus maydeni</i>	black river madtom
<i>Noturus miurus</i>	brindled madtom
<i>Noturus munitus</i>	frecklebelly madtom
<i>Noturus nocturnus</i>	freckled madtom
<i>Noturus phaeus</i>	brown madtom
<i>Noturus placidus</i>	neosho madtom
<i>Noturus stanauli</i>	pygmy madtom
<i>Noturus stigmosus</i>	northern madtom
<i>Noturus taylori</i>	caddo madtom
<i>Noturus trautmani</i>	scioto madtom
<i>Pylodictis olivaris</i>	flathead catfish
<i>Rutilus rutilus</i>	roach
<i>Tinca tinca</i>	tench

## Schedule 6 Mediterranean fruit fly carriers

section 55(4), definition *Mediterranean fruit fly carrier*

Common name	Scientific name
abiu	<i>Pouteria caimito</i>
acerola	<i>Malpighia glabra</i> L. <i>M.glabra</i> x <i>M.punicifolia</i> L. (Barbados cherry)
achchairu	<i>Garcinia humilis</i>
akee	<i>Blighia sapida</i>
akia	<i>Wikstroemia phillyreifolia</i>
almond (with husk)	<i>Prunus amygdalus</i> Batsch => <i>Prunus dulcis</i>
apple	<i>Malus domestica</i> <i>Malus sylvestris</i> (crab apple)
apricot	<i>Prunus armeniaca</i> L.
avocado	<i>Persea americana</i>
barbados cherry	<i>Malpighia punicifolia</i> L.
babaco (ripe)	<i>Carica pentagona</i>
banana	<i>Musa</i> spp.
berries, other than strawberries, not mentioned elsewhere in this schedule	
blackberry	<i>Rubus fruticosus</i> L.
black plum	<i>Syzygium cumini</i>
black sapote	<i>Diospyros digyna</i>



<b>Common name</b>	<b>Scientific name</b>
black walnut	<i>Juglans nigra</i> L.
blueberry	<i>Vaccinium corymbosum</i> L.
blue-crown passion flower	<i>Passiflora coerulea</i>
bourbon orange	<i>Ochrosia elliptica</i>
boxthorn	<i>Lycium europaeum</i> L.
boysenberry	<i>Rubus ursinus</i> x <i>idaeus</i>
brazil cherry	see grumichama
breadfruit	<i>Artocarpus altilis</i>
calamondin orange	<i>Citrofortunella mitis</i>
camito (star cherry)	<i>Chrysophyllum cainito</i> L.
cape gooseberry	<i>Physalis peruviana</i> L.
capsicum	<i>Capsicum annuum</i> L. var. <i>grossum</i> L. sendt
carambola (star fruit)	<i>Averrhoa carambola</i> L.
carissa, not mentioned elsewhere in this schedule	<i>Carissa</i> spp.
cashew apple	<i>Anacardium occidentale</i> L.
casimiroa (white sapote)	<i>Casimiroa edulis</i>
chapote	<i>Diospyros texana</i>
cherimoya	<i>Annona cherimolia</i>
cherry	<i>P. cerasus</i> L. (sour cherry) <i>Prunus avium</i> L. (sweet cherry)

<b>Common name</b>	<b>Scientific name</b>
chilli	<i>Capsicum annuum</i> v <i>acuminatum</i> Fingerh. (chillies) <i>C. annuum</i> v <i>cerasiforme</i> Irish (cherry peppers) <i>C. annuum</i> v <i>conoides</i> Irish (tabasco)
choko	<i>Sechium edule</i>
citron	<i>Citrus medica</i> L.
citrus, not mentioned elsewhere in this schedule	
cocoa	<i>Theobroma cacao</i>
coffee berry	<i>Coffea arabica</i> (arabian coffee) <i>C. canephora</i> <i>C. excelsa</i> Chiov. (excelsa coffee) <i>C. liberica</i> Hiern. (liberian coffee) <i>C. robusta</i> Linden (robusta coffee)
cola	<i>Cola natalensis</i>
common jujube	<i>Ziziphus jujuba</i>
custard apple	<i>Annona squamosa</i> L. x <i>A. cherimolia</i>
date (fresh)	<i>Phoenix dactylifera</i> L.
diospyros, not mentioned elsewhere in this schedule	<i>Diospyros</i> spp.
durian	<i>Durio zibethinus</i>
eggplant	<i>Solanum melongena</i> L.
eugenia, not mentioned elsewhere in this schedule	<i>Eugenia</i> spp.

<b>Common name</b>	<b>Scientific name</b>
feijoa	<i>Acca sellowiana</i>
fig	<i>Ficus carica</i> L.
goji berry	<i>Lycium barbarum</i>
gooseberry	<i>Ribes uva-crispa</i>
granadilla	<i>Passiflora quadrangularis</i> L.
grape	<i>Vitis labrusca</i> L. (isabella grape) <i>Vitis vinifera</i> L. (wine grape)
grapefruit	<i>Citrus paradisi</i>
green sapote	<i>Pouteria viridis</i>
grumichama (brazil cherry)	<i>Eugenia braziliensis</i>
guava	<i>Psidium guajava</i> L. <i>P. littorale</i> Raddi syn <i>P. cattleianum</i> Sabine (strawberry guava) <i>P. cattleianum</i> Sabine var. <i>guineense</i> Sw. (brazilian guava) <i>P. cattleianum</i> var. <i>lucidum</i> (yellow cattley guava) <i>P. friedrichsthalianum</i> (costa rican guava)
hawthorn	<i>Crataegis</i> spp.
indian caper (fresh)	<i>Capparis sepiaria</i>
ironwood	<i>Sideroxylon inerme</i>
jaboticaba	<i>Myrciaria cauliflora</i>
jackfruit	<i>Artocarpus heterophyllus</i>
jambu	<i>Syzygium cumini</i> L. Skeels
jerusalem cherry	<i>Solanum pseudocapsicum</i> L.

<b>Common name</b>	<b>Scientific name</b>
jujube	<i>Ziziphus mauritania</i>
kei apple	<i>Dovyalis caffra</i> Warb.
kiwifruit	<i>Actinidia deliciosa</i>
kumquat	<i>Fortunella japonica</i> *F.margarita
lemon	<i>Citrus limon</i> x <i>C. chinense</i>
lemon (meyer)	<i>Citrus meyeri</i>
lime	<i>Citrus aurantiifolia</i> (West Indian lime) <i>C. latifolia</i> (Tahitian lime) <i>C. reticulata</i> var. <i>Austera</i> (Rangpur lime)
loganberry	<i>Rubus loganobaccus</i>
longan	<i>Euphoria longan</i>
loofah, smooth	<i>Luffa cylindrical</i>
loquat	<i>Eriobotrya japonica</i>
lychee	<i>Litchi chinensis</i>
lycium, not mentioned elsewhere in this schedule	<i>Lycium</i> spp.
madagascar olive	<i>Noronihia emarginata</i>
mamey sapote	<i>Pouteria spanota</i>
mandarin	<i>Citrus reticulata</i>
mangosteen	<i>Garcinia mangostana</i> L.
mango	<i>Mangifera indica</i> L.
medlar	<i>Mespilus germanica</i>
mimusops, not mentioned elsewhere in this schedule	<i>Mimusops</i> spp.

<b>Common name</b>	<b>Scientific name</b>
mock orange	<i>Murraya paniculata</i> M exotica
mombin (vai apple, hog plum)	<i>Spondias aurantiaca</i> syn. <i>Spondias mambin</i> L.
monstera	<i>Monstera deliciosa</i>
mountain apple (malay apple)	<i>Syzygium malaccensis</i> Eugenia
mulberry	<i>Morus nigra</i> L.
nashi	<i>Pyrus pyrifolia</i> var. <i>culta</i> <i>betulaefolia</i>
natal plum	<i>Carissa macrocarpa</i> <i>Terminalia chebula</i>
nectarine	<i>Prunus persicae</i> var. <i>nectarina</i>
olive	<i>Olea europaea</i>
orange	<i>Citrus aurantium</i> L.
oriental pear tree	<i>Pyrus pyrifolia</i>
otaheite apple	<i>Spondias dulcis</i>
papaya	<i>Carica papaya</i> L.
passionfruit	<i>Passiflora edulis</i> f. <i>edulis</i> (purple passionfruit) <i>P. edulis</i> f. <i>flavicarpa</i> (yellow passionfruit)
peach	<i>Prunus persicae</i>
peacharine	<i>Prunus nucipersica</i>
peachcot	<i>Prunus persica</i> x <i>P. armeniaca</i>
pear	<i>Pyrus communis</i> L.
pepino	<i>Solanum muricatum</i> Aiton

<b>Common name</b>	<b>Scientific name</b>
persimmon	<i>Diospyros kaki</i> L.f. (japanese persimmon) <i>D.decandra</i> Lour. (persimmon)
plum	<i>Prunus domestica</i> (prune) <i>Prunus insitita</i> L. (damson plum) <i>Prunus salicina</i> (japanese plum)
plumcot	<i>Prunus domestica</i> x <i>P. armeniaca</i>
pomegranate	<i>Punica granatum</i> L.
pond apple	<i>Annona glabra</i> L.
prickly pear	<i>Opuntia ficus indica</i> or <i>Opuntia stricta</i>
pummelo	<i>Citrus grandis</i> L. osbeck
pyrus	<i>Pyrus syriaca</i>
quince	<i>Cydonia oblonga</i>
rambutan	<i>Nephelium lappaceum</i> L.
raspberry	<i>Rubus idaeus</i> L.
rollinia	<i>Rollinia deliciosa</i>
rose apple	<i>Syzygium jambos</i> L.
santol	<i>Sandoricum indicum</i>
sapodilla	<i>Manilkara zapota</i> L.
sapote, not mentioned elsewhere in this schedule	Family <i>Sapotaceae</i> Family <i>Ebenaceae</i> <i>sapotes</i>
shaddock	<i>Citrus maxima</i>
soursop	<i>Annona muricata</i> L.
south american sapote	<i>Quararibea cordata</i>

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<b>Common name</b>	<b>Scientific name</b>
spanish cherry	<i>Mimusops elengi</i> L.
spondias, not mentioned elsewhere in this schedule	
stonefruit, not mentioned elsewhere in this schedule	
surinam cherry	<i>Eugenia uniflora</i> L.
sweetsop (sugar apple)	<i>Annona squamosa</i> L.
tamarillo	<i>Cyphomandra betacea</i>
tangelo	<i>Citrus reticulata</i> x <i>C. paradisi</i>
tomato	<i>Lycopersicon esculentum</i> L.
tree tomato	<i>Cyphomandra betacea</i>
tropical almond	<i>Terminalia catappa</i> L.
walnut	<i>Juglans regia</i> L.
wax apple (rose apple)	<i>Syzygium jambos</i> L. Syn. <i>Eugenia jambos</i> L.
wax jambu	<i>Syzygium samarangense</i>
ziziphus	<i>Ziziphus joazeiro</i>

## **Schedule 7      Pyriform scale carriers**

section 56(3), definition *pyriform scale carrier*, paragraph (b)

*Acanthaceae*

*Agavaceae*

*Anacardiaceae*

*Apocynaceae*

*Aquifoliaceae*

*Araceae*

*Araliaceae*

*Asclepiadaceae*

*Cannaceae*

*Caprifoliaceae*

*Caricaceae*

*Convolvulaceae*

*Ebenaceae*

*Elaeocarpaceae*

*Euphorbiaceae*

*Fabaceae*

*Lauraceae*

*Lythraceae*

*Malpighiaceae*

*Malvaceae*

*Moraceae*

*Musaceae*

*Myricaceae*

*Myrtaceae*



*Oleaceae*

*Orchidaceae*

*Passifloraceae*

*Phyllanthaceae*

*Pittosporaceae*

*Punicaceae*

*Rubiaceae*

*Rutaceae*

*Saxifragaceae*

*Scrophulariaceae*

*Verbenaceae*

## Schedule 8 Far northern pests

schedule 11, definition *far northern pest*

<b>Common name</b>	<b>Scientific name and author</b>
asian honey bee	<i>Apis cerana javana</i>
black Sigatoka of banana	<i>Mycosphaerella fijiensis</i>
breadfruit fruit fly	<i>Bactrocera umbrosa</i> (Fabricus)
citrus black fly	<i>Aleurocanthus woglumi</i> (Ashby)
coffee mealybug	<i>Planococcus lilacinus</i> (Cockrell)
jack beardsley mealybug	<i>Pseudococcus jackbeardsleyi</i> (Gimpel and Miller)
mango fruit borer	<i>Citripestis eutraperha</i> (Meyrick)
mango leaf gall midge	<i>Procontarinia</i> spp.
melon fly	<i>Bactrocera cucurbitae</i> (Coquillett)
New Guinea fruit fly	<i>Bactrocera trivialis</i>
island sugar cane planthopper	<i>Eumetopina flavipes</i>
oriental fruit fly	<i>Bactrocera dorsalis</i>
peach fruit fly	<i>Bactrocera zonata</i> (Saunders)
red banded mango caterpillar	<i>Deanolis sublimbalis</i> (Snellen)
spider mite	<i>Tetranychus piercei</i>
sugar cane stem borer	<i>Chilo</i> spp.
varroa mite	<i>Varroa destructor</i>
varroa mite	<i>Varroa jacobsoni</i>
vegetable leafminer	<i>Liriomyza sativae</i> (Blanchard)

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## Schedule 9      Grape phylloxera carriers

section 89(4), definition *grape phylloxera carrier*

a grape plant *Vitis* spp., including—

- grapevine cuttings, buds and vegetative tissue, or plant parts, for propagation
- germplasm establishment cuttings
- grape rootlings
- any vegetative part of a grape plant

a product derived from a grape plant, including—

- table grapes
- wine grapes
- marc that has not been fermented
- must
- juice other than filtered juice

an appliance that has been used in connection with a viticulture activity

soil, or other growing mediums, that have been within 100m of a living grapevine

## Schedule 10 Fees

section 127

	\$
1 For an application for the registration of a registrable biosecurity entity (Act, s 148(1)(e))—	
(a) in relation to the keeping of designated animals other than bees, for each year of registration applied for	42.56
(b) in relation to the keeping of bees, for each year of registration applied for	28.75
2 For renewal of a registration of a registrable biosecurity entity (Act, s 156(2)(a))—	
(a) in relation to the keeping of designated animals other than bees, for each year of registration applied for	42.56
(b) in relation to the keeping of bees, for each year of registration applied for	28.75
3 For an application to end any of the following declarations (Act, s 164C(b))—	
(a) the declaration of a place as a restricted place;	
(b) the declaration of a designated animal as a restricted animal;	
(c) the declaration of designated biosecurity matter as restricted biosecurity matter	70.50
4 For a copy of all or part of the information held in the biosecurity register (Act, s 173(1))	45.30
5 For an application for a prohibited matter permit or restricted matter permit (Act, s 214(2)(b)(ii))	391.25

	\$
6 For an application for renewal of a prohibited matter permit or restricted matter permit (Act, s 225(2)(c))	391.25
7 For an application for the transfer of a prohibited matter permit or restricted matter permit (Act, s 230(1))	70.50
8 For a copy of all or part of the information held in the register of prohibited matter and restricted matter permits (Act, s 231(4))	45.30
9 For inspection of a register of biosecurity orders, for each hour (Act, s 379(5))	15.05
10 For a copy of all or part of the information held in a register of biosecurity orders (Act, s 379(6))	45.30
11 For an application to enter into a compliance agreement with the State, for each year applied for (Act, s 396(3))	129.40
12 For the giving of a biosecurity certificate by an authorised officer who is also an accredited certifier (Act, s 419), if—	
(a) the authorised officer does not visit a place for the purposes of giving the certificate; and	
(b) preparing the certificate takes no longer than 15 minutes	48.25
13 For an application for the grant of an accreditation, for each year applied for (Act, s 420(2)(b))	295.65
14 For an application for the renewal of an accreditation, for each year applied for (Act, s 432(2)(c))	295.65
15 For an application for an approval as an auditor (Act, s 460(2)(b)), the total of the following fees—	
(a) the application fee	146.35
(b) the additional fee, for each year applied for	377.75
16 For an application for the renewal of an approval as an auditor (Act, s 460(2)(b)), the total of the following fees—	

Schedule 10

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	\$
(a) the application fee	146.35
(b) the additional fee, for each year applied for	377.75
17 For an application for the amendment of the conditions of a relevant authority (Act, s 479(2)(b))	72.50

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## Schedule 11 Dictionary

## section 3

*Agvet Code* means the Agvet Code of Queensland.

*animal health committee* means the sub-committee of the National Biosecurity Committee established under the Intergovernmental Agreement on Biosecurity.

*apiary* means—

- (a) a hive standing alone; or
- (b) 2 or more hives standing in a group.

*apiary site* means a site where an apiary is situated in or on any place or premises.

*appliance* includes an apparatus, equipment, machinery, or a vehicle.

*approved label* see the Agvet Code, section 3.

*APVMA* see the Agvet Code, section 3.

*banana appliance* means an appliance that has been in contact with—

- (a) a banana plant; or
- (b) soil, or other growing mediums, in which a banana plant has been grown.

*banana pest* means—

- (a) black Sigatoka; or
- (b) bunchy top; or
- (c) Cavendish-competent Panama disease tropical race 1; or
- (d) freckle disease; or
- (e) Panama disease tropical race 4.

*banana pest carrier* means—

- (a) a banana plant; or

- (b) soil, or other growing mediums, in which a banana plant has been grown; or
- (c) a banana appliance.

***banana plant***—

- (a) means a plant of the genera *Musa* or *Ensete*; and
- (b) includes the bells, fruit, pseudostems, roots, seeds and suckers of the plant.

***banana plantlet*** means a young or small banana plant.

***biosecurity authorisation***, for moving or otherwise dealing with biosecurity matter or a carrier, means—

- (a) for moving or otherwise dealing with a carrier containing, or capable of moving, prohibited matter—an authorisation of a type mentioned in section 37(3)(a) of the Act; or
- (b) for moving or otherwise dealing with restricted matter, or a carrier containing, or capable of moving, restricted matter—a restricted matter permit.

***biosecurity manual*** means the document titled ‘Biosecurity Manual’, kept by the chief executive in electronic form and available for inspection on the department’s website.

***biosecurity zone map*** see section 45.

***black Sigatoka*** means the black Sigatoka of banana (*Mycosphaerella fijiensis*).

*Note*—

Black Sigatoka is mentioned as category 1 restricted matter in schedule 2 of the Act (subject to section 38 of the Act). See section 42 of the Act for particular reporting obligations relating to category 1 restricted matter.

***bunchy top*** means the banana bunchy top virus (*Babuvirus*).

*Note*—

Bunchy top is mentioned as category 1 restricted matter in schedule 2 of the Act (subject to section 38 of the Act). See section 42 of the Act for particular reporting obligations relating to category 1 restricted matter.

***cattle tick*** means—



- (a) *Rhipicephalus (Boophilus) australis*; or
- (b) *Rhipicephalus (Boophilus) microplus*.

***cattle tick carrier*** means a designated animal that is a member of any of the following groups of animals—

- (a) bison;
- (b) buffalo;
- (c) the family *Camelidae*;

*Examples—*

alpacas, Arabian camels, llamas

- (d) cattle;
- (e) deer;
- (f) the family *Equidae*;

*Examples—*

horses, ponies, donkeys, mules

- (g) goats;
- (h) sheep.

***cattle tick free zone*** see section 81(2).

***cattle tick infested zone*** see section 81(1).

***Cavendish-competent Panama disease tropical race 1*** means the fusarium wilt of banana (*Fusarium oxysporum* f. sp. *cubense* tropical race 1 (strain VCG 01220)).

***certified interstate free area***, for biosecurity matter, means an area that is certified, in an interstate area freedom certificate, as being free of the biosecurity matter.

***clearing facility*** means a place where cattle tick carriers are inspected or treated for cattle tick.

***copy of the movement record*** means a copy of the movement record mentioned in section 198(2) of the Act.

***electric ant*** means *Wasmannia auropunctata*.

*Note—*

The electric ant or little fire ant (*Wasmannia auropunctata*) is mentioned as category 1 restricted matter in schedule 2 of the Act

(subject to section 38 of the Act). See section 42 of the Act for particular reporting obligations relating to category 1 restricted matter.

***electric ant biosecurity zone*** see section 74.

***electric ant carrier*** means—

- (a) a fire ant carrier; or
- (b) cuttings from plants growing in the electric ant biosecurity zone; or
- (c) fruit from plants growing in the electric ant biosecurity zone; or
- (d) a thing that has come into contact with the ground or soil in the electric ant biosecurity zone.

*Examples—*

bee hives, pot plants, garden furniture

***exotic disease diagnostic test kit or method*** means a kit or device or test method that contains or involves biological preparations or synthetic material used in a laboratory or elsewhere to—

- (a) diagnose, identify, or detect the presence or absence of an exotic animal disease, its causative agent or an exotic strain of a causative agent of an endemic disease; or
- (b) determine whether antibodies, proteins, hormones, enzymes or genetic material associated with the disease causative agent are present or absent.

***far northern biosecurity zone 1*** see section 62(1).

***far northern biosecurity zone 2*** see section 62(2).

***far northern pest*** means a biosecurity matter mentioned in schedule 8.

***feed*** see schedule 3, section 4.

***fermented***, in relation to a substance, means the substance has undergone a fermentation process for at least 4 days.

***filtered***, in relation to a substance, means the substance has undergone one of the following processes to remove all particles larger than 50 microns in diameter from the substance—

- (a) passing through a filter;
- (b) centrifugation;
- (c) cold settling.

**filtered juice**, for grapes, means grape juice that has been filtered.

**fire ant** means the red imported fire ant (*Solenopsis invicta*).

*Note—*

The red imported fire ant (*Solenopsis invicta*) is mentioned as category 1 restricted matter in schedule 2 of the Act (subject to section 38 of the Act). See section 42 of the Act for particular reporting obligations relating to category 1 restricted matter.

**fire ant biosecurity zone** means the fire ant biosecurity zone 1, fire ant biosecurity zone 2 or fire ant biosecurity zone 3.

**fire ant biosecurity zone 1** see section 66(1).

**fire ant biosecurity zone 2** see section 66(2).

**fire ant biosecurity zone 3** see section 66(3).

**fire ant carrier** means—

- (a) baled hay or straw; or
- (b) material that is a product or by-product of mining or quarrying; or

*Examples—*

chitters, coal fines, coal stone, decomposed granite, gravel, overburden

- (c) material that is a product or by-product of the processing of an animal, or something that comes from an animal; or

*Examples—*

solid waste produced by processing an animal at an abattoir, animal manure

- (d) material that is a product or by-product of the processing of a plant, or something that comes from a plant; or

*Examples—*

mulch, sawdust, green waste, compost

- (e) a potted plant; or
- (f) soil; or
- (g) a thing that has soil, or an organic soil substitute, attached to it.

*Examples—*

- turf
- an advanced plant with soil on its roots that has been removed from the ground for re-planting
- an appliance that soil or another growing medium is attached to

***food producing animal*** see schedule 3, section 3.

***food standards code*** means the Australia New Zealand Food Standards Code within the meaning of the *Food Standards Australia New Zealand Act 1991* (Cwlth).

*Note—*

The food standards code is available online at Food Standards Australia New Zealand's website.

***freckle disease*** means freckle disease of banana (*Phyllosticta* and *Guignardia* species pathogenic on banana, other than *P. maculata*).

*Note—*

Freckle disease is mentioned as prohibited matter in schedule 1 of the Act (subject to section 29 of the Act). See chapter 2, part 2, division 2, of the Act for particular obligations relating to prohibited matter.

***grape phylloxera*** means grape phylloxera (*Daktulosphaira vitifoliae*) (Fitch).

*Note—*

Grape phylloxera is mentioned as prohibited matter in schedule 1 of the Act (subject to section 29 of the Act). See chapter 2, part 2, division 2, of the Act for particular obligations relating to prohibited matter.

***grape phylloxera biosecurity zone*** means the State grape phylloxera exclusion zone or the State grape phylloxera risk zone.

***growing medium means*** a substance capable of supporting growth of plants.

*Examples—*

peat, pine bark, sand, soil

***high risk tick carrier*** means a cattle tick carrier other than a low risk tick carrier.

***infested land***, for cattle tick, means land—

- (a) that is declared to be a restricted place, under section 161 of the Act, because cattle tick is, or could be, present on the land; and
- (b) for which the chief executive has given an information notice under section 161(6) of the Act.

***intensive animal feedlotting*** means the prescribed environmentally relevant activity of that name under the *Environmental Protection Regulation 2008*, schedule 2, section 2.

***interstate area freedom certificate*** means a certificate, issued by another State, certifying that the other State or a stated area or property in the other State is free of stated biosecurity matter.

***juice*** means a liquid that—

- (a) is the liquid fraction of must; and
- (b) may contain small suspended solids, other than grape skin or seeds.

***label***, for feed, means a label mentioned in schedule 3, section 10(1)(a).

***low risk tick carrier*** means a cattle tick carrier that is a member of any of the following groups of animals—

- (a) the family *Camelidae*;

*Examples—*

alpacas, Arabian camels, llamas

- (b) the family *Equidae*;

*Examples—*

horses, ponies, donkeys, mules

- (c) goats;

(d) sheep.

**mango plant** means *Mangifera indica* L.

**manufactured feed** see schedule 3, section 5.

**marc** means the fraction of must that is not juice.

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

**national standard for certification of seed potatoes** means the document of that name approved by AUSVEG.

*Editor's note—*

The national standard for certification of seed potatoes is available on the department's website.

**negative RAM statement** see section 37(2).

**negative result**, in relation to the use of an exotic disease diagnostic test kit or method, means the use of the test kit or method—

- (a) fails to diagnose, identify, or detect the presence of an exotic animal disease, its causative agent or an exotic strain of a causative agent of an endemic disease; or
- (b) determines that antibodies, proteins, hormones, enzymes or genetic material associated with the disease causing agent are absent.

**non-native invasive ornamental fish** means a fish mentioned in schedule 5.

**northern banana biosecurity zone** see section 78(1).

**Panama disease tropical race 4** means the fusarium wilt of banana (*Fusarium oxysporum* f. sp. *cubense* tropical race 4).

*Note—*

Panama disease tropical race 4 is mentioned as category 1 restricted matter in schedule 2 of the Act (subject to section 38 of the Act). See section 42 of the Act for particular reporting obligations relating to category 1 restricted matter.

**papaya ringspot** means *papaya ringspot virus* type P.

**papaya ringspot biosecurity zone 1** see section 90(1).

***papaya ringspot biosecurity zone 2*** see section 90(2).

***papaya ringspot carrier*** means—

- (a) a plant of the genus *Carica*; or

*Example—*

a papaya plant

- (b) a plant of the family *Cucurbitaceae*.

*Examples—*

cucumber, melon, pumpkin, squash

***positive RAM statement*** see section 36(2).

***positive result***, in relation to the use of an exotic disease diagnostic test kit or method, means the use of the test kit or method—

- (a) diagnoses, identifies, or detects the presence of an exotic animal disease, its causative agent or an exotic strain of a causative agent of an endemic disease; or
- (b) determines that antibodies, proteins, hormones, enzymes or genetic material associated with the disease causing agent are present.

***potted plant*** means a plant grown in a growing medium in a container.

***prescribed facility*** means—

- (a) a meat processing facility that is permanently fixed and operated by an entity holding an accreditation under the *Food Production (Safety) Act 2000* authorising the holder to process meat at the facility; or
- (b) a feedlot where intensive animal feedlotting is periodically carried on; or
- (c) a clearing facility.

***pyriform scale*** means pyriform scale (*Protopulvinaria pyriformis*).

***risk minimisation requirement***, for dealing with biosecurity matter or a carrier, means a requirement stated in the biosecurity manual for preventing or minimising a biosecurity

risk posed, or likely to be posed, by dealing with the biosecurity matter or carrier.

***seed potato*** means a potato that is intended for replanting for the purpose of producing a new potato plant.

***soil*** includes—

- (a) clay; and
- (b) fill; and
- (c) material removed from the ground at a site where earthworks are being carried out; and

*Examples of material for paragraph (c)—*

building rubble, rocks

- (d) scrapings.

***southern banana biosecurity zone*** see section 78(2).

***special risk fire ant carrier*** means—

- (a) animal manure; or
- (b) baled hay or straw; or
- (c) mulch; or
- (d) a potted plant; or
- (e) turf.

***State grape phylloxera exclusion zone*** see section 88(1).

***State grape phylloxera risk zone*** see section 88(2).

***sugar cane biosecurity zone 1*** see section 93(1).

***sugar cane biosecurity zone 2*** see section 93(2).

***sugar cane biosecurity zone 3*** see section 93(3).

***sugar cane biosecurity zones 4 and 5*** see section 93(4).

***sugar cane biosecurity zone 6*** see section 93(5).

***sugar cane plant*** means a plant of the genus *Saccharum*.

***test kit or method approval*** see section 26(1).

***THC*** means tetrahydrocannabinol.



***transit facility*** means—

- (a) a spelling facility for stock; or
- (b) a yard used as a dip for travelling stock; or
- (c) another facility for drafting, weighing, reconsigning or transshipping stock.

***waste facility*** see the *Waste Reduction and Recycling Act 2011*, schedule.



## 1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations

## 2 Key

### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
<b>AIA</b>	= <b>Acts Interpretation Act 1954</b>	<b>(prev)</b>	= <b>previously</b>
<b>amd</b>	= <b>amended</b>	<b>proc</b>	= <b>proclamation</b>
<b>amd</b>	= <b>amendment</b>	<b>prov</b>	= <b>provision</b>
<b>t</b>			
<b>ch</b>	= <b>chapter</b>	<b>pt</b>	= <b>part</b>
<b>def</b>	= <b>definition</b>	<b>pubd</b>	= <b>published</b>
<b>div</b>	= <b>division</b>	<b>R[X]</b>	= <b>Reprint No. [X]</b>
<b>exp</b>	= <b>expires/expired</b>	<b>RA</b>	= <b>Reprints Act 1992</b>
<b>gaz</b>	= <b>gazette</b>	<b>reloc</b>	= <b>relocated</b>
<b>hdg</b>	= <b>heading</b>	<b>renu</b>	= <b>renumbered</b>
		<b>m</b>	
<b>ins</b>	= <b>inserted</b>	<b>rep</b>	= <b>repealed</b>
<b>lap</b>	= <b>lapsed</b>	<b>(retro</b>	= <b>retrospectively</b>
		<b>)</b>	
<b>notf</b>	= <b>notified</b>	<b>rv</b>	= <b>revised version</b>
<b>d</b>			
<b>num</b>	= <b>numbered</b>	<b>s</b>	= <b>section</b>

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
<b>o in c</b>	= <b>order in council</b>	<b>sch</b>	= <b>schedule</b>
<b>om</b>	= <b>omitted</b>	<b>sdiv</b>	= <b>subdivision</b>
<b>orig</b>	= <b>original</b>	<b>SIA</b>	= <b>Statutory Instruments Act 1992</b>
<b>p</b>	= <b>page</b>	<b>SIR</b>	= <b>Statutory Instruments Regulation 2012</b>
<b>para</b>	= <b>paragraph</b>	<b>SL</b>	= <b>subordinate legislation</b>
<b>prec</b>	= <b>preceding</b>	<b>sub</b>	= <b>substituted</b>
<b>pres</b>	= <b>present</b>	<b>unnum</b>	= <b>unnumbered</b>
<b>prev</b>	= <b>previous</b>	<b>m</b>	

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

<b>Current as at</b>	<b>Amendments included</b>	<b>Notes</b>
1 July 2016	none	RA ss 7(1)(k), 26, 40
12 August 2016	2016 SL No. 132	

## 4 List of legislation

### Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note.

#### **Biosecurity Regulation 2016 SL No. 75**

made by the Governor in Council on 16 June 2016

notfd <www.legislation.qld.gov.au> 17 June 2016

ss 1–2 commenced on date of notification

s 3, chs 2–10, schs 1–12 commenced 1 July 2016 immediately after the commencement of the Natural Resources and Mines Legislation (Fees) Amendment Regulation (No. 1) 2016, pt 11 (see s 2)

s 129 sch 12 amdt 1 commenced 1 July 2016 immediately after the commencement of the Natural Resources and Mines Legislation (Fees) Amendment Regulation (No. 1) 2016, pt 11 (see s 2) (amdt could not be given effect)

Notes—(1) The following regulations are repealed—

(a) the regulation that, under the Act, sch 3, s 104(2), is taken to be a prohibited matter regulation;

(b) the regulations that, under the Act, sch 3, ss 105(2)(a) and 115(2)(a), are taken to be regulations made under s 128 of the Act.

(2) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

exp 1 September 2026 (see SIA s 54)

amending legislation—

#### **Biosecurity and Other Legislation Amendment Regulation (No. 1) 2016 SL No. 132** pts 1–2

notfd <www.legislation.qld.gov.au> 12 August 2016

commenced on date of notification

## 5 List of annotations

### CHAPTER 2—BIOSECURITY OBLIGATIONS

#### PART 3—OBLIGATIONS RELATING TO RESTRICTED MATTER

##### Division 1—Category 3 restricted matter

##### Subdivision 1—Ways for disposing category 3 restricted matter

sdiv hdg amd 2016 SL No. 132 s 3

##### Ways of disposing of category 3 restricted matter—invasive animals

s 11A ins 2016 SL No. 132 s 4

##### Subdivision 1A—Purposes for disposing of category 3 restricted matter

**sdiv hdg** ins 2016 SL No. 132 s 5

**Object of subdivision**

**s 11B** ins 2016 SL No. 132 s 5

**Disposing of category 3 restricted matter—purpose authorised under another law**

**s 11C** ins 2016 SL No. 132 s 5

**Subdivision 1B—Ways for distributing category 3 restricted matter**

**sdiv hdg** ins 2016 SL No. 132 s 5

**Object of subdivision**

**s 11D** ins 2016 SL No. 132 s 5

**Distributing category 3 restricted matter—way authorised under another law**

**s 11E** ins 2016 SL No. 132 s 5

**Subdivision 2—Purposes for distributing category 3 restricted matter**

**sdiv hdg** amd 2016 SL No. 132 s 6

**Distributing category 3 restricted matter—purpose authorised under another law**

**s 16A** ins 2016 SL No. 132 s 7

**Positive RAM statement**

**s 36** amd 2016 SL No. 132 s 8

**Negative RAM statement**

**s 37** amd 2016 SL No. 132 s 9

**Appearance of statement**

**s 38** amd 2016 SL No. 132 s 10

**Cucumber green mottle mosaic virus carrier**

**s 51** amd 2016 SL No. 132 s 11

**Giant pine scale carrier**

**s 53** amd 2016 SL No. 132 s 12

**Moving a sugar cane pest carrier into or from a sugar cane biosecurity zone**

**s 94** amd 2016 SL No. 132 s 13

**Appointment of inspectors—Act, s 242(1)(f)**

**s 123** amd 2016 SL No. 132 s 14

**Appointment of authorised persons—Act, s 246(1)(b)**

**s 124** amd 2016 SL No. 132 s 15