

AG302\*

Plant Diseases Act 1914

**Plant Diseases Amendment Regulations  
(No. 2) 2004**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations may be cited as the *Plant Diseases Amendment Regulations (No. 2) 2004*.

## 2. The regulations amended

The amendments in these regulations are to the *Plant Diseases Regulations 1989\**.

[\* Reprinted as at 20 September 2002.

For amendments to 31 March 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 283, and Gazette 16 and 23 January 2004.*]

## 3. Schedule 1 amended

Schedule 1 Part B item 26 is amended as follows:

- (a) in subitem (1) by inserting in the appropriate alphabetical positions the following definitions —

“

“**appropriate officer**” means —

- (a) for South Australia, an officer of the Department of Primary Industries and Resources South Australia; and
- (b) for Tasmania, an officer of Quarantine Tasmania in the Department of Primary Industries, Water and Environment;

“**FPE Appendix 2**” means Appendix 2 to Part A of the document entitled *Final Policy Extension for the Importation of Cherry Fruit (*Prunus avium*) from Tasmania into Western Australia* and dated 22 December 2003;

“**relevant department**” means —

- (a) for South Australia, the Department of Primary Industries and Resources South Australia; and
- (b) for Tasmania, the Department of Primary Industries, Water and Environment.

”;

- (b) in subitem (1) by deleting the full stop at the end of the definition of “IRA” and inserting a semicolon instead;
- (c) in subitems (2) and (3) by inserting after “South Australia” —
- “ and Tasmania ”;
- (d) by deleting subitems (4), (5), (6), (7), (8) and (9) and inserting the following subitems instead —

“

- (4) From South Australia and Tasmania to be accompanied by a written verification from an appropriate officer stating —
- (a) the name, address and registration number of —
- (i) the orchard on which the cherry fruit was grown; and
- (ii) the packing house in which it was packed;
- and

- (b) that the orchard and the packing house are registered by the relevant department for growing or packing cherry fruit, as the case may be, that may be exported to Western Australia.
- (5) From South Australia and Tasmania to be —
- (a) transported in containers with —
    - (i) the registration number or the name of the producer of the cherry fruit and the address of the property on which it was grown; and
    - (ii) the registration number or the name of the packer of the cherry fruit and the address of the property on which it was packed,  
printed on an external surface in letters not less than 5mm in height;
  - (b) packed in clean new packaging; and
  - (c) substantially free from leaves, soil and other plant debris, other than a peduncle or pedicel.
- (6) From South Australia and Tasmania to be inspected on arrival in Western Australia in accordance with the sampling procedures set out in FPE Appendix 2 and found to be free from the pests specified in the IRA.
- (7) From South Australia and Tasmania —
- (a) to be certified as described in item 4(1)(a) or (b); or
  - (b) to be certified as from an area free from fruit fly (*B. tryoni*) in accordance with the Code of Practice.

By Command of the Lieutenant-Governor and Administrator,

ROD SPENCER, Clerk of the Executive Council.

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