
AGRICULTURE

AG301*

Plant Diseases Act 1914

**Plant Diseases Amendment Regulations
(No. 3) 2003**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Plant Diseases Amendment Regulations (No. 3) 2003*.

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 30 September 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 282, and Gazette 17 June and 29 July 2003.*]

3. Schedule 1 amended

- (1) Schedule 1 Part A is amended as follows:
- (a) in column 2 of the item relating to “Hay” by deleting the dash and inserting instead —
“ 27, 33 ”;
 - (b) in column 5 of the item relating to “Hay” by deleting “33” and inserting instead —
“ - ”;
 - (c) in column 2 of the item relating to “Plants (not specified elsewhere)” by inserting after “17,” —
“ 27, ”.
- (2) Schedule 1 Part A column 2 is amended in each item listed in the first column of the Table to this subregulation in the manner set out opposite that item in the second column of that Table.

Table

Item in column 1 of Schedule 1 Part A	Amendment to column 2 of Schedule 1 Part A
Abiu, Acerola, Annona spp. and Annona sp. hybrids, Artichoke, Asparagus, Avocado, Babaco, Babiana (baboon flower, baboon root), Beans, Beetroot, Berries, Black sapote, Brazil cherry, Breadfruit, Broccoli, Brussel sprouts, Bulbs, Cabbage, Caimito (Star apple), Capsicum, Capulin, Carambola, Carrots, Cashew apple, Casimiroa (White sapote), Cauliflower, Cherimoya, Chilli, Chinese cabbage, Chives, Choko, Chrysanthemums (for planting), Citrus (other than Mandarin), Coconut, Coffee berry, Corms, Cotoneaster spp., Cotton, Cowpea, Crataegus spp. (Hawthorn), Crocos, Crocosmia aurea (Planchon), Cucumber, Date, Douglas fir, Durian, Egg fruit, Elms, Eribobotrya spp. (Loquat), Eugenia, European larch, Feijoa, Fig, Fruit (not specified elsewhere), Garlic, Ginger, Gladiolus, Granadilla, Grumichama, Guava, Heliconia, Hibiscus, Honeydew, Jaboticaba, Jackfruit, Kiwifruit, Leek, Lettuce, Longan, Lychee, Malay apple, Mandarin, Mango, Mangostein, Melons (other than Honeydew and Rockmelon), Mespilus spp. (Medlar), Miracle fruit, Monstera, Mungbean, Nuts (not specified elsewhere), Okra, Olive,	

Item in column 1 of Schedule 1 Part A	Amendment to column 2 of Schedule 1 Part A
Onions (also see spring onion), Palms, Parsnips, Passionfruit, Pawpaw, Pea, Peanut, Pepino, Persimmon, Pineapple, Pinus, Pomegranate, Poplar, Potato (seed), Prickly Pear, Pumpkin, Pyracantha spp. (Firethorn), Pyrus spp. (Pear), Radish, Rambutan, Rhubarb, Rice, Rockmelon, Rollinia, Santol, Sapodilla, Shallots, Sorbus spp. (Mountain ash), Soursop, Spring onion, Squash, Stransvaesia spp., Strawberry, Sugar cane, Super sweet, Swedes, Sweet potatoes, Sweetsop (Sugar apple), Tahiti lime, Tamarillo, Tamaruis, Taros, Tomato, Tritonia, Turnips, Vegetables (not specified elsewhere), Walnut, Watercress, Watsonia, Wax jambu (Rose apple), Yams, Zucchini	After “17,” insert “27,”.
Almond, Cydonia spp. (Quince), Prunus salicina, Stonefruit	After “18,” insert “27,”.

(3) Schedule 1 Part AA is amended as follows:

- (a) by inserting the following items in the appropriate alphabetical positions —

“

Containers	27
Landscaping material	27
Machinery	27

”;

- (b) in column 2 of the item relating to “Agricultural machinery” by inserting before “42” —
“ 27, ”;
- (c) in column 2 of the item relating to “Cargo containers.” delete the dash and insert instead —
“ 27 ”;
- (d) in column 2 of the item relating to “Potato containers (used)” by inserting after “6A” —
“ , 27 ”;
- (e) in column 2 of the item relating to “Potato machinery or equipment (used)” by inserting after “6” —
“ , 27 ”;
- (f) in column 2 of the item relating to “Soil” by inserting after “2” —
“ , 27 ”.

- (4) After Schedule 1 Part B item 26 the following item is inserted —

“

27. Red Imported Fire Ant (*Solenopsis invicta*)

- (1) In this item —

“**landscaping materials**” includes a non-liquid mixture of organic or inorganic material in which plants may grow, soils, potting mixtures and mulches;

“**RIFA**” means Red Imported Fire Ant (*Solenopsis invicta*).

- (2) For plants with soil or planting medium attached originating from a property that has never been infested with Red Imported Fire Ant but that is less than 5 km from a property infested with RIFA to be certified that the originating property has been inspected in the preceding 3 months and found to be free from RIFA.

- (3) For plants with soil or planting medium attached originating from a property that has been infested with RIFA to be certified that —

- (a) the infestation was destroyed by injecting or drenching all nests with a solution of 0.2 g/L chlorpyrifos;
- (b) the property has been treated at least 4 times with baits registered under the Agvet Code of the jurisdiction in which the property is situated for the treatment of RIFA according to the recommendations of the bait's manufacturer with the period between each application of the bait being not less than 1 month and not more than 2 months; and
- (c) the property has been inspected at least monthly for the preceding 3 months and found to be free from RIFA.

- (4) For a plant with soil or planting medium attached originating from a property that has been infested or is less than 5 km from a property that has been infested with RIFA to be certified that —

- (a) if the plant with soil or planting medium attached is in a container with a capacity of 5 L or less, they have been —
 - (i) treated by immersing all of the container and root ball in a solution containing at least 40 ml of a 500 g/L chlorpyrifos concentrate per 100 L of water and a commercial wetting agent used at the manufacturer's recommended rate or drenched by saturating the medium to at least 20% of the volume in that solution;
 - (ii) isolated in a secure area, kept not less than 5 m from plants not treated in accordance with this item and marked as treated against RIFA for export to Western Australia; and

- (iii) consigned to Western Australia within 48 hours of the treatment;
- or
- (b) the soil or planting medium —
 - (i) has been mixed with a registered granular insecticide before planting at a rate of 8.4 kg of granules per cubic metre of soil or planting medium;
 - (ii) the granules contain 2 g/kg of bifenthrin; and
 - (iii) the mixture of soil or planting medium and granules was made not more than 3 months before the plants were consigned to Western Australia.
- (5) For landscaping material originating from a property that has been infested or is less than 5 km from a property infested with RIFA to be certified —
 - (a) that the originating property has been inspected in the preceding 3 months and found to be free from RIFA; and
 - (b) either —
 - (i) that —
 - (I) the material was fumigated with methyl bromide at the rate of 48 g/m³ at 21°C for 24 hours;
 - (II) the material was not more than 300 mm deep during the fumigation;
 - (III) the fumigation was monitored and gas concentration at the end of the fumigation was not less than 15 g/m³;
 - (IV) the material was stored, handled and consigned after treatment in a manner so as to prevent infestation with RIFA; and
 - (V) the material was consigned to Western Australia within 48 hours of fumigation;
 - (ii) that —
 - (I) the material was heat treated to a core temperature of at least 70°C for at least 5 minutes;
 - (II) the material was stored, handled and consigned after treatment in a manner so as to prevent infestation with RIFA; and
 - (III) the material was consigned to Western Australia within 48 hours of treatment;

or

- (iii) that —
 - (I) the material has been mixed with a registered granular insecticide at a rate of 8.4 kg of granules per cubic metre of landscaping material;
 - (II) the granules contain 2 g/kg of bifenthrin; and
 - (III) the mixture of landscaping material and granules was made not more than 3 months before the landscaping material was consigned to Western Australia.
- (6) For hay or straw originating from a property that has been infested or is less than 5 km from a property infested with RIFA to be certified that —
 - (a) the originating property has been inspected in the preceding 3 months and found to be free from RIFA;
 - (b) the hay or straw was fumigated with methyl bromide at the rate of 48 g/m³ at 21°C for 24 hours;
 - (c) the fumigation was monitored and gas concentration at the end of the fumigation was not less than 15 g/m³;
 - (d) the hay or straw was stored, handled and consigned after treatment in a manner so as to prevent infestation with RIFA; and
 - (e) the hay or straw was consigned within 48 hours of fumigation.
- (7) For machinery or containers from a place less than 5 km from a property infested with RIFA to be certified by the Department of Agriculture in the State or Territory in which the machinery or containers originated as having been inspected and found to be free from RIFA.
- (8) For plants with soil or planting medium attached, landscaping material or hay or straw originating from a property 5 km or more from a property infested with RIFA —
 - (a) to be certified by the Department of Agriculture in the State or Territory in which the plants, landscaping material or hay or straw originated as originating from a property that is more than 5 km from any known infestation of RIFA; or
 - (b) to be accompanied by a declaration by the person exporting the plants, landscaping material or hay or straw to Western Australia that it originates from a property that has been accredited by an authorised officer of the Department of Agriculture of the State or Territory in which it originates as being more than 5 km from any known infestation of RIFA.

- (9) For plants, landscaping material or hay or straw, machinery or containers to be certified or verified in writing as having been produced, treated, stored, handled, consigned or inspected and found to be free from RIFA in accordance with a protocol approved by the Director General.
- (10) Subitems (3), (4), (5) and (6) do not apply if subitem (9) applies.
- (11) On arrival in Western Australia plants with soil or planting medium attached originating from a property less than 5 km from a property infested with RIFA to be inspected by an inspector for RIFA and found to be free from RIFA after each container is tapped sharply at least 3 times.

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4. **Schedule 7 amended**

Schedule 7 is amended by inserting the following in the appropriate alphabetical position —

“ Red imported fire ant (*Solenopsis invicta*) ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.