

AG302

PLANT DISEASES ACT 1914

PLANT DISEASES AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Plant Diseases Amendment Regulations 1993*.

Principal regulations

2. In these regulations the *Plant Diseases Regulations 1989** are referred to as the principal regulations.

[* *Published in the Gazette of 30 June 1989 at pp. 1980-1993. For amendments to 23 February 1993 see 1991 Index to Legislation of Western Australia, p. 446-7 and Gazettes of 24 July, 7 August and 18 September 1992.*]

Regulations 17B and 17C inserted

3. After regulation 17A of the principal regulations the following regulations are inserted —

“ **Banana plants — (*Musa spp*) Banana weevil borer**

17B. (1) Unless contrary intention appears in this regulation and in Schedule 6 —

“**quarantine area**” means the area bounded by Ivanhoe Road, River Farm Road, King Location 599 boundary and the Ord River Irrigation Project boundary to Ivanhoe Crossing in the River Farm Road District delineated in black in the map set out in Schedule 6.

(2) A person shall not remove —

- (a) banana plants, leaf, stem, planting material and soil; and
- (b) machinery or farm equipment (unless the machinery or farm equipment is free from soil and banana plant material),

from within the quarantine area.

(3) For the purposes of regulation 16 (1) —

- (a) the quarantine area is a specified portion of the State; and
- (b) banana weevil borer is a specified disease.

Chrysanthemum plants — Chrysanthemum White Rust

17C. (1) Where a grower detects chrysanthemum white rust on his property the grower shall, as soon as practicable —

- (a) advise an inspector; and
- (b) undertake a spraying programme and control measures as approved by the Director General.

(2) A grower or a person who distributes, transports or sells chrysanthemum plants shall ensure that any plants, cuttings and cut flowers which are visually infected with chrysanthemum white rust —

- (a) are not distributed; and
- (b) are destroyed in an approved manner.

(3) A person who distributes chrysanthemum propagating material, including cuttings and rooted cuttings, shall be approved and shall ensure that —

- (a) chrysanthemum plants on the source property are visually free from chrysanthemum white rust;
- (b) staff and equipment are available to carry out a spraying programme and treat the disease in the approved manner; and
- (c) relevant staff are trained to recognize chrysanthemum white rust.

(4) Each consignment of propagating material referred to in regulation (3) shall be accompanied by a declaration from the grower that —

- (a) an approved spraying programme has been carried out; and
- (b) the consignment has been inspected by a trained member of staff and is visually free from chrysanthemum white rust.

(5) For the purposes of regulation 16 (1) chrysanthemum white rust is a specified disease.

(6) A person who fails to comply with this regulation commits an offence. ”

Schedule 1 amended

4. Schedule 1 to the principal regulations is amended —

(a) in Part A —

(i) in the item commencing “Avocado” by inserting after “41” in columns 2, 3 and 5 the following —

“ , 46 ”;

(ii) in the item commencing “Cotton” by inserting after “41” in column 2 the following —

“ , 47 ”;

(iii) after the item commencing “Cotton” by inserting the following item in columns 1,2,3 and 4 respectively —

“ Cowpea seed 13,17,29, 29,31,41 16,48
(for planting) 31,41,45 ”;

(iv) after the item commencing “Helconia” by inserting the following item in columns 1, 2, 3 and 4 respectively —

“ Hibiscus 13,17,29, 29,31,41, 16
31,41,45, 47
47 ”;

- (v) after the item commencing "Mushroom" by inserting the following item in columns 1, 2, 3 and 4 respectively —

" Mungbean seed 13,17,29, 29,31,41 16,48
(for planting) 31,41,45 ";

and

- (vi) in the item commencing "Okra" by inserting after "41" in column 1 and "16" in column 4 the following —

" 47 ";

and

- (b) in Part B —

- (i) by repealing clause 11 and substituting the following clause —

" 11. Chrysanthemum propagating material — Chrysanthemum White Rust — (*Puccinia horiana*)

Chrysanthemum plants, propagating material including cuttings and rooted cuttings.

(1) Distributors of propagating material to be accredited annually on the following basis —

- (a) that chrysanthemum plants on the source property are visually free from chrysanthemum white rust;
- (b) that staff and equipment are available to carry out a spraying programme and treat the disease in the approved manner; and
- (c) that relevant staff are trained to recognize chrysanthemum white rust.

(2) Each consignment shall be accompanied by a declaration from the grower that —

- (a) an approved spraying programme has been carried out; and
- (b) the consignment has been inspected by a trained member of staff and is visually free from chrysanthemum white rust.

”;

- (ii) by repealing clause 23 and substituting the following clause —

" 23. Sorghum seed — Sorghum Midge (*Contarinia sorghicola*)

To be certified that the seed has been fumigated with phosphine in a sealed enclosure at 1.5 g/m³ —

- (a) for 7 days at above 25°C; or

(b) for 10 days at 15°C — 25°C.

Seed to contain less than 1% by weight of chaff consisting of pieces of vegetative parts of plants other than seed or seed fragments.

(iii) in clause 30 (2) (a) by deleting —

(A) “(a)” in the second place where it occurs; and

(B) “(b)”,

and substituting the following —

“ (i) ” and “ (ii) ”;

(iv) in clause 41 by deleting paragraph (d) and substituting the following paragraph —

“ (d) with respect to plants and foliage of the class Monocotyledon (other than Orchidaceae, Amaryllidaceae and Poaceae) as from a property which is free from *Thrips palmi*. ”;

(v) after clause 45 by inserting the following clauses —

“ 46. Avocado plants and fruit — *Cercospora* Leaf Spot (*Pseudocercospora purpurea* synonym *Cercospora purpurea*).

To be certified as being —

(a) from an area where the disease *Cercospora* Leaf Spot has not been detected; and

(b) packed in premises which do not and have not previously handled avocado fruit or plants from an infected area; or

(c) from a State or Territory where *Cercospora* Leaf Spot (*Pseudocercospora purpurea* synonym *Cercospora purpurea*) has not been recorded.

47. (*Malvaceae*) Cotton, hibiscus and okra plants — *Eriophyes hibisci* Nalepa — known as Hibiscus Erineum Mite or Leaf Crumpling Mite.

Entry into Western Australia of plants and parts of plants of the family *Malvaceae* is prohibited unless certified as —

(a) from an area which has been inspected and found free from Hibiscus Erineum Mite; or

- (b) fumigated with methyl bromide at one of the following rates for a period of 2 hours —

56 g/m³ at 5° — 10°C;
 48 g/m³ at 11° — 15°C;
 40 g/m³ at 16° — 20°C;
 32 g/m³ at 21° — 25°C;
 24 g/m³ at 26° — 30°C;
 16 g/m³ at 31° and above; or

- (c) from a State or Territory where Hibiscus Erineum Mite has not been recorded.

48. Cowpea (*Vigna unguiculata* ssp. *unguiculata*) and mungbean seed (*Vigna radiata*) — Tan Spot (*Curtobacterium flaccumfaciens*).

Entry into Western Australia is prohibited unless certified as —

- (a) grown in an area where Tan Spot is not known to occur; or
- (b) from a State or Territory where Tan Spot has not been recorded. ”.

Schedule 5 amended

5. Schedule 5 to the principal regulations is amended —

- (a) in the item “*Centaurea solstitialis*” by deleting “Barnabys” in column 2 and substituting the following —
 “ Barnaby’s ”;
- (b) in the item commencing “*Cynara*” by deleting “*cardunculu*” and substituting the following —
 “ *cardunculus* ”; and
- (c) in the item “*Heliotropium europacum*” by deleting “*europacum*” and substituting the following —
 “ *europaeum* ”.

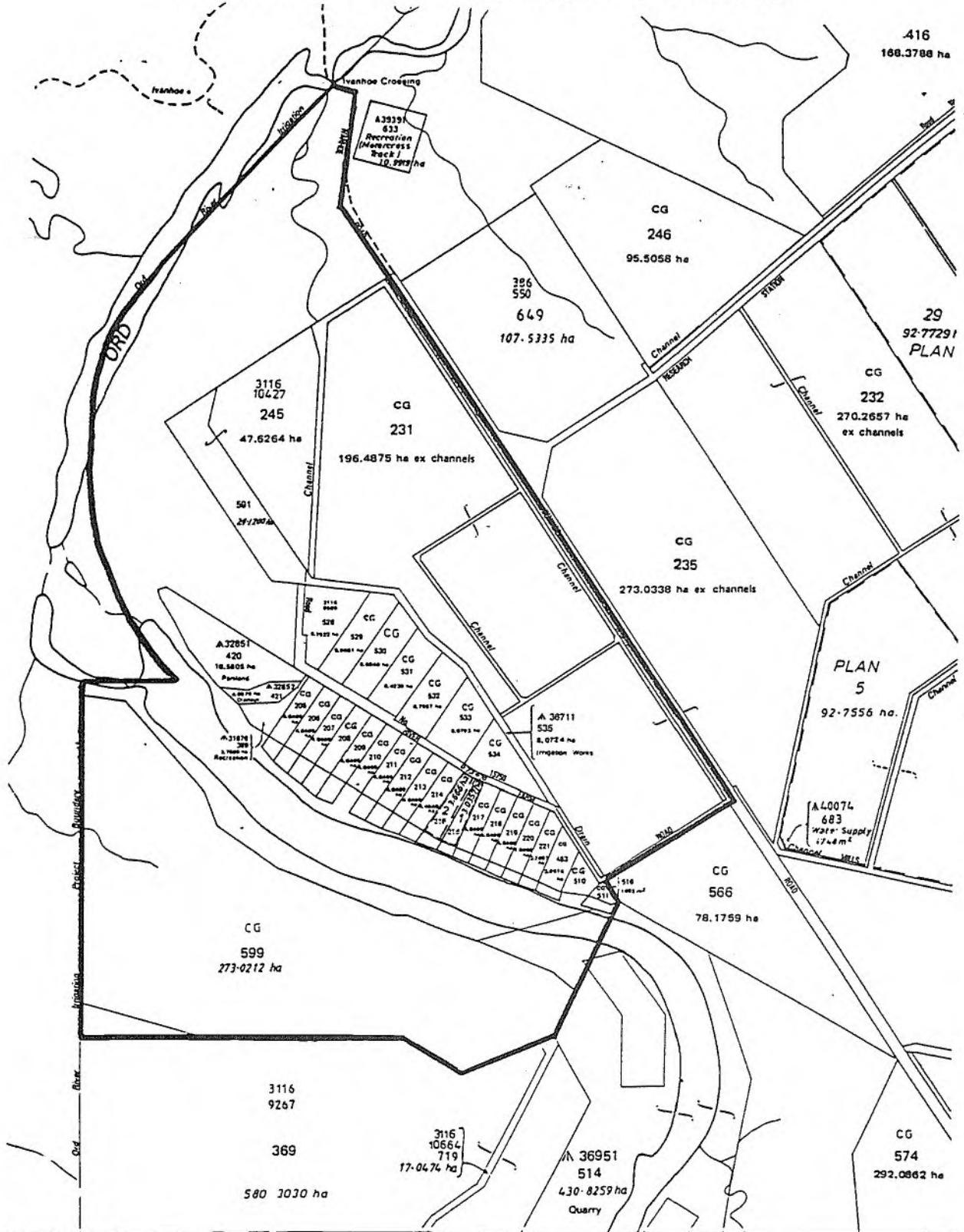
Schedule 6 inserted

6. After Schedule 5 to the principal regulations the following Schedule is inserted —

SCHEDULE 6

[Regulation 17B (2)]

QUARANTINE AREA — RIVER FARM ROAD DISTRICT



Part of Public Plan Ivanhoe S.E. available for inspection at the Department of Land Administration.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.