



Victoria Government Gazette

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Plant Biosecurity Act 2010

ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF CUCUMBER GREEN MOTTLE MOSAIC VIRUS HOST MATERIAL INTO VICTORIA

I, Gabrielle Vivian-Smith, delegate of the Minister for Agriculture and Food Security, make the following Order:

Dated 3 November 2014

GABRIELLE VIVIAN-SMITH
Chief Plant Health Officer

1 Objective

The objective of this Order is to prevent the entry or importation of the exotic disease cucumber green mottle mosaic virus (CGMMV) into Victoria.

2 Authorising Provision

This Order is made under section 36 of the **Plant Biosecurity Act 2010**.

3 Definitions

In this Order –

‘**accreditation program**’ means any program under which a person is permitted to issue an assurance certificate, including any procedure available under the Interstate Certification Assurance (ICA) Scheme;

‘**authorised inspector**’ means a person authorised as an inspector under the Act;

‘**authorised person**’ means a person authorised under the Act to issue Plant Health Declarations;

‘**CGMMV host material**’ means any plant or plant part of a plant from the family cucurbitaceae, agricultural machinery, used packages or earth material.

4 Controls applying to CGMMV host material

- (1) The entry or importation into Victoria of any CGMMV host material is prohibited.
- (2) Sub-clause (1) does not apply if the host material:
 - (a) was grown or packed on a property located in a State or Territory, or part of a State or Territory, for which an area freedom certificate, issued by an officer responsible for agriculture for the State or Territory where the CGMMV host material was grown or packed, is currently in force certifying that the State or Territory, or part of the State or Territory, is known to be free from CGMMV; or
 - (b) is packed, labelled and certified in accordance with any conditions prescribed by an accreditation program, administered by the department responsible for agriculture in the affected State or Territory; or
 - (c) is accompanied by a plant health declaration issued by an authorised person declaring that it has been treated in a manner approved by the Chief Plant Health Officer; or
 - (d) is accompanied by a plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory certifying that it has been treated in a manner approved by the Chief Plant Health Officer; or
 - (e) is consigned in any other manner approved by the Chief Plant Health Officer.

SPECIAL

5 Verification of Consignments

Where requested by an authorised inspector, CGMMV host material imported into Victoria which is required by clause 4(2) to be accompanied by a certificate or declaration, must be:

- (a) presented to an authorised inspector for inspection; or
- (b) verified by a person accredited to do so by the Department of Environment and Primary Industries.

Note: Section 38 of the **Plant Biosecurity Act 2010** provides that a person is guilty of an offence and a penalty not exceeding 60 penalty units in the case of a natural person, and 300 penalty units in the case of a body corporate, for knowingly breaching an Importation Order.

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