

Regulations under the Plant Diseases Ordinance 1934-1938.

I, VICTOR CHARLES THOMPSON, acting for the Minister of State for the Interior, in pursuance of the powers conferred by the *Plant Diseases Ordinance* 1934-1938, hereby make the following Regulations.

Dated this eleventh day of February, 1938.

V. C. THOMPSON
for Minister of State for the Interior.

PLANT DISEASES REGULATIONS.

PART I.—PRELIMINARY.

- Short title. 1. These Regulations may be cited as the Plant Diseases Regulations.
- Parts. 2. These Regulations are divided into Parts as follows:—
Part I.—Preliminary.
Part II.—Sale of fruit and vegetables.
Part III.—Fruit cases.
Part IV.—Orchards and nurseries.
Part V.—Control of codling moth.
Part VI.—Control of fruit fly.
Part VII.—Miscellaneous.
- Definitions. 3.—(1.) In these Regulations, unless the contrary intention appears—
“case” includes covering and package and any receptacle used, or capable of being used, or intended to be used, as a container of fruit or vegetables;
“calyx stage”, in relation to the spraying of trees, means that period of the blossoming of the tree when most of the petals have fallen;
“codling moth” (*cydia pomonella*), means the codling moth in all phases of its life history, including the egg, larvae or caterpillar, pupae or chrysalis, and the adult winged insect or moth stages;
“diameter”, in relation to any fruit, means the greatest diameter of the fruit at right angles to a line joining the stem and the calyx;
“firm” includes corporation;
“fruit fly” includes the Queensland fruit fly (*Chaetodacus tryoni*), the Mediterranean fruit fly (*Ceratitis capitata*) and all other fruit fly which attack cultivated and native fruits and which are included in the family Tryptetidae in all phases of their life history, including the egg, larvae or maggot, pupae or chrysalis, and adult winged insect or fly stage;
“mature” means—
(a) in relation to any apricot, peach or nectarine—that the kernel inside the stone of the fruit has ceased to be in the jelly stage;
(b) in relation to any tomato—that the tomato is at that stage of its growth at which the pulp immediately surrounding its seeds has changed from its original green to a dark amber colour; and

(c) in relation to grapes—that the specific gravity of the filtered juice of the grapes is not less than 1.066 or 9 degrees Baume at 60 degrees Fahrenheit;

“tree” includes the suckers of a tree;

“waste fruit” means fruit which for any reason is not intended to be used for human or animal consumption, or which is infected with disease or pest.

(2.) Any reference in these Regulations to a Schedule shall be read as a reference to a Schedule to these Regulations.

PART II.—SALE OF FRUIT AND VEGETABLES.

4. The owner and the occupier of any premises (including markets, shops and residences) shall, if not sooner required to do so under any other provision of these Regulations, destroy, once in each week, by boiling for not less than ten minutes or by burning, all waste and infected fruit on the premises. Weekly destruction of waste and infected fruit.

5. No person shall sell, or exhibit for sale, any fruit or vegetables unless the fruit or vegetables are so packed and arranged that the outer layer or shown surface of the fruit or vegetables is a true indication of the fair average quality of the whole of the fruit and vegetables sold or exhibited. Prohibition of topping.

6. No person shall sell any quantity of fruit measuring one quarter of a bushel or more in any bag or sack: Limitation on sale of fruit in bag or sack.

Provided that this regulation shall not apply to sales of fruit for manufacturing purposes.

7. No person shall sell or export fruit in any tray, basket, cask, bucket or crate unless the container of the fruit is legibly marked with the weight or number of fruit contained therein. Contents of trays, baskets, &c., to be shown.

8.—(1.) No person shall pack for sale or sell any apricot, peach or nectarine unless the fruit is mature, in normal condition and free from any disease or pest. Sale of apricots, peaches and nectarines.

(2.) No person shall pack for sale or sell in any case containing one half-bushel or more any apricots, peaches or nectarines unless the exterior of the case is legibly marked with particulars showing—

(a) the variety of the fruit; and

(b) the name and address of the person or firm by whom the fruit was packed following the words “packed by”.

(3.) The particulars prescribed by the last preceding sub-regulation shall be legibly marked—

(a) in letters not less than three-quarters of an inch in height on the case; or

(b) in letters not less than one quarter of an inch in height on a label affixed to the case.

9.—(1.) No person shall sell, or offer for sale, potatoes, other than potatoes intended for stock food, except in one of the following grades:— Sale of potatoes.

(a) No 1 grade;

(b) No 2 grade;

(c) New potato grade;

(d) Chat grade; and

(e) Seed potato grade.

(2.) No. 1 grade shall consist of sound potatoes which shall have similar varietal characteristics and a mature skin; they shall be free from decay and mechanical injury not removable by the ordinary process of peeling, and shall be reasonably free from dirt and other foreign matter, second growth, sprouting, and deterioration caused during storage or by abnormal condition or growth or greening from exposure, and be free from damage caused by disease, pests, insects or sunscald and shall have a minimum weight of three ounces.

(3.) No. 2 grade shall consist of potatoes which comply with the standard No. 1 grade except as to maturity of skin and weight. They may have either a mature or immature skin and shall be not less than one and one half ounces but less than three and one half ounces in weight.

(4.) New potato grade shall consist of potatoes which comply with standard of No. 1 grade except that they shall not have a mature skin.

(5.) Chat grade shall consist of potatoes grown in the Federal Capital Territory which, except as regards skin and weight, comply with the standard of No. 1 grade. They shall have an immature skin and shall be less than one and one half ounces in weight.

(6.) Seed potato grade shall consist of sound potatoes which shall have similar varietal characteristics and a mature skin. They shall be reasonably free from second growth, decay, mechanical injury, dirt and other foreign matter, and from damage caused by disease, sunscald or insects, and shall be not less than one and one quarter ounces in weight.

(7.) Potatoes in any covering which are sold, or offered for sale, shall be deemed to comply with the standard of the grade in which they are sold or offered for sale if ninety-five per centum by weight of the potatoes in the covering comply with that standard.

Containers of
potatoes.

10. No person shall, except in the case of potatoes intended for stock food, sell potatoes or offer potatoes for sale unless they are contained in a new or a clean second-hand covering of good quality which has not previously contained organic manure or other substances which would be injurious to potatoes.

Particulars to
be shown when
potatoes sold.

11. No person shall sell potatoes, or offer potatoes for sale, in a quantity equal to, or greater than, one hundredweight, unless each covering in which the potatoes are contained is legibly marked on the exterior thereof in letters not less than two inches in height with particulars showing—

(a) in the case of seed potato grade potatoes, in addition to the particulars specified in paragraph (c) of this regulation—

(i) the variety of the potatoes; and

(ii) the name and address of the seller of the potatoes;

(b) in the case of potatoes which have been rebagged, in addition to the particulars specified in paragraph (c) of this regulation—

(i) the fact that the potatoes have been rebagged; and

(ii) the name and address of the person or firm by whom the potatoes were rebagged; and

(c) in all cases—

(i) the grade of potatoes contained in the covering; and

(ii) the name and address (which address shall include a reference to the State or Territory as well as the town) of the grower of the potatoes:

Provided that potatoes intended for stock food may be sold, or offered for sale, if packed in coverings legibly branded "stock food".

Sale of
tomatoes.

12.—(1.) No person shall pack for sale or sell, in any case containing one-half bushel or more, any tomatoes, not being tomatoes intended for manufacturing purposes unless—

(a) the tomatoes are mature but not soft or over-ripe, and are sound and free from disease or pest, serious damage, decay and sunburn;

(b) the maximum variation in the diameter of the tomatoes does not exceed one inch; and

(c) the exterior of the case is legibly and indelibly marked with the name and address or registered brand of the person or firm by whom the tomatoes were packed, and, where the tomatoes have been repacked, with the words "repacked by" preceding that name and address.

(2.) The particulars prescribed by paragraph (c) of the last preceding sub-regulation shall be legibly marked—

(a) in letters not less than three-quarters of an inch in height on the case; or

(b) in letters not less than one-quarter of an inch in height on a label affixed to the case.

Tomatoes for
manufacturing
purposes.

13.—(1.) No person shall pack for sale or sell, in any case containing one-half bushel or more, any tomatoes intended for manufacturing purposes unless—

(a) the tomatoes are sound and free from disease and pest; and

(b) the exterior of the case is, except when despatched directly to the factory from the garden where the tomatoes are grown, legibly and indelibly marked with the word "Factory" and the name and address or registered brand of the person or firm by whom the tomatoes were packed.

(2.) The particulars prescribed by paragraph (b) of the last preceding sub-regulation shall be legibly marked—

(a) in letters not less than three-quarters of an inch in height on the case; or

(b) in letters not less than one-quarter of an inch in height on a label affixed to the case.

Sale of cherries,
plums and
quinces.

14.—(1.) No person shall pack for sale or sell, in a case containing one-quarter of a bushel or more, any cherries, plums or quinces unless the exterior of the case is marked with particulars showing—

(a) the variety of the fruit; and

(b) the name and address of the person or firm by whom the fruit was packed.

(2.) The particulars prescribed by the last preceding sub-regulation shall be legibly marked—

- (a) in letters not less than three-quarters of an inch in height on the case; or
- (b) in letters not less than one-quarter of an inch in height on a label affixed to the case.

15. No person shall pack for sale or sell any grapes in their fresh state and intended for table use unless they are mature. Sale of grapes.

16.—(1.) No person shall pack for sale, or sell any grapes in a case unless the exterior of the case is marked with particulars showing— Particulars to be shown when grapes sold.

- (a) the variety of the grapes; and
- (b) the name and address of the person or firm by whom the grapes were packed.

(2.) The particulars prescribed by the last preceding sub-regulation shall be marked—

- (a) in letters not less than three-quarters of an inch in height on the case; or
- (b) in letters not less than one-quarter of an inch in height on a label affixed to the case.

17.—(1.) No person shall sell, or offer for sale, apples or pears except in one of the following grades:— Grades of apples and pears.

- (a) Extra Fancy;
- (b) Fancy;
- (c) Good;
- (d) Domestic;
- (e) Factory.

(2.) Extra Fancy grade apples shall consist of sound, clean, well-formed mature apples of one size and one variety, free from broken skins and from any disease or pest. The apples may be affected by slight blemishes provided that such blemishes do not affect more than ten per centum by number of the total number of apples in any package and provided that the total area covered by such blemishes on any apple does not exceed the area contained in a circle, having a diameter of one quarter of an inch. Russetting shall not be deemed to be a blemish, provided that not more than ten per centum of the surface of any apple is affected. The apples of this grade shall comply with the minimum size and colour requirements specified for each variety of apple of this grade respectively set forth in the First Schedule.

(3.) Fancy grade apples shall consist of sound, clean and fairly well-formed mature apples of one size and one variety, free from broken skins and from any disease or pest. The apples may be affected by slight blemishes provided that such blemishes do not exceed ten per centum by number of the total number of apples in any package and provided that the total area covered by such blemishes on any apple does not exceed the area contained in a circle having a diameter of one-quarter of an inch. Russetting shall not be deemed to be a blemish provided that the russetting does not affect more than fifty per centum of the surface of any apple of the Sturmer variety or more than thirty per centum of the surface of any apple of any other variety. The apples of this grade shall comply with the minimum size and colour requirements specified for each variety of apple of this grade respectively set forth in the First Schedule.

(4.) Good grade apples shall consist of apples of one size and one variety, free from broken skins and not seriously affected by blemishes or by any disease or pest. The apples may be slightly blemished by Black Spot fungus, caterpillars, hail-marks or limb rubs provided that the total area covered by all blemishes on any apple does not exceed the area contained in a circle having a diameter of one-quarter of an inch; provided further that, if the blemishes consist wholly of superficial hail-marks, the total area covered by any such blemishes on any apple shall not exceed the area contained in a circle having a diameter of one-half of an inch. Russetting shall not be deemed to be a blemish with the Sturmer variety of apple and shall not be deemed to be a blemish with any other variety of apple, provided that the russetting does not affect more than fifty per centum of the surface of any apple. The apples of this grade shall comply with the minimum size requirements specified for each variety of apple of this grade respectively set forth in the First Schedule.

(5.) Domestic grade apples shall consist of apples of one size and one variety free from broken skins and serious damage caused by any disease or pest. The apples may be blemished, provided that the total area covered by all blemishes on any apple does not exceed the area of a circle having a diameter of three-quarters of an inch; provided further that, if the blemishes consist wholly of superficial hail-marks, the total area covered by any blemishes on any apple shall not exceed

the area contained in a circle having a diameter of one and one-half inches. The apples of this grade shall comply with the minimum size requirements specified for each variety of apple of this grade respectively set forth in the First Schedule.

(6.) Factory grade apples shall consist of apples which are free from decay, and reasonably free from any disease or pest, but which otherwise do not comply with the requirements of the foregoing grades.

(7.) Extra fancy grade pears shall consist of sound, clean, well-formed pears of one size and one variety, free from broken skins and from any disease or pest. The pears may be affected by superficial blemishes, provided that such blemishes do not affect more than ten per centum by number of the total number of pears in any package and provided that the total area covered by such blemishes on any pear does not exceed the area contained in a circle having a diameter of one-quarter of an inch. Russetting shall not be deemed to be a blemish on pears normally russeted and shall not be deemed to be a blemish on pears of the normally clean skinned varieties, provided that the russetting does not affect more than fifteen per centum of the surface of any pear. Pears of the normally clean skinned varieties means pears of the following varieties, namely:—

Bon Chretien (Duchess or Bartlett);
Beurre D'Anjou;
Clapps Favorite;
Doyenne du Comice;
Howell;
Josephine de Malines;
Packham's Triumph;
Packham's Late;
Williams.

Pears of this grade shall be not less than two and one-quarter inches in diameter.

(8.) Fancy grade pears shall consist of sound, clean, well-formed pears of one size and one variety, free from broken skins and not seriously affected by blemishes or by any disease or pest. The pears may be slightly blemished by Black Spot fungus or from any other cause whatsoever, provided that the total area covered by all blemishes on any pear does not exceed the area contained in a circle having a diameter of one-quarter of an inch. Russetting shall not be deemed to be a blemish on pears normally russeted and shall not be deemed to be a blemish on pears of the normally clean skinned varieties, provided that the russetting does not affect more than thirty per centum of the surface of any pear. Pears of the normally clean skinned varieties means pears of the following varieties, namely:—

Bon Chretien (Duchess or Bartlett);
Beurre D'Anjou;
Clapps Favorite;
Doyenne du Comice;
Howell;
Josephine de Malines;
Packham's Triumph;
Packham's Late.

Pears of this grade shall be not less than two inches in diameter.

(9.) Good grade pears shall consist of pears of one size and one variety, free from broken skins and not seriously affected by blemishes or by any disease or pest. The pears may be slightly blemished by Black Spot fungus or from any other cause, provided that the total area covered by all blemishes on any pear does not exceed the area contained in a circle having a diameter of one-half of an inch; provided further that if the blemishes consist wholly of superficial hail-marks, the total area covered by any such blemishes shall not exceed the area contained in a circle having a diameter of one inch. The pears of this grade shall not be less than two inches in diameter.

(10.) Domestic grade pears shall consist of pears of one size and one variety, free from broken skins and not seriously affected by blemishes or by any disease or pest. The pears may be slightly blemished by Black Spot fungus or from any other cause, provided that the total area covered by all blemishes on any pear does not exceed the area contained in a circle having a diameter of three-quarters of an inch; provided further that, if the blemishes consist wholly of superficial hail-marks, the total area covered by any such blemishes shall not exceed the area contained in a circle having a diameter of one and one-half inches.

(11.) Factory grade pears shall consist of pears which are free from decay and reasonably free from any disease or pest, but which otherwise do not comply with the requirements of the foregoing grades.

18. No person shall pack for sale any apples or pears in any case bearing any misdescription of the fruit contained in the case. Misdescription of contents of case of apples or pears.

19.—(1.) No person shall pack for sale or sell any apples or pears in a case containing one-half bushel or more unless the exterior of the case is legibly marked with the particulars showing— Particulars to be shown when apples or pears sold.

- (a) the name and address of the person or firm by whom the fruit was packed;
- (b) the word "Apples" or "Pears" as the case requires;
- (c) the name of the variety of the fruit or in the case of apples an abbreviation thereof as specified in the First Schedule;
- (d) the grade of the fruit; and
- (e) the number or size of the fruit contained in the case:

Provided that this sub-regulation shall not apply in the case of apples or pears forwarded to a factory for manufacturing purposes in a case legibly and indelibly marked "for factory use only".

(2.) The particulars prescribed by the last preceding sub-regulation shall be legibly and indelibly marked—

- (a) in letters not less than three-quarters of an inch in height on the case; or
- (b) in letters not less than one-quarter of an inch in height on a label affixed to the case.

PART III.—FRUIT CASES.

20. No person shall sell any fruit in a case within the Territory, or export fruit in a case from the Territory, unless the case is of a size, measurement and capacity specified in the Second Schedule. Sizes of fruit cases.

21.—(1.) No person shall sell fruit in a case within the Territory unless the case is either new or is clean and free from disease. Use of new and second-hand fruit cases.

(2.) No person shall export any fruit in a case from the Territory unless the case is one which has not previously been used.

22. No person shall sell in, or export from, the Territory any fruit in a case unless the case has been legibly and durably marked, impressed or printed at one end and on the exterior of the case and within a space not exceeding three inches in length and one and one-half inches in width with— Marking of fruit cases.

- (a) the name and address of the maker of the case; and
- (b) the words "guaranteed by the maker to contain 2 Imperial bushels", or "guaranteed by the maker to contain 1 Imperial bushel", or "guaranteed by the maker to contain $\frac{1}{2}$ Imperial bushel" as the size of the case requires.

23. No person shall alter or tamper with any case bearing the maker's name, address and guarantee or deface or alter the maker's name, address or guarantee which has been placed on a case. Tampering with marks on fruit cases.

24.—(1.) No person shall place or permit to be placed on a case a guarantee which does not correctly state the size of the case. False marks on fruit cases.

(2.) No person shall place, sell, or export from the Territory, fruit in any case the guarantee on which incorrectly states the size of the case.

25. The provisions of this Part shall not apply to—

- (a) the sale or export of fruit in a tray, basket, cask or bucket or a crate in which there are trays for the fruit; or
- (b) the export of any fruit which is being exported from Australia. Exception in case of trays, &c.

PART IV.—ORCHARDS AND NURSERIES.

26. The owner and the occupier of any land on which is situated an orchard or nursery shall register that orchard or nursery in the manner and at the time prescribed. Orchards and nurseries to be registered.

27. Application for registration of an orchard or nursery shall be made by forwarding to the Secretary, Department of the Interior, Canberra, an application in accordance with Form A in the Fourth Schedule together with a fee of one shilling. Method of registration.

28. Application for registration of an orchard or nursery shall be made— Times for registration.

- (a) if the orchard or nursery has been established before the date of commencement of these regulations—within thirty days after that date; or
- (b) if the orchard or nursery is established after the date of commencement of these regulations—within thirty days after the date of establishment.

29. Upon receipt of an application for registration of an orchard or nursery together with the prescribed fee, the Secretary, Department Certificate of registration.

of the Interior, shall register the orchard or nursery and issue to the applicant a certificate of registration in accordance with Form B in the Fourth Schedule.

Term of
certificate of
registration.

30. A certificate of registration shall remain in force from the date of issue specified therein until the thirty-first day of December next following that date.

Renewal of
certificates of
registration.

31. Within thirty days after the date of expiration of any certificate of registration the owner and the occupier of the orchard or nursery shall apply for the renewal of the certificate and shall forward with the application a renewal fee of one shilling.

Disposal of
orchard or
nursery to be
notified.

32. The owner or occupier of any registered orchard or nursery who disposes of his interest therein shall, within fourteen days after the date of that disposal, notify the Secretary, Department of the Interior, Canberra, thereof in accordance with Form C in the Fourth Schedule.

Neglected
trees.

33. Where any trees have been neglected and uncultivated for a period of two years and are, in the opinion of the Inspector, by reason of that neglect, likely to spread pest or disease, the Inspector may, by notice in Form D in the Fourth Schedule, require the owner or occupier of the land on which the trees are growing to grub, fell, stack and burn them within the time specified in the notice.

Owner liable
for cost of
destruction of
neglected trees.

34. If the owner or occupier of the land fails to comply with the requirements of a notice in Form D in the Fourth Schedule, the Inspector may, at the cost of the owner or occupier, cause the work specified in the notice to be performed.

Destruction of
fruit of
neglected trees.

35. The owner or occupier of any land on which neglected or uncultivated trees are growing shall, if the Inspector requires him so to do, destroy by burning, or by immersion for ten minutes in boiling water, the fruit of those trees.

PART V.—CONTROL OF CODLING MOTH.

Prevention of
codling moth.

36.—(1.) Every owner and every occupier of land or premises on which any apple, pear or quince tree is growing shall—

(a) thoroughly spray each tree with a mixture of arsenate of lead and water mixed in a proportion of not less than twenty-four ounces of dry arsenate of lead powder or forty-eight ounces of arsenate of lead paste to fifty gallons of water on the following occasions:—

(i) a first spraying shall be commenced on a date when the tree is at the calyx stage and shall be completed not later than the thirtieth day of October next following that date;

(ii) a second spraying shall be commenced on a date three weeks after the date of completion of the first spraying and shall be completed not later than the twentieth day of November next following that date;

(iii) a third spraying shall be commenced on a date three weeks after the date of completion of the second spraying and shall be completed not later than the eleventh day of December next following that date;

(iv) a fourth spraying shall be completed on a date not later than the eighth day of January next following the date of completion of the third spraying;

(v) subsequent sprayings shall be made at intervals of three weeks thereafter until all the fruit of the tree is harvested;

(b) maintain, clear of the ground, round the tree trunk, and each of its limbs arising from the ground and each of its limbs arising from the trunk at a distance of less than five inches from the ground, from the fifteenth day of November in each year until a date not earlier than the first day of June nor later than the thirty-first day of July in the next succeeding year, a bandage of—

(i) twill sacking (wheat sacking) of a weight of not less than fifteen ounces per yard of sacking twenty-six inches wide, each bandage being not less than eight inches wide and being folded once with the opening of the fold facing downwards; or

(ii) corrugated strawboard bands not less than two and one-quarter inches wide and impregnated with a mixture of lubricating oil and betanaphol;

- (c) remove the prescribed bandages not earlier than the first day of June nor later than the thirty-first day of July in the year next succeeding the year in which the bandages were placed on the tree and, in the case of strawboards, forthwith destroy them by burning;
- (d) destroy all larvae and pupae of codling moth within or under the bandages at the following times:—
 - (i) in the case of bandages of twill sacking only—at intervals not exceeding fourteen days during the period commencing on the fifteenth day of November in each year and ending on the twenty-first day of February in the next succeeding year; and
 - (ii) in the case of bandages of twill sacking and strawboards—at the time of removing the bandages;
- (e) keep the tree free from loose bark and broken limbs and keep all crevices or cavities in the tree free from the larvae and pupae of codling moth;
- (f) destroy by burning all larvae and pupae of codling moth and litter found by, or arising from, the removal of loose bark and broken limbs of the tree and the cleaning of its crevices and cavities;
- (g) collect all fallen fruit of the tree at intervals not exceeding seven days; and
- (h) remove from the tree, at intervals not exceeding seven days, all fruit infected with codling moth.

(2.) Every owner and every occupier of land or premises (including markets, shops and residences) upon which is any fruit of the species mentioned in sub-regulation (1.) of this regulation which is waste or which is infected with codling moth, shall forthwith treat all such fruit by—

- (a) immersing it in boiling water for at least ten minutes;
- (b) burning it so as to destroy all eggs and larvae of codling moth; or
- (c) placing it in a pit provided with a cover having an opening fitted with a lid or door for the purpose of admitting fruit and having a glass window, with a surface area of not less than thirty-six square inches, situated not less than two feet from the lid or door and so maintaining the cover, lid or door, and window as to prevent the escape from the pit of adult codling moths.

PART VI.—CONTROL OF FRUIT FLY.

37.—(1.) Every owner and every occupier of land or premises on which any apple, apricot, cherry, loquat, nectarine, peach, pear, persimmon, plum or quince tree is growing shall, if an Inspector requires him so to do—

Treatment to eradicate fruit fly.

- (a) at intervals not exceeding seven days during the prescribed period apply to the foliage of the tree at least six fluid ounces of a spray prepared in accordance with the formula in the Third Schedule, or a formula approved by an Inspector;
- (b) keep, during the prescribed period, a fruit fly trap, constructed in accordance with the specifications in the Third Schedule, attached to at least one tree in every eight of each variety and to every tree which is more than fifty feet distant from any tree to which a trap is attached;
- (c) keep, during the prescribed period, each fruit fly trap attached to a tree baited with not less than six fluid ounces of a lure consisting of a mixture in the proportions of one-eighth of a fluid ounce of vanilla to one-half ounce of household ammonia and twenty-six fluid ounces of water;
- (d) at intervals not exceeding three days during the period prescribed, remove from each tree all fruit infected with fruit fly and collect all fallen fruit;
- (e) remove all nectarines, peaches and quinces from the trees not later than the thirty-first day of March in each year; and
- (f) remove all loquats from the trees not later than the thirty-first day of October in each year.

(2.) For the purposes of this regulation the prescribed period is a period commencing at least five weeks before the ripening of any fruit specified in this regulation and ending one month after the harvesting of the last variety of fruit harvested.

(3.) Every owner and every occupier of land or premises (including markets, shops and residences) upon which is any fruit of the species mentioned in sub-regulation (1.) of this regulation which is waste or is infected with fruit fly, shall forthwith treat all such fruit by—

- (a) immersing it in boiling water for at least ten minutes;
- (b) burning it so as to destroy all eggs and larvae of fruit fly; or
- (c) placing it in a pit provided with a cover having an opening fitted with a lid or door for the purpose of admitting fruit and having a glass window, with a surface area of not less than thirty-six square inches, situated not less than two feet from the lid or door and so maintaining the cover, lid or door, and window as to prevent the escape from the pit of adult fruit flies.

PART VII.—MISCELLANEOUS.

Offences.

38.—(1.) Any person who contravenes or fails to comply with any provision of these Regulations shall be guilty of an offence against these Regulations.

(2.) Unless it is otherwise expressly provided, the penalty for an offence against these Regulations shall be a fine not exceeding Ten pounds.

Discharge of liability of owner and occupier.

39. Where, by or in pursuance of any provision of these Regulations, both the owner and the occupier of any land, premises, orchard or nursery, are required to do any act or thing, or to comply with any requirement, compliance by either of them with the provision or requirement shall be deemed to be compliance by both.

Repeal.

40. The Plants Diseases Regulations made under the *Plant Diseases Ordinance 1934-1938* on the twenty-seventh day of January, 1938, are hereby repealed.

THE SCHEDULES.

THE FIRST SCHEDULE.

Regulations 17 and 19.

Variety.	Abbreviated Description (if any).	Minimum Sizes (Inches in diameter).	Minimum percentage of colour characteristic of the variety required for each Apple.	
			Extra Fancy Grade.	Fancy Grade.
Alken Seedling ..	A.B. ...	2½	..	..
Adams Pearmain ..	A. PM. ...	2½	30	10
Alexander ..	ALX. ...	2½	30	10
Alfriston ..	ALF. ...	2½	..	..
Allsopps ..	ALLSOP ..	2½	..	..
Aromatic ..	ARO. ...	2½	50	20
Australian Beauty ..	A.B. ...	2½	50	20
Ben Davis ..	BEN. D. ...	2½	30	15
Buncombe ..	BUN. ...	2½	50	20
Charles Ross ..	C.R. ...	2½	30	10
Cleopatra ..	CLEO. ...	2½	..	..
Coleman ..	CMN. ...	2½	50	20
Commerce ..	COM. ...	2½	50	20
Cox's Orange Pippin ..	C.O.P. ...	2	30	5
Crofton ..	CROF. ...	2	50	20
Crow Egg ..	C.E. ...	2½	30	10
Delicious ..	DEL. ...	2½	50	20
Democrat ..	DEM. ...	2½	70	35
Dougherty ..	DHTY. ...	2½	40	20
Duke of Clarence ..	D.C. ...	2½	70	35
Dunn's ..	DUNN'S ..	2½	..	..
Edna May ..	E.M. ...	2½	50	20
Elsie Grant ..	E.G. ...	2½	40	20
French Crab ..	F.C. ...	2½	70 green colour	..
Foster ..	FOS. ...	2½	50	20
Geeveston Fanny ..	G.F. ...	2½	50	10
Golden Delicious ..	G.D. ...	2½	..	..
Granny Smith ..	G.S. ...	2½	..	..
Gravenstein ..	GRAV. ...	2½	..	..
Grimes Golden ..	G.G. ...	2½	..	..
Hoover ..	HOOV. ...	2½	50	30
Huon Belle ..	H.B. ...	2½	30	13
Irish Peach ..	I.P. ...	2½	20	10
Jonathan ..	JON. ...	2½	50	20
Jubilee ..	JUB. ...	2½	50	20
King Cole ..	K. COLE ..	2½	50	20
King David ..	K.D. ...	2½	70	35
King Pippin ..	K.P. ...	2½	30	10
Kirks Carrington ..	K. CAR. ...	2½	50	20

THE FIRST SCHEDULE—continued.

Variety.	Abbreviated Description (if any).	Minimum Sizes (Inches in diameter).	Minimum percentage of colour characteristic of the variety required for each Apple.	
			Extra Fancy Grade.	Fancy Grade.
London Pippin ..	L.P. ..	2½	..	..
Lord Nelson ..	L.N. ..	2½	..	..
Lord Suffield ..	L. SF. ..	2½	..	..
Lord Wolsley ..	L.W. ..	2½	..	..
McIntosh Red ..	Mc.R. ..	2½	70	35
Mammoth ..	MAM. ..	2½	..	..
Mobb's Codlin ..	M.C. ..	2½	..	..
Newtown Pippin ..	N.T.P. ..	2½	..	..
Nickajack ..	NJ. ..	2½	30	10
Northern Spy ..	N.S. ..	2½	30	10
Perfection ..	PERFN. ..	2½	50	20
Prince Alfred ..	P.A. ..	2½	30	10
Pomme de Neige ..	P.B.N. ..	2½	30	10
Ranelagh ..	R.A.N. ..	2½	30	10
Reinette du Canada ..	R.D.C. ..	2½	..	..
Red Carrington ..	R. CAR. ..	2½	40	10
Ribston Pippin ..	R.P. ..	2½	..	..
Rokewood ..	ROKE. ..	2½	40	20
Rome Beauty ..	R.B. ..	2½	30	10
Rymer ..	RYM. ..	2½	25	10
Senator ..	SEN. ..	2½	30	10
Strawberry Pippin ..	STRAW. ..	2½	30	10
Spitzenburg ..	SPTZ. ..	2½	40	15
Scarlet ..	S. PM. ..	2½	50	20
Schroeder ..	SCH. ..	2½	..	..
Statesmen ..	STN. ..	2½	30	10
Stayman's Winesap ..	STAY. W. ..	2½	30	10
Stone Pippin ..	S.P. ..	2½	..	..
Sturmer ..	ST. P. ..	2½	..	..
Stewarts (Ballarat) ..	BLT. ..	2½	..	..
Tasman's Pride ..	T.P. ..	2½	50	20
Twenty Ounce ..	T.O. ..	2½	..	..
Wellington ..	WELL. ..	2½	..	..
White Winter Pearmain ..	W.W.P. ..	2½	..	..
Willie Sharpe ..	W.S. ..	2½	..	..
Winter Majetin ..	W.M. ..	2½	20	10
Worcester Pearmain ..	W. PM. ..	2½	50	20
Yates ..	YATES ..	2	50	20
Unclassified ..	Name of apple	2½	..	..

THE SECOND SCHEDULE.

Regulation 20.

Case.	Inside measurement (clear of all divisions, except in case of cherry case).	Cubic inches capacity.
1. One bushel case ..	18 inches long by 8½ inches wide by 14½ inches deep	2,223
2. One bushel case ..	26 inches long by 6 inches wide by 14½ inches deep	2,223
3. One bushel case ..	20 inches long by 11½ inches wide by 10 inches deep	2,225
4. One bushel case ..	18 inches long by 11½ inches wide by 10½ inches deep	2,173½
5. One-half bushel case ..	18 inches long by 8½ inches wide by 7½ inches deep	1,111½
6. One-half-bushel case ..	26 inches long by 6 inches wide by 7½ inches deep	1,111½
7. One-half bushel case ..	18 inches long by 11½ inches wide by 5½ inches deep	1,110½
8. One-quarter bushel case ..	11½ inches long by 9 inches wide by 5½ inches deep	555⅞
9. One-quarter bushel case ..	13½ inches long by 10½ inches wide by 4 inches deep	556¼
10. One-quarter bushel case ..	18 inches long by 5½ inches wide by 5½ inches deep	555⅞
11. Tropical fruit case ..	24½ inches long by 12 inches wide by 12 inches deep	3,564
12. Californian fruit case ..	24 inches long by 11½ inches wide by 11½ inches deep	3,174
13. Grape case ..	24 inches long by 11½ inches wide by 6 inches deep	1,892
14. Pear case ..	18 inches long by 11½ inches wide by 8½ inches deep	1,759½
15. Peach case (half-bushel) ..	18 inches long by 10½ inches wide by 5½ inches deep	1,112½
16. Cherry case ..	26 inches long by 5 inches wide by 6 inches deep (with central division)	780

THE THIRD SCHEDULE.

Regulation 37.

FORMULA FOR FOLIAGE SPRAY FOR FRUIT FLY.

One gallon of fruit syrup (made by boiling five pounds of fruit in one gallon water and straining the liquid so produced) thoroughly mixed with three gallons of water, four pounds of molasses or treacle and four ounces of arsenate of lead powder.

SPECIFICATION OF FRUIT FLY TRAP.

The trap shall be a spherical glass bowl approximately seven inches in diameter and four and one half inches in height, and shall have an opening at the base to permit the entry of fruit flies.

THE FOURTH SCHEDULE.

FORM A.

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Regulation 27.

Plant Diseases Regulations.

APPLICATION FOR REGISTRATION OF ORCHARD OR NURSERY FOR YEAR 19 .

Date / / .

To Secretary,
Department of the Interior,
Canberra, F.C.T.

In accordance with the provisions of the Plant Diseases Regulations I being the owner of the orchard described here-
under hereby apply for the registration thereof and enclose herewith the sum of occupier of the nursery in payment of the fee of registration.

Signature.

Owner.
Occupier.

Name of owner (in full).
occupier

Address.

Where orchard is situated—Block.
nursery Section.
Subdivision or District.

Total area of orchard acres.
nursery

Number of—(a) Fruit trees.
(b) Grape vines.

PARTICULARS OF FRUIT TREES AND VINES.

Name.	Number of Fruit Trees and Vines.
Apple	
Pear	
Quince	
Peach	
Nectarine	
Plum	
Apricot	
Cherry	
Fig	
Almond	
Specify any others	
Vines—	
Grape	
Specify any others	

FORM B.

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Regulation 29.

Plant Diseases Regulations.

CERTIFICATE OF REGISTRATION OF AN ORCHARD OR NURSERY FOR THE YEAR 19 .

The orchard described hereunder of which
nursery is the owner is registered until the thirty-first day of December, 19
occupier Secretary, Department of the Interior.

DESCRIPTION OF ORCHARD SITUATED ON BLOCK , SECTION OF
NURSERY SUBDIVISION.
DISTRICT.

Total area acres.
Number of—(a) Fruit trees.
(b) Grape vines.

PARTICULARS OF FRUIT TREES AND VINES.

Name.	Number of Fruit Trees and Vines.
Apple	
Pear	
Quince	
Peach	
Nectarine	
Plum	
Apricot	
Cherry	
Fig	
Almond	
Specify any other	
Vines—	
Grape	
Specify any others	

FORM C.

Regulation 32.

TERRITORY FOR THE SEAT OF GOVERNMENT.

Plant Diseases Regulations.

NOTICE OF DISPOSAL OF AN ORCHARD.
NURSERY.

To Secretary,
Department of the Interior,
Canberra, F.C.T.

I, _____, of _____,
being the person who has as owner occupier registered the orchard nursery situate at—Block _____
Subdivision or District _____
hereby notify you that on the _____ day of _____, 19 _____,
I disposed of my interest in the said orchard nursery to _____
of _____
Dated this _____ day of _____, 19 _____.

Signature.

FORM D.

Regulation 33.

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Plant Diseases Regulations.

NOTICE TO DESTROY NEGLECTED OR UNCULTIVATED TREES.

To _____, of _____, the owner occupier
of Block _____, Section _____, District or Subdivision of _____
on which are growing the trees described hereunder which have been neglected
or uncultivated for a period of two years and which, in my opinion, by reason
of that neglect are likely to spread pest or disease.
Take notice that I require you to fell, stack and burn those trees within
_____ days from the date of this notice.

Description of trees—

Dated this _____ day of _____, 19 _____.

Inspector.