

# Animal Diseases (Import Restriction) Declaration 2017

Disallowable instrument DI2017–188

made under the

**Animal Diseases Act 2005, s 15 (Import restrictions)**

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## 1 Name of instrument

This instrument is the *Animal Diseases (Import Restriction) Declaration 2017*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Declaration

I declare the area, outlined in red on the map at Schedule 1, to be subject to an import restriction (the **Import Restriction Area**).

## 4 Declared animals to which declaration applies

This declaration applies to live or dead:

- (a) decapod crustaceans; and
  - (b) polychaete worms;
- (the **Declared Animals**).

## 5 Disease to which declaration relates

This declaration is made in relation to white spot disease.

## 6 Restrictions on importing declared animals

- (1) The import into the ACT of Declared Animals is prohibited if the Declared Animals have been in:
  - (a) the Import Restriction Area at any time since 1 November 2016; or
  - (b) in contact with either of the following:

- (i) water that has held the Declared Animals referred to in section 6 (1) (a); or
  - (ii) equipment or other things that have previously been used in connection with the Declared Animals referred to in section 6 (1) (a) unless such equipment or other things have been cleaned and disinfected to remove all traces of the Declared Animals or Declared Animals product in accordance with a protocol approved by the ACT Chief Veterinary Officer.
- (2) The prohibition in section 6 (1) does not apply to decapod crustaceans if they:
  - (a) have first been processed for human consumption as cooked product; and
  - (b) are securely packaged; and
  - (c) are transported directly to a point of sale in the ACT for human consumption.
- (3) The prohibition in section 6 (1) does not apply to uncooked decapod crustaceans moved through (into, within and out of, including the loading and unloading of product into or from vehicles whilst in transit) the Import Restriction Area if:
  - (a) they originated from outside of the Import Restriction Area; and
  - (b) any bins or packaging or coverings containing uncooked decapod crustaceans remain intact and secured; and
  - (c) the name, address, postcode and the State or Territory of both the grower and/or commercial fisher and the packer is clearly displayed on the outer covering of any bins or packaging; and
  - (d) they are transported directly to a point of sale in the ACT for human consumption.

**Example**

uncooked decapod crustaceans originating from outside of the Import Restriction Area may be moved into that area unloaded from a vehicle and then loaded onto a second vehicle.

- (4) The prohibition in section 6 (1) does not apply to decapod crustaceans (cooked or uncooked) that have been subject to gamma irradiation treatment within the Import Restriction Area, if they have been moved directly from the Import Restriction Area to a destination in the ACT, subject to all of the following conditions:
  - (a) an ACT authorised person is notified by telephone on (02) 6207 6376 no less than 48 business hours prior to the planned time of arrival of the product at the destination in the ACT of:
    - (i) the address of the destination of the product; and
    - (ii) the description of the product including species, weight, type of packaging and number of packages; and

- (iii) the estimated date and time of arrival of the product. The date and time of arrival of the product must be on a business day during business hours; and
- (b) the product is moved into the ACT:
  - (i) in refrigerated transport; and
  - (ii) in the same sealed insulated containers in which the gamma irradiation treatment was applied; and
  - (iii) accompanied by a copy of the relevant Certificate of Irradiation; and
  - (iv) in one journey on the same day (they must not be offloaded until they reach their destination); and
  - (v) subject to a permit from the Queensland Department of Agriculture and Fisheries; and
  - (vi) the ACT Chief Veterinary Officer is informed in writing via email to [pcs.licensingandcompliance@act.gov.au](mailto:pcs.licensingandcompliance@act.gov.au) by the person receiving the product of the date and time of the arrival of the product at its destination, as soon as possible after its arrives.
- (5) Further, the prohibition in section 6 (1) does not apply where the requirements in subsection (4) have been met and the product is unloaded at the destination from the sealed insulated containers and processed as required, and is then further transported to a point of sale in the ACT if all of the following conditions are met:
  - (a) it is stored in a separate part of the processing facility to other products being processed; and
  - (b) it remains identifiable with appropriate marks on containers and boxes with the lot number allocated to the product by the Treatment Facility and with the name of the Treatment Facility; and
  - (c) a copy of the Certificate of Irradiation is kept with the product at all times prior to it being processed into final packaging; and
  - (d) each individual container into which the processed product is finally packaged is clearly labelled with:
    - (i) the name of the Treatment Facility; and
    - (ii) the relevant lot number; and
    - (iii) the details of the volume of product that was irradiated in that lot; and
    - (iv) the symbols “50 kGy” to indicate that the product was irradiated with this dose; and
  - (e) any waste product produced during processing (for example, water or organic matter) is disposed of to either the sewer (for water) or to general waste as appropriate.

## **7 Restrictions on importing equipment or other things**

- (1) The importation into the ACT of equipment or other things used, at any time since 1 November 2016, in connection with the cultivation or catch of Declared Animals referred to in section 6 (1) (a) is prohibited.
- (2) The importation into the ACT of equipment or other things used, at any time since 1 November 2016, in water or exposed to water in which Declared Animals referred to in section 6 (1) (a) have been kept or are wild is prohibited.
- (3) The prohibitions in subsections (1) and (2) do not apply to equipment or other things that have been cleaned and disinfected to remove all traces of Declared Animals or Declared Animals product, in accordance with a protocol approved by the ACT Chief Veterinary Officer.

## **8 Restrictions on sale of declared animals, equipment or other things**

The sale in the ACT of Declared Animals, equipment or other things is prohibited if the importation of the Declared Animals, equipment or other things is prohibited under sections 6 or 7.

## **9 Authorised person**

Sections 6 (1) and 7 (1) do not apply to an authorised person acting in the ordinary course of his or her duties under the Act.

## **10 Definitions**

*Act* means the *Animal Diseases Act 2005*.

*authorised person* means a person appointed under section 64 of the Act.

*certificate of irradiation* means a Certificate that:

- (a) certifies that Gamma irradiation treatment was applied to the product at the Treatment Facility on the date stated in the Certificate; and
- (b) bears an individual lot number assigned by the Treatment Facility; and
- (c) describes the product that was treated including the species and total weight of the product; and
- (d) is signed by an employee of the Treatment Facility who is authorised to sign the Certificate on behalf of the Treatment Facility.

*commercial fisher* means a person:

- (a) who holds a current commercial fishing licence issued under Division 1 of Part 4 of the *New South Wales Fisheries Management Act 1994*; or

(b) who holds a current commercial fisher licence under the Queensland *Fisheries Act 1994*.

**cooked** means cooked to a minimum time and temperature standard to ensure that all the protein in the Declared Animals is coagulated and no uncooked meat remains.

**decapod crustaceans** means any crustacean of the Order Decapoda and includes, but is not limited to: school, tiger and banana prawns, shrimp, slipper lobsters, crabs and hermit crabs.

**gamma irradiation treatment** means treatment by irradiation at a gamma radiation dose of at least 50 kilo Gray (kGy).

**polychaete worm** means any worm of the Class Polychaeta.

**treatment facility** means a treatment facility that applies gamma irradiation treatment to the decapod crustaceans.

**white spot disease** means the disease that is caused by the virus *Whispovirus* (Family *Nimaviridae*) (also known as infection with white spot syndrome virus).

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SCHEDULE 1 - Map indicating Infected Area for White Spot Disease