

# Biosecurity (Potato Mop-Top Virus) Control Declaration 2025

Notifiable instrument NI2025-616

made under the

Biosecurity Act 2023, s 51 (Control declarations)

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## 1 Name of instrument

This instrument is the *Biosecurity (Potato Mop-Top Virus) Control Declaration 2025*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Grounds for declaration—Act, s 51 (1)

I am satisfied that this declaration is necessary to manage the biosecurity risk posed by Potato Mop-Top Virus.

## 4 Biosecurity matter and biosecurity risk—Act, s 51 (2) (a)

- (1) The biosecurity matter that is the subject of this declaration is the Potato Mop-Top Virus (*PMTV*).
- (2) The introduction of and spread of PMTV has the potential to have an adverse effect on the economy, the environment, and the community of the ACT (the *biosecurity risk*).

## 5 Control measures—Act, s 51 (2) (b)

I consider that the control measure in schedule 1 is reasonably necessary to prevent the biosecurity risk.

## 6 Control zone—Act, s 51 (2) (c)

The control zone for this declaration is the whole of the ACT.

## 7 People to whom control measure applies—Act, s 51 (2) (d)

The control measures in this declaration apply to any person who moves or causes the movement of a PMTV carrier into the ACT.

**8 Expiry—Act, s 51 (2) (e)**

This instrument expires 5 years after the commencement day.

Dave Peffer

Delegate of the Minister for Climate Change, Environment, Energy and Water

13 November 2025

# Schedule 1      Control measure—Movement of a PMTV carrier

(see s 5)

## Part 1.1      Important concepts

***biosecurity certificate*** means a biosecurity certificate or interstate biosecurity certificate, that is currently in force, certifying that a specified area, or part of an area, is free of PMTV.

***PMTV carrier*** means any of the following:

- (a) PMTV host material,
- (b) soil that is used, or is suspected to have been used, in potato propagation at any time in the previous 5 years,
- (c) used equipment, or
- (d) a used covering.

***PMTV host material*** means any plant or plant material of the species *Solanum tuberosum*, other than processed material, and includes:

- a) a processing potato,
- b) a seed potato, and
- c) a ware potato.

***potato*** means a tuber of the plant species *Solanum tuberosum*.

***potato mop-top virus or PMTV*** means the virus *Pomovirus solani*.

***potato plant*** means any plant or plant material, other than a tuber, of the species *Solanum tuberosum*.

***powdery scab*** means the disease caused by the organism *Spongospora subterranea*.

***processed material*** means any PMTV host material that has been processed in a manner that alters the form of the PMTV host material so that it is incapable of introducing PMTV into the PMTV control zone, including been processed in the following ways:

- (a) canned,
- (b) cooked,
- (c) dried,
- (d) frozen,
- (e) juiced, or
- (f) shredded.

***processing potato*** means a potato, or any part of a potato, grown for processing into a prepared potato product that does not constitute a fresh potato.

**Example—prepared potato product**

- 1 potato chips
- 2 hash browns

***property*** means an area of land (including an area comprising 1 or more parcels of land that are proximate) that is worked as a single property.

***seed potato*** means a potato or potato plant, or any part of a potato or potato plant to be used for propagation or planting.

***used covering*** means a covering or packaging that has been in contact with PMTV host material at any time in the previous 5 years.

***used equipment*** means any machinery or equipment that has been used at any time in the previous 5 years in the cultivation, handling, harvesting, processing or packaging of PMTV host material.

***ware potato*** means a potato, or any part of a potato, grown for consumption as a fresh potato.

*Note* Terms used in this declaration have the same meaning that they have in the *Biosecurity Act 2023*. For example, the following terms are defined in the Act, dict:

- biosecurity matter (see s 8)
- biosecurity risk (see s 13)
- carrier (see s 9)
- interstate biosecurity certificate (see s 111)
- move

## Part 1.2 Control measure

### 1.1 Control measure— Movement of a PMTV carrier into the control zone

- (1) A person must not move, or cause the movement of, a PMTV carrier into the PMTV Control Zone unless the person has complied with:
  - (a) the control measure exemptions in this order

**Note**—There are no control measures which allow soil that has been used, or is suspected to have been used, in potato propagation at any time in the previous 5 years into the PMTV control zone.

## **Part 1.3 Control measure exceptions**

### **1.2 Control measure exception— movement of PMTV host material**

- (1) Section 1.3 does not apply to a person who moves PMTV host material into the ACT if –
  - (a) the PMTV host material was sourced from a State or Territory, or part of a State or Territory, that is free of PMTV as evidenced by a biosecurity certificate, and the consignment containing the PMTV host material has a label or identifier stating the name and postcode of the city or town nearest to the place at which the PMTV host material was sourced, or
  - (b) the PMTV host material is a ware potato that is:
    - (i) clean of soil and other plant material, and
    - (ii) free of visible symptoms of powdery scab, including but not limited to being visibly free of scabs or lesions, and
    - (iii) in new retail packaging labelled with the words ‘for human consumption and not for planting’ and with the name and location of the person or business that grew the potatoes, or
  - (c) the PMTV host material is a processing potato that is:
    - (i) clean of soil and other plant material, and
    - (ii) free of visible symptoms of powdery scab, including but not limited to being visibly free of scabs or lesions.

### **1.3 Control measure exception— movement of used equipment into PMTV control zone**

- (1) Section 1.3 does not apply to a person who moves used equipment into the ACT if –
  - (a) the used equipment was last used in a State or Territory, or part of a State or Territory, that is free of PMTV as evidenced by a biosecurity certificate, and
  - (b) the consignment containing the used equipment originated in a State or Territory, or part of a State or Territory, that is free of PMTV as evidenced by a biosecurity certificate.

### **1.4 Control measure exception – movement of used covering into the PMTV control zone**

- (1) Section 1.3 does not apply to a person who moves used covering into the ACT if –
  - (a) the used covering was last used in a State or Territory, or part of a State or Territory, that is free of PMTV as evidenced by a biosecurity certificate, and

- (b) the consignment containing the used covering originated in a State or Territory, or part of a State or Territory, that is free of PMTV as evidenced by a biosecurity certificate.

#### **1.5 Control measure— Dealing with PMTV within the control zone**

- (1) A person must not deal with PMTV, as a result of the dealing, PMTV enters or is likely to enter the control zone.

### **Part 1.4 Notification of PMTV within the control zone**

#### **1.6 Notification of presence of PMTV**

- (1) A person who becomes aware of or suspects the presence of PMTV within the control zone must immediately notify the presence of PMTV and provide the following information:
  - (a) the person's full name and contact phone number,
  - (b) details of the presence or suspected presence of PMTV,
  - (c) the location of the PMTV including, if the PMTV is on a property with a property identification code, the property identification code (if known).
- (2) Notification is to be given by:
  - (a) emailing [ACTbiosecurity@act.gov.au](mailto:ACTbiosecurity@act.gov.au) or
  - (b) calling the Exotic Pest Plant Hotline on 1800 084 881