



**DIRECTOR'S APPROVAL No. P176/06/01  
Under the Plant Diseases Act 1924 No 38**

**CONDITIONS OF MOVEMENT INTO NEW SOUTH WALES OR INTO A  
SPECIFIED PORTION OF NEW SOUTH WALES ON ACCOUNT OF THE  
PEST PHYLLOXERA**

I, Bruce M Christie, Director, Animal and Plant Biosecurity, of New South Wales Department of Primary Industries, acting in accordance with Proclamation P176, published in *New South Wales Government Gazette* No. 189, 22 December 2006 at pages 11839 to 11840, and for the purpose of allowing the bringing into the State, or specified portions of the State, of certain items, hereby approve the following conditions of movement pursuant to the paragraphs of Proclamation P176 specified.

**2(a)(i) Movement of Items into a NSW Phylloxera Exclusion Zone from  
a NSW or Interstate Phylloxera Infested Zone**

1. An item otherwise regulated by conditions 2 to 8 is allowed entry pursuant to:
  - (a) conditions of movement for that item under paragraph 2(b)(i) of Proclamation P176 if the item originates in an Interstate PRZ and is only travelling through the NSW or Interstate PIZ on a direct journey from the Interstate PRZ to the NSW PEZ; or
  - (b) conditions of movement for that item under paragraph 2(c) of Proclamation P176 if the item originates in an Interstate PEZ and is only travelling through the NSW or Interstate PIZ on a direct journey from the Interstate PEZ to the NSW PEZ;
2. Germplasm of the genus *Vitis* is allowed entry only if the germplasm is accompanied by a permit issued by the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and a Plant Health Certificate certifying that all conditions in that approval have been met.
3. Diagnostic samples of the genus *Vitis*, including vineyard soil samples, are allowed entry only if accompanied by a permit issued by the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and a Plant Health Certificate certifying that all conditions in that approval have been met.
4. Filtered, clarified or cold settled juice of the genus *Vitis* is allowed entry only if:

- (1) it is accompanied by a Plant Health Certificate specifying its origin; and
- (2) a copy of the Plant Health Certificate obtained for the purposes of condition 4. (1) has been faxed to the Regulatory Compliance Manager prior to the entry.

5. Post-fermentation marc of the genus *Vitis* is allowed entry only if:

- (1) (a) in the case of red marc, a fermentation process of at least four days has been completed; or  
(b) in the case of white marc,
  - (i) composting for at least 3 months has been completed, or
  - (ii) the marc has been composted in accordance with Australian Standard AS 4454 (2003), or
  - (iii) the marc has been pasteurised in accordance with Australian Standard AS 4454 (2003); and
- (2) the marc has been packed into a sealed container; and
- (3) the container and transport vehicle have been cleaned free of soil and organic matter; and
- (4) the marc is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the applicable conditions of 5. (1) to (3) have been met and specifying the origin of the marc; and
- (5) the Plant Health Certificate or Plant Health Assurance Certificate obtained for the purposes of condition 5. (4) has been faxed to the Regulatory Compliance Manager prior to the entry.

6. Table grapes of the genus *Vitis* are allowed entry only if:

- (1) packed for sale as table grapes, with an Osku-vid Grape Guard pad (sulphur pad); and
- (2) free of soil and leaf material.

7. Used vineyard machinery or equipment is allowed entry only if:

- (1) it has been thoroughly cleaned with steam or high-pressure hot water to remove all soil and plant debris; and
- (2) it has been sterilised using one of the following methods,
  - (a) Steam
    - (i) where the steam applied is above 100°C, and
    - (ii) the steam contacts all surfaces, and
    - (iii) the surface is left dry, not wet with condensate,

**OR**

- (b) Hot water
  - (i) where the equipment is totally immersed in the water, and
  - (ii) the water is at 70°C minimum, and
  - (iii) the equipment remains immersed for at least 2 minutes after the equipment has reached 70°C,

**OR**

- (c) Dry heat (***Dry heat treatment is compulsory for mechanical harvesters***)

- (i) where the item is placed in a hot dry room, shed or container, and
  - (ii) the temperature in the room, shed or container is at least 45°C; and
  - (iii) the surface temperature of the item is measured to ascertain when that temperature reaches 45°C, and
  - (iv) the heat in the room, shed or container is held constant for two hours after the item has reached 45°C; and
- (3) it is accompanied by a permit issued by the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and a Plant Health Certificate certifying that all conditions in that approval have been met; and
- (4) the Plant Health Certificate obtained for the purposes of condition 7. (3) has been faxed to the Regulatory Compliance Manager prior to the entry.

8. Garden organics are allowed entry only if the garden organics:

- (1) (i) have been composted in accordance with Australian Standard AS 4454 (2003), or
- (ii) have been pasteurised in accordance with Australian Standard AS 4454 (2003); and
- (2) are packed into a sealed container; and
- (3) the container and transport vehicle have been cleaned free of soil and organic matter; and
- (4) are accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the applicable conditions 8.(1) to (3) have been met and specifying the origin of the garden organics.

**Notes**

The following items are not referred to in the conditions of movement for items regulated under paragraph 2(a) of Proclamation P176:

- cuttings
- rootlings
- potted vines
- whole wine grapes
- must
- unfiltered juice
- pre-fermentation marc; and
- soil (to the extent that soil is regulated by Proclamation P176).

The absence of reference to them means that they are PROHIBITED unless specific approval is sought under subparagraph 2(a)(ii) of Proclamation P176.

**2 (b)(i) Movement of Items into a NSW Phylloxera Exclusion Zone or NSW Phylloxera Infested Zone from an Interstate Phylloxera Risk Zone**

9. An item otherwise regulated by conditions 10 to 19 is allowed entry pursuant to conditions of movement for that item under paragraph 2(c) of Proclamation P176 if the item originates in an Interstate PEZ and is only travelling through the Interstate PRZ on a direct journey from the Interstate PEZ to the NSW PEZ or NSW PIZ;
10. Cuttings or Rootlings of the genus *Vitis* are allowed entry only if:
- (1) in the case of rootlings, they are grown from cuttings sourced in a Phylloxera Exclusion Zone; and
  - (2) in the case of both cuttings and rootlings, washed free of soil; and
  - (3) in the case of both cuttings and rootlings, treated by,
    - (a) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of a least 18°C, or
    - (b) complete submersion in a hot water dip for
      - (i) 30 minutes at a temperature of 50°C±1°C, or
      - (ii) 5 minutes at a temperature of 54°C±1°C; and
  - (4) accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that the applicable conditions of 10. (1) to (3) have been met.
11. Germplasm of the genus *Vitis* is allowed entry only if the germplasm is accompanied by a permit issued by the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and a Plant Health Certificate certifying that all conditions in that approval have been met.
12. Diagnostic samples of the genus *Vitis*, including vineyard soil samples, are allowed entry only if the diagnostic samples are accompanied by a permit issued by the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and a Plant Health Certificate certifying that all conditions in that approval have been met.
13. Whole Wine grapes of the genus *Vitis* are allowed entry only if:
- (1) the whole wine grapes are sourced from a vineyard that has been issued with a Plant Health Certificate certifying that
    - (a) the vineyard has been ground surveyed in accordance with the *National Phylloxera Management Protocol* within the previous 12 months, and
    - (b) there is no reason to suspect the presence of phylloxera on the vineyard; and
  - (2) the whole wine grapes are packed in bins which have been cleaned free of all soil and plant material before delivery and are securely covered after packing; and
  - (3) the bins are loaded onto or into a transport vehicle on a hard surface, not within the vineyard; and
  - (4) the transport vehicle has been cleaned free of all soil and organic matter; and

- (5) a Plant Health Certificate or Plant Health Assurance Certificate certifying that conditions 13. (2) to (4) have been met and specifying the origin of the whole wine grapes has been issued; and
  - (6) copies of the Certificates obtained for the purposes of conditions 13. (1) and 13. (5) are faxed to the Regulatory Compliance Manager prior to the entry; and
  - (7) the whole wine grapes are accompanied by a copy of the Certificates obtained for the purposes of conditions 13. (1) and 13. (5).
14. Must (red, rose or white) or unfiltered juice of the genus *Vitis* is allowed entry only if:
- (1) the whole wine grapes used are sourced from a vineyard that has been issued with a Plant Health Certificate certifying that
    - (a) the vineyard has been ground surveyed in accordance with the *National Phylloxera Management Protocol* within the previous 12 months, and
    - (b) there is no reason to suspect the presence of phylloxera on the vineyard; and
  - (2) the Plant Health Certificate under condition 14. (1) is faxed to the Regulatory Compliance Manager prior to each proposed consignment of must or unfiltered juice;
  - (3) (a) in the case of whole must, grapes have been de-stemmed and crushed, or
    - (b) in the case of unfiltered juice, grapes have been crushed with or without de-stemming; and
  - (4) the tanker, in which the must or unfiltered juice is to be consigned, has been,
    - (a) cleaned free of soil and organic matter, and
    - (b) sealed to prevent leakage or spillage; and
  - (5) the must or unfiltered juice is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the applicable conditions of 14. (1) to (4) have been met and specifying the origin of the must or unfiltered juice.
15. Filtered, clarified or cold settled juice of the genus *Vitis* is allowed entry only if the filtered, clarified or cold settled juice is accompanied by a Plant Health Certificate specifying the origin of the filtered, clarified or cold settled juice.
16. Table grapes of the genus *Vitis* are allowed entry only if:
- (1) packed for sale as table grapes, with an Osku-vid Grape Guard pad (sulphur pad); and
  - (2) free of soil and leaf material.
17. Pre and Post-fermentation marc of the genus *Vitis* is allowed entry only if:
- (1) (a) in the case of red marc, a fermentation process of at least four days has been completed; or
    - (b) in the case of white marc,

- (i) composting for at least 3 months has been completed, or
- (ii) the marc has been composted in accordance with Australian Standard AS 4454 (2003), or
- (iii) the marc has been pasteurised in accordance with Australian Standard AS 4454 (2003); and
- (2) the marc has been packed into a sealed container; and
- (3) the container and transport vehicle have been cleaned free of soil and organic matter; and
- (4) the marc is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the applicable conditions of 17. (1) to (3) have been met and specifying the origin of the marc.

18. Used vineyard machinery or equipment is allowed entry only if:

- (1) it has been thoroughly cleaned with steam or high-pressure hot water to remove all soil and plant debris; and
- (2) it has been sterilised using one of the following methods,
  - (a) Steam
    - (i) where the steam applied is above 100°C, and
    - (ii) the steam contacts all surfaces, and
    - (iii) the surface is left dry, not wet with condensate,

**OR**

- (b) Hot water
  - (i) where the equipment is totally immersed in the water, and
  - (ii) the water is at 70°C minimum, and
  - (iii) the equipment remains immersed for at least 2 minutes after the equipment has reached 70°C,

**OR**

- (c) Dry heat (***Dry heat treatment is compulsory for mechanical harvesters***)
  - (i) where the item is placed in a hot dry room, shed or container, and
  - (ii) the temperature in the room, shed or container is at least 45°C; and
  - (iii) the surface temperature of the item is measured to ascertain when that temperature reaches 45°C, and
  - (iv) the heat in the room, shed or container is held constant for two hours after the item has reached 45°C; and
- (3) it is accompanied by a Plant Health Certificate certifying that conditions 18. (1) and 18. (2) have been met; and
- (4) the Plant Health Certificate obtained for the purposes of condition 18. (3) has been faxed to the Regulatory Compliance Manager prior to the entry.

19. Garden organics is allowed entry only if the garden organics has been:

- (1) (i) have been composted in accordance with Australian Standard AS 4454 (2003), or
- (ii) have been pasteurised in accordance with Australian Standard AS 4454 (2003); and
- (2) are packed into a sealed container; and

- (3) the container and transport vehicle have been cleaned free of soil and organic matter; and
- (4) are accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the applicable conditions of 19. (1) to (3) have been met and specifying the origin of the garden organics.

**Notes**

The following items are not referred to in the conditions of movement for items regulated under paragraph 2(b) of Proclamation P176:

- potted vines; and
- soil (to the extent that soil is regulated by Proclamation P176).

The absence of reference to them means that they are PROHIBITED unless specific approval is sought under subparagraph 2(b)(ii) of Proclamation P176.

**2 (c) Movement of Items into a NSW Phylloxera Exclusion Zone or NSW Phylloxera Infested Zone from an Interstate Phylloxera Exclusion Zone**

20. Cuttings or Rootlings of the genus *Vitis* are allowed entry only if the cuttings or rootlings:

- (1) are sourced from a Phylloxera Exclusion Zone; and
- (2) washed free of soil; and
- (3) treated by,
  - (a) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of a least 18°C, or
  - (b) complete submersion in a hot water dip for
    - (i) 30 minutes at a temperature of 50°C±1°C, or
    - (ii) 5 minutes at a temperature of 54°C±1°C; and
- (4) are accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that the applicable conditions of 20. (1) to (3) have been met.

21. Potted vines of the genus *Vitis* are allowed entry only if they:

- (1) they have been grown from cuttings or rootlings in compliance with conditions 20. (1), 20. (2) and either of 20. (3) (a) or 20. (3) (b); and
- (2) have not been grown in contact with soil; and
- (3) have been grown in a soil-less media; and
- (4) are accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that conditions 21. (1) to (3) have been met.

22. Germplasm of the genus *Vitis* is allowed entry only if the germplasm:

- (1) has been grown in sterile conditions as a tissue culture plant; and
- (2) has been treated by submersion in a hot water dip for:

- (a) 30 minutes at a temperature of 50°C±1°C; or
- (b) 5 minutes at a temperature of 54°C±1°C; and
- (3) is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that conditions 22. (1) and (2) have been met.

23. Diagnostic samples of the genus *Vitis*, including vineyard soil samples, are allowed entry only if they:

- (1) have been packed in an air-tight container and sealed with packing tape; and
- (2) have been consigned to an accredited facility; and
- (3) are accompanied by a Plant Health Certificate specifying their origin.

24. Table grapes are allowed entry only if free of soil and leaf material.

25. Used vineyard machinery or equipment is allowed entry only if the vineyard machinery or equipment:

- (1) has been
  - (a) thoroughly cleaned with steam or high-pressure hot water to remove all soil and plant debris; and
  - (b) sterilised using one of the following methods,
    - (i) Steam
      - a. where the steam applied is above 100°C, and
      - b. the steam contacts all surfaces, and
      - c. the surface is left dry, not wet with condensate,

**OR**

- (ii) Hot water
  - where the equipment is totally immersed in the water, and
  - the water is at 70°C minimum, and
  - the equipment remains immersed for at least 2 minutes after the equipment has reached 70°C,

**OR**

- (iii) Dry heat (***Dry heat treatment is compulsory for mechanical harvesters***)
  - where the item is placed in a hot dry room, shed or container, and
  - the temperature in the room, shed or container is at least 45°C; and
  - the surface temperature of the item is measured to ascertain when that temperature reaches 45°C, and
  - the heat in the room, shed or container is held constant for two hours after the item has reached 45°C;

**OR**

- (2) has been located continuously for at least the preceding two weeks in an Interstate Phylloxera Exclusion Zone; and
- (3) is accompanied by a Plant Health Certificate certifying either that condition 25. (1) has been met or that condition 25. (2) has been met.

26. The following regulated items:

- (1) whole wine grapes;

- (2) must (red, rose or white);
- (3) unfiltered juice;
- (4) filtered, clarified or cold settled juice;
- (5) pre-fermentation marc;
- (6) post-fermentation marc; and
- (7) garden organics;

are allowed entry only if accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying their origin in the Interstate Phylloxera Exclusion Zone.

**Note**

Soil (to the extent that soil is regulated by Proclamation P176) is not referred to in the conditions of movement for items regulated under paragraph 2(c) of Proclamation P176. The absence of reference to such soil means that it is PROHIBITED.

**2 (d)(i) Movement of Items into a NSW Phylloxera Infested Zone from a NSW or Interstate Phylloxera Infested Zone**

27. Germplasm of the genus *Vitis* is allowed entry only if the germplasm is accompanied by a permit issued by the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and a Plant Health Certificate certifying that all conditions in that approval have been met.
28. Diagnostic samples of the genus *Vitis*, including vineyard soil samples, are allowed entry only if the diagnostic samples are accompanied by a permit issued by the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and a Plant Health Certificate certifying that all conditions in that approval have been met.
29. Filtered, clarified or cold settled juice of the genus *Vitis* is allowed entry only if the filtered, clarified or cold settled juice is accompanied by a Plant Health Certificate specifying the origin of the filtered, clarified or cold settled juice.
30. Post-fermentation marc of the genus *Vitis* is allowed entry only if:
  - (1) (a) in the case of red marc, a fermentation process of at least four days has been completed; or
  - (b) in the case of white marc,
    - (i) composting for at least 3 months has been completed, or
    - (ii) the marc has been composted in accordance with Australian Standard AS 4454 (2003), or
    - (iii) the marc has been pasteurised in accordance with Australian Standard AS 4454 (2003); and
  - (2) the marc has been packed into a sealed container; and
  - (3) the container and transport vehicle have been cleaned free of soil and organic matter; and

- (4) the marc is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the applicable conditions of 30. (1) to (3) have been met and specifying the origin of the marc.

31. Table grapes of the genus *Vitis* are allowed entry only if:

- (1) packed for sale as table grapes, with an Osku-vid Grape Guard pad (sulphur pad); and
- (2) free of soil and leaf material.

32. Used vineyard machinery or equipment is allowed entry only if:

- (1) it has been thoroughly cleaned with steam or high-pressure hot water to remove all soil and plant debris; and
- (2) it has been sterilised using one of the following methods,
  - (a) Steam
    - (i) where the steam applied is above 100°C, and
    - (ii) the steam contacts all surfaces, and
    - (iii) the surface is left dry, not wet with condensate,

**OR**

- (b) Hot water
  - (i) where the equipment is totally immersed in the water, and
  - (ii) the water is at 70°C minimum, and
  - (ii) the equipment remains immersed for at least 2 minutes after the equipment has reached 70°C,

**OR**

- (c) Dry heat (***Dry heat treatment is compulsory for mechanical harvesters***)
  - (i) where the item is placed in a hot dry room, shed or container, and
  - (ii) the temperature in the room, shed or container is at least 45°C; and
  - (iii) the surface temperature of the item is measured to ascertain when that temperature reaches 45°C, and
  - (iv) the heat in the room, shed or container is held constant for two hours after the item has reached 45°C; and
- (3) it is accompanied by a permit issued by the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and a Plant Health Certificate certifying that all conditions in that approval have been met; and
- (4) the Plant Health Certificate obtained for the purposes of condition 32. (3) has been faxed to the Regulatory Compliance Manager prior to the entry.

33. Garden organics are allowed entry only if the garden organics:

- (1) (i) have been composted in accordance with Australian Standard AS 4454 (2003), or
  - (ii) have been pasteurised in accordance with Australian Standard AS 4454 (2003); and
- (2) are packed into a sealed container; and

- (3) the container and transport vehicle have been cleaned free of soil and organic matter; and
- (4) are accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the applicable conditions 33. (1) to (3) have been met and specifying the origin of the garden organics.

#### **Notes**

The following items are not regulated in the conditions of movement for items regulated under paragraph 2(d) of Proclamation P176:

- cuttings
- rootlings
- potted vines
- whole wine grapes
- must
- unfiltered juice
- pre-fermentation marc; and
- soil (to the extent that soil is regulated by Proclamation P176).

The absence of reference to them means that they are PROHIBITED unless specific approval is sought under subparagraph 2(d)(ii) of Proclamation P176.

#### **Definitions**

**direct journey** means that the journey:

- (a) is continuous, in the sense that the item is not set down from a vehicle it is travelling in and/or is not used in any way during the journey; and
- (b) does not involve the item being taken onto a vineyard.

**Interstate PEZ** means a zone falling within the terms of Schedule 6 to Proclamation P176.

**Interstate PIZ** means a zone falling within the terms of Schedule 4 to Proclamation P176.

**Interstate PRZ** means a zone falling within the terms of Schedule 5 to Proclamation P176.

**National Phylloxera Management Protocol** means a document, as amended from time to time, published under that name by the NVHSC, and accessible at <http://www.gwrdc.com.au/nvhscphylloxera.htm>.

**NSW PEZ** means a zone falling within the terms of Schedule 2 to Proclamation P176.

**NSW PIZ** means a zone falling within the terms of Schedule 3 to Proclamation P176.

**NVHSC** means the National Vine Health Steering Committee and is a consultative group involving all major stakeholders (Commonwealth, State Governments and industry) with an interest in grape health issues, specifically in relation to grapevine pests and diseases of national economic significance.

**Plant Health Assurance Certificate** means a Plant Health Assurance Certificate issued by a person authorised by the primary industries department of the relevant State or Territory to issue Plant Health Assurance Certificates.

**Plant Health Certificate** means a Plant Health Certificate issued by a person authorised by the primary industries department of the relevant State or Territory to issue Plant Health Certificates.

**Regulatory Compliance Manager** means the Regulatory Compliance Manager of NSW Department of Primary Industries.

#### **Notes**

It is the responsibility of the person proposing to move regulated items to identify:

1. where the boundaries of the various zones lie at the point in time the movement is proposed to take place; and
2. how the relevant item, proposed route or proposed circumstances of the movement may be prohibited or regulated by Proclamation P176 and these Conditions of Movement.

Maps of the various zones should be available from the primary industries department of your State or Territory.

**Caution** – where the hot water dip treatment of cuttings, rootlings and germplasm is mandated, it must be remembered that *Vitis* plant material may be damaged by this treatment. A trial treatment is recommended, unless the response of the plant material to this treatment is known.

For the purpose of compliance with relevant conditions, the fax number for the Regulatory Compliance Manager is (02) 6361 9976.

For further information please contact NSW Department of Primary Industries on (02) 6391 3593. Proclamation P176 can be accessed at [http://www.dpi.nsw.gov.au/aboutus/about/legislation/plant\\_diseases\\_legislation/proclamations/section\\_4](http://www.dpi.nsw.gov.au/aboutus/about/legislation/plant_diseases_legislation/proclamations/section_4).



**BRUCE M CHRISTIE**  
**DIRECTOR, ANIMAL AND PLANT BIOSECURITY**  
**NSW DEPARTMENT OF PRIMARY INDUSTRIES**

DATE: 22/12/06