

**NOTICE UNDER SECTION 131(3) OF THE BIOSECURITY ACT 1993 OF  
MOVEMENT CONTROLS ON KIWIFRUIT FRUIT THAT MAY BE CONTAMINATED  
WITH KIWIFRUIT PLANT MATERIAL (OTHER THAN KIWIFRUIT THAT HAS BEEN  
PROCESSED AND PACKAGED, WHETHER FOR DOMESTIC CONSUMPTION OR  
FOR EXPORT)**

1. Pursuant to section 131(3) of the Biosecurity Act 1993, I hereby give notice that the following controls apply to all kiwifruit (*Actinidia* spp.) fruit (other than kiwifruit that has been processed and packaged, whether for domestic consumption or for export), which, by this notice, is deemed to be at risk of being contaminated with kiwifruit plant material being moved into, out of, within or between areas declared as controlled areas for the purpose of managing the spread of *Pseudomonas syringae* pv. *Actinidiae*, under the National Psa-V Pest Management Plan.
2. These controls apply to all areas declared as controlled areas in the **Notice of Declaration of Controlled Areas Under Section 131(2) of the Biosecurity Act 1993 in Respect of the Pest, *Pseudomonas syringae* pv. *actinidiae*.**
3. Movement controls apply to 'kiwifruit fruit (other than fruit that has been processed and packaged, whether for domestic consumption or for export)' as follows:
  - a) The following movements are allowed, subject to meeting the conditions set out under clause (4):
    - i. All movements within an Exclusion Region;
    - ii. All movements from an Exclusion Region to a Containment Region or a Recovery Region;
    - iii. All movements from a Containment Region to a Recovery Region.
    - iv. All movements within a Containment Region and between Containment Regions (Note: an exception to this is where an additional 'controlled area' or 'restricted place' is established under the Biosecurity Act 1993, by KVH or an authorised person, within part of a Containment Region to aggressively contain localised infection. Where this is the case, any additional movement controls will apply over and above the controls in this notice);
    - v. All movements from a Recovery Region into a Containment Region;
    - vi. All movements within or between Recovery Regions;
    - vii. All movements from any Exclusion, Containment or Recovery Region to another part of New Zealand outside of Exclusion, Containment or Recovery Regions.
  - b) The following movements are prohibited:
    - i. All movements of reject kiwifruit fruit, including for animal feed or bulk disposal, from a Containment Region or a Recovery Region into an Exclusion Region.
  - c) All other movements of kiwifruit fruit (other than fruit that has been processed and packaged, whether for domestic consumption or for export) (i.e. those not covered under sub-clauses (3)(a) or (b) are restricted and may only be carried out with a permission issued by KVH, including:
    - i. All movements between Exclusion Regions;
    - ii. All movements of kiwifruit fruit other than reject kiwifruit which is prohibited by sub-clause 3 (b) (i) above from a Containment Region or a Recovery Region into an Exclusion Region.
4. The following conditions apply to movements of kiwifruit fruit (other than fruit that has been processed and packaged, whether for domestic consumption or for export):

- a) All movements of reject kiwifruit fruit for animal feed or bulk disposal must adhere to the 'KVH Protocol: Harvesting, Packing and Reject Fruit' available on the KVH website ([http://www.kvh.org.nz/industry\\_protocols](http://www.kvh.org.nz/industry_protocols)), including the following requirements:
- i. All reject kiwifruit fruit must be handled to minimise any associated plant material (e.g., leaf matter) being lost to the environment during transport, animal feeding or processing and during storage;
  - ii. All reject kiwifruit fruit awaiting transport must be securely stored to prevent escape of any kiwifruit plant material;
  - iii. All reject kiwifruit fruit must be fully covered during transport to prevent escape of any kiwifruit plant material;
  - iv. Reject kiwifruit fruit must not be unloaded within 200m of a kiwifruit orchard in a Recovery Region;
  - v. Reject kiwifruit fruit must not be unloaded within 200m of a kiwifruit orchard in an Exclusion Region if it is sourced from another Exclusion Region (Note: all other movements of reject fruit into an Exclusion Region are prohibited – refer to sub-clause (3) (b));
  - vi. Reject kiwifruit fruit must not be unloaded within 10km of a kiwifruit orchard in a Containment Region where it is sourced from either a Recovery or Containment Region; and
- b) All movements of all kiwifruit fruit in bins (e.g. movements at time of harvest from an orchard to a pack-house facility, and movements from a pack-house to a processing facility) must adhere to the 'KVH Protocol: Fruit Bins' available on the KVH website ([http://www.kvh.org.nz/industry\\_protocols](http://www.kvh.org.nz/industry_protocols)), including the following requirements:
- i. All bins of kiwifruit fruit must be handled to minimise any associated plant material (e.g., leaf matter) being lost to the environment during transport, processing and/or storage;
  - ii. Bins of kiwifruit fruit must be fully covered so as to prevent escape of any kiwifruit plant material when transported within a Containment Region;
  - iii. Kiwifruit fruit supplied to processors in a Containment Region or an Exclusion Region, which is sourced from a Containment Region or a Recovery Region, must be sanitised using a sanitiser included on the 'KVH list of recommended sanitisers'.
5. To avoid doubt, movement controls in this notice do not apply to fruit that has already been processed and packaged for domestic consumption or export.
6. Any kiwifruit fruit moved in contravention of this notice may be seized by an inspector or authorised person and destroyed, treated or otherwise dealt with.
7. Failure to comply with the requirements of this notice may result in a prosecution under the Biosecurity Act 1993. If convicted an individual could be liable to a term of imprisonment not exceeding 3 months, or a fine not exceeding \$50,000 or both. A corporation convicted of an offence under this notice is liable to a fine not exceeding \$100,000.

Signed at Tauranga on 9 August 2013



Barry O'Neil  
Chief Executive Officer, Kiwifruit Vine Health