

**NOTICE UNDER SECTION 131(3) OF THE BIOSECURITY ACT 1993 OF
MOVEMENT CONTROLS ON KIWIFRUIT PLANT MATERIAL (EXCLUDING
BUDWOOD, ROOTSTOCK, PLANTS, ANY PARTS OF A KIWIFRUIT PLANT USED IN
PLANT PROPAGATION, FLOWERS, POLLEN AND FRUIT)**

1 Pursuant to section 131(3) of the Biosecurity Act 1993, I hereby give notice that the following controls apply to kiwifruit plant material (excluding the material listed in sub-clause (1) (a)) 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.

a) The following kiwifruit plant material is excluded from this notice:

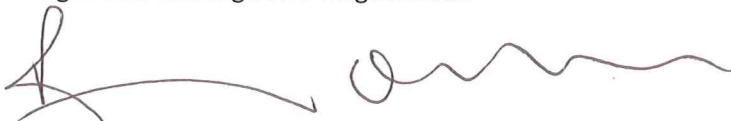
- i. Budwood (Note: requirements associated with movement of budwood is covered in the *Notice under section 131(3) of the Biosecurity Act 1993 of movement controls on kiwifruit budwood*);
- ii. Rootstock, plants and any part of a kiwifruit plant used in plant propagation (Note: requirements associated with movement of these are covered in the *Notice under section 131 (3) of the Biosecurity Act 1993 of movement controls on kiwifruit rootstock, plants and any part of a kiwifruit plant used in plant propagation*);
- iii. Flowers, flower parts and pollen (Note: requirements associated with movement of these are covered in the *Notice under section 131(3) of the Biosecurity Act 1993, of movement controls on kiwifruit flowers, flower parts and pollen*);
- iv. Kiwifruit fruit that may be contaminated with plant material (other than fruit that has been processed and packaged, whether for domestic consumption or for export) (Note: requirements associated with movement of these are covered in the *Notice under section 131(3) of the Biosecurity Act 1993 of movement controls on kiwifruit fruit that may be contaminated with kiwifruit plant material*);
- v. Kiwifruit fruit that has been processed and packaged for domestic consumption or export (Note: no movement controls apply to fruit that has been processed and packaged for domestic consumption or export under the National Psa-V Pest Management Plan).
- vi. Kiwifruit plant material used for floral displays (Note: requirements associated with movement of this is covered in the *Notice of Declaration of Controlled Area Under Section 131(2) of the Biosecurity Act 1993, of Movement Controls on Kiwifruit Plant Material Use in Floral Displays*).

b) Kiwifruit plant material covered by this notice includes:

- i. any kiwifruit vine material that is cut out or pruned from, or has naturally dropped from, kiwifruit vines on an orchard;
- ii. any kiwifruit vine or vine material removed from a home garden or non-commercial orchard;
- iii. compost or any other soil mix or gardening product containing kiwifruit plant material; and
- iv. kiwifruit wood for use as firewood;

- 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 plant material (as defined in clause 1) 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 within a Recovery Region;
 - iii. 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 between any Exclusion Region, Containment Region or Recovery Region, and another Exclusion Region, Containment Region or Recovery Region.
- c) All other movements (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 within a Containment Region;
- 4 The following conditions apply to any movement of kiwifruit plant material (as defined in clause 1):
- a) All plant material awaiting movement must be securely stored and handled in a way that prevents dispersal of any kiwifruit plant material.
- b) All plant material must be fully covered during transport to prevent escape of any kiwifruit plant material.
- c) Every person disposing of kiwifruit plant material from a Psa-V positive orchard must adhere to the 'KVH protocol: Disposal Options', available on the KVH website at http://www.kvh.org.nz/vine_removal.
- 5 Any kiwifruit plant material moved in contravention of this notice may be seized by an inspector or authorised person and destroyed, treated or otherwise dealt with.
- 6 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