

**SUPPLEMENTARY GAZETTE**



**THE SOUTH AUSTRALIAN  
GOVERNMENT GAZETTE**

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# STATE GOVERNMENT INSTRUMENTS

## LIVESTOCK ACT 1997

### SECTION 33

#### *Prohibition of Entry into South Australia of Live Abalone (Haliotis spp.)*

PURSUANT to Section 87 of the *Livestock Act 1997*, I, Mary Ruth Carr, Chief Inspector of Stock, delegate of the Minister for Primary Industries and Regional Development, revoke the notice made by the Minister for Agriculture, Food and Fisheries pursuant to Section 33 of the *Livestock Act 1997* on 8 January 2015, published in the *Gazette* on 15 January 2015 at pp.281-282.

Pursuant to Section 33 of the *Livestock Act 1997*, and for the purposes of controlling or eradicating disease or contamination, I prohibit the entry into, and subsequent movement within, *South Australia* (including *South Australian waters*) of live *abalone*, whether wild-caught or cultivated, except to the extent, and subject to the conditions, set out in Parts A to E below. Except as expressly provided, the exceptions in Parts A to E are independent of one another.

#### **Part A. abalone supplied by a designated aquaculture supplier**

The entry into, and movement within, *South Australia* of live *abalone* originating from another State or Territory of the Commonwealth is permitted if:

- a. the *abalone* were cultivated by a *designated aquaculture supplier* of that State or Territory, the *designated aquaculture supplier* has been accredited by a *competent authority* of that State or Territory within the previous 12 months and the *accreditation* has not been revoked or withdrawn, and the *abalone* are accompanied to the point of sale where they are to be sold by retail in *South Australia* by a copy of the *designated aquaculture supplier's* current certificate of *accreditation*; and
- b. in the case of *abalone* originating from a State or Territory that has reported the occurrence of AVG, and which is not declared free of AVG in accordance with the standards set by the World Animal Health Organisation (OIE), the *abalone* are accompanied to the *point of sale* where they are to be sold by retail in *South Australia* by a completed *Abalone Health Statement* in respect of the *abalone*; and
- c. the *abalone* are transported from the *designated aquaculture supplier* which cultivated them:
  - i. directly into *South Australia*; or
  - ii. directly to a *certified biosecure area* of a *fish processor* in the State or Territory where the *abalone* were cultivated and, from there, directly into *South Australia*,  
and if they enter *South Australia* from a certified biosecure area, the *abalone* are accompanied to the *point of sale* where they are to be sold by retail in *South Australia* by a copy of the current certificate as to the biosecure status of the *certified biosecure area*; and
- d. upon entering *South Australia*, the *abalone* are transported directly to a *fish processor* or *point of sale* in *South Australia*; and
- e. the *abalone* are moved into *South Australia* and transported to the *fish processor* or *point of sale* in sealed containers that are either new or have been *decontaminated* before receiving the *abalone*; and
- f. so long as they remain alive, *abalone* that leave the place where they were received upon entering *South Australia* are transported (including to the *point of sale* where they are to be sold by retail) in sealed containers which (unless the *abalone* remain in the same sealed containers in which they entered *South Australia*) have been *decontaminated* before receiving the *abalone*; and
- g. all water, tanks, containers and other equipment that have come into contact with *abalone* or *abalone product* are *decontaminated* before disposal or removal from the *fish processor's* premises or the *point of sale*, as applicable; and
- h. the requirements set out in Part D are complied with.

#### **Part B. wild-caught abalone entering by road or air from a jurisdiction not affected by AVG**

The entry into, and subsequent movement within, *South Australia* of live wild-caught *abalone* originating from a State or Territory of the Commonwealth other than a State or Territory referred to in Part C is permitted if:

- a. the *abalone* enter *South Australia* by road or air; and
- b. upon entering *South Australia* (or if arriving by air, upon being landed in *South Australia*), the *abalone* are transported directly to a *fish processor* or *point of sale* in *South Australia*; and
- c. the *abalone* are moved into *South Australia* and transported to the *fish processor* or *point of sale* in sealed containers that are either new or have been *decontaminated* before receiving the *abalone*; and
- d. so long as they remain alive, *abalone* that leave the place where they were received upon entering *South Australia* are transported (including to the *point of sale* where they are to be sold by retail) in sealed containers which (unless the *abalone* remain in the same sealed containers in which they entered *South Australia*) have been *decontaminated* before receiving the *abalone*; and
- e. all water, tanks, containers and other equipment that have come into contact with *abalone* or *abalone product* are *decontaminated* before disposal or removal from the *fish processor's* premises or the *point of sale*, as applicable; and
- f. the requirements set out in Part D are complied with.

#### **Part C. wild-caught abalone entering by road or air from an AVG-affected jurisdiction**

The entry into, and subsequent movement within, *South Australia* of live wild-caught *abalone* originating from a State or Territory of the Commonwealth that has reported the occurrence of AVG, and which is not declared free of AVG in accordance with the standards set by the World Animal Health Organisation (OIE), is permitted if:

- a. the *abalone* enter *South Australia* by road or air; and
- b. upon entering *South Australia* (or if arriving by air, upon being landed in *South Australia*), the *abalone* are transported directly to a *fish processor* for processing; and
- c. the *abalone* are moved into *South Australia* and transported to the *fish processor* in sealed containers that are either new or have been *decontaminated* before receiving the *abalone*; and
- d. from the time of entering *South Australia* until being processed, the *abalone* are not at any time kept in water; and
- e. the *abalone* are processed by the *fish processor* on the *fish processor's* premises; and
- f. all water, tanks, containers and other equipment that have come into contact with *abalone* or *abalone product* are *decontaminated* before disposal or removal from the *fish processor's* premises; and
- g. the requirements set out in Part D are complied with.

**Part D. requirements**

The requirements that apply for the purposes of Part A. paragraph h., Part B. paragraph f. and Part C. paragraph f. are that:

- a. water that has come into contact with *abalone* or *abalone product* is disposed of (after it has been decontaminated) to the *public sewer*; and
- b. all unused *abalone* or *abalone product* are transported directly to a *waste depot* in sealed containers where they are disposed of in landfill; and
- c. no *abalone* enter an area that is subject to an *aquaculture lease*; and
- d. no *abalone* enter *South Australian waters*.

**Part E. with Chief Inspector's approval**

The entry into, and subsequent movement within, *South Australia* of live *abalone* is permitted if the Chief Inspector of Stock has (in his or her discretion) approved in writing the entry of the *abalone* into *South Australia* and its subsequent movement within *South Australia* and all conditions (if any) attached to the approval are satisfied.

**Definitions**

In this Notice:

**abalone** means *abalone* (*Halotis* spp.) of all species;

**Abalone Health Statement** means the *Abalone Health Statement for Entry of Live Abalone for Purposes Other Than Aquaculture from a State or Territory Not declared Free of Abalone Viral Ganglioneuritis*, available at [www.pir.sa.gov.au](http://www.pir.sa.gov.au) or from the Chief Inspector of Stock, 33 Flemington Street, Glenside, SA 5065, or GPO Box 1671, Adelaide SA 5001 or by telephone (08) 8207 7900, or any other document determined by the Chief Inspector of Stock to be an "Abalone Health Statement" for the purposes of this Notice and made available at [www.pir.sa.gov.au](http://www.pir.sa.gov.au);

**abalone product** means carcasses or parts of carcasses of *abalone* or any products consisting of parts of or derived from *abalone*;

**accredited**, in relation to a *designated aquaculture supplier* of a State or Territory, means that a competent authority of that State or Territory has certified in writing in respect of the *designated aquaculture supplier* that:

- (a) it implements biosecurity measures to prevent AVG, monitor mortality rates, and report mortality and disease to the *competent authority*, and
  - (b) AVG has not been detected at its aquaculture facilities in the past 12 months,
- and **accreditation** has a corresponding meaning;

**aquaculture lease** means an aquaculture lease granted under the *Aquaculture Act 2001* (as described on the public register kept under that Act);

**AVG** means *abalone* viral ganglioneuritis;

**certified biosecure area** means an area where measures are applied to mitigate the risks of introduction and spread of disease that has been annually inspected and certified as being biosecure by a *competent authority* of the State or Territory where the area is located;

**competent authority**, of a State or Territory of the Commonwealth, means a veterinary authority or government authority having the responsibility in that State or Territory for ensuring the implementation of animal health measures or veterinary health certification;

**decontaminated** means inactivation of the virus that causes AVG by a disinfection process using granular 650g/kg available chlorine as calcium hypochlorite or sodium hypochlorite to prepare a 200 ppm effective chlorine solution (Australian Pesticides and Veterinary Medicines Authority (APVMA) PER86206) or another process approved by APVMA and the Chief Inspector of Stock and notified at [www.pir.sa.gov.au](http://www.pir.sa.gov.au) or otherwise approved in writing by the Chief Inspector of Stock, 33 Flemington Street, Glenside, SA 5065, or GPO Box 1671, Adelaide SA 5001;

**designated aquaculture supplier**, of a State or Territory of the Commonwealth, means any person who holds a current authority to engage in aquaculture issued under the law of that State or Territory;

**fish processor** means a fish processor registered under the *Fisheries Management Act 2007* or corresponding legislation of another State or a Territory of the Commonwealth;

**point of sale** means a place at which *abalone* or *abalone product* is processed and/or sold, whether by wholesale or retail, on a commercial basis;

**processing** means any process in which live *abalone* are converted to *abalone product* and preserved in sealed packaging for human consumption, and **processed** has a corresponding meaning;

**public sewer** means a sewer operated by a council or any other authority established under the *Local Government Act 1999*, a water supply authority (within the meaning of the *Water Industry Act 2012*), a State owned corporation (*South Australian Water Corporation Act 1994* or a subsidiary of such a corporation) or any other public or local authority;

**South Australia** means the State of *South Australia*;

**South Australian waters** means waters that are within the limits of *South Australia*;

**waste depot** means a place at which waste may be treated or stored in accordance with an approval under the *Local Government Act 1999* or a place approved as a waste depot or waste facility under any other Act.

This Notice will remain in force (as it may be varied from time to time by subsequent Notice) until revoked by subsequent Notice.

Dated: 6 May 2021

MARY RUTH CARR  
Chief Inspector of Stock  
Delegate of the Minister for Primary Industries and Regional Development

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