

ANIMAL HEALTH ACT 1995

Section 18 (1) - General Authority

I issue the following general authority under section 18(1) of the *Animal Health Act 1995*.

Dated 2 July 2004

R.M. ANDREWARTHA
Chief Veterinary Officer
Department of Primary Industries, Water and Environment

General authority in respect of the importation of non-viable fish and of restricted fish material

Citation

1. This general authority may be cited as the *General Authority for Non-viable Fish and Restricted Fish Material 2004*.

Interpretation

2. (1) In this general authority, unless the contrary intention appears –

"**competent authority**" means –

(a) for a country other than Australia, an authority approved in writing by the Chief Veterinary Officer for the purposes of this General Authority; or

(b) for a State, the Chief Veterinary Officer, or equivalent, of that State or a person approved in writing for the purposes of this General Authority by the Chief Veterinary Officer or equivalent of that State;

"**commercially sterile**", for any material, means free of micro-organisms that are capable of growing in or on the material in the conditions it is likely to be subjected to during storage and distribution;

"**fish**" means

(a) bony fish of the class *Osteichthyes*; and

(b) sharks, rays, lampreys and other cartilaginous fish of the classes *Chondrichthyes* and *Agnatha*;

"**heat treated**" means the application of heat to maintain a core temperature of at least 71°C for at least 30 minutes;

"**inform**" includes cause to be informed;

"**material**" means –

(a) a carcass, or part of a carcass, of fish; or

(b) restricted material as declared by the Minister in the Notice of the 1 of June 2004 and published in the *Gazette* on the 7 of July 2004;

"**present**" includes cause to be presented;

"**State**" means a State or Territory of Australia;

"thermally processed", for any material, means that the material has been through a heat sterilisation process at a temperature and for a time that makes the material commercially sterile;

"unloading area", with respect to any material, means anywhere within 1500 metres of the material's first point of arrival on land in Tasmania, following its removal from the vessel or aircraft on or in which it was transported to Tasmania;

"unloading time", with respect to any material, means the time at which the material is first removed from the vessel or aircraft on or in which it was transported to Tasmania;

"vehicle" means –

(a) a motor vehicle within the meaning of the *Vehicle and Traffic Act 1999*; or

(b) a trailer within the meaning of that Act;

"vessel" means a vessel within the meaning of the *Living Marine Resources Management Act 1995*.

(2) Words and expressions used in this general authority have the same meaning, unless the contrary intention appears, as they have in the *Animal Health Act 1995*.

(3) In this general authority, land does not include any land forming the bed of any sea, river, lake, foreshore, inlet, harbour or any other body of water within the State.

(4) For the purposes of this general authority, material that is imported into Tasmania in or on a vessel or aircraft that is itself transported by a vessel or aircraft is taken to have been removed from the vessel or aircraft in or on which it was imported as soon as that vessel or aircraft is first transported on or onto land in this State.

Importation class to which this general authority applies

3. (1) This general authority applies to the following class of animals: a carcass, or part of a carcass, of fish

(2) This general authority applies to the following class of restricted material: restricted material as declared by the Minister in the Notice of the 1 of June 2004 and published in the *Gazette* on the 7 of July 2004;

Conditions for the importation of Schedule 1 material

4. Material specified in Schedule 1 to this general authority may be imported if –

(a) the material has been heat treated; and

(b) the material is accompanied at all times within the unloading area by a certificate of a competent authority of the place where the fish was heat treated certifying –

(i) the type of material; and

(ii) the species of fish from which the material was derived; and

(iii) that the material has been heat treated; and

- (iv) the name of the country or State where the material was heat treated; and
- (c) the importer informs an inspector of the importation before –
 - (i) the material is removed from the unloading area; or
 - (ii) the end of a 72 hour period from the unloading time, if the material is not removed from the unloading area within 72 hours of the unloading time; and
- (d) if paragraph (c)(ii) of this clause applies, the importer presents the certificate referred to in paragraph (b) of this clause to the inspector when the importer informs the inspector of the importation.

Conditions for the importation of other material

5. Material not specified in Schedule 1 to this general authority may be imported if –

- (a) the material is accompanied at all times within the unloading area by –
 - (i) a manifest, invoice, packing slip or similar document specifying –
 - (A) the type of material; and
 - (B) the species of fish from which the material was derived; or
 - (ii) a statutory declaration by or on behalf of the importer specifying –
 - (A) the type of material; and
 - (B) the species of fish from which the material was derived; and
- (b) the importer informs an inspector of the importation before –
 - (i) the material is removed from the unloading area; or
 - (ii) the end of a 72 hour period from the unloading time, if the material is not removed from the unloading area within 72 hours of the unloading time.

Conditions for importing hermetically sealed and thermally processed material

6. Notwithstanding clause 4 or 5 of this general authority, material of any kind may be imported without restriction if the material –

- (a) is in a hermetically sealed container; and
- (b) has been thermally processed in that container and made commercially sterile.

General authority does not restrict direct landing of lawfully caught wild fish

7. This general authority does not restrict fish caught in the wild being landed in Tasmania if the fish -

(a) have been caught in accordance with the *Living Marine Resources Management Act 1995*; or a law of another State, or of the Commonwealth, that corresponds to that Act; and

(b) have not previously been landed in Tasmania or elsewhere.

SCHEDULE 1

Any material of, or sourced or derived from, any of the following fish –

Fish of the family Salmonidae
Ammodytes lancea (Sand-eels)
Anarchichas lupus (Wolffish)
Anguilla anguilla (European eel)
Anguilla japonica (Japanese eel)
Anguilla rostrata (American eel)
Aulorhynchus flavidus (Tubesnout)
Brevoortia tyrannus (Atlantic menhaden)
Centrolabrus exoletus (Rock cod)
Clupea pallasii (Pacific herring)
Ctenolabrus rupestris (Goldsinny wrasse)
Cymatogaster aggregata (Shiner perch)
Dicentrarchus labrax (European sea bass)
Dicentrarchus labrax (Sea bass)
Enchelyopus cimbrius (Four-bearded rockling)
Eopsetta grigorjewi (Shotted halibut)
Epinephelus okaara (Red grouper)
Epinephelus septemfasciatus (Sevenband grouper)
Gadus aeglefinus (Haddock)
Gadus macrocephalus (Pacific cod)
Gadus morhua (Atlantic cod)
Gasterosteus aculeatus (Stickleback)
Hexagrammos otakii (Greenling)
Hippoglossoides platessoides (American plaice)
Hippoglossus hippoglossus (Halibut)
Hyperoplus lanceolatus (Sand-eels)
Labrus bimaculatus (Cuckoo wrasse)
Merluccia sp. (Pacific hake)
Merluccius species (Hake)
Morone americana (White perch)
Morone saxatilis (Striped bass)
Mugil cephalus (Mullet)
Mugil cephalus (Striped mullet)
Mylio macrocephalus (Black sea bream)
Navodan modestus (Oval file fish)
Oncorhynchus mykiss (Rainbow trout)
Onos mustela (Rockling)
Pagrus major (Red sea bream)
Pagrus pagrus (Sea bream)
Paralichthys lethostigma (Southern flounder)
Paralichthys olivaceus (Japanese flounder)

Parapristipoma trilineatum (Three-line grunt)
Perca fluviatilis (Redfin Perch)
Platichthys flesus (Flounder)
Platycephalus indicus (Flathead)
Pleuronectes platessa (Plaice)
Pollachius virens (Coalfish, Pollock)
Pollachius virens (Pollock)
Rhombosolea tapirina (Greenback flounder)
Salmo salar (Atlantic salmon)
Salmo trutta (Brown trout)
Sardinops sagax (Pilchard or pacific sardine)
Scophthalmus maximus (Turbot)
Sebastes schlegeli (Schlegel's black rockfish)
Seriola aureovittata (Gold-striped amberjack)
Seriola quinqueradiata (Yellowtail)
Seriola dumerilii (Greater amberjack)
Solea solea (Sole)
Sparus aurata (Gilthead sea bream)
Sprattus sprattus (Sprat)
Stephanolepis cirrhifer (File fish)
Trisopterus esmarkii (Norway pout)
Umbrina cirrosa (Shy drum)
