

Notice of amended biosecurity program

Surveillance Program for White Spot Syndrome Virus under the *Biosecurity Act 2014*

Biosecurity matter

The biosecurity matter to which the biosecurity program relates is White Spot Syndrome Virus.

Purpose and scope

The purpose of the surveillance program is to:

- (a) delimit the geographic distribution of white spot syndrome virus in the State of Queensland and
- (b) monitor the wild populations of decapod crustaceans across the State to provide OIE proof of freedom and
- (c) monitor farmed populations of decapod crustaceans across the State to provide OIE proof of freedom.

The surveillance program will apply to the State of Queensland and its waters.

Commencement and duration

The biosecurity program will begin on 17 February 2017 and will continue until 21 January 2019. The duration of the biosecurity program is considered to be reasonably necessary to achieve the purpose.

Access to biosecurity program

A copy of the biosecurity program is available for inspection at the Department of Agriculture and Fisheries at 80 Ann Street Brisbane and regional Department of Agriculture and Fisheries offices.

A copy of the biosecurity program is also available to view and print at no cost on the Department of Agriculture and Fisheries' website at www.daf.qld.gov.au.

A copy can be provided on request by contacting the Department of Agriculture and Fisheries' Customer Service Centre on 13 25 23.

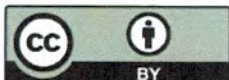
**Program authorisation for the Surveillance Program for
white spot syndrome virus under the *Biosecurity Act*
2014**

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Contents

Program authorisation of a surveillance program in the State of Queensland	1
1 Abbreviations, acronyms and definitions	2
2 Program name	2
3 Biosecurity matter	2
4 Purpose of the Program.....	2
4.1 Legislative framework	2
4.2 Factual background	3
4.3 Purpose.....	4
5 When the Program starts and the period over which the Program is to be carried out.....	4
6 Program Area.....	4
7 Powers of authorised officers	4
7.1 Entry power.....	4
7.2 General Powers	5
7.3 Powers under the Program.....	6
7.4 No purported limitation.....	6
8 Obligations	6
8.1 Obligations imposed under the Program	6
8.2 Other obligations.....	7
9 Notification of relevant parties of requirements	7

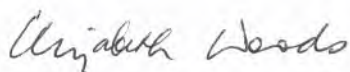
Program authorisation of a surveillance program in the State of Queensland

I, Dr Elizabeth Woods, the Chief Executive of the Department of Agriculture and Fisheries, acting pursuant to section 235 of the *Biosecurity Act 2014* (the Act), authorise a surveillance program for white spot syndrome virus in Queensland, on the basis that:

- I am satisfied that white spot disease which is prohibited matter has been confirmed in five (5) aquaculture properties.
- I am satisfied that the white spot syndrome virus that causes white spot disease has been confirmed in a small number of prawns from the Logan River.
- I am satisfied that white spot syndrome virus poses a significant biosecurity risk to the Queensland commercial and recreational fishers and the environment.
- I am satisfied that measures are required to monitor the following:
 - the geographic distribution of white spot syndrome virus in wild populations of decapod crustaceans and polychaete worms found in Queensland and
 - decapod crustaceans in aquaculture properties within Queensland to assess whether they are infected with white spot syndrome virus and
 - decapod crustaceans and polychaete worms that are used for bait within Queensland to assess whether they are infected with white spot syndrome virus.

As required by section 239 of the Act, I have consulted, prior to authorising this surveillance program, with all Queensland local governments.

The previous program authorisation made on 6 January 2017 is amended and replaced with this program authorisation, which commences on 17 February 2017.



Dr Elizabeth Woods
Director-General
Department of Agriculture and Fisheries

Authorised on 02/02/2017

1 Abbreviations, acronyms and definitions

Term/acronym	Definition
Act	<i>Biosecurity Act 2014</i>
Authorised officer	A person who holds an appointment as an authorised person or an inspector under the Act
BQ	Biosecurity Queensland
Code	OIE Aquatic Animal Health Code 2016
DAF	Department of Agriculture and Fisheries
EADRP	Queensland's emergency animal disease response plan
GBO	General biosecurity obligation (see s 23 of the Act)
Infected premises	An premises that has confirmed positive diagnosis for white spot disease
Known carriers of white spot syndrome virus	<ul style="list-style-type: none"> a. All life stages of decapod crustaceans (Including but not limited to prawns, crabs and lobsters) b. Avian species that may have been feeding on infected species and moving those infected species to other places c. All stages of the lifecycle of Copepoda crustaceans d. Insect larvae e. All lifecycle stages of Polychaete worms f. Water g. Sediment
OIE	World Organisation for Animal Health
Prevention and Control Program	The "Prevention and Control Program for white spot syndrome virus under the <i>Biosecurity Act 2014</i> "
Program Area	The area stated in section 6 of this document to be the parts of the State of Queensland to which the Surveillance Program applies
Program Authorisation	The authorisation given for the Surveillance Program under s 235 of the Act
Surveillance Program	The "Surveillance Program for white spot syndrome virus under the <i>Biosecurity Act 2014</i> "

2 Program name

The authorised surveillance program is to be known as the Surveillance Program for white spot syndrome virus under the *Biosecurity Act 2014*.

3 Biosecurity matter

The biosecurity matter to which the Surveillance Program relates is white spot syndrome virus which is the causative agent of white spot disease.

4 Purpose of the Program

4.1 Legislative framework

The Act provides for the establishment of surveillance programs. A surveillance program is a program directed at any of the following:

- (a) monitoring compliance with the Act in relation to a particular matter to which the Act applies
- (b) confirming the presence, or finding out the extent of the presence, in the State or the parts of the State to which the program applies, of the biosecurity matter to which the program relates
- (c) confirming the absence, in the State or the parts of the State to which the program applies, of the biosecurity matter to which the program relates
- (d) monitoring the effects of measures taken in response to a biosecurity risk

- (e) monitoring compliance with requirements about prohibited matter or restricted matter
- (f) monitoring levels of biosecurity matter or levels of biosecurity matter in a carrier.

4.2 Factual background

White spot disease, caused by white spot syndrome virus, is a devastating disease of decapod crustaceans (including prawns and crabs) and is exotic to Australia. White spot disease is prohibited matter under the *Biosecurity Act 2014* and can be spread by the known carriers of white spot syndrome virus.

On Thursday 1 December 2016, white spot syndrome virus was confirmed in prawns on an aquaculture farm at Alberton near the Logan River (first infected premises). In response, a biosecurity officer invoked their emergency powers. Surveillance samples were subsequently taken from seven at-risk premises in the area and surveillance activities commenced in the Logan River.

On Monday 5 December 2016, the Chief Executive under the Act made a movement control order for the first infected premises and two adjacent premises.

On Tuesday 6 December 2016, a second premises close to the first infected premises returned positive test results for white spot syndrome virus and destruction activities commenced.

On Thursday 8 December 2016, 6 prawns from the Logan River were reported as test positive to white spot syndrome virus and a second movement control order was made for sections of the Logan and Albert rivers and the remaining aquaculture premises in the vicinity. Under the second movement control order, a restriction applied to the movement of crustaceans such as prawns, crabs, and yabbies, and also marine worms from the river.

On Sunday 11 December 2016, to improve the ability to manage the outbreak, a biosecurity emergency order was made, which replaced the two movement control orders. The emergency control order extended the area to include boat ramps and intake channels, and also restricted the use of apparatus for catching crustaceans such as beam trawling, pots, dillies, traps for catching crabs, cast nets and yabby pumps. A broad community and industry engagement campaign was undertaken to let people know about the disease and that the restrictions had commenced.

On Wednesday 28 December 2016 a further aquaculture premises returned a positive test result for white spot syndrome virus, making a total of five aquaculture premises in the vicinity of the Logan River with confirmed positive test results to white spot syndrome virus.

On Friday 30 December 2016, a new biosecurity emergency order was made and the previous order revoked. The second order was put in place to provide more time for the state to implement longer term biosecurity programs and to make a new movement control order under the *Biosecurity Act 2014*.

The value of aquaculture produced prawns in Queensland is estimated at \$87 million. In the Gold Coast region, the estimated value is \$23 million. If the disease was to spread to other marine environments in Queensland and Australia there are potentially significantly high economic and social impacts on recreational and commercial fisheries in Queensland and Australia.

White spot syndrome virus is regarded as one of the greatest threats to the aquaculture prawn industry and has had devastating effects on prawn farms overseas, particularly in Asia. While the impacts of white spot syndrome virus on wild populations of crustaceans is unknown (no overseas documentation) the potential impact is very high given the commercial and recreational industries that rely these crustacean fisheries.

Queensland, and Australia, will need to demonstrate proof of freedom from the disease following expected success with the eradication efforts. Without proof of freedom businesses would not be able to freely export their product. The World Organisation for Animal Health (OIE) requires that surveillance be undertaken for 2 years without detection of the disease (OIE Aquatic Animal Health Code, Chapter 9.7 (White Spot Disease), Article 9.7.4).

Surveillance will be required to be undertaken in accordance with the requirements of the Code.

Targeted surveillance as described in chapter 1.4 of the Code will need to be undertaken in farmed and wild populations (refer to OIE Article 1.4.2).

Wild populations inhabit coastal waterways, bays and the ocean. Surveillance is currently being undertaken in the Pine, Brisbane and Logan Rivers, as well as Moreton Bay. It is expected that this will need to continue, but also extend to other areas at risk, including those close to other aquaculture premises around the state (e.g. around Bundaberg, Mackay etc.) as well as more remote locations. Furthermore, since white spot syndrome virus can infect freshwater crustacea, surveillance of crustacea in freshwater inland environments (e.g. lakes, dams etc.) is also likely to be necessary.

Queensland's emergency animal disease response plan (EADRP) for response to white spot disease has been endorsed by the Aquatic Consultative Committee of Emergency Animal Diseases (AqCCEAD).

4.3 Purpose

The Surveillance Program provides the legislative basis to implement the eradication of white spot disease. Its purpose is to:

- (a) delimit the geographic distribution of white spot syndrome virus in the State of Queensland and
- (b) monitor the wild populations of decapod crustaceans across the State to provide OIE proof of freedom and
- (c) monitor farmed populations of decapod crustaceans across the State to provide OIE proof of freedom.

The key activities to be undertaken under the Surveillance Program include, but are not limited to:

- (a) sampling and taking for testing decapod crustaceans and polychaete worms that have been taken or found in Queensland waters
- (b) sampling and taking for testing decapod crustaceans and polychaete worms that are intended for the purpose of using as bait for fishing.

There is some degree of overlap between the Surveillance Program and the Prevention and Control Program and the two (2) programs should be read together.

5 When the Program starts and the period over which the Program is to be carried out

The Surveillance Program started on 21 January 2017 and will continue until 21 January 2019. The duration of the Surveillance Program is considered to be reasonably necessary to achieve its purpose.

6 Program Area

The Surveillance Program applies to the entire State of Queensland and its jurisdictional waters.

7 Powers of authorised officers

7.1 Entry power

Under section 254 of the Act, an authorised officer has the powers given under the Act however, under section 255(3) of the Act an authorised officer may exercise those powers in relation to a biosecurity program only if the officer is appointed by an entity that authorised the biosecurity program.

In addition to the general entry power given to authorised officers under section 259 of the Act, under section 261 an authorised officer may at reasonable times enter a place (other than a residence) situated within the Program Area, to take any action authorised by the Surveillance Program.

However, if the authorised officer intends to exercise the entry power under section 261 for the Surveillance Program, the authorised officer must, before entering the place, make a reasonable attempt to locate an occupier and obtain the occupier's consent to the authorised officer entering the place.¹ If the authorised officer is unable to locate an occupier after making a reasonable attempt to do so or if the occupier refuses to consent, the authorised officer may enter the place but make reasonable attempts to:

- (a) produce the authorised officer's identity card for the occupier's inspection and
- (b) Inform the occupier:
 - (i) of the reason for entering the place and
 - (ii) that the authorised officer is authorised under the Act to enter the place without the occupier's permission and
 - (iii) of any steps taken, or to be taken, under the Surveillance Program and
 - (iv) if steps have been, or are to be, taken—that it is an offence to do anything that interferes with the step that has been, or is to be, taken.

If the authorised officer does not find an occupier at the place, the authorised officer must leave a notice at the place, in a conspicuous position and in a reasonably secure way, stating:

- (a) the date and time the authorised officer entered the place and
- (b) the information mentioned in paragraph (b) above.

7.2 General Powers

After entering a place, an authorised officer may exercise any or all of the powers set out in the tables below, subject to any appointment conditions and limits imposed on the authorised officer:²

General powers in the Act
Powers of entry
Search any part of the place
Inspect ³ , examine ⁴ or film ⁵ any part of the place or anything at the place
Take for examination a thing, or a sample of or from a thing, at the place
Place an identifying mark in or on anything at the place
Place a sign or notice at the place
Produce an image or writing at the place from an electronic document or, to the extent it is not practicable, take a thing containing an electronic document to another place to produce an image or writing
Take to, into or onto the place and use any person, detection animal, equipment and materials the authorised officer reasonably requires for exercising the authorised officer's powers under this division
Destroy biosecurity matter or a carrier if the authorised officer believes on reasonable grounds the biosecurity matter or carrier presents a significant biosecurity risk; and the owner of the biosecurity matter or carrier consents to its destruction
Remain at the place for the time necessary to achieve the purpose of the entry

¹ See section 270 (Entry of place under ss 261 and 262) of the Act.

² See section 296 (General powers) of the Act.

³ Section 296(5) defines *inspect*, a thing, to include open the thing and examine its contents.

⁴ Section 296(5) defines *examine* to include analyse, test, account, measure, weigh, grade, gauge and identify.

⁵ Section 296(5) defines *film* to include photograph, videotape and record an image in another way.

The authorised officer may take a necessary step to allow the exercise of a general power
If the authorised officer takes a document from the place to copy it, the authorised officer must copy and return the document to the place as soon as practicable
If the authorised officer takes from the place an article or device reasonably capable of producing a document from an electronic document to produce the document, the authorised officer must produce the document and return the article or device to the place as soon as practicable.

An authorised officer may make a requirement (a **help requirement**) of an occupier of the place or a person at the place to give the authorised officer reasonable help to exercise a general power⁶.

7.3 Powers under the Program

After entering a place for the purpose of the Surveillance Program, an authorised officer may exercise any or all of the following powers for the Surveillance Program:

Powers an authorised officer may exercise under the Program
Enter a place under s261 of the Act to conduct surveillance activities under the program, e.g. enter an aquaculture property, bait shop, prawn trawler or seafood store to take samples of crustaceans for testing.
<p>Searching a place to check for the presence or absence of white spot syndrome virus</p> <p>Inspect, examine and film to assist with tracing of carriers to and from a place</p> <p>Take samples for the purposes of diagnostic analysis, to ascertain the presence or absence of white spot syndrome virus</p> <p>Identify carriers such as crustaceans with tags, notices, flags or signs for any purpose consistent with the program</p> <p>Producing a written and/or electronic note(s) to support program activities</p> <p>Taking GPS coordinates to ensure accuracy of location details of carriers</p> <p>Take a document such as a delivery docket that is relevant to the objectives of the program</p> <p>Take a person or equipment onto the place for a purpose consistent with the program.</p>

7.4 No purported limitation

Nothing in this Program Authorisation purports to limit the powers of authorised officers under chapter 10 of the Act.

8 Obligations

8.1 Obligations imposed under the Program

A person who is an occupier of a place to which the Surveillance Program relates is subject to the following obligations:⁷

- (a) to move or remove any thing at the place that would obstruct an authorised officer undertaking the activities required to take action under the Surveillance Program

⁶ See section 297 (Power to require reasonable help) of the Act.

⁷ See section 236(1)(h) (What program authorisation must state) of the Act.

(b) to help the authorised officer in the execution of their powers.⁸

8.2 Other obligations

The obligations stated in section 8.1 are in addition to any other obligations under the Act, including:

- (a) the GBO to take all reasonable and practical measures to prevent or minimise the biosecurity risk associated with biosecurity matter⁹
- (b) the obligation to report the presence of prohibited matter¹⁰
- (c) the prohibition on dealing with prohibited matter.¹¹ **Deal with**¹² includes any of the following:
 - keep or possess, whether intentionally or otherwise, the biosecurity matter or carrier
 - conduct experiments with the biosecurity matter or carrier
 - breed the biosecurity matter or carrier
 - propagate the biosecurity matter or carrier
 - use the biosecurity matter or carrier in the course of manufacturing a thing that is not the biosecurity matter or carrier
 - grow, raise, feed or culture the biosecurity matter or carrier
 - distribute the biosecurity matter or carrier
 - import the biosecurity matter or carrier
 - transport the biosecurity matter or carrier
 - dispose of the biosecurity matter or carrier
 - buy, supply or use the biosecurity matter or carrier.

White spot disease is prohibited matter¹³

9 Notification of relevant parties of requirements

As required by the Act,¹⁴ I will give public notice of the Surveillance Program 14 days before it starts by:

- (a) giving the notice, by way of letter, to each government department or government owned corporation responsible for land in the area to which the program relates and
- (b) publishing the notice on DAF's website.

A copy of the Surveillance Program (including the Program Authorisation) is available for inspection at DAF's office at 80 Ann Street Brisbane and at its regional offices.

A copy of the program is also available to view and print at no cost on DAF's website at www.daf.qld.gov.au. A copy of the Program Authorisation will be provided on request by contacting DAF's Customer Service Centre on 13 25 23.

⁸ A person of whom a help requirement has been made must comply with the requirement unless the person has a reasonable excuse.

⁹ See section 23 (What is a general biosecurity obligation) of the Act.

¹⁰ See section 36 (Reporting presence of prohibited matter) of the Act.

¹¹ See section 37 (Dealing with prohibited matter) of the Act.

¹² See Schedule 4 (Dictionary) of the Act.

¹³ See Schedule 1, Part 2 (Animal diseases, parasites and viruses) of the Act.

¹⁴ See section 240 (Notice of proposed biosecurity program) of the Act.