

Code of Practice

For the Management and Control of Panama disease tropical race 4 in Queensland

CONSULTATION DRAFT – August 1 2022

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CHAPTER 1 PRELIMINARY

Section 1 Application of Code

- 1) The provisions of Chapters 1 and 2 apply to a commercial banana grower in an area identified by a law as a place where Panama disease tropical race 4 exists or may exist.
- 2) The provisions of Chapters 1, 2 and 3 apply to a commercial banana grower when the grower receives a Destruction notice issued under section 58 of the *Biosecurity Regulation 2016*.

Note 1. Part 1 of Schedule 2 of the *Biosecurity Act 2014* identifies Panama disease tropical race 4 as restricted biosecurity matter.

Note 2. Part 7 of Chapter 5 of the *Biosecurity Regulation 2016* establishes the Northern and Southern Biosecurity Zones for the management of, amongst other things, carriers of Panama disease tropical race 4.

Note 3. Chapter 9 of the *Biosecurity Act 2014* empowers the chief executive to authorise surveillance programs. The chief executive has authorised a surveillance program for Panama disease tropical race 4 with the program applying to the whole of the State of Queensland.

Section 2 Particular terms

general biosecurity obligation is an obligation imposed upon persons by the *Biosecurity Act 2014*. The obligation is owed by anyone who deals with biosecurity matter, the carrier of biosecurity matter, or carries out an activity that the person knows, or ought reasonably know, poses or is likely to pose a biosecurity risk. The person must take all reasonable and practical measures to prevent or minimise the biosecurity risks.

Note. Section 23 of the *Biosecurity Act 2014* fully defines the term *general biosecurity obligation*. Commercial banana growers should read section 23 of the Act.

grower means a commercial banana grower.

Panama disease means the restricted biosecurity matter Panama disease tropical race 4 (*Fusarium oxysporum* f. sp. *cubense* tropical race 4).

Section 3 Effect of Chapter 2 - Offence to fail to comply with provisions

For subsection 26(3) of the *Biosecurity Act 2014* and section xx of the *Biosecurity Regulation 2016* a grower fails to discharge his or her general biosecurity obligation if the grower:

- a) contravenes, or otherwise acts inconsistently with the provisions of Chapter 2; and

- b) does not follow a way that is as effective as, or more effective than, the provisions of Chapter 2.

Note. A failure to discharge a person's *general biosecurity obligation* is made an offence by section 24 of the *Biosecurity Act 2014* with penalties including fines and imprisonment.

Section 4 Purposes of this Code

The purpose of this Code is to provide growers with reasonable and practical steps to:

- 1) minimise biosecurity risks associated with growing bananas in areas where Panama disease exists or may exist; and
- 2) avoid exacerbating the biosecurity risks posed by the presence of Panama disease on land occupied by a grower or on banana plants owned by the grower.

Note. A grower who minimises or avoids exacerbating these risks will have discharged the grower's general biosecurity obligation.

Section 5 Achieving the Code's purpose

The purpose of the Code will be met by:

- 1) assisting growers in becoming aware of biosecurity risks associated with banana growing in areas where Panama disease exists or may exist; and
- 2) providing measures required by growers to minimise those risks; and
- 3) requiring growers to implement timely measures to deal with the occurrence of the disease on a grower's property or plants to support effective containment and reduce further spread of the disease.

Section 6 Status of this Code

- 1) Nothing in this Code is to be taken to override State laws about managing biosecurity risks associated with banana growing.
- 2) Procedures outlined in this Code are of no force or effect if inconsistent with an instrument made by legislation. For example, if a procedure outlined in this Code is prohibited by an existing law, an emergency order, a control order, a direction or an instrument made under an Act, the Code's procedure, to the extent of its inconsistency, must not be followed.

Section 7 Review of Code

This Code will be reviewed annually to ensure its purpose is being met and to address any deficiencies as they arise. A full review of this Code must be undertaken within 5 years of its commencement.

Section 8 Definitions

The Dictionary in Section 36 defines terms used in this Code.

CHAPTER 2 ON-FARM BIOSECURITY

PART 1 ZONING

Division 1 Farm Zones

Section 9 Purpose of zones

The purpose of partitioning areas of a grower's farm into zones is to control the spread of Panama disease from areas known or suspected to have the disease to areas of the farm or to neighbouring properties that are disease free.

Section 10 Clean Zone

- 1) A grower should establish a Clean Zone on the grower's property within 3 months of the commencement of this Chapter.
- 2) The zone must be fenced or be contained within natural barriers to prevent persons and their vehicles, essential farm vehicles, machinery and other risk items from entry to a Production Zone of the farm.
- 3) The Clean Zone must:
 - a) be positioned at the main public access point to the farm; and
 - b) provide for parking spaces and sufficient space for vehicles to turn around; and
 - c) have a surface built to ensure plants cannot grow on it; and
Examples of types of surfaces inhibiting plant growth – concrete, bitumen, soil-free gravel or a combination of these types of surfaces.
 - d) be maintained so that the zone is free of plant material, soil or other growing media; and

- e) have clear signage alerting farm visitors that:
 - i) they are required to enter their name and contact details, date and time of arrival of their visit in a register kept by the grower; and
 - ii) access to all other areas of the farm is with the permission and under the direction of the grower including any directions given about compliance with the grower's decontamination procedures.
- 4) Nothing in this section prevents the entry of emergency services personnel and their vehicles from entering any area of the grower's farm for the purposes of exercising their lawful duties.
- 5) In this section *emergency services personnel* include police, fire brigade, ambulance, State Emergency Services personnel and persons assisting any of these personnel.

Section 11 Production Zone

- 1) A grower should establish a Production Zone within 3 months of the commencement of this Chapter on the grower's property where banana plants are planted, grown and their fruit are harvested.
- 2) The Production Zone must:
 - a) adjoin the Clean Zone; and
 - b) be appropriately fenced or be bordered by natural barriers to restrict access to Clean Zones or other land; and
 - c) have a sufficient number of signs conspicuously displayed at regular intervals on the fence prohibiting unauthorised entry to the zone; and
 - d) have a decontamination facility adjoining the Clean Zone for people to use to clean themselves and machinery.

For paragraph b), examples of natural barriers may be a creek, gully or impenetrable vegetation.

- 3) For Production Zones not adjoining a Clean Zone on a grower's property, a grower should incorporate a decontamination facility at a transition point between where the Production Zone ends and another area of land begins.

Example of subsection 3): A grower has a block of land used for banana production which is separated from the rest of the grower's farm by a public road. The decontamination facility is situated on the block of land near the entry/exit point from the road to the block.

- 4) All risk items used in the Production Zone including disposable items like brooms, brushes and other cleaning tools used in a decontamination facility that cannot be cleaned must be left in the Production Zone.

Note. Section 36 defines the word 'clean' to include decontaminate and disinfect.

Division 2 Regulating Movements and Waste Management

Section 12 Fertiliser and Fuel Deliveries, Produce and Waste Collection

A grower should ensure all essential farm vehicles do not enter the Production Zone by locating at the boundary of the zone:

- a) a designated area for staff transport vehicles to drop off employees; and
- b) receptacles for deliveries including fertiliser, chemical and fuel; and
- c) produce and waste collection sites.

Note. Section 36 defines the term *essential farm vehicle*. It does not include machinery used in the Production Zone.

Section 13 Movement of machinery and other risk items used in Production Zone

- 1) A grower should take reasonable and practical measures to ensure all machinery and other risk items used in a Production Zone are cleaned prior to being moved to a Clean Zone.

Note. What is reasonable and practical will depend on the machine or risk item. For example, it may not be reasonable or practical to dismantle a vehicle down to its individual components for cleaning purposes. However, it would be reasonable and practical to inspect and clean those areas of the vehicle where access to potential harbourage points for soil or plant material on the vehicle does not involve dismantling the vehicle down to its component parts.

- 2) Where machinery used in a Production Zone is to be moved to another Production Zone on the grower's property and involves a movement across public land like a road, a grower may move the machine provided the grower first cleans the machine and:
 - a) moves the machine across the ground to be traversed on a non-permeable barrier placed on the ground so that plant material, soil or other growing media are not deposited directly on the ground; or
 - b) carries the machine across the ground to be traversed on a cleaned machine; or

- c) if the machine is a pump or other similar smaller machine, wrap the machine in plastic and cause it to be carried across the ground.
- 3) Where a vehicle or other type of machine is used to carry the Production Zone machine, the grower must clean that part of the transporting machine that came into contact with the Production Zone machine.
Example of 3): A grower used ramps and the back of a truck to move a quad bike used in a Production Zone. The grower must clean the ramps and the back of the truck.
- 4) The grower must leave all disposable items used for the movement, including the non-permeable barrier, in the Production Zone unless they can be cleaned.
- 5) A grower should record details of the machine, the type of cleaning undertaken, where and when it was undertaken and the name of the person who undertook the cleaning.
- 6) In this section, a *non-permeable barrier* includes heavy duty plastic.

Section 14 Wastewater from Production Zone decontamination facilities

A grower should manage wastewater from a decontamination facility in the Production Zone to prevent it directly entering a waterway, the Clean Zone or a neighbouring property.

Section 15 Waste Management

- 1) A grower should ensure all waste plant material, decontamination water, soil or other growing media used in the Production Zone must be:
 - a) left in a dedicated on-farm area within the Production Zone; or
 - b) removed by a waste contractor who deals with contaminated biosecurity matter.

Note. A list of contractors who remove contaminated biosecurity matter can be found at: <https://www.awe.gov.au/biosecurity-trade/import/arrival/arrangements/sites#class-106-biosecurity-waste-transport>.

- 2) Disposable items used in the Production Zone that are waste may be left in the Production Zone or moved in a secure manner to a refuse facility by the grower.

Example of secure manner: A grower covers the disposable items within the transport vehicle with a tarp during the movement.

Section 16 Movement of people from Production Zone

- 1) A grower should ensure employees or contractors working in the Production Zone clean themselves at a decontamination facility before entering a Clean Zone.

- 2) Employees' or contractors' clothing that cannot be cleaned should be placed in a sealed bag for laundering and exchanged for clean clothing.

Section 17 Movement of fruit from Production Zone

A grower must ensure:

- a) only harvest fruit grown above the ground from a healthy plant in the Production Zone; and
- b) harvested fruit are free of soil and packed into new cartons or clean re-usable crates; and
- c) pallets or containers used to store cartons or crates are clean before use.

Note: Some interstate jurisdictions may require biosecurity certification stating that the fruit meets plant quarantine entry conditions.

PART 2 MISCELLANEOUS

Section 18 Employee and contractor biosecurity induction training

- 1) A grower should require all employees and contractors to undergo induction training on the grower's biosecurity practices, including cleaning procedures, people and machinery movement controls and zoning requirements including waste management within zones.
- 2) A grower should keep a record of all employees and contractors and the dates when they received their training.

Section 19 Earthworks

A grower should ensure all:

- a) earthworks are undertaken on the grower's farm when the risk of soil movement caused by rain run-off is minimised; and
- b) earthwork operations and other vehicle operations are conducted in a manner to minimise dust dispersal.

Section 20 Inspection of banana plants and reporting presence of disease

A grower should undertake an inspection of banana plants growing in the Production Zone for the presence of Panama disease every 4 months.

Note. By section 42 of the *Biosecurity Act 2014*, a grower who is aware of the presence of Panama disease on plants on the grower's farm must report that fact to an inspector as soon as possible but

within 24 hours of being made aware. Failure to comply with this requirement can result in fines or imprisonment.

Section 21 Records to be kept

- 1) A grower should keep the following records:
 - a) banana planting material used, including:
 - i) the type of material; and
 - ii) whether the material was free of soil; and
 - iii) where the material came from and the date when it was sourced; and
 - iv) where on the person's property it was planted and when it was planted; and
 - b) names, contact details and dates when persons visited the property and the nature of the visit; and
 - c) names and contact details of persons working on the property, including contractors, and the dates when they worked; and
 - d) staff training records about on-farm biosecurity procedures; and
 - e) an inventory of machinery that the person knows or ought reasonably know has come into contact with plant material, soil or other growing media on the property; and
 - f) details of essential farm vehicle and machinery decontamination; and
 - g) details of when crop inspections occurred and anything found or reported as a consequence of the inspection; and
 - h) consignment information of bananas and other produce grown on the property.
- 2) The grower must keep the records for 2 years and provide them to an authorised officer when requested.
- 3) Records may be kept in written or electronic form.

CHAPTER 3 MANDATORY REQUIREMENTS

PART 1 PRELIMINARY

Section 22 Offence to fail to comply with Chapter 3

- 1) For subsection 26(4) of the *Biosecurity Act 2014* and section xx of the *Biosecurity Regulation 2016* a grower must comply with the procedures of this Chapter to discharge the grower's general biosecurity obligation.
- 2) A grower fails to discharge the general biosecurity obligation if the grower contravenes, or otherwise acts inconsistently with the provisions of this Chapter.

Note. A failure to discharge a person's general biosecurity obligation is made an offence by section 24 of the *Biosecurity Act 2014* with penalties including fines and imprisonment.

Section 23 Offence fail to comply with Chapter 2

- 1) This section applies when a grower receives a Destruction notice.
- 2) For subsection 26(4) of the *Biosecurity Act 2014* a grower must comply with the procedures of Chapter 2 to discharge the grower's general biosecurity obligation.
- 3) A grower fails to discharge his or her general biosecurity obligation if the grower contravenes, or otherwise acts inconsistently with the provisions of Chapter 2.

PART 2 PROCEDURES FOLLOWING RECEIPT OF A DESTRUCTION NOTICE

Division 1 Destruction of plants within 15 days

Section 24 Purpose of Division 1

- 1) The purpose of Division 1 is to ensure all banana plants in the Destruction Zone are destroyed in a timely way to prevent the spread of Panama disease.
- 2) Subject to section 27, the purpose is to be met by requiring a grower to complete the requirements of Division 1 within 15 days of receiving a Destruction notice.

Section 25 Temporary fencing and signage

Within 3 business days of receiving a Destruction notice a grower must:

- a) establish a Destruction Zone around the plant or the land identified in the Destruction notice; and

- b) construct a temporary barrier around the Destruction Zone sufficient to deter animals and unauthorised persons from entry into the zone; and
- c) display signs on the barrier prohibiting unauthorised entry to the zone.

Section 26 Initial destruction actions of plants in Destruction Zone

- 1) Subject to Section 27, a grower must destroy banana plants in the Destruction Zone within 15 days of receipt of a Destruction notice.
- 2) For a banana plant that is wilted or cut down, a grower must:
 - a) cut off pseudostems at 10cm above the growing point without disturbing the soil; and
 - b) chop up pseudostems and leaf material into 60 – 80cm pieces; and
 - c) place all pieces of the plant in heavy duty plastic bags; and
 - d) place 1kg of urea in each bag, seal bags securely and leave in the Destruction Zone; and
 - e) gouge out the surface of the corm to create a hollow; and
 - f) apply 200g of urea evenly to the gouged surface of each corm; and
 - g) apply urea at the rate of 1kg per m² evenly around each infected stool; and
 - h) chemically treat the plant.
- 3) For a standing banana plant, a grower must chemically treat the plant.

Note. When chemically treating plants or the soil on a grower's property, it is the grower's responsibility to follow the instructions on the label of the chemical product, the Safety Data Sheet or the instructions on the permit issued by the Australian Pesticides and Veterinary Medicines Authority. It is an offence to misuse a chemical product.

- 4) A grower chemically treats a plant by injecting the stool of a plant mentioned in subsection 2) or the pseudostem of a standing plant mentioned in subsection 3) with separate prepared solutions of 90g glyphosate active constituent per litre of water and 18 – 30mL imidacloprid product containing 200mL of a 350g/L per 100mL of water according to the following:
 - a) for standing plants up to 1 metre tall or wilted or cut down plants - 5mL of the glyphosate solution and 18 – 30mL of the imidacloprid solution injected at 1 point in the pseudostem or the stool; and

- b) for taller standing plants - 5-15mL of the glyphosate solution injected at 2 points in the pseudostem 0.5 – 1 metre above the growing point (increase the rate as the pseudostem increases in size) and 18 – 30mL of the imidacloprid solution injected at 3 points in the pseudostem.
- 5) For all plants, a grower must spray the bottom 30cm of each stool, and the soil in a 30cm band around each stool, with 500-750mL (depending on stool size) of prepared solution containing 66g bifenthrin active constituent per 100L water.
- 6) A grower must remove trash from the base of each banana plant before applying the bifenthrin.
- 7) For a banana plant with bunches, a grower must spray the surface of the fruit with red marker dye or paint to clearly indicate that fruit cannot be sold or consumed.

Section 27 Destruction of standing plants

Within 10 - 15 days of chemically treating a standing banana plant mentioned in section 26(3), a grower must comply with the procedures mentioned in subsection 26(2) paragraphs a) – g).

Section 28 Completing destruction

Immediately after completing the requirements of sections 26 and 27 a grower must:

- a) cover the Destruction Zone, including the bags of banana plant material, with high grade plastic sheeting; and
- b) secure the plastic sheeting in place using tent pegs or other suitable secure means.

Division 2 Follow-up Procedures

Section 29 Procedures for Destruction Zone and adjoining land

Within 5 weeks of receiving a Destruction notice, a grower must:

- a) permanently fence the Destruction Zone using materials suitable to prevent entry by animals and unauthorised persons; and
- b) ensure a sufficient number of signs are conspicuously displayed at regular intervals on the fence prohibiting unauthorised entry to the zone; and
- c) ensure the zone remains undisturbed other than for maintenance procedures; and
- d) spray the soil in a 0.5m wide band around the external perimeter of the Destruction Zone fence immediately after constructing the fence and respray within 6 months

after the initial spraying. The spray solution must contain 25g bifenthrin active constituent per 100L water.

Note: Section 32 describes the maintenance procedures to be carried out by a grower for the Destruction Zone.

Section 30 Decontamination procedures for Destruction Zone

A grower who undertakes the destruction procedures must:

- a) ensure all tools, equipment, other risk items and people do not leave the Destruction Zone unless cleaned; and
- b) ensure clean water is used for decontamination;; and
- c) provide plastic footbaths and buckets to disinfect all footwear and equipment used in the Destruction Zone; and
- d) provide hand sanitiser and soap with sufficient water for the use of persons who have worked in the Destruction Zone.

Section 31 Waste disposal of material from Destruction Zone

A grower who undertakes the destruction procedures must ensure that:

- a) waste plant material from a Destruction Zone is left in the zone; and
- b) any disposable items used in the Destruction Zone must be:
 - i) cleaned prior to dumping in a dedicated on-farm area; or
 - ii) cleaned prior to being moved in a secure manner to a refuse facility; or
 - iii) removed by a waste contractor who deals with contaminated material.

Note. A list of contractors who remove contaminated biosecurity matter can be found at: <https://www.awe.gov.au/biosecurity-trade/import/arrival/arrangements/sites#class-106-biosecurity-waste-transport>.

Section 32 Maintenance of the Destruction Zone

A grower must:

- a) chemically treat regrowth of banana plants or the emergence of new banana plants in accordance with the label or permit requirements; and

- b) maintain the permanent fencing to ensure it continues to restrict access to the zone by animals and unauthorised persons; and
- c) maintain the Destruction Zone signage to ensure it remains conspicuous to persons.

Section 33 Zones other than Destruction Zone

Within 3 months of receiving a Destruction notice, a grower must establish a Clean Zone and a Production Zone in accordance with the procedures described in Division 1, Part 1 of Chapter 2 of this Code.

Division 3 Miscellaneous

Section 34 Records to be kept

- 1) A grower must keep records of details of destruction activities mentioned in this Chapter including the:
 - a) date when the activities were undertaken; and
 - b) names of the persons undertaking the destruction; and
 - c) cleaning and waste disposal actions undertaken; and
 - d) maintenance activities undertaken in the Destruction Zone.
- 2) The grower must keep the records for 2 years and provide them to an authorised officer when requested.
- 3) Records may be kept in written or electronic form.

Section 35 Savings

This section applies to—

- a) an action done under a previous Destruction notice if the action continued to have effect immediately before the commencement of this Code; or
- b) a grower's obligation under a previous Destruction notice if the obligation applied to the grower immediately before the commencement of this Code;

the previous action or obligation continues in force and effect according to its terms.

Section 36 Definitions

banana plant means a plant of the genera *Musa* or *Ensete* and includes the bells, fruit, pseudostems, roots, seeds and suckers of the plant.

biosecurity matter means

- a living thing, other than a human or part of a human; or
- a pathogenic agent that can cause disease in a living thing, other than a human or a human, by the transmission of the pathogenic agent from an animal to the human; or
- a disease or a contaminant.

biosecurity risk means a risk to human health, social amenity, the economy and the environment (each a biosecurity consideration).

carrier includes a human, animal, plant, or part of any animal or plant, or any other thing whether alive, dead or inanimate—

- capable of moving biosecurity matter attached to, or contained in, the animal, plant or other thing from a place to another place; or
- containing biosecurity matter that may attach to or enter another animal or plant, or part of another animal or plant, or another thing.

Note: The *Biosecurity Act 2014* defines the terms biosecurity matter, biosecurity risk and carrier in Division 2 of Chapter 1 of the Act.

chemically treat see subsection 26(4).

clean means to be free of Panama disease or free of the carriers of the disease including plant material, soil or other growing media and includes the decontamination and disinfection of a person, machine or other thing.

clean water includes water from bores, tank or town water but does not include water that has come into contact with banana plants or any banana plant soil or other growing media.

Clean Zone means an area of land uncontaminated by Panama disease and includes clean access roads for public use.

clothing includes footwear.

corm (rhizome) means the horizontal underground plant stem capable of producing the clonal shoot and root systems of a new banana plant.

decontaminate means to rid clothing, footwear and machinery of plant material, soil or other growing media.

decontamination facilities are areas on a grower's farm where disinfection and clean water are supplied for decontamination and disinfection and may contain any or all of the following:

- a) pressure water or air sprayers;
- b) foot baths;
- c) brushes and scrapers;
- d) broad spectrum disinfectants.

Destruction notice means a notice of presence of Panama disease tropical race 4 issued under section 58 of the Biosecurity Regulation 2016.

Destruction Zone means land within an area measured 10 metres along the row in both directions of a banana plant infected with Panama disease. The area includes the inter-rows and the same number of banana plants in each row either side of the row where the infected banana plant is located.

disinfect means to apply a sanitiser product, known to be effective to minimise the spread of Panama disease, that has been prepared with clean water and in accordance with the label instructions or permit requirements.

disposable items includes bunch bags, string used on plants, irrigation hardware, brooms, brushes and other cleaning tools and materials like non-permeable barriers used to facilitate the movement of machinery from one Production Zone to another.

essential farm vehicles include staff transportation vehicles, delivery and pick-up trucks, utility and waste collection trucks and fuel trucks necessary for the day-to-day operation of the grower's farm.

farm visitor means a person who is not employed or contracted by the grower to work on the farm and includes people seeking to be employed by the grower, drivers of essential farm vehicles.

growing media means an artificial soil substitute.

growing point means the point at which the banana plant emerges from the ground.

machinery includes tractors, harvesters, slashers, sprayers, planting equipment, trailers including trailers with roll-on roll-off systems, bagging machines, pumps, vehicles including quad bikes and parts of vehicles.

natural barriers includes waterways, gullies or other barriers that prevent access to other parts of the grower's farm.

Production Zone means the farming areas of land where bananas are grown which may pose a biosecurity risk because of the possible presence of Panama disease.

pseudostem is the trunk-like part of a banana plant formed by the tightly packed overlapping leaf sheaths.

risk items means items, including machinery and implements including tools used on machinery or plants, that have come into contact or may have come into contact with plant material, soil or other growing media that banana plants have grown in or may have been used for growing the plants.

stool (or mat) is the clump formed by the rhizome, the fruit-bearing stem(s) and the suckers.

unauthorised person for a Destruction Zone, means someone other than:

- a) the person responsible for destroying and chemically treating banana plants or maintaining the zone; or
- b) an authorised officer or inspector appointed under Chapter 10 of the *Biosecurity Act 2014*; or
- c) a person authorised by law to execute the person's lawful duties.

waste plant material means leaves, bells, discarded fruit, pseudostem material and bunch stalks.