

Peter Ikin

Assistant Director | Plant Division | Horticulture Exports

Phone +61 2 6272 5308 | Mob +61 47848 9243

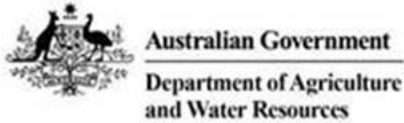
Department of Agriculture and Water Resources

Plant Export Operations Branch

18 Marcus Clark Street, Canberra ACT 2601 Australia

GPO Box 858 Canberra ACT 2601 Australia

peter.ikin@agriculture.gov.au



Export Control (Plants and Plant Products) Order 2011

Part 3—Registered establishments

Division 1—General

10 Requirements for registered establishments

10.1 A person who wishes to apply for registration of an establishment for the preparation or inspection of prescribed goods within the meaning of this Order must comply with Schedule 3.

Note 1: Applications for registration are made under Part 4 of the General Order.

Note 2: Section 3 of the *Export Control Act 1982* contains a definition of preparation in relation to prescribed goods.

10.2 A registered establishment must be operated in accordance with Schedule 3.

Note: A failure to comply can lead to suspension or cancellation of registration (see Part 4 of the General Order).

11 Preparation and inspection must take place in registered establishment

Prescribed goods intended for export may not be presented for inspection under

Part 5 unless:

- (a) they were prepared in a registered establishment; and
- (b) they are presented for inspection in a registered establishment.

12 Transport of prescribed goods

12.1 Goods may be transported between registered establishments only in accordance with orders and instructions from an authorised officer.

12.2 If prescribed goods are despatched to another registered establishment where the export permit is to be issued, a transfer certificate for the goods may be issued by an authorised officer in a form approved by the Secretary.

12.3 Goods being transported in accordance with this section are taken to be in a registered establishment.

13 Records of dates of packaging

If prescribed goods originate from different registered establishments and are repacked at another registered establishment, the occupier of that other registered establishment must keep, for at least two years, a record of:

- (a) the packing dates; and
- (b) the establishments at which the goods were originally packed.

Note: See clause 4 of Schedule 3 for record keeping requirements to be met by an occupier of a registered establishment.

Part 5—Inspection for export compliance

17 Inspection for export compliance

17.1 An authorised officer may declare a consignment of prescribed goods to be

passed as export compliant if he or she is satisfied that:

(a) the goods, together with the places and any bins, receptacles or elements of a transport system in which they are stored or carried:

- (i) are free of pests, including any pest for which a declaration of freedom is required by any relevant importing country authority; and
- (ii) contain no contaminants above the relevant levels specified in or under this Order; and

(b) any necessary certificates under Part 11 can properly be issued in relation to the goods.

17.2 The authorised officer must satisfy himself or herself on the basis of inspection or sampling of the goods in accordance with Schedule 2 and, where necessary, re-inspection after treatments have been carried out.

17.3 The authorised officer must:

(a) specify a period of not more than 28 days during which the goods may remain passed as export compliant; and

(b) make a record in a way approved by the Secretary.

17.4 In addition to subsection 17.3, the authorised officer may specify one or more additional periods during which the goods may remain passed as export compliant. An additional period must not exceed the period specified by the Secretary under subsection 17.5.

17.5 The Secretary must determine, in writing, the length of an additional period, or additional periods, during which the goods may remain passed as export compliant. The Secretary may determine different lengths for different additional periods.

17.6 If the authorised officer specifies one or more periods during which the goods may remain passed as export compliant, the authorised officer:

(a) must specify the first additional period before the end of the period specified under paragraph 17.3(a); and

(b) must specify any further additional period before the end of the last period specified by the authorised officer; and

(c) must make a record of each additional period in an approved way.

18 Duration of export compliance

Prescribed goods that have been passed as export compliant cease to be passed as export compliant if:

(a) the goods are not stored in a registered establishment; or

(b) an authorised officer requires them to be re-inspected; or

(c) the period specified under paragraph 17.3(a), or an additional period specified under subsection 17.4, expires.

So in summery certified goods can only move between Registered Establishments. Prescribed goods can only be certified out of Registered Establishments.

1. Plant Goods that have origin in another state (NSW or Vic) being transported to Canberra for Inspection at a Registered Premise for Export .

This depends on where the goods obtain a phytosanitary status. For protocol product this can be in field at the grower level.

See Plant Export Operation manual for reference. I would pay particular attention to

Use of transfer certificates

The transfer certificate is used in accordance with The Export Control (Plants and Plant Products) Orders 2011 when consignments of horticulture produce are transported between registered export establishments and moved from one regional center to another. They need not be used for movement within regional/metropolitan areas.

The use of the transfer certificate is to ensure that the receiving establishment has confidence that the product meets all phytosanitary requirements on departure from a registered establishment.

Subject to proper security measures during transport and at the receiving establishment, the product can be certified as meeting the importing country requirements. This matter is of critical importance when fruit fly host product is produced in an area free of fruit flies and is to be transported through potentially infested areas or is to be loaded for export in an area that does not have area freedom recognized by the importing country authority.

A transfer certificate is to be used in the following specific instances:

- The goods originate from an area free of fruit fly or other pest or disease
- The goods are to be transported after treatment
- The goods are to be transported after an authorised officer's inspection
- Where a work plan requires export approval of grower orchard/blocks
- Where it is a specific importing country requirement e.g. citrus to Korea.

Copies of transfer certificates must be sent from the originating regional departmental office to the departmental office in the region to where the goods are travelling.

<http://www.agriculture.gov.au/export/controlled-goods/plants-plant-products/plantexportsmanual/volume-14>

and the work instruction

<http://www.agriculture.gov.au/SiteCollectionDocuments/aqis/exporting/plants-grains-hort/plantex-manual/work-instructions/hort-wi-005-security-and-movement-of-horticultural-produce.pdf>

I know there is quite a large amount to reference above but this can also become more complex with individual country requirements are incorporated.

Happy to discuss further if you need a summary or further clarification.

Peter Ikin

Assistant Director | Plant Division | Horticulture Exports

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1. Regulatory requirements on setting up a Registered Export Establishment (REE) for multiple food /products types

Plant Export registration is based on the company meeting legislative record keeping, hygiene, pest control and structural requirements. These requirements are found in [Plant Exports Registered Establishment Audit and Performance Standards](#).

The registration of an establishment is based upon three elements:

- “fit and proper person” - the persons nominated as in management and control of the establishment are assessed as “fit & proper persons” in accordance with the *Export Control Act 1982*

- outstanding debt - any debts owed to the Commonwealth in connection with the establishment are paid
- compliance with legislative requirements - the establishment must meet the legislative requirements listed in the Plant Exports Registered Establishment Audit and Performance Standards.

- What quarantine and distance requirement within a facility are required for different product types ?**
- State Border requirements and working between cross border REE 's**

[Volume 14 of the Plant Export Operations Manual](#) outlines the product security requirements for plant and plant products in particular the sections list below.

Product security in storage

- Physical barriers
- Distance (inside and outside cool rooms)

Product security in-transit

- Pantech and tautliners
- Supervision of unloading of pantechs and tautliners
- Use of transfer certificates
- Labels
- Authorised officer responsibilities
- How to apply for a transfer certificate
- Notification requirements for transfer of export produce

2. Accessing a List of Authorised Officer within the Canberra Region qualified to provide services as an authorised officer in relation to the processing of prescribed goods under the Export Control Act 1982

The Authorised Officer Program maintain a register of AOs willing to advertise their services, located at <http://www.agriculture.gov.au/export/controlled-goods/plants-plant-products/ao/register>

The register was last updated 4 August 2016. Any revisions (if required) will be published every Monday.

3. Establishment and Ongoing Audit costs for budgeting purposes

All costs associated with registration charges and ongoing audit costs are in the [departments charging guidelines](#).

It's difficult to determine what the costs of the registered establishment will be as we don't know which markets (protocol or not) they will preparing/packing for. However they can expect the following charges

- Initial registration cost
- Initial registration audit at fee for service
- Annual charge for registration (based on category)
- Annual audit at fee for service

All the best,
Kate

Kate Walker
Market Coordination and Strategy
Plant Export Operations Branch | Biosecurity Plant Division

☎ +61 2 6272 4561 | kate.walker@agriculture.gov.au

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