

**No. R. 1148****11 December 2009**

**AGRICULTURAL PESTS ACT, 1983  
(ACT NO. 36 OF 1983)**

**CONTROL MEASURES: AMENDMENT**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries, acting under section 6 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby amend the Control Measures set out in the Schedule.

T. Joemat-Pettersson

**Minister of Agriculture, Forestry and Fisheries**

## SCHEDULE

**Definition**

1. In this Schedule "Control Measures" means the control measures published in Government Notice No. R. 110 of 27 January 1984, as amended by Government Notices Nos. R. 909 of 4 May 1984, R. 1770 of 17 August 1984, R. 845 of 12 April 1985, R. 1518 of 12 July 1985, R. 1442 of 11 July 1986, R. 87 of 22 January 1988, R. 1349 of 8 July 1988, R. 1954 of 30 September 1988, R. 2416 of 19 October 1990, R. 18 of 4 January 1991, R. 2840 of 29 November 1991, R. 2269 of 14 August 1992, R. 2876 of 16 October 1992, R. 1560 of 20 August 1993, R. 451 of 11 March 1994, R. 1373 of 5 August 1994, R. 1636 of 27 October 1995, R. 1977 of 22 December 1995, R. 2029 of 13 November 1996, R. 1012 of 1 August 1997, R. 288 of 27 February 1998, R. 1470 of 20 November 1998, R. 666 of 28 May 1999, R. 1016 of 27 August 1999, R. 613 of 23 June 2000, R. 83 of 22 January 2001, R. 397 of 18 May 2001, R. 810 of 31 August 2001, R. 368 of 5 April 2002, R. 714 of 24 May 2002, R. 831 of 21 June 2002, R. 1364 of 8 November 2002, R. 465 of 4 April 2003, R. 144 of 9 February 2004, R. 457 of 20 May 2005 as corrected by Government Notice No. R. 563 of 17 June 2005, R. 1223 of 23 December 2005 as corrected by a correction notice published in Government Gazette No. 28356 of 30 December 2005, R. 369 of 21 April 2006, R. 43 of 26 January 2007, R. 117 of 8 February 2008, R. 461 of 25 April 2008 and R. 258 of 13 March 2009.

**Amendment of definitions of the Control Measures**

2. The definitions of the Control Measures are hereby amended by the insertion before the definition of 'nursery' of the following definitions:

**"authority"** means any officer of the Department of Agriculture, Forestry and Fisheries in the national, provincial or local sphere of government;

'land' means any premises in terms of ownership or user and includes planted crops at a place of production, natural resources, ports of entry, buildings, structures and any area within the Republic;"

#### **Amendment of control measure 2 of the Control Measures**

3. Control measure 2 of the Control Measures is hereby amended by the insertion after subcontrol measure 2(3) of the following subcontrol measures:

"(4) No user of land shall remove any plant or plant product infested or infected, or suspected to be infested or infected, by a prohibited pathogen or insect listed in Table 1, 2 or 9 from any land where the prohibited pathogen or insect listed in Table 1, 2 or 9 occurs or is suspected to occur: Provided that when there is suspicion of infestation or infection, prohibition of movement can only occur when there is good reason to suspect that a plant or plant product may be infested or infected: Provided further that prohibition of movement can only persist in the absence of evidence that the plant or plant product is free from pests.

(5) No user of land shall remove any plant or plant product from any area within the Republic demarcated by the authority where a prohibited pathogen or insect listed in Table 1, 2 or 9 occurs, unless the movement is authorised by means of a permit or the plant or plant product is certified by the authority as free from the insect or free from the pathogen, or unless such plant or plant product does not act as a pathway to transmit or spread a prohibited pathogen or insect listed in Table 1, 2 or 9."

#### **Amendment of control measure 5 of the Control Measures**

4. Control measure 5 of the Control Measures is hereby repealed.

### Insertion of control measure 8 of the Control Measures

5. The following new control measure is hereby inserted after control measure 7 of the Control Measures:

#### "Compulsory notification

8. Every user of land within the Republic shall report to the authority the occurrence or suspected occurrence of prohibited insects and pathogens listed in Table 9."

### Amendment of Table 1 of the Control Measures

6. Table 1 of the Control Measures is hereby substituted with the following table:

**"TABLE 1  
PROHIBITED PATHOGENS  
(Par. 2)**

Scientific name	Common name
<i>Candidatus Phytoplasma asteris</i>	Aster yellows phytoplasmas
<i>Fusarium oxysporum f. cubense</i>	Panama disease
<i>Liberibacter africanus</i>	Citrus greening (African strain)
<i>Liberibacter asiaticus</i>	Citrus greening (Asian strain)
<i>Ralstonia solanacearum</i>	Bacterial wilt
<i>Synchytrium endobioticum</i>	Wart disease of potatoes
<i>Xylophilus ampelinus (Xanthomonas ampelina)</i>	Bacterial blight

"

**Amendment of Table 2 of the Control Measures**

7. Table 2 of the Control Measures is hereby substituted with the following table:

**"TABLE 2  
PROHIBITED INSECTS  
(Par. 2)**

<b>Scientific name</b>	<b>Common name</b>
<i>Bactrocera cucurbitae</i>	Melon fly
<i>Bactrocera invadens</i>	Invader/Asian fruit fly
<i>Bactrocera latifrons</i>	Solanum fruit fly
<i>Bactrocera zonata</i>	Peach fruit fly/Guava fruit fly
<i>Ditylenchus dipsaci</i>	Stem and bulb nematode
<i>Globodera rostochiensis</i>	Golden potato cyst nematode
<i>Radopholus similis</i>	Burrowing nematode
<i>Trioza erytrae</i>	Citrus psylla

**Amendment of Table 9 of the Control Measures**

8. Table 9 of the Control Measures is hereby substituted with the following table:

**"TABLE 9  
PROHIBITED INSECTS AND PATHOGENS  
(Par. 2)**

<b>Scientific name</b>	<b>Common name</b>
<i>Candidatus Phytoplasma asteris</i>	Aster yellows phytoplasmas
<i>Bactrocera cucurbitae</i>	Melon fly
<i>Bactrocera invadens</i>	Invader/Asian fruit fly
<i>Bactrocera latifrons</i>	Solanum fruit fly
<i>Bactrocera zonata</i>	Peach fruit fly/Guava fruit fly
<i>Tilletia indica</i>	Karnal burnt
<i>Xiphinema index</i>	Dagger nematode