

Biosecurity (Fire Ant) Control Declaration 2025

Notifiable instrument NI2025-179

made under the

Biosecurity Act 2023, s 51 (Control declarations)

1 Name of instrument

This instrument is the *Biosecurity (Fire Ant) Control Declaration 2025*.

2 Commencement

This instrument commences on the later of—

- (a) the day after its notification day; and
- (b) the commencement of the *Biosecurity Act 2023*, section 51 (Control declarations).

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Grounds for declaration—Act, s 51 (1)

I am satisfied that this declaration is necessary to manage the biosecurity risk posed by fire ants because—

- (a) fire ants are highly invasive insects known to harm humans and animals, harm ecosystems, reduce crop yields, damage infrastructure, and prevent the use of community outdoor areas; and
- (b) fire ants are—
 - (i) declared pests throughout the ACT; and
 - (ii) notifiable biosecurity matter throughout the ACT; and
 - (iii) prohibited biosecurity matter throughout the ACT; and
- (c) fire ants were first detected in—
 - (i) Queensland in July 2023; and
 - (ii) NSW in November 2023; and
- (d) fire ants continue to spread in both Queensland and NSW.

4 Biosecurity matter and biosecurity risk—Act, s 51 (2) (a)

- (1) The biosecurity matter that is the subject of this declaration is the red imported fire ant *Solenopsis invicta* (**fire ant**).
- (2) The biosecurity risk that is the subject of this declaration is the risk of fire ants being introduced into the ACT, which would be likely to have an adverse effect on the ACT environment, economy and community.

5 Control measure—Act, s 51 (2) (b)

I consider that the control measure in schedule 1 is reasonably necessary to prevent the introduction, presence and spread of fire ants into the ACT.

6 Control zone—Act, s 51 (2) (c)

The control zone for this declaration is the whole of the ACT.

7 People to whom control measure applies—Act, s 51 (2) (d)

The control measure in this declaration applies to any person who moves a fire ant carrier into the ACT from an infested area.

8 Expiry—Act, s 51 (2) (e)

This instrument expires 5 years after it commences.

Suzanne Orr MLA
Minister for Climate Change, Environment, Energy and Water
28 March 2025

Schedule 1 Control measure—fire ant carriers

(see s 5)

Part 1.1 Important concepts

1.1 Meaning of *fire ant carrier*

In this declaration:

fire ant carrier means the following carriers of fire ants:

- (a) agricultural and horticultural equipment;
- (b) building waste;
- (c) chaff;
- (d) coal fines and chitters;
- (e) compost;
- (f) earth moving equipment;
- (g) excavated plants and stumps;
- (h) green waste;
- (i) growing media;
- (j) hay;
- (k) heavy vehicles;
- (l) manure;
- (m) mulch;
- (n) packaging, containers and covers;
- (o) pallets;
- (p) potted plants;
- (q) recycled concrete aggregate;
- (r) rocks and stones;
- (s) sand;
- (t) silage;
- (u) soil;
- (v) turf.

1.2 Meaning of *infested area*

In this declaration:

infested area means an area identified as infested with fire ants in—

- (a) an emergency order made under the *Biosecurity Act 2015* (NSW), section 44, as in force from time to time; or
- (b) a control order made under the *Biosecurity Act 2015* (NSW), section 62, as in force from time to time.

Note NSW emergency orders and control orders are available at this website: www.nsw.gov.au/departments-and-agencies/dpird/our-agencies/agriculture-and-biosecurity

Part 1.2 Control measure

1.3 Control measure—fire ant carriers

A person must not move a fire ant carrier into the ACT from an infested area.

Part 1.3 Control measure exceptions

1.4 Control measure exception—heavy vehicles

- (1) Section 1.3 does not apply to a person who moves a heavy vehicle into the ACT from an infested area if, in the period starting 48 hours before the movement, the person—
 - (a) checks the relevant parts of the heavy vehicle for soil, growing media, mulch, compost and manure; and
 - (b) cleans the relevant parts of the heavy vehicle so that they are free from soil, growing media, mulch, compost and manure; and
 - (c) inspects the vehicle and finds it free of invasive ants.

- (2) In this section:

relevant parts, of a heavy vehicle, means the following parts of the heavy vehicle:

- (a) the outside of the driver's cabin;
- (b) the outer body of the vehicle;
- (c) the radiator and grill;
- (d) the wheels including arches, rims, tyres and mudflaps;
- (e) the undersides including chassis, axles, differentials, belly plates and suspended spare tyres;
- (f) the bins and trays.

1.5 Control measure exception—agricultural and horticultural equipment

- (1) Section 1.3 does not apply to a person who moves agricultural or horticultural equipment into the ACT from an infested area if, in the period starting 48 hours before the movement, the person—

- (a) checks the relevant parts of the agricultural or horticultural equipment for soil, growing media, mulch, compost and manure; and
 - (b) cleans the relevant parts of the agricultural or horticultural equipment so that they are free from soil, growing media, mulch, compost and manure and;
 - (c) inspects the equipment and finds it free of invasive ants.
- (2) In this section:

relevant parts, of agricultural or horticultural equipment, means the following parts of the equipment:

- (a) the outside of the driver's cabin;
- (b) the outer body of the agricultural and horticultural equipment;
- (c) the radiator and grill;
- (d) the wheels including arches, rims and tyres;
- (e) the tracks including rollers, frames and inside frames;
- (f) the undersides including chassis, axles, differentials and belly plates;
- (g) the implements and attachments including any bucket, hoe, scraper, comb, front or bin.

1.6 Control measure exception—earth moving equipment

- (1) Section 1.3 does not apply to a person who moves earth moving equipment into the ACT from an infested area if, in the period starting 48 hours before the movement, the person—
- (a) checks the relevant parts of the equipment for soil, growing media, mulch, compost and manure; and
 - (b) cleans the relevant parts of the equipment so that they are free from soil, growing media, mulch, compost and manure; and
 - (c) inspects the equipment and finds it free of invasive ants.
- (2) In this section:

relevant parts, of earth moving equipment, means the following parts of the equipment:

- (a) the outside of the driver's cabin;
- (b) the outer body of the earth moving equipment;
- (c) the radiator and grill;
- (d) the wheels including arches, rims and tyres;
- (e) the tracks including rollers, frames and inside frames;
- (f) the undersides including chassis, axles, differentials and belly plates;
- (g) the scraper blades;

(h) the implements and attachments including any bucket or hoe.

1.7 Control measure exception—pallets, packaging, containers and covers

Section 1.3 does not apply to a person who moves a pallet, packaging, container or cover into the ACT from an infested area if, in the period starting 48 hours before the movement, the person ensures that the pallet, packaging, container or cover is clean and free from soil, growing media, mulch, compost and manure.

1.8 Control measure exception—green waste and building waste

Section 1.3 does not apply to a person who moves green waste or building waste into the ACT from an infested area if, in the period starting 48 hours before the movement, the person ensures that the green waste or building waste is free from soil.

1.9 Control measure exception—excavated plants and stumps

Section 1.3 does not apply to a person who moves an excavated plant and stump into the ACT from an infested area if—

- (a) in the period starting 48 hours before the movement, the person ensures that either—
 - (i) the excavated plant and stump, and any attached root ball, is clean so that it is free from soil and has been inspected and no invasive ants found; or
 - (ii) the root ball of the excavated plant and stump, and any attached soil, is treated with an APVMA approved chemical for the control of fire ants in accordance with all chemical label directions and permit conditions and immediately following treatment, the excavated plant and stump is placed in preventative conditions; and
- (b) the excavated plant and stump remain in preventative conditions until it arrives in the ACT; and
- (c) the excavated plant and stump is accompanied by an interstate biosecurity certificate certifying that the requirements in paragraph (a) (i) or (ii) have been met.

1.10 Control measure exception—mulch, soil, compost and manure

- (1) Section 1.3 does not apply to a person who moves mulch, soil, compost or manure into the ACT from an infested area if all of the following requirements are met:

- (a) before the movement, the mulch, soil, compost or manure is treated by—
 - (i) heating in a way that ensures all parts of the mass reach at least 65.5°C; or

- (ii) vigorously disturbing all parts of the mass; and
- (b) immediately following the treatment, the mulch, soil, compost or manure is placed in preventative conditions, and it remains in preventative conditions until it arrives in the ACT; and
- (c) the mulch, soil, compost or manure is accompanied by an interstate biosecurity certificate certifying that the requirements in paragraphs (a) and (b) have been met.

1.11 Control measure exception—soil samples

Section 1.3 does not apply to person who moves a soil sample into the ACT from an infested area if—

- (a) before the movement, the person inspects the soil sample to ensure that it is free of fire ants; and
- (b) for 48 hours before the movement, the soil sample is cooled in a way that ensures all parts of the sample reach -18°C.

1.12 Control measure exception—growing media

- (1) Section 1.3 does not apply to a person who moves growing media into the ACT from an infested area if all of the following requirements are met:
 - (a) before the movement, the growing media is treated by—
 - (i) heating in a way that ensures all parts of the mass reach at least 65.5°C; or
 - (ii) vigorously disturbing all parts of the mass; or
 - (iii) using an APVMA approved chemical for the control of fire ants in accordance with all chemical label directions and permit conditions; and
 - (b) for growing media treated under paragraph (a) (i) or (ii)—the growing media is placed in preventative conditions immediately after the treatment, and it remains in preventative conditions until it arrives in the ACT; and
 - (c) the growing media is accompanied by an interstate biosecurity certificate certifying that the requirements in paragraphs (a) to (c) have been met.
- (2) Section 1.3 does not apply to growing media if all of the following requirements are met:
 - (a) the growing media is treated with a registered agricultural chemical product for the control of fire ants, in accordance with—
 - (i) the instructions on the approved label for the product; or
 - (ii) an agvet permit;
 - (b) the growing media is accompanied by an interstate biosecurity certificate certifying that the requirement in paragraph (a) has been met; and

- (c) the person produces the interstate biosecurity certificate on request by an authorised person.

Note Failure to produce the certificate on request by an authorised person is an offence under the Act, s 177 (Power to require information, documents, etc).

1.13 Control measure exception—potted plants

- (1) Section 1.3 does not apply to a person who moves a potted plant into the ACT from an infested area if, before the movement—
 - (a) the growing media of the potted plant is treated with a registered agricultural chemical product for the control of fire ants, in accordance with—
 - (i) the instructions on the approved label for the product; or
 - (ii) an agvet permit; and
 - (b) the treatment of the growing media remains effective until the potted plant arrives in the ACT; and
 - (c) the potted plant is accompanied by an interstate biosecurity certificate certifying that the requirement in paragraph (a) has been met.
- (2) This section does not apply to an indoor potted plant moved into the ACT under section 1.14 (Control measure exception—indoor potted plants).

1.14 Control measure exception—indoor potted plants

Section 1.3 does not apply to a person who moves a potted plant into the ACT from an infested area if the person ensures that the potted plant—

- (a) is kept indoors continuously for 3 months immediately before the move; and
- (b) before the move, is either—
 - (i) moved directly from indoors to the vehicle in which it will be moved without being placed on the ground; or
 - (ii) uprooted so that no growing media are present on the plant; and
- (c) before the move, is checked visually and found to be free of fire ants; and
- (d) is kept indoors continuously for 3 months after it arrives in the ACT.

1.15 Control measure exception—hay

Section 1.3 does not apply to a person who moves hay into the ACT from an infested area if the person ensures that—

- (a) before the movement, the hay—
 - (i) is dry and free from soil; and

- (ii) is treated with a registered agricultural chemical product for the control of fire ants in accordance with the instructions on the approved label for the product or an agvet permit; and
 - (iii) is, immediately following the treatment, placed in preventative conditions; and
- (b) the hay remains in preventative conditions until it arrives in the ACT; and
- (c) the hay is accompanied by an interstate biosecurity certificate certifying that the requirements in paragraph (a) have been met.

1.16 Control measure exception—chaff

Section 1.3 does not apply to a person who moves chaff into the ACT from an infested area if the person ensures that—

- (a) before the movement, the chaff—
 - (i) is hammer milled or cut by a chaff cutter; and
 - (ii) is, immediately after milling or cutting, placed in preventative conditions; and
- (b) the chaff remains in preventative conditions until it arrives in the ACT; and
- (c) every bag is checked for rips and tears; and
- (d) the chaff is accompanied by an interstate biosecurity certificate certifying that the requirements in paragraphs (a) and (b) [and (c)] have been met.

1.17 Control measure exception—silage

Section 1.3 does not apply to a person who moves silage into the ACT from an infested area if all of the following requirements are met:

- (a) the silage is ensiled in at least 6 layers of stretch-wrapped silage wrap or silage film, and the wrapping remains undamaged and intact until it arrives in the ACT;
- (b) each bale is ensiled for at least 6 weeks before it arrives in the ACT;
- (c) the silage is accompanied by an interstate biosecurity certificate certifying that the requirements in paragraphs (a) and (b) have been met; and
- (d) the person produces the interstate biosecurity certificate on request by an authorised person.

Note Failure to produce the certificate on request by an authorised person is an offence under the Act, s 177 (Power to require information, documents, etc).

1.18 Control measure exception—turf

Section 1.3 does not apply to turf from a commercial turf farm if all of the following requirements are met:

- (a) the turf is treated with a registered agricultural chemical product for the control of fire ants on a commercial turf farm, in accordance with—
 - (i) the instructions on the approved label for the product; or
 - (ii) an agvet permit;
- (b) the treatment remains effective until the turf arrives in the ACT;
- (c) the turf is harvested in accordance with—
 - (i) the instructions on the approved label for the registered agricultural chemical product used to treat the turf; or
 - (ii) an agvet permit;
- (d) immediately after harvesting, the turf is placed in preventative conditions;
- (e) the turf remains in preventative conditions until it arrives in the ACT;
- (f) the turf is accompanied by an interstate biosecurity certificate certifying that the requirements in paragraphs (a), (b), (c) and (d) have been met; and
- (g) the person produces the interstate biosecurity certificate on request by an authorised person.

Note Failure to produce the certificate on request by an authorised person is an offence under the Act, s 177 (Power to require information, documents, etc).

1.19 Control measure exception—turf recipients

Section 1.3 does not apply to turf received in the ACT if all of the following requirements are met:

- (a) if the turf is stored—the turf remains in preventative conditions;
- (b) if the turf is laid—immediately after laying, the turf is treated with a registered agricultural chemical product for the control of fire ants, in accordance with—
 - (i) the instructions on the approved label for the product; or
 - (ii) an agvet permit;
- (c) if the turf is to be sold—
 - (i) the turf remains in preventative conditions; and
 - (ii) the turf is labelled with the requirements mentioned in paragraphs (a) and (b).

1.20 Control measure exception—mining or quarrying material

Section 1.3 does not apply to mining or quarrying material if all of the following requirements are met:

- (a) Within 48 hours before movement the material is treated by vigorously disturbing all parts of the material; and
- (b) immediately following the treatment, the material is placed in preventative conditions, and it remains in preventative conditions until it arrives in the ACT; and
- (c) the material is accompanied by an interstate biosecurity certificate certifying that the requirements in paragraph (a) and (b) have been met; and
- (d) the person produces the interstate biosecurity certificate on request by an authorised person.

Note Failure to produce the certificate on request by an authorised person is an offence under the Act, s 177 (Power to require information, documents, etc).

1.21 Control measure exception—transit through infested area

Section 1.3 does not apply to a fire ant carrier if all of the following requirements are met:

- (a) the fire ant carrier originates outside the infested area; and
- (b) the fire ant carrier only transits through the infested area; and
- (c) the fire ant carrier is kept in conditions that prevent infestation by fire ants during transit through the infested area.

Part 1.4 Records of movements

In this part:

Access Canberra means the business unit known as Access Canberra.

1.22 Proposed movement information to be given to Access Canberra

- (1) A person who proposes to move a fire ant carrier into the ACT under an exception mentioned in Part 1.3 must, before moving the carrier into the ACT, provide the following information to Access Canberra: —
 - (a) the following information about the proposed movement:
 - (i) the physical address the fire ant carrier will be moved from (the *origin*);
 - (ii) the physical address the fire ant carrier will be moved to (the *destination*);
 - (iii) a name and phone number of a contact person at the origin and at the destination;

- (iv) the intended date for the movement;
- (v) if the carrier is being moved by road—the registration number of each vehicle that is to transport the carrier;
- (vi) if the carrier is being moved by rail—the train identification number of each train that is to transport the carrier;
- (vii) any other information the director-general reasonably requires about the movement; and

Note Further details may be required—see [website].

- (b) an interstate biosecurity certificate for the carrier (if required by this declaration).
- (2) A person who moves a fire ant carrier into the ACT under an exception mentioned in Part 1.3 must keep the following for 4 years after the date of the movement:
- (a) a record of the information given under subsection (1) (a); and
 - (b) any biosecurity certificate given under subsection (1) (b).
- (3) Subsections (1) and (2) do not apply to the following movements:
- (a) movement of a heavy vehicle under section 1.4;
 - (b) movement of agricultural or horticultural equipment under section 1.5;
 - (c) movement of pallets, packaging, containers or covers under section 1.7;
 - (d) movement of building waste or green waste under section 1.8;
 - (e) movement of soil samples under section 1.11;
 - (f) movement of indoor potted plants under section 1.14;
 - (g) movement of mining or quarrying materials under section 1.21.

1.23 Recipient must keep interstate biosecurity certificate

If a person receives a fire ant carrier from an infested area, and is required under this declaration to be given an interstate biosecurity certificate for the carrier, the person must—

- (a) keep the interstate biosecurity certificate for 4 years after the day the person receives the carrier; and
- (b) produce the interstate biosecurity certificate for inspection on request by an authorised person at any time during the 4 years.

1.24 Movement prohibited if premises not checked

- (1) A person must not move a fire ant carrier into the ACT from premises in an infested area unless all of the following parts of the premises are checked for fire ant nests within 12 weeks of the move:
 - (a) the ground along the edges of drainage lines, dams and waterways;

- (b) the ground along the edges of driveways;
 - (c) the ground along fence lines;
 - (d) the ground around power poles;
 - (e) gardens;
 - (f) lawns;
 - (g) the ground along the edges of paddocks where crops are grown, and
 - (h) all areas within 50m of where fire ant carriers are grown, packed, sourced, stored, held or made.
- (2) A person who carries out a check for fire ant nests under subsection (1) must keep a record of the following:
- (a) the date of the check;
 - (b) the parts of the premises mentioned in subsection (1) that were checked;
 - (c) if a fire ant nest is found—the location of the fire ant nest.
- (3) Subsections (1) and (2) do not apply to the following movements:
- (a) movement of a heavy vehicle under section 1.4;
 - (b) movement of agricultural or horticultural equipment under section 1.5;
 - (c) movement of earth moving equipment under section 18;
 - (d) movement of pallets, packaging, containers or covers under section 1.7;
 - (e) movement of building waste or green waste under section 1.8;
 - (f) movement of soil samples under section 1.11;
 - (g) movement of indoor potted plants under section 1.14;
 - (h) movement of mining or quarrying materials under section 1.21.

1.25 Premises treatment

- (1) A person must not move a fire ant carrier into the ACT from premises in an infested area where fire ants are present or have been found in the last 12 months unless all of the following requirements are met:
- (a) the parts of the premises within 500m of where the fire ant carrier has been grown, packed, sourced, stored or held are subject to an insect growth regulator treatment regime;
 - (b) a written record of the date and parts of the premises subject to the insect growth regulator treatment regime is kept for 4 years from the date of each application of insect growth regulator,
 - (c) at least 8 weeks have passed since the initial application of insect growth regulator.
- (2) Subsection (1) does not apply to the following movements:

- (a) movement of a heavy vehicle under section 1.4;
- (b) movement of agricultural or horticultural equipment under section 1.5;
- (c) movement of earth moving equipment under section 18;
- (d) movement of pallets, packaging, containers or covers under section 1.7;
- (e) movement of building waste or green waste under section 1.8;
- (f) movement of soil samples under section 1.11;
- (g) movement of indoor potted plants under section 1.14;
- (h) movement of mining or quarrying materials under section 1.21.

(3) In this section:

insect growth regulator means a product that—

- (a) contains 5g/kg of pyriproxyfen or s-methoprene as the active ingredient; and
- (b) is registered or permitted for the treatment of fire ants by the APVMA.

insect growth regulator treatment regime means an insect growth regulator applied on premises at least 3 times within a 12-month period in accordance with the chemical label directions and APVMA permit conditions.

Dictionary

Note Terms used in this declaration have the same meaning that they have in the *Biosecurity Act 2023*. For example, the following terms are defined in the Act, dict:

- biosecurity matter (see s 8)
- biosecurity risk (see s 13)
- carrier (see s 9)
- interstate biosecurity certificate (see s 111)
- move

agitate material—

- (a) means to spread the material on a hard surface, either by hand or machine, until the layer is no more than 15cm deep, and then form the material into a pile; but
- (b) does not include loading the material onto a truck or trailer.

agricultural chemical product—see the agvet code, section 4.

agricultural and horticultural equipment—

- (a) means equipment that has been used to produce, cultivate, harvest or process a fire ant carrier in a fire ant infested area; and
- (b) includes a tractor, harvester (including a comb or front), planter, bin and baler.

agvet code means the Agvet Code of the ACT, under the *Agricultural and Veterinary Chemicals Code Act 1994* (Cwlth) as in force from time to time.

Note The Agvet Code of the ACT is set out in the *Agricultural and Veterinary Chemicals Code Act 1994* (Cwlth), sch (see that Act, s 5 (1)).

agvet permit means a permit issued under the agvet code, part 7.

approved label, for a registered agvet chemical product—see the agvet code, section 3.

building waste—

- (a) means waste from a building site or demolition of a building; and
- (b) includes bricks, concrete, paper, plastics, glass, metal, plaster and fibre cement board and timber waste.

coal fines and chitters—

- (a) means the by-products of processing coal; and
- (b) includes tailings.

compost includes decayed organic matter used as a soil conditioner or fertiliser.

earth moving equipment—

- (a) means equipment that has been used for disturbing, scraping, carrying, digging or levelling soil or another fire ant carrier in a fire ant infested area; and
- (b) includes a dozer, grader, excavator, loader, trencher, compactor, scraper and backhoe.

excavated plants and stumps—

- (a) means mature or advanced plants (whether dead or alive) that are removed from the ground with a root ball; and
- (b) includes the plant, root ball and any soil attached to the root ball; but
- (c) does not include potted plants.

fire ant—see section 4.

fire ant carrier—see section 1.1.

gravel means stones or rocks that are less than 20mm in diameter.

green waste—

- (a) means grass, vegetation and clippings; but
- (b) does not include mulch.

growing media—

- (a) means material used to grow plants by providing physical support to the plant, facilitating root growth, and delivering aeration, nutrients and water to the plant; and
- (b) includes potting mixes and manufactured soil products.

hay includes straw.

heavy vehicle—

- (a) means a vehicle and any attached trailer that—
 - (i) is used to transport a fire ant carrier; and
 - (ii) has a gross vehicle mass or aggregate trailer mass of more than 4.5 t; and
- (b) includes the following vehicles:
 - (i) a tipper truck and a dump truck,
 - (ii) a tray truck,
 - (iii) a skip bin truck and any attached skip bin;
 - (iv) a semi-trailer;
 - (v) a b-double freight truck;
 - (vi) a road train;
 - (vii) a vehicle carrier and a low loader.

indoor potted plant means a potted plant that has been indoors continuously for the previous 3 months.

infested area—see section 1.2.

instruction, on the approved label for a registered agvet chemical product—see the agvet code, section 3.

large rocks and stones means rocks and stones larger than 20mm in diameter.

large recycled concrete aggregate means recycled concrete aggregate larger than 20mm in diameter.

manure—

- (a) means manure from an animal; but
- (b) does not include manure produced by livestock during a movement under this declaration.

mining or quarrying material—

- (a) means material that is a product or byproduct of mining or quarrying; and
- (b) includes chitters, coal fines, coal stone, decomposed granite, sand, gravel and overburden.

mulch—

- (a) means mulch made from plant materials; and
- (b) includes bark, wood chips, sugarcane, sawdust and bagasse.

packaging, containers and covers—

- (a) means any material that has been used to package, contain or cover a fire ant carrier; and
- (b) includes the following:
 - (i) a potted plant container or tray;
 - (ii) wrapping used for an excavated plant or stump;
 - (iii) a bag used for soil, growing media, mulch, manure or compost;
 - (iv) silage wrap or silage film;
 - (v) a tarpaulin or covering that has been used to cover or secure a load of fire ant carriers;
 - (vi) plastic used to wrap a pallet.

pallet means a pallet used to transport a fire ant carrier.

potted plant—

- (a) means a plant in a container that was grown or re-potted in growing media; and
- (b) includes the plant and the growing media; but

- (c) does not include—
 - (i) bare rooted plants; or
 - (ii) tissue culture; or
 - (iii) seedlings in plugs or cells used to grow or transport plants, with a volume of no more than 100mL.

preventative conditions, for a fire ant carrier, means the following conditions:

- (a) the fire ant carrier is covered in a way that prevents fire ants crawling into or landing on the carrier; and

Examples—covers that prevent fire ants crawling into or landing on a carrier

- 1 enclosing in sealed plastic bags or sealed plastic wrapping
- 2 covering with a tarpaulin, shade cloth or insect netting
- 3 storing inside an enclosed building

- (b) the fire ant carrier is placed—

- (i) high enough off the ground to prevent any part of the carrier from contacting the ground; or
- (ii) on unbroken compacted ground that is not sand or gravel, if the entire surface and edges are treated with bifenthrin to create a pesticide barrier; or
- (iii) on an impervious surface where the edges are treated with bifenthrin to create a pesticide barrier.

Examples—impervious surface

concrete, bitumen, heavy plastic sheeting

recycled concrete aggregate means aggregate made from recycled concrete.

registered, for an agricultural chemical product, means registered under the agvet code, part 2.

rocks and stones includes gravel, decomposed granite and coal stones.

soil sample means a sample of soil that is—

- (a) not more than 1kg; and
- (b) prepared for the purpose of laboratory analysis.

vigorously disturbing material, means agitating all parts of the material using 1 or more of the following methods:

- (a) crushing, cutting, hammering, chipping or shredding;
- (b) screening by passing all the material through a screening bucket, grate or other sieve;
- (c) mechanised turning by a machine that creates disturbance, including by rotary hoe, trommel or windrow turner;
- (d) washing.