



Biosecurity Legislation (Prohibited and Conditionally Non-prohibited Goods) Amendment (Alternative Conditions) Determination 2018

We, Daryl Quinlivan, Director of Biosecurity, and Professor Brendan Murphy, Director of Human Biosecurity, make the following determination.

Dated 12 July 2018

Daryl Quinlivan
Director of Biosecurity

Brendan Murphy
Director of Human Biosecurity

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
Schedule 1—Main amendments		2
Part 1—Alternative conditions for the mainland		2
	<i>Biosecurity (Prohibited and Conditionally Non-prohibited Goods)</i>	
	<i>Determination 2016</i>	2
Part 2—Alternative conditions for Christmas Island		11
	<i>Biosecurity (Prohibited and Conditionally Non-prohibited Goods—Christmas Island)</i>	
	<i>Determination 2016</i>	11
Part 3—Alternative conditions for Cocos (Keeling) Islands		16
	<i>Biosecurity (Prohibited and Conditionally Non-prohibited Goods—Cocos (Keeling)</i>	
	<i>Islands) Determination 2016</i>	16
Part 4—Alternative conditions for Norfolk Island		21
	<i>Biosecurity (Prohibited and Conditionally Non-prohibited Goods—Norfolk Island)</i>	
	<i>Determination 2016</i>	21
Schedule 2—Amendments relating to hair, teeth and bones		28
Part 1—Alternative conditions for the mainland		28
	<i>Biosecurity (Prohibited and Conditionally Non-prohibited Goods)</i>	
	<i>Determination 2016</i>	28
Part 2—Alternative conditions for Christmas Island		29
	<i>Biosecurity (Prohibited and Conditionally Non-prohibited Goods—Christmas Island)</i>	
	<i>Determination 2016</i>	29
Part 3—Alternative conditions for Cocos (Keeling) Islands		30
	<i>Biosecurity (Prohibited and Conditionally Non-prohibited Goods—Cocos (Keeling)</i>	
	<i>Islands) Determination 2016</i>	30
Part 4—Alternative conditions for Norfolk Island		31
	<i>Biosecurity (Prohibited and Conditionally Non-prohibited Goods—Norfolk Island)</i>	
	<i>Determination 2016</i>	31

1 Name

This instrument is the *Biosecurity Legislation (Prohibited and Conditionally Non-prohibited Goods) Amendment (Alternative Conditions) Determination 2018*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	25 July 2018.	25 July 2018
2. Schedule 1	25 July 2018.	25 July 2018
3. Schedule 2	The later of: (a) 25 July 2018; and (b) immediately after the commencement of Part 2 of Schedule 1 to the <i>Biosecurity Legislation Amendment (Miscellaneous Measures) Act 2018</i> . However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	1 March 2019 (paragraph (b) applies)

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 174(1) of the *Biosecurity Act 2015*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Main amendments

Part 1—Alternative conditions for the mainland

Biosecurity (Prohibited and Conditionally Non-prohibited Goods) Determination 2016

1 Section 5 (definition of *FMD-free country*)

Omit “16 June 2016”, substitute “25 July 2018”.

2 Section 5 (definition of *infectious agent*)

Repeal the definition, substitute:

infectious agent includes any of the following (whether naturally occurring or synthetically created):

- (a) a virus;
- (b) a prion;
- (c) a plasmid;
- (d) a viroid;
- (e) a thing that is a part of an infectious agent.

Examples: For the purposes of paragraph (e), capsids, envelopes, enzymes, genetic material coding for an infectious agent, proteins.

3 Section 5 (definitions of *listed fresh produce for human consumption, listed permitted seeds and listed plant fibres*)

Omit “30 June 2017”, substitute “25 July 2018”.

4 Section 5 (definition of *microorganism*)

Repeal the definition, substitute:

microorganism includes any of the following (whether naturally occurring or synthetically created):

- (a) a single-celled organism (whether an animal or plant);
- (b) a bacterium;
- (c) a protozoan;
- (d) a fungus;
- (e) a plant pathogen;
- (f) a thing that is a part of a microorganism.

Examples: For the purposes of paragraph (f), envelopes, enzymes, genetic material coding for a microorganism, proteins.

5 Paragraph 7(c)

Repeal the paragraph.

6 Paragraph 10(2)(a)

Repeal the paragraph, substitute:

- (a) cooked biscuits, cooked breads, cooked cakes or cooked pastries (other than biscuits, breads, cakes or pastries covered by item 4 of the table in section 16);

7 Paragraph 10(2)(f)

Omit “for example, cochineal”, substitute “other than carminic acid in relation to which alternative conditions are specified in section 36”.

8 Subsection 10(3) (table item 24)

Repeal the item, substitute:

- 24 Processed black and green tea (*Camellia sinensis*) leaves for human consumption

9 Subsection 13(2) (table item 3, column 1, paragraph (b))

Repeal the paragraph, substitute:

- (b) wool or fibre from sheep, goats or camelids

10 Subsection 13(2) (cell at table item 4, column 2)

Repeal the cell, substitute:

Either:

- (a) the goods are for personal use; or
- (b) the goods:
 - (i) are clean and free from other animal or plant material and soil; and
 - (ii) have been scoured or sterilised to manage biosecurity risks associated with the goods to an acceptable level; and
 - (iii) are accompanied by evidence stating that the goods have been scoured or sterilised to manage biosecurity risks associated with the goods to an acceptable level

11 Subsection 13(2) (cell at table item 5, column 2)

Repeal the cell, substitute:

The goods are clean and free from other animal or plant material and soil, and:

- (a) the goods are fully contained within a manufactured product; or
- (b) the goods are accompanied by documentation stating that the goods have been treated with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (c) the goods are to be treated in accordance with an approved arrangement, while subject to biosecurity control, with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (d) all of the following:
 - (i) the goods are part of one or more manufactured products;
 - (ii) the quantity of the manufactured products is not

- more than 10;
- (iii) the goods are for personal use

12 Subsection 13(2) (table item 6)

Repeal the item, substitute:

- | | | |
|---|---|---|
| 6 | Wool or fibre from sheep, goats or camelids | Either:
(a) the goods: <ul style="list-style-type: none">(i) are clean and free from other animal or plant material and soil; and(ii) have been commercially prepared, processed and packaged; and(iii) are ready for retail sale; or (b) the goods: <ul style="list-style-type: none">(i) have been scoured to manage the biosecurity risks associated with the goods to an acceptable level or treated with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; and(ii) if the gross weight of the goods is more than 500 grams—are accompanied by evidence that the condition referred to in subparagraph (i) has been complied with |
|---|---|---|

13 Subsection 13(2) (at the end of the table)

Add:

- | | | |
|----|----------------------------------|--|
| 17 | Empty giant African snail shells | The goods: <ul style="list-style-type: none">(a) are not viable; and(b) are clean and free from other animal or plant material and soil |
|----|----------------------------------|--|

14 Section 14 (heading)

Repeal the heading, substitute:

14 Alternative conditions—dead aquatic animals, aquatic animal parts and related goods

15 Subsection 14(1)

Omit “does not apply to dead fish, crustaceans or related goods that are intended for”, substitute “applies to dead aquatic animals, aquatic animal parts and related goods that are not viable and are not intended for”.

16 Subsection 14(2)

Omit “dead fish, crustaceans”, substitute “dead aquatic animals, aquatic animal parts”.

17 Subsection 14(2) (table heading)

Repeal the heading, substitute:

Alternative conditions—dead aquatic animals, aquatic animal parts and related goods

18 Subsection 14(2) (table items 1 and 2, column 1)

Omit “Dead teleost”, substitute “Teleost”.

19 Subsection 14(2) (table item 3)

Repeal the item, substitute:

- | | | |
|---|---|---|
| 3 | Cartilaginous fish
(including dried fish), other
than fish meal | Either:
(a) the goods are clean and free from other animal or plant
material and soil; or
(b) the goods:
(i) have been processed to manage biosecurity risks
associated with the goods to an acceptable level; and
(ii) are fit for human consumption |
|---|---|---|

20 Subsection 14(2) (table item 4, column 1)

Omit “Dead non-salmonid”, substitute “Non-salmonid”.

21 Subsection 14(2) (table item 5, column 1)

Omit “Dead fish”, substitute “Fish”.

22 Subsection 14(2) (table item 8)

Repeal the item, substitute:

- | | | |
|---|---|--|
| 8 | Cnidarians, crustaceans
(other than prawns,
freshwater crayfish or
crustacean meal),
echinoderms, molluscs
(other than oysters in full or
half shell or freshwater
snails) poriferans and
tunicates | The goods are clean and free from other animal or plant
material and soil |
|---|---|--|

23 Subsection 14(2) (table item 13)

Repeal the item.

24 Subsection 14(2) (table item 14, column 2, paragraph (b))

Repeal the paragraph.

25 Subsection 14(2) (table items 15, 16 and 17)

Repeal the items.

26 Subsection 15(2) (cell at table item 3, column 1)

Repeal the cell, substitute:

Pâté (whether or not egg is
included as an ingredient)
or foie gras

27 Subsection 16(2) (table item 2, column 2, subparagraph (a)(ii))

Omit “one or more”.

28 Subsection 16(2) (table item 2, column 2, subparagraph (a)(iii))

Repeal the subparagraph.

29 Subsection 16(2) (table item 2, column 2, subparagraph (b)(iv))

Repeal the subparagraph.

30 Subsection 16(2) (table item 2, column 2, subparagraph (c)(i))

Repeal the subparagraph, substitute:

- (i) the goods have been commercially prepared and packaged;

31 Subsection 16(2) (table item 2, column 2, paragraph (d))

Repeal the paragraph, substitute:

- (d) the goods contain less than 10% by dry weight (other than added water) of dairy products

32 Subsection 16(2) (cell at table item 4, column 1)

Repeal the cell, substitute:

The following goods:

- (a) cheesecakes;
- (b) cooked biscuits, cooked breads, cooked cakes or cooked pastries containing uncooked dairy fillings or toppings

33 Section 18 (table item 9)

Repeal the item.

34 After section 18

Insert:

18A Alternative conditions—animal products exported from Australian territory

For paragraph 11(1)(b), the following table specifies alternative conditions for bringing or importing animal products that were exported from Australian territory into Australian territory.

Alternative conditions—animal products exported from Australian territory

Item	Column 1 Goods	Column 2 Alternative conditions
1	Animal products exported from Australian territory	Either: (a) all of the following: (i) the goods were commercially manufactured in Australian territory; (ii) the goods were packaged in Australian territory by the manufacturer; (iii) the packaging indicates that the goods are a product of Australia; (iv) the packaging has not been opened and is not broken;

Alternative conditions—animal products exported from Australian territory

Item	Column 1 Goods	Column 2 Alternative conditions
		(v) the goods are for personal use; or
		(b) all of the following:
		(i) the goods have not been unloaded from the shipping container in which they were exported from Australian territory;
		(ii) the Australian government container seal that was applied to the shipping container before the goods were exported is intact when the goods arrive at a landing place or port in Australian territory;
		(iii) if the goods, or any ingredients in the goods, had previously been imported into Australian territory—those goods or ingredients were released from biosecurity control under paragraph 162(1)(a), (b) or (c) of the Act before they were exported

35 Section 21 (table)

Repeal the table, substitute:

Alternative conditions—cosmetics and related goods

Item	Column 1 Goods	Column 2 Alternative conditions
1	Cosmetics containing biological material for human use	The goods: (a) have been commercially manufactured, prepared and packaged; and (b) are ready for retail sale without any further processing; and (c) either: (i) are for personal use; or (ii) contain, in total, less than 20% by mass of material of animal origin (other than material of animal origin that is covered by an item in a table in this Division)
2	Soap	All of the following: (a) the goods have been commercially prepared; (b) the biological ingredients of the goods have undergone a process of saponification; (c) after saponification, no material of animal origin has been added (other than material of animal origin that is covered by an item in a table in this Division)

36 Section 23 (after the heading)

Insert:

- (1) This section does not apply to plant materials or plant products that are intended for:
- (a) animal consumption; or
 - (b) use as a bioremedial agent or fertiliser; or
 - (c) veterinary therapeutic use.

37 Section 23

Omit “For”, substitute “(2) For”.

38 Section 23 (table item 9, column 2, paragraph (d))

Repeal the paragraph.

39 Section 23 (at the end of the table)

Add:

20	Raw, unprocessed or cured tobacco leaf	The goods: (a) are in clean and new packaging; and (b) are clean and free from other animal or plant material and soil; and (c) are treated or processed, while subject to biosecurity control, using a method that the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level
----	--	---

21	Dried herb products not for human consumption	The goods: (a) are not viable; and (b) are in clean and new packaging; and (c) are clean and free from other animal or plant material and soil; and (d) are accompanied by documentation that includes a detailed product description and a full list of ingredients including botanical names (genus and species) of the goods
----	---	---

40 Section 29 (at the end of the cell at table item 5A, column 1)

Add:

, other than goods covered by item 5B

41 Section 29 (after table item 5A)

Insert:

5B	Species of mushrooms that: (a) are in the form of a tablet, capsule, liquid, injectable vial or ointment, or are an ingredient in food or a beverage, including in a tea bag; and (b) are for use for medicinal purposes	The goods: (a) are listed medicinal mushrooms; and (b) have been commercially prepared and packaged; and (c) either: (i) are accompanied by commercial documentation stating the botanical name of the goods (including genus and species), and a description of the packaging used for the goods; or (ii) are for personal use and in a quantity of not more than 3 months’ supply
----	--	--

42 Section 31 (table items 1, 2 and 3)

Repeal the items, substitute:

1	Timber and timber products, other than goods covered by another item in this table	Both of the following: (a) the goods are free from pests; (b) the goods: (i) are free from bark and have been processed or manufactured to be 200 millimetres or less in
---	--	---

- diameter in at least one dimension; or
- (ii) are accompanied by a phytosanitary certificate issued by the exporting country's national plant protection organisation stating that biosecurity risks associated with the goods have been managed to an acceptable level; or
- (iii) are accompanied by evidence that demonstrates that the goods have been produced under an accreditation scheme that the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (iv) are for personal use and are brought in as baggage or mail

43 Section 31 (cell at table item 4, column 2)

Repeal the cell, substitute:

The goods:

- (a) are accompanied by commercial documentation that describes the goods and all ingredients; and
- (b) have been commercially packaged in clean and new packaging

44 Section 31 (table item 8)

Repeal the item, substitute:

- 8 Sawdust and woodchips of plant origin only, other than goods intended for:
- The goods have been commercially packaged in clean and new packaging
- (a) animal consumption; or
 - (b) use as a bioremedial agent or fertiliser

45 Subsection 32(3) (table item 25)

Omit "*Hasagawaea*", substitute "*Hasegawaea*".

46 Subsection 32(3) (table item 27)

Omit "*Hypopichia*", substitute "*Hyphopichia*".

47 Subsection 32(3) (table item 35)

Omit "*pentasaceus*", substitute "*pentosaceus*".

48 Subsection 32(3) (table item 36)

Omit "*camembertii*", substitute "*camembertii* and *Penicillium candidum*".

49 Subsection 36(2) (heading)

Repeal the heading, substitute:

Biological material intended for human consumption, in-vitro purposes or human therapeutic use or contained in cosmetics for human use

50 Subsection 36(4) (after table item 1)

Insert:

Schedule 1 Main amendments

Part 1 Alternative conditions for the mainland

1A Carminic acid

51 Subsection 36(4) (after table item 3)

Insert:

3A Cyclosporin (except if manufactured using materials of terrestrial animal or avian origin)

3B Diethylaminoethyl (DEAE) dextran (except if manufactured using materials of terrestrial animal or avian origin)

Part 2—Alternative conditions for Christmas Island

Biosecurity (Prohibited and Conditionally Non-prohibited Goods— Christmas Island) Determination 2016

52 Subsection 5(2) (after paragraph (f) of the note)

Insert:

- (fa) infectious agent;

53 Subsection 5(2) (after paragraph (h) of the note)

Insert:

- (ha) microorganism;

54 Paragraph 6(2)(b)

Repeal the paragraph, substitute:

- (b) cooked biscuits, cooked breads, cooked cakes or cooked pastries;

55 Paragraph 6(2)(j)

Omit “for example, cochineal”, substitute “other than carminic acid in relation to which alternative conditions are specified in section 30”.

56 Subsection 6(3) (table item 24)

Repeal the item, substitute:

- 24 Processed black and green tea (*Camellia sinensis*) leaves for human consumption

57 Subsection 8(2) (table item 2, column 1)

Omit “wool, goat fibre or other animal fibre”, substitute “wool or fibre from sheep, goats or camelids”.

58 Subsection 8(2) (cell at table item 3, column 2)

Repeal the cell, substitute:

The goods are clean and free from other animal or plant material and soil, and:

- (a) the goods are fully contained within a manufactured product; or
- (b) the goods are accompanied by documentation stating that the goods have been treated with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (c) the goods are to be treated in accordance with an approved arrangement, while subject to biosecurity control, with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (d) all of the following:
 - (i) the goods are part of one or more manufactured products;

Schedule 1 Main amendments

Part 2 Alternative conditions for Christmas Island

- (ii) the quantity of the manufactured products is not more than 10;
- (iii) the goods are for personal use

59 Subsection 8(2) (table item 4)

Repeal the item, substitute:

- 4 Wool or fibre from sheep, goats or camelids Either:
- (a) the goods:
 - (i) are clean and free from other animal or plant material and soil; and
 - (ii) have been commercially prepared, processed and packaged; and
 - (iii) are ready for retail sale; or
 - (b) the goods:
 - (i) have been scoured to manage the biosecurity risks associated with the goods to an acceptable level or treated with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; and
 - (ii) if the gross weight of the goods is more than 500 grams—are accompanied by evidence that the condition referred to in subparagraph (i) has been complied with

60 Subsection 8(2) (at the end of the table)

Add:

- 15 Empty giant African snail shells The goods:
- (a) are not viable; and
 - (b) are clean and free from other animal or plant material and soil

61 Section 15 (table)

Repeal the table, substitute:

Alternative conditions—cosmetics and related goods

Item	Column 1 Goods	Column 2 Alternative conditions
1	Cosmetics containing biological material for human use	The goods: <ul style="list-style-type: none">(a) have been commercially manufactured, prepared and packaged; and(b) are ready for retail sale without any further processing; and(c) either:<ul style="list-style-type: none">(i) are for personal use; or(ii) contain, in total, less than 20% by mass of material of animal origin (other than material of animal origin that is covered by an item in a table in this Division)
2	Soap	All of the following: <ul style="list-style-type: none">(a) the goods have been commercially prepared;(b) the biological ingredients of the goods have undergone a

Alternative conditions—cosmetics and related goods

Item	Column 1 Goods	Column 2 Alternative conditions
		process of saponification; (c) after saponification, no material of animal origin has been added (other than material of animal origin that is covered by an item in a table in this Division)

62 Section 17 (after the heading)

Insert:

- (1) This section does not apply to plant materials or plant products that are intended for:
- (a) animal consumption; or
 - (b) use as a bioremedial agent or fertiliser; or
 - (c) veterinary therapeutic use.

63 Section 17

Omit “For”, substitute “(2) For”.

64 Section 17 (table item 9, column 2, paragraph (d))

Repeal the paragraph.

65 Section 17 (at the end of the table)

Add:

20	Dried herb products not for human consumption	The goods: (a) are not viable; and (b) are in clean and new packaging; and (c) are clean and free from other animal or plant material and soil; and (d) are accompanied by documentation that includes a detailed product description and a full list of ingredients including botanical names (genus and species) of the goods
----	---	---

66 Section 23 (at the end of the cell at table item 4A, column 1)

Add:

other than goods covered by item 4B

67 Section 23 (after table item 4A)

Insert:

4B	Species of mushrooms that: (a) are in the form of a tablet, capsule, liquid, injectable vial or ointment, or are an ingredient in food or a beverage, including in a tea bag; and	The goods: (a) are listed medicinal mushrooms; and (b) have been commercially prepared and packaged; and (c) either: (i) are accompanied by commercial documentation stating the botanical name of the goods (including genus and species), and a description of the packaging used for the goods; or
----	--	---

Schedule 1 Main amendments

Part 2 Alternative conditions for Christmas Island

(b) are for use for medicinal purposes

(ii) are for personal use and in a quantity of not more than 3 months' supply

68 Section 25 (table items 1 and 2)

Repeal the items, substitute:

- | | | |
|---|--|--|
| 1 | Timber and timber products, other than goods covered by another item in this table | Both of the following:
(a) the goods are free from pests;
(b) the goods: <ul style="list-style-type: none">(i) are free from bark and have been processed or manufactured to be 200 millimetres or less in diameter in at least one dimension; or(ii) are accompanied by a phytosanitary certificate issued by the exporting country's national plant protection organisation stating that biosecurity risks associated with the goods have been managed to an acceptable level; or(iii) are accompanied by evidence that demonstrates that the goods have been produced under an accreditation scheme that the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or(iv) are for personal use and are brought in as baggage or mail |
|---|--|--|

69 Section 25 (cell at table item 3, column 2)

Repeal the cell, substitute:

Either:

- (a) the goods are brought or imported from a part of Australian territory (other than Cocos (Keeling) Islands or Norfolk Island); or
- (b) both of the following:
 - (i) the goods are accompanied by commercial documentation that describes the goods and all ingredients;
 - (ii) the goods have been commercially packaged in clean and new packaging

70 Section 25 (table item 7)

Repeal the item, substitute:

- | | | |
|---|--|--|
| 7 | Sawdust and woodchips of plant origin only, other than goods intended for: <ul style="list-style-type: none">(a) animal consumption; or(b) use as a bioremedial agent or fertiliser | The goods have been commercially packaged in clean and new packaging |
|---|--|--|

71 Subsection 26(3) (table item 25)

Omit "*Hasagawaea*", substitute "*Hasegawaea*".

72 Subsection 26(3) (table item 27)

Omit “*Hypopichia*”, substitute “*Hyphopichia*”.

73 Subsection 26(3) (table item 35)

Omit “*pentasaceus*”, substitute “*pentosaceus*”.

74 Subsection 26(3) (table item 36)

Omit “*camembertii*”, substitute “*camembertii* and *Penicillium candidum*)”.

75 Subsection 30(2) (heading)

Repeal the heading, substitute:

Biological material intended for human consumption, in-vitro purposes or human therapeutic use or contained in cosmetics for human use

76 Subsection 30(4) (after table item 1)

Insert:

1A Carminic acid

77 Subsection 30(4) (after table item 3)

Insert:

3A Cyclosporin (except if manufactured using materials of terrestrial animal or avian origin)

3B Diethylaminoethyl (DEAE) dextran (except if manufactured using materials of terrestrial animal or avian origin)

Part 3—Alternative conditions for Cocos (Keeling) Islands

Biosecurity (Prohibited and Conditionally Non-prohibited Goods— Cocos (Keeling) Islands) Determination 2016

78 Subsection 5(2) (after paragraph (f) of the note)

Insert:

(fa) infectious agent;

79 Subsection 5(2) (after paragraph (h) of the note)

Insert:

(ha) microorganism;

80 Paragraph 6(2)(a)

Repeal the paragraph, substitute:

(a) cooked biscuits, cooked breads, cooked cakes or cooked pastries (other than biscuits, breads, cakes or pastries covered by item 4 of the table in section 11);

81 Paragraph 6(2)(h)

Omit “for example, cochineal”, substitute “other than carminic acid in relation to which alternative conditions are specified in section 31”.

82 Subsection 6(3) (table item 24)

Repeal the item, substitute:

24 Processed black and green tea (*Camellia sinensis*) leaves for human consumption

83 Subsection 8(2) (table item 2, column 1)

Omit “wool, goat fibre or other animal fibre”, substitute “wool or fibre from sheep, goats or camelids”.

84 Subsection 8(2) (cell at table item 3, column 2)

Repeal the cell, substitute:

The goods are clean and free from other animal or plant material and soil, and:

- (a) the goods are fully contained within a manufactured product; or
- (b) the goods are accompanied by documentation stating that the goods have been treated with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (c) the goods are to be treated in accordance with an approved arrangement, while subject to biosecurity control, with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (d) all of the following:
 - (i) the goods are part of one or more manufactured

- products;
- (ii) the quantity of the manufactured products is not more than 10;
- (iii) the goods are for personal use

85 Subsection 8(2) (table item 4)

Repeal the item, substitute:

- 4 Wool or fibre from sheep, goats or camelids Either:
- (a) the goods:
 - (i) are clean and free from other animal or plant material and soil; and
 - (ii) have been commercially prepared, processed and packaged; and
 - (iii) are ready for retail sale; or
 - (b) the goods:
 - (i) have been scoured to manage the biosecurity risks associated with the goods to an acceptable level or treated with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; and
 - (ii) if the gross weight of the goods is more than 500 grams—are accompanied by evidence that the condition referred to in subparagraph (i) has been complied with

86 Subsection 8(2) (at the end of the table)

Add:

- 15 Empty giant African snail shells The goods:
- (a) are not viable; and
 - (b) are clean and free from other animal or plant material and soil

87 Subsection 11(2) (table item 2, column 2, subparagraph (b)(ii))

Omit “one or more”.

88 Subsection 11(2) (table item 2, column 2, subparagraph (b)(iii))

Repeal the subparagraph.

89 Subsection 11(2) (table item 2, column 2, subparagraph (c)(iv))

Repeal the subparagraph.

90 Subsection 11(2) (table item 2, column 2, subparagraph (d)(i))

Repeal the subparagraph, substitute:

- (i) the goods have been commercially prepared and packaged;

91 Subsection 11(2) (table item 2, column 2, paragraph (e))

Repeal the paragraph, substitute:

- (e) the goods contain less than 10% by dry weight (other than added water) of dairy products

92 Subsection 11(2) (cell at table item 4, column 1)

Repeal the cell, substitute:

The following goods:

- (a) cheesecakes;
- (b) cooked biscuits,
cooked breads, cooked
cakes or cooked
pastries containing
uncooked dairy fillings
or toppings

93 Section 16 (table)

Repeal the table, substitute:

Alternative conditions—cosmetics and related goods

Item	Column 1 Goods	Column 2 Alternative conditions
1	Cosmetics containing biological material for human use	The goods: <ul style="list-style-type: none">(a) have been commercially manufactured, prepared and packaged; and(b) are ready for retail sale without any further processing; and(c) either:<ul style="list-style-type: none">(i) are for personal use; or(ii) contain, in total, less than 20% by mass of material of animal origin (other than material of animal origin that is covered by an item in a table in this Division)
2	Soap	All of the following: <ul style="list-style-type: none">(a) the goods have been commercially prepared;(b) the biological ingredients of the goods have undergone a process of saponification;(c) after saponification, no material of animal origin has been added (other than material of animal origin that is covered by an item in a table in this Division)

94 Section 18 (after the heading)

Insert:

- (1) This section does not apply to plant materials or plant products that are intended for:
 - (a) animal consumption; or
 - (b) use as a bioremedial agent or fertiliser; or
 - (c) veterinary therapeutic use.

95 Section 18

Omit “For”, substitute “(2) For”.

96 Section 18 (table item 9, column 2, paragraph (d))

Repeal the paragraph.

97 Section 18 (at the end of the table)

Add:

- | | | |
|----|---|---|
| 20 | Dried herb products not for human consumption | The goods: <ul style="list-style-type: none">(a) are not viable; and(b) are in clean and new packaging; and(c) are clean and free from other animal or plant material and soil; and(d) are accompanied by documentation that includes a detailed product description and a full list of ingredients including botanical names (genus and species) of the goods |
|----|---|---|

98 Section 24 (at the end of the cell at table item 4A, column 1)

Add:

other than goods covered by item 4B

99 Section 24 (after table item 4A)

Insert:

- | | | |
|----|--|--|
| 4B | Species of mushrooms that: <ul style="list-style-type: none">(a) are in the form of a tablet, capsule, liquid, injectable vial or ointment, or are an ingredient in food or a beverage, including in a tea bag; and(b) are for use for medicinal purposes | The goods: <ul style="list-style-type: none">(a) are listed medicinal mushrooms; and(b) have been commercially prepared and packaged; and(c) either:<ul style="list-style-type: none">(i) are accompanied by commercial documentation stating the botanical name of the goods (including genus and species), and a description of the packaging used for the goods; or(ii) are for personal use and in a quantity of not more than 3 months' supply |
|----|--|--|

100 Section 26 (table items 1 and 2)

Repeal the items, substitute:

- | | | |
|---|--|---|
| 1 | Timber and timber products, other than goods covered by another item in this table | Both of the following: <ul style="list-style-type: none">(a) the goods are free from pests;(b) the goods:<ul style="list-style-type: none">(i) are free from bark and have been processed or manufactured to be 200 millimetres or less in diameter in at least one dimension; or(ii) are accompanied by a phytosanitary certificate issued by the exporting country's national plant protection organisation stating that biosecurity risks associated with the goods have been managed to an acceptable level; or(iii) are accompanied by evidence that demonstrates that the goods have been produced under an accreditation scheme that the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or(iv) are for personal use and are brought in as baggage or mail |
|---|--|---|

101 Section 26 (cell at table item 3, column 2)

Repeal the cell, substitute:

Either:

- (a) the goods are brought or imported from a part of Australian territory (other than Christmas Island or Norfolk Island); or
- (b) both of the following:
 - (i) the goods are accompanied by commercial documentation that describes the goods and all ingredients;
 - (ii) the goods have been commercially packaged in clean and new packaging

102 Section 26 (table item 7)

Repeal the item, substitute:

- | | | |
|---|--|--|
| 7 | Sawdust and woodchips of plant origin only, other than goods intended for: <ul style="list-style-type: none">(a) animal consumption; or(b) use as a bioremedial agent or fertiliser | The goods have been commercially packaged in clean and new packaging |
|---|--|--|

103 Subsection 27(3) (table item 25)

Omit "*Hasagawaea*", substitute "*Hasegawaea*".

104 Subsection 27(3) (table item 27)

Omit "*Hypopichia*", substitute "*Hyphopichia*".

105 Subsection 27(3) (table item 35)

Omit "*pentasaceus*", substitute "*pentosaceus*".

106 Subsection 27(3) (table item 36)

Omit "*camembertii*", substitute "*camembertii* and *Penicillium candidum*".

107 Subsection 31(2) (heading)

Repeal the heading, substitute:

Biological material intended for human consumption, in-vitro purposes or human therapeutic use or contained in cosmetics for human use

108 Subsection 31(4) (after table item 1)

Insert:

- | | |
|----|---------------|
| 1A | Carminic acid |
|----|---------------|

109 Subsection 31(4) (after table item 3)

Insert:

- | | |
|----|---|
| 3A | Cyclosporin (except if manufactured using materials of terrestrial animal or avian origin) |
| 3B | Diethylaminoethyl (DEAE) dextran (except if manufactured using materials of terrestrial animal or avian origin) |
-

Part 4—Alternative conditions for Norfolk Island

Biosecurity (Prohibited and Conditionally Non-prohibited Goods— Norfolk Island) Determination 2016

110 Subsection 5(2) (after paragraph (f) of the note)

Insert:

- (fa) infectious agent;

111 Subsection 5(2) (after paragraph (h) of the note)

Insert:

- (ha) microorganism;

112 Paragraph 6(2)(a)

Repeal the paragraph, substitute:

- (a) cooked biscuits, cooked breads, cooked cakes or cooked pastries (other than biscuits, breads, cakes or pastries covered by item 4 of the table in section 11);

113 Paragraph 6(2)(f)

Omit “for example, cochineal”, substitute “other than carminic acid in relation to which alternative conditions are specified in section 30”.

114 Subsection 6(3) (table item 24)

Repeal the item, substitute:

- 24 Processed black and green tea (*Camellia sinensis*) leaves for human consumption

115 Subsection 8(2) (table item 3, column 1)

Omit “wool, goat fibre or other animal fibre”, substitute “wool or fibre from sheep, goats or camelids”.

116 Subsection 8(2) (cell at table item 4, column 2)

Repeal the cell, substitute:

The goods are clean and free from other animal or plant material and soil, and:

- (a) the goods are fully contained within a manufactured product; or
- (b) the goods are accompanied by documentation stating that the goods have been treated with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (c) the goods are to be treated in accordance with an approved arrangement, while subject to biosecurity control, with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (d) all of the following:

- (i) the goods are part of one or more manufactured products;
- (ii) the quantity of the manufactured products is not more than 10;
- (iii) the goods are for personal use

117 Subsection 8(2) (table item 5)

Repeal the item, substitute:

- | | | |
|---|---|--|
| 5 | Wool or fibre from sheep, goats or camelids | Either: <ul style="list-style-type: none">(a) the goods:<ul style="list-style-type: none">(i) are clean and free from other animal or plant material and soil; and(ii) have been commercially prepared, processed and packaged; and(iii) are ready for retail sale; or(b) the goods:<ul style="list-style-type: none">(i) have been scoured to manage the biosecurity risks associated with the goods to an acceptable level or treated with a treatment the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; and(ii) if the gross weight of the goods is more than 500 grams—are accompanied by evidence that the condition referred to in subparagraph (i) has been complied with |
|---|---|--|

118 Subsection 8(2) (at the end of the table)

Add:

- | | | |
|----|----------------------------------|--|
| 18 | Empty giant African snail shells | The goods: <ul style="list-style-type: none">(a) are not viable; and(b) are clean and free from other animal or plant material and soil |
|----|----------------------------------|--|

119 Section 9 (heading)

Repeal the heading, substitute:

9 Alternative conditions—dead aquatic animals, aquatic animal parts and related goods

120 Subsection 9(1)

Omit “does not apply to dead fish, crustaceans or related goods that are intended for”, substitute “applies to dead aquatic animals, aquatic animal parts and related goods that are not viable and are not intended for”.

121 Subsection 9(2)

Omit “dead fish, crustaceans”, substitute “dead aquatic animals, aquatic animal parts”.

122 Subsection 9(2) (table heading)

Repeal the heading, substitute:

Alternative conditions—dead aquatic animals, aquatic animal parts and related goods

123 Subsection 9(2) (table items 1, 2 and 3, column 1)

Omit “Dead teleost”, substitute “Teleost”.

124 Subsection 9(2) (table item 4)

Repeal the item, substitute:

- | | | |
|---|---|---|
| 4 | Cartilaginous fish (including dried fish), other than fish meal | Either:
(a) the goods are clean and free from other animal or plant material and soil; or
(b) the goods:
(i) have been processed to manage biosecurity risks associated with the goods to an acceptable level; and
(ii) are fit for human consumption |
|---|---|---|

125 Subsection 9(2) (table item 5, column 1)

Omit “Dead non-salmonid”, substitute “Non-salmonid”.

126 Subsection 9(2) (table item 6, column 1)

Omit “Dead fish”, substitute “Fish”.

127 Subsection 9(2) (table item 9)

Repeal the item, substitute:

- | | | |
|---|---|---|
| 9 | Cnidarians, crustaceans (other than prawns, freshwater crayfish or crustacean meal), echinoderms, molluscs (other than oysters in full or half shell or freshwater snails) poriferans and tunicates | The goods are clean and free from other animal or plant material and soil |
|---|---|---|

128 Subsection 9(2) (table item 14)

Repeal the item.

129 Subsection 9(2) (table item 15, column 2, paragraph (b))

Repeal the paragraph.

130 Subsection 9(2) (table items 16, 17 and 18)

Repeal the items.

131 Subsection 10(2) (cell at table item 3, column 1)

Repeal the cell, substitute:

Pâté (whether or not egg is included as an ingredient)
or foie gras

132 Subsection 11(2) (table item 2, column 2, subparagraph (a)(ii))

Omit “one or more”.

133 Subsection 11(2) (table item 2, column 2, subparagraph (a)(iii))

Repeal the subparagraph.

134 Subsection 11(2) (table item 2, column 2, subparagraph (b)(iv))

Repeal the subparagraph.

135 Subsection 11(2) (table item 2, column 2, subparagraph (c)(i))

Repeal the subparagraph, substitute:

- (i) the goods have been commercially prepared and packaged;

136 Subsection 11(2) (table item 2, column 2, paragraph (d))

Repeal the paragraph, substitute:

- (d) the goods contain less than 10% by dry weight (other than added water) of dairy products

137 Subsection 11(2) (cell at table item 4, column 1)

Repeal the cell, substitute:

The following goods:

- (a) cheesecakes;
(b) cooked biscuits, cooked breads, cooked cakes or cooked pastries containing uncooked dairy fillings or toppings

138 Section 16 (table)

Repeal the table, substitute:

Alternative conditions—cosmetics and related goods

Item	Column 1 Goods	Column 2 Alternative conditions
1	Cosmetics containing biological material for human use	The goods: (a) have been commercially manufactured, prepared and packaged; and (b) are ready for retail sale without any further processing; and (c) either: (i) are for personal use; or (ii) contain, in total, less than 20% by mass of material of animal origin (other than material of animal origin that is covered by an item in a table in this Division)
2	Soap	All of the following: (a) the goods have been commercially prepared; (b) the biological ingredients of the goods have undergone a process of saponification; (c) after saponification, no material of animal origin has been added (other than material of animal origin that is covered by an item in a table in this Division)

139 Section 18 (after the heading)

Insert:

- (1) This section does not apply to plant materials or plant products that are intended for:
- (a) animal consumption; or
 - (b) use as a bioremedial agent or fertiliser; or
 - (c) veterinary therapeutic use.

140 Section 18

Omit “For”, substitute “(2) For”.

141 Section 18 (table item 9, column 2, paragraph (d))

Repeal the paragraph.

142 Section 18 (at the end of the table)

Add:

- | | | |
|----|---|---|
| 20 | Dried herb products not for human consumption | The goods: <ul style="list-style-type: none">(a) are not viable; and(b) are in clean and new packaging; and(c) are clean and free from other animal or plant material and soil; and(d) are accompanied by documentation that includes a detailed product description and a full list of ingredients including botanical names (genus and species) of the goods |
|----|---|---|

143 Section 23 (at the end of the cell at table item 5, column 1)

Add:

other than goods covered by item 5A

144 Section 23 (after table item 5)

Insert:

- | | | |
|----|--|--|
| 5A | Species of mushrooms that: <ul style="list-style-type: none">(a) are in the form of a tablet, capsule, liquid, injectable vial or ointment, or are an ingredient in food or a beverage, including in a tea bag; and(b) are for use for medicinal purposes | The goods: <ul style="list-style-type: none">(a) are listed medicinal mushrooms; and(b) have been commercially prepared and packaged; and(c) either:<ul style="list-style-type: none">(i) are accompanied by commercial documentation stating the botanical name of the goods (including genus and species), and a description of the packaging used for the goods; or(ii) are for personal use and in a quantity of not more than 3 months’ supply |
|----|--|--|

145 Section 25 (table items 1 and 2)

Repeal the items, substitute:

- | | | |
|---|--|---|
| 1 | Timber and timber products, other than goods covered by another item in this table | Both of the following: <ul style="list-style-type: none">(a) the goods are free from pests;(b) the goods:<ul style="list-style-type: none">(i) are free from bark and have been processed or |
|---|--|---|

- manufactured to be 200 millimetres or less in diameter in at least one dimension; or
- (ii) are accompanied by a phytosanitary certificate issued by the exporting country's national plant protection organisation stating that biosecurity risks associated with the goods have been managed to an acceptable level; or
- (iii) are accompanied by evidence that demonstrates that the goods have been produced under an accreditation scheme that the Director of Biosecurity is satisfied is appropriate to manage the biosecurity risks associated with the goods to an acceptable level; or
- (iv) are for personal use and are brought in as baggage or mail

146 Section 25 (cell at table item 3, column 2)

Repeal the cell, substitute:

Either:

- (a) the goods are brought or imported from a part of Australian territory (other than Christmas Island or Cocos (Keeling) Islands); or
- (b) both of the following:
 - (i) the goods are accompanied by commercial documentation that describes the goods and all ingredients;
 - (ii) the goods have been commercially packaged in clean and new packaging

147 Section 25 (table item 7)

Repeal the item, substitute:

- 7 Sawdust and woodchips of plant origin only, other than goods intended for:
- The goods have been commercially packaged in clean and new packaging
- (a) animal consumption; or
 - (b) use as a bioremedial agent or fertiliser

148 Subsection 26(3) (table item 25)

Omit "*Hasagawaea*", substitute "*Hasegawaea*".

149 Subsection 26(3) (table item 27)

Omit "*Hypopichia*", substitute "*Hyphopichia*".

150 Subsection 26(3) (table item 35)

Omit "*pentasaceus*", substitute "*pentosaceus*".

151 Subsection 26(3) (table item 36)

Omit "*camembertii*", substitute "*camembertii* and *Penicillium candidum*".

152 Subsection 30(2) (heading)

Repeal the heading, substitute:

Biological material intended for human consumption, in-vitro purposes or human therapeutic use or contained in cosmetics for human use

153 Subsection 30(4) (after table item 1)

Insert:

1A Carminic acid

154 Subsection 30(4) (after table item 3)

Insert:

3A Cyclosporin (except if manufactured using materials of terrestrial animal or avian origin)

3B Diethylaminoethyl (DEAE) dextran (except if manufactured using materials of terrestrial animal or avian origin)

Schedule 2—Amendments relating to hair, teeth and bones

Part 1—Alternative conditions for the mainland

Biosecurity (Prohibited and Conditionally Non-prohibited Goods) Determination 2016

1 Section 48 (heading)

Omit “(other than human remains)”.

2 Paragraphs 48(1)(a) to (c)

Repeal the paragraphs, substitute:

- (a) hair from a human’s body (including hair from a deceased human’s body that has been separated from the deceased human’s body);
- (b) teeth from a human’s body (including teeth from a deceased human’s body that have been separated from the deceased human’s body);
- (c) bones from a human’s body (including bones from a deceased human’s body that have been separated from the deceased human’s body).

Part 2—Alternative conditions for Christmas Island

Biosecurity (Prohibited and Conditionally Non-prohibited Goods— Christmas Island) Determination 2016

3 Section 42 (heading)

Omit “(other than human remains)”.

4 Paragraphs 42(1)(a) to (c)

Repeal the paragraphs, substitute:

- (a) hair from a human’s body (including hair from a deceased human’s body that has been separated from the deceased human’s body);
- (b) teeth from a human’s body (including teeth from a deceased human’s body that have been separated from the deceased human’s body);
- (c) bones from a human’s body (including bones from a deceased human’s body that have been separated from the deceased human’s body).

Part 3—Alternative conditions for Cocos (Keeling) Islands

Biosecurity (Prohibited and Conditionally Non-prohibited Goods— Cocos (Keeling) Islands) Determination 2016

5 Section 43 (heading)

Omit “(other than human remains)”.

6 Paragraphs 43(1)(a) to (c)

Repeal the paragraphs, substitute:

- (a) hair from a human’s body (including hair from a deceased human’s body that has been separated from the deceased human’s body);
- (b) teeth from a human’s body (including teeth from a deceased human’s body that have been separated from the deceased human’s body);
- (c) bones from a human’s body (including bones from a deceased human’s body that have been separated from the deceased human’s body).

Part 4—Alternative conditions for Norfolk Island

Biosecurity (Prohibited and Conditionally Non-prohibited Goods— Norfolk Island) Determination 2016

7 Section 42 (heading)

Omit “(other than human remains)”.

8 Paragraphs 42(1)(a) to (c)

Repeal the paragraphs, substitute:

- (a) hair from a human’s body (including hair from a deceased human’s body that has been separated from the deceased human’s body);
- (b) teeth from a human’s body (including teeth from a deceased human’s body that have been separated from the deceased human’s body);
- (c) bones from a human’s body (including bones from a deceased human’s body that have been separated from the deceased human’s body).