

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

**CONTROL MEASURES RELATING TO
THE POLYPHAGOUS SHOT HOLE BORER, AS AMENDED**

I, John Steenhuisen, Minister of Agriculture, acting under section 6 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby prescribe the Control Measures set out in the Schedule.

**MR J STEENHUISEN, MP
MINISTER OF AGRICULTURE**

SCHEDULE

In this Schedule “the Control Measures” means the control measures published in Government Notice No. R. 725 of 13 August 2021, as amended by Government Notice, No. R. 5908 of 28 February 2025.

Definitions

1. In this Regulations any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates -

“authority” means any officer of the Department of Agriculture, Land Reform and Rural Development in the national, provincial or local sphere of government;

“authorised person” means a person who is not an officer and to whom a power or duty has been delegated or assigned under section 2 (4) of the Agricultural Pests Act;

“executive officer” means an officer designated in terms of section 2 (1) of the Agricultural Pests Act;

“infested plant” means the presence in a plant and/ or wood of a living pest of the plant or plant product concerned;

“non-reproductive host plant/s” means the plant/s where the pest attacks, penetrates and inoculates the fungus that then starts growing in the sapwood, but in which the beetle does not establish breeding galleries or reproduce, the pest in some cases cannot successfully complete its life cycle and the plant therefore does not act as a further source of spread, refers to table 3;

“notifiable insect” means the insect as designated in table 1 of these Control Measures;

“pest” means any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products;

“pest free area” means an area in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained;

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“phytosanitary measure” means those measures, regulations or procedures as provided for under this regulation having the purpose to prevent the introduction or spread of quarantine pests or to limit the economic impact of regulated non-quarantine pests;

“phytosanitary procedure” means any official method for implementing phytosanitary measures including the performance of inspections, tests, surveillance or treatments in connection with regulated pests;

“Polyphagous shot hole borer” means the insect known scientifically as *Euwallacea fornicatus*, previously referred to as *Euwallacea* nr. *fornicatus* and *Euwallacea whitfordi* in literature and any of its fungal symbionts including *Fusarium euwallaceae*, *Graphium euwallaceae* and *Paracremonium pembeum*;

“quarantine area” means an area within which a quarantine pest is present and is being officially controlled;

“quarantine pest” means any pest of potential economic importance to the area endangered thereby and not yet present there, or present but not yet widely distributed and being officially controlled;

“the Act” means the Agricultural Pests Act, 1983 (Act No. 36 of 1983);

“regulated article” means any plant, plant product, storage place, packaging, conveyance, container, soil and any other organism, object or material capable of harbouring or spreading pests, deemed to require phytosanitary measures, particularly where international transportation is involved;

“regulated pest” means a quarantine pest or a regulated non-quarantine pest;

“reproductive host plant/s” means the plant, part of a plant, and/or wood that the beetle infests and where it successfully establishes a breeding gallery in which the fungus grows, where eggs are laid, and larvae develop into mature adults, thus completing its life cycle.

[Amended by R. 5908 of 28 February 2025]

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Compulsory notification

2. (1) Every user of land within the Republic shall immediately notify the executive officer and/or authority of any occurrence or suspected occurrence of the notifiable insect specified in table 1.

(2) Any individual or organization or institution that has for the first time identified or recorded the notifiable insect specified in table 1 to be present in a pest free area shall immediately report it to the executive officer.

(3) The reporting procedures to be followed when a new pest or regulated pest of plants has been detected in South Africa are specified in appendix 1 of these Control Measures.

[Amended by R. 5908 of 28 February 2025]

Responsibilities of executive officer

3. (1) Upon national pest reporting, the executive officer shall immediately-

(a) take necessary phytosanitary procedure or action to identify and confirm the presence of the notifiable insect specified in table 1 in an area; and

(b) prescribe or specify phytosanitary measure to be complied with by the user of land and/or land owner.

(2) The executive officer may, at any time if he/she deems necessary, revoke the prescribed measures to manage or control the notifiable insect specified in table 1.

(3) Where the user of land and/or owner of land cannot meet the obligations of these measures, the executive officer may -

(a) implement reasonable measures to manage the notifiable insect specified in table 1.

Prohibition relating to the removal, keeping, planting or cultivation of infested plant/ wood

4. (1) No user of land shall remove any infested or suspected infested plant specified in table 2 and 3 -

a) from any area within the Republic demarcated by the authority where a notifiable insect listed in table 1 occurs;

b) unless the movement is authorized by means of a permit or the plant or plant product is certified by the authority as free from the insect or unless such plant or plant product does not act as a pathway or vector to transmit or spread a prohibited insect in table 1;

c) from any quarantine area within the Republic without authorization by the executive officer.

(2) No user of land shall keep, plant or cultivate any Polyphagous Shot Hole Borer infested plant/wood listed in table 2 and 3 in any land within the Republic.

[Amended by R. 5908 of 28 February 2025]

Issuance of an official order to the user of land

5. The executive officer and/or an authorised person shall issue an official order, which shall be complied with in terms of section 7 of the Act to any area infested with Polyphagous Shot Hole Borer.

[Amended by R. 5908 of 28 February 2025]

Destruction of infested plants, part of a plant, plant products and other regulated articles

6. If the executive officer and/or an authorised person suspect on a reasonable ground or has established that plants, part of a plant, plant products and other regulated articles have been kept or cultivated, removed, or conveyed contrary to the provisions of these Control Measures, he/she may -

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(a) destroy such infested plants, part of a plant, plant products and other regulated articles listed under table 2;

(b) order that the user of land or owner of land shall destroy such infested plants, part of a plant, plant products and other regulated article in line with the phytosanitary guidelines.

[Amended by R. 5908 of 28 February 2025]

Responsibility of user of land

7. Any user of land must take all reasonable measures as prescribed or specified in the relevant guidelines or action plans to manage and control the notifiable insect specified in table 1.

Issuance of guideline, regulation or action plan

8. The executive officer and/or an authorised person may, where he/she deems appropriate, issue action plans or guidelines, reasonable measures or operational procedures for the implementation of this regulation to manage and control the notifiable insect specified in table 1.

Issuance of regulation or amendment

9. The Minister may where deem appropriate issue or amend this control measures including the inclusion of any additional reproductive or non-productive host plant as more research is conducted and published.

Application for a removal permit

10. (1) An application for a removal permit which may be issued by the executive officer and/or an authorised person under a control measure in order to exempt a user of land from the prohibition or obligation contained in such control measure,

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shall be made on a form which is obtainable from the executive officer for this purpose.

(2) Such application form shall-

- (a) be completed by the user of land and/or owner of land requiring such permit;
- (b) after having been thus completed, paying the fees specified in table 6 of the Control Measures R. 110 of 27 January 1984, shall be submitted to the executive officer of the said Act; and
- (c) removal permit should be valid for 30 after approval date.

[Amended by R. 5908 of 28 February 2025]

Exemption from a prohibition

11. The executive officer may, by means of a removal permit, exempt a user of a land from prohibition-

- (a) if the executive officer or authorised person is satisfied that the necessary phytosanitary procedure have been taken to reduce the risk of introduction and spread of prohibited pests which include the killing and cleansing of plants from the notifiable insect specified in table 1;
- (b) if the executive officer or authorised person is satisfied that the plant material for which the permit is required is only obtained from a protected structure which prevents infection or infestation by the notifiable insect specified in table 1; and
- (c) if the executive officer or authorised person is satisfied that the plants or plant products originate from a specified or demarcated area of low pest prevalence or that the area is free from the notifiable insect specified in table 1.

TABLE 1
Notifiable Insect

Scientific Name	Common Name
<i>Euwallacea fornicates</i>	Polyphagous shot hole borer

TABLE 2
Reproductive host plant

Scientific Name	Common Name
<i>Persea americana</i>	Avocado
<i>Carya illinoensis</i>	Pecan nut
<i>Macadamia integrifolia</i>	Macadamia nut

[Amended by R. 5908 of 28 February 2025]

TABLE 3
Non-reproductive host plant

Scientific name	Common name
<i>Citrus limon</i>	Lemon
<i>Citrus sinensis</i>	Orange
<i>Macadamia spp</i>	Macadamia
<i>Malus domestica</i>	Apple
<i>Prunus armeniaca</i>	Apricot
<i>Prunus persica</i>	Peach
<i>Psidium quajava</i>	Guava
<i>Vitis vinifera</i>	Grapevine

[Amended by R. 5908 of 28 February 2025]

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APPENDIX 1:

Procedures to be followed when a new pest/regulated pest of plants has been detected in South Africa

- 1) Any user of land and/or landowner including any community members, municipal authorities, traditional authorities, farmers, universities, and other affected role players in the Republic of South Africa must immediately notify the Department of Agriculture, Rural Development and Land Reform (DALRRD) of any suspected occurrence or detection of a new pest/ regulated pest/s in their area.
- 2) If the detected pest is not a regulated pest, the land user/owner shall be notified.
- 3) If the detected pest is a quarantine pest, the area concerned shall be declared a quarantine area by the executive officer of the said Act.
- 4) The land user/ owner of the affected land shall be served with an official order in terms of section 7 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983).
- 5) The land user/ owner of the affected land shall be advised accordingly about the phytosanitary control measures or conditions to be complied with in terms of section 6 of the said Act.
- 6) The prescribed measures may include specific management practices to control the pest and prohibition or restrictions of movement of host plants or plant products in and out of the area concerned as per the official order served.

Contact details

To report occurrence or suspected occurrence of the pest please contact: MaandaR@dalrrd.gov.za or JulieM@dalrrd.gov.za or LinnethM@dalrrd.gov.za Tel: 012 319 6164/6104/ 6525

For inspection and removal permit contact: Directorate: Inspection Services Tel 012 319 8735/8795/8763/8773 Email: removalpermits@dalrrd.gov.za