



The Place To Be

# Media release

From the Minister for Agriculture

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Monday, May 11, 2009

## PLANT DISTRIBUTORS FINED FOR SALE OF PROHIBITED WEEDS

Agriculture Minister Joe Helper congratulated the Department of Primary Industries for the enormous clean-up effort it undertook in the wake of the importation and distribution of Mexican feather grass in Victoria.

In a move designed to prevent further incursions, Mr Helper also announced that the nursery and garden industry, with support provided by DPI, would develop a Code of Practice to govern the importation and distribution of plant species.

Victorian-based seed importer and distributor, Ball Australia, pleaded guilty on Friday (May 8) in the Melbourne Magistrates' Court to four offences relating to the propagation and distribution of Mexican feather grass (*Nassella tenuissima*).

The company was convicted and fined \$12,000 and ordered to pay \$3000 in legal costs. Ball Australia agreed to pay \$20,000 compensation to DPI, which will go toward clean-up costs.

"Ball Australia imported seed marketed as *Stipa lessingiana*, but did not have adequate quality control procedures in place to ensure the product was what they requested," Mr Helper said.

"This costly mistake led to Ball Australia distributing Mexican feather grass to at least eight different nurseries and wholesalers. Some of these wholesalers then sold the grass to retail nurseries."

The Mexican feather grass plants were first found on Big W shelves during a Mother's Day promotion last year. Retailers sold the plants labelled as *Stipa lessingiana*, *Stipa Capriccio* and *Stipa Capillata*.

One of the wholesale nurseries involved, Oasis Horticulture, pleaded guilty last week to propagating and selling Mexican feather grass and received a \$3000 fine and was ordered to pay \$2500 in legal costs. The company also agreed to make a \$5000 contribution toward clean-up costs.

The cases are one of several relating to the sale of Mexican feather grass in court this month. Mexican feather grass is a state prohibited weed, which are weeds that pose the highest threat to Victoria's agricultural, environmental and social values.

Mr Helper said an immediate and thorough DPI investigation, involving over 80 staff, recovered Mexican feather grass seed and 65 per cent of the Mexican feather grass plants sold. DPI is now attempting to retrieve the remaining 35 per cent of plants and called on the community to continue to look out for and report any suspected plants.

DPI Landscape Protection Manager Brendan Roughead said the time and effort spent finding and destroying the plants highlighted the need for Australia's nursery industry to adopt more stringent plant labelling and batch traceability standards.

"There are risks associated with distributing non-native horticultural plants, but it's up to individual companies to self-regulate and prevent this situation from occurring again," Mr Roughead said.

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“Oasis Horticulture and Ball Australia have agreed to develop a Code of Practice for the nursery and garden industries with support from DPI.

“The Code of Practice will govern the principles and processes for the importation, distribution and promotion of plant species and their varieties imported into Victoria.”

For more information or to make a report please contact DPI on 136 186 or visit the DPI website at [www.dpi.vic.gov.au/weeds](http://www.dpi.vic.gov.au/weeds)