

INDUSTRY NOTICE

17 October 2023

ABANDONED OR NEGLECTED VINEYARDS

Options for South Australian vineyard owners concerned about endemic disease spread from neighbouring properties

We acknowledge that managing a situation where you believe one or more endemic diseases – such as downy mildew or powdery mildew – are being introduced into your vineyard from an abandoned or neglected neighbouring vineyard is uncomfortable and challenging, and generally only becomes a concern in years of high disease pressure.

The role of government is to focus on high priority exotic pests and diseases that are not yet present in South Australia, such as *Xylella* and phylloxera, and the management of endemic diseases such as downy and powdery mildews is considered the responsibility of individual growers. As such in South Australia, there is no specific plant-related regulatory mechanism to address concerns involving possible endemic (downy and powdery mildew) pest pressure from an abandoned or neglected vineyard.

Therefore, possible actions you might take to address your concerns are listed below.

1. Try to talk to your neighbour to negotiate a mutually agreed outcome for the situation

- Identify the endemic disease of concern and its location in your vineyard.
- Identify prevailing wind direction as a contributing factor to disease spread.
- Communicate the concern that this potential disease introduction is causing you and what factors you think have led to the situation (suitable conditions for disease, unmanaged hosts on your neighbour's side, prevailing wind direction, evidence of likelihood of spread from their property to yours).
- Invite your neighbour onto your property to show them the potentially introduced disease if they are willing and it is safe. Otherwise consider showing/sending them a picture of the disease to look for on their vines.
- Communicate the activities you would like them to consider actioning in their vineyard, following your discussion. This may include application of one or more fungicides to treat the disease, or cultural control such as complete removal of any vine shoots present.

Cautions

- a. This should only be considered an option where a reasonable and rational discussion with your neighbour would be expected. Your safety must be of utmost importance.

- b. If negotiations with your neighbour end with them agreeing to apply suggested fungicides, but on the premise that you will provide them with these fungicides:
 - Be sure to always review withholding periods prior to identifying suitable fungicides in case of any drift onto your property.
 - Suggest that for any agrochemicals supplied to your neighbour, include copies of chemical labels, suggested application rates and pertinent mixing details.

- c. If negotiations with your neighbour end with them not agreeing to apply suggested fungicides, but to instead allow you to apply such treatments, there are numerous factors which should be agreed upon prior to undertaking such an option – e.g., whose spray equipment will be used, whose water, whose fuel, who bears the cost of the fungicide, what safety concerns on your neighbour’s property do you need to be aware of, what type of agreement will you have in place. Similar considerations will need to be addressed if your neighbour agrees to let you undertake any cultural practices on their property.

- d. If negotiations with your neighbour end with them allowing you to organise a third-party spray contractor to apply treatments or undertake a cultural practice, consider:
 - Who will be directing and paying the contractor.
 - That anyone who handles or applies pesticides for a fee or reward in South Australia is required to hold the appropriate license(s) in accordance with the *Controlled Substances (Pesticides) Regulations 2017*.
 - That the owner of the commercial spray business must have a Pest Controller’s License (business license) and the operator who applies the fungicides must hold a current Pest Management Technician’s License (the owner and operator may be the same person) and that operations must be in alignment with license requirements.
 - That carrying out pest control work without a license can result in fines of up to \$5,000.
 - Note: Chemical user accreditation is not the same as licensing and does not authorise a person, or their employee, to undertake pest control work on another property for fee or reward.

2. Seek advice from your regional wine association

- Your regional association may be able to offer more information particular to your region, and/or may have an existing relationship with the owner of the abandoned vineyard.

3. If you cannot, or prefer not to contact your neighbour, consider contacting Vinehealth Australia for assistance

- Vinehealth retains ownership details of all vineyards in South Australia of 0.5 hectares and above on its Register. Therefore, on request, Vinehealth can contact a particular owner of land with vines that are potentially causing an endemic pest or disease pressure situation (e.g., downy or powdery mildew), to engage in a general conversation around the issue and management options available. This conversation will involve a discussion with the concerned grower first to ensure that any conversation by Vinehealth with a neighbouring vineyard owner doesn’t negatively escalate the matter at a local level.
- For further information, please contact Suzanne McLoughlin, Acting CEO on 0412 859 882.

4. For support in managing an endemic pest or disease in your vineyard

- Contact the AWRI Help Desk on 08 8313 6600 or helpdesk@awri.com.au.
- Contact your trusted viticultural adviser.

CAUTIONARY NOTE:

If negotiations break down with your neighbour, there may be a tendency for you to consider running a spray cart along your fence line to direct sprays into your neighbour's property. This approach is not recommended and risks chemical trespass, breaching the 'General Environmental Duty' under Section 25 of the *Environment Protection Act 1993*.