

South Australia

## **Primary Produce (Food Safety Schemes) (Citrus Industry) Regulations 2006**

under the *Primary Produce (Food Safety Schemes) Act 2004*

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### **1—Short title**

These regulations may be cited as the *Primary Produce (Food Safety Schemes) (Citrus Industry) Regulations 2006*.

### **3—Interpretation**

In these regulations—

*citrus fruit* means citrons, lemons, limes, grapefruit, mandarins, oranges, sevilles, tangerines or a hybrid of any of those fruits;

*citrus packer* means a person who carries on the business of packing citrus fruit for sale;

*financial year* means a period of 12 months commencing on 1 April.

### **4—Citrus industry food safety scheme**

These regulations establish a food safety scheme for activities carried on by citrus packers.

### **5—Notification relating to participation in citrus industry**

- (1) A citrus packer must, within 28 days of first carrying on business as a citrus packer, give written notice to the Minister of—
  - (a) the person's name and business or registered address; and

- (b) the address of the premises at which the person carries on the business; and
- (c) the nature of the business.

Maximum penalty: \$5 000.

- (2) A citrus packer must, within 28 days of a change occurring in particulars of the kind referred to in subregulation (1), give the Minister written notice of the change.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (3) A person who ceases to carry on business as a citrus packer must, within 28 days of ceasing to carry on the business, give the Minister written notice of that fact.

Maximum penalty: \$1 250.

Expiation fee: \$160.

## **6—Approved food safety arrangements**

- (1) A citrus packer must have a food safety arrangement approved by the Minister.

Maximum penalty: \$5 000.

- (2) Subject to these regulations, an approval of a food safety arrangement remains in force for the financial year specified in the approval (or the part of that year that falls after the date of the approval).

- (3) The Minister may, by written notice to a citrus packer, vary an approved food safety arrangement.

- (4) The power to vary an approved food safety arrangement may be exercised on the Minister's own initiative or on application by the citrus packer and, if exercised on the Minister's own initiative, the variation will not, except with the agreement of the citrus packer, take effect until 6 months after the giving of the written notice of variation.

- (5) An application for an approval of a food safety arrangement or for variation of an approved food safety arrangement—

- (a) must be made to the Minister; and
- (b) must conform to the requirements of the Minister about its form, contents and the manner in which it is made; and
- (c) must be accompanied by the fee fixed by Schedule 1.

- (6) The Minister may, by written notice, ask the applicant to give the Minister further information, documents or records relevant to the application and may refuse the application if the applicant does not comply with the request.

- (7) A citrus packer must comply with the packer's approved food safety arrangement.

Maximum penalty: \$5 000.

## **7—Auditing of approved food safety arrangements**

- (1) A citrus packer must allow an approved auditor to perform, without notice to the packer—

- (a) the number of periodic audits of the packer's compliance with the packer's approved food safety arrangement required by the terms of that arrangement; and

- (b) if an audit shows a failure to comply with the food safety arrangement—such additional audits as the Minister considers appropriate.

Maximum penalty: \$5 000.

- (2) A citrus packer must pay all of the costs associated with the audits.

## **8—Fees generally**

- (1) Fees are payable as set out in Schedule 1.
- (2) The Minister may waive or reduce a fee payable under these regulations if the Minister considers that appropriate in the circumstances.

## **Schedule 1—Fees**

1—Application for approval of food safety arrangement	\$140
2—Application for variation of approved food safety arrangement	\$140

## **Schedule 2—Transitional provisions**

### **1—Food safety arrangement for existing citrus packers**

Regulation 6 does not apply to a person who was carrying on business as a citrus packer immediately before the commencement of these regulations until 6 months after that commencement.

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2006	22	<i>Gazette 9.2.2006 p515</i>	9.2.2006: r 2
2008	28	<i>Gazette 27.3.2008 p1124</i>	1.4.2008: r 2
<b>2008</b>	<b>148</b>	<b><i>Gazette 5.6.2008 p2197</i></b>	<b>1.4.2009: r 2</b>
2009	144	<i>Gazette 4.6.2009 p2627</i>	1.4.2010: r 2

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.4.2008</i>
Sch 1	substituted by 28/2008 r 4	1.4.2008
	<b>substituted by 148/2008 r 4</b>	<b>1.4.2009</b>

### Historical versions

1.4.2008