

South Australia

# **Primary Produce (Food Safety Schemes) (Meat) Regulations 2017**

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

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Primary Produce (Food Safety Schemes) (Meat) Regulations 2017*.

### 3—Interpretation

(1) In these regulations, unless the contrary intention appears—

***accredited meat producer*** means—

(a) an accredited processor or handler; or

(b) an accredited poultry grower;

***accredited poultry grower*** means a person accredited under these regulations to carry on the business of growing poultry for human consumption;

***accredited processor or handler*** means a person accredited under these regulations to carry on the business of processing or handling meat;

***Act*** means the *Primary Produce (Food Safety Schemes) Act 2004*;

***administration fee***—the monetary value of the administration fee is set out in Schedule 2, item 2;

***cooked***—see regulation 4(2);

***fee unit***—the monetary value of a fee unit is set out in Schedule 2, item 1;

***Food Standards Code*** has the same meaning as in the *Food Act 2001*;

***handle***, in relation to meat, means pack, store or transport meat;

***lawfully produced for consumption by pets***—see subregulation (3);

***lawfully produced for human consumption***—see subregulation (2);

***meat industry food safety scheme*** means the food safety scheme for the meat industry established under these regulations;

***mechanised process***, in relation to slaughtering, means a process involving the automated transfer of carcasses along all or part of a production line;

***poultry*** means chicken, turkey, guinea fowl, duck, geese, pheasants, quail, squab (pigeons), muttonbirds or other avian species but does not include ratites;

***prime mover*** has the same meaning as in the *Road Traffic Act 1961*;

***process***, in relation to meat, means carry on an activity involved in meat processing;

***produce***, in relation to meat, means—

- (a) process or handle meat; or
- (b) in the case of meat derived from poultry—grow poultry;

***ready-to-eat meat*** means ready-to-eat meat within the meaning of Division 3 of Standard 4.2.3 of the *Food Standards Code*;

***red meat animals*** means cattle, sheep, pigs, goats or deer;

***relevant period***, in relation to an annual fee—see regulation 22(1)(a);

***retail meat processor and handler*** means a person who operates a business involving the processing and handling of meat for human consumption for retail sale where—

- (a) 50% or more (by mass) of the meat sold in the course of that business during the relevant period is sold by retail; and
- (b) not more than 4 tonnes of meat sold in the course of that business during the relevant period is sold by wholesale;

***semi-trailer*** has the same meaning as in the *Road Traffic Act 1961*;

***smallgoods*** means meat of a kind referred to in regulation 4(1)(a) and (b).

***wild game*** means an animal living in a wild state and not under any artificial confinement.

- (2) For the purposes of these regulations, meat will only be taken to have been ***lawfully produced for human consumption*** if—
- (a) in the case of meat that has been processed outside of Australia—it has been lawfully imported into Australia; and
  - (b) in any case, to the extent to which it has been produced in Australia, the production has been carried on—
    - (i) in accordance with the requirements of the Act and these regulations; or
    - (ii) in accordance with the law in force in another State or Territory of the Commonwealth,

relating to the processing and handling of meat for human consumption.

- (3) For the purposes of these regulations, meat will only be taken to have been *lawfully produced for consumption by pets* if—
- (a) in the case of meat that has been processed outside of Australia—it has been lawfully imported into Australia; and
  - (b) in any case, to the extent to which it has been processed or handled in Australia, the processing or handling has been carried on—
    - (i) in accordance with the requirements of the Act and these regulations; or
    - (ii) in accordance with the law in force in another State or Territory of the Commonwealth,relating to the processing and handling of meat for consumption by pets.

#### 4—Definition of meat (section 6 of Act)

- (1) For the purposes of the definition of *meat* in section 6 of the Act—
- (a) the following products within the meaning of Standards 1.6.2 and 2.2.1 of the *Food Standards Code* are included within the ambit of the definition:
    - (i) cured meat (see Division 1 of Standard 2.2.1);
    - (ii) dried meat (see clause 5 of Standard 1.6.2);
    - (iii) manufactured meat (see Division 1 of Standard 2.2.1), including ready-to-eat meat;
    - (iv) processed meat (see Division 1 of Standard 2.2.1);
    - (v) sausage meat (see Division 2 of Standard 2.2.1);
    - (vi) sausage (see Division 1 of Standard 2.2.1);
  - (b) the following products are included within the ambit of the definition:
    - (i) minced meat;
    - (ii) salted meat;
    - (iii) tripe;
    - (iv) cooked meat products that are on premises at which meat processing other than the production of the cooked meat products is carried on;
  - (c) the following products are excluded from the ambit of the definition:
    - (i) a meat pie within the meaning of Division 1 of Standard 2.2.1 of the *Food Standards Code* (clause 1);
    - (ii) a sausage roll or meat pastie or any other pastry product containing meat;
    - (iii) canned meat products;
    - (iv) pasta, or pasta sauce, containing meat;
    - (v) cooked meat products (other than those referred to in paragraph (a) or (b)).

(2) In this regulation—

*cooked*, in relation to meat, means meat the core temperature of which has been maintained—

- (a) at 65° Celsius for a period of at least 10 minutes; or
- (b) at a higher temperature for a period of time that produces an equivalent microbiological effect in relation to the meat.

## **Part 2—Meat industry food safety scheme**

### **Division 1—Preliminary**

#### **5—Meat industry food safety scheme**

These regulations establish a food safety scheme for the following classes of activities:

- (a) carrying on the business of producing meat;
- (b) carrying on the business of selling meat (by wholesale or retail).

#### **6—Minister is accreditation body**

The Minister is the accreditation body for accrediting persons carrying on the business of producing meat.

### **Division 2—Accreditation**

#### **7—Obligation to be accredited**

- (1) For the purposes of section 12 of the Act, a person must not carry on the business of producing meat without an accreditation.
- (2) Subregulation (1) does not apply in respect of the following activities:
  - (a) the growing of poultry, the killing of an animal, or the further processing or handling of an animal, at premises by or on behalf of the owner of the premises if none of the meat from the animal is—
    - (i) sold or intended for sale; or
    - (ii) used, or intended for use, as food for paying guests; or
    - (iii) taken away, or intended to be taken away, from the premises;
  - (b) the killing of wild game, or the further processing or handling of wild game, if none of the meat from the game is—
    - (i) sold or intended for sale; or
    - (ii) used, or intended for use, for business purposes;
  - (c) the further processing or handling of meat that has been lawfully produced for human consumption if—
    - (i) the further processing or handling occurs in the course of the retail sale of meat and consists of—

- (A) the storage of meat in the package in which it was received;  
or
- (B) cutting or slicing and packaging of ready-to-eat meat in a supermarket or delicatessen; or
- (ii) the further processing or handling is done by a person in the course of the preparation of food for consumption by customers or guests of that person; or
- (iii) the further processing or handling does not constitute or form part of a business and none of the meat is—
  - (A) sold or intended for sale; or
  - (B) used, or intended for use, for business purposes.

### **8—Separate accreditation required for each premises**

If an applicant for accreditation proposes to carry on the business of producing meat at more than 1 discrete premises, application must be made for a separate accreditation in respect of each of the premises.

### **9—Grant of accreditation**

For the purposes of section 15(1)(c) of the Act, an applicant for accreditation must satisfy the Minister that the applicant has the capacity, or has made or proposes to make appropriate arrangements, to satisfy the requirements of the Act and these regulations applicable to the activities to be accredited.

### **10—Approved food safety arrangement**

An accredited meat producer must adopt an approved food safety arrangement.

Maximum penalty: \$5 000.

Expiation fee: \$315.

### **11—Compliance with codes**

- (1) An accredited meat producer must ensure that the activities authorised under the accreditation are carried on in compliance with the codes set out in Schedule 1 for those activities (subject to the modifications in subregulation (3) and Schedule 1).  
Maximum penalty: \$5 000.  
Expiation fee: \$315.
- (2) The Minister may, on application, exempt an accredited meat producer from compliance with specified provisions of a code if satisfied that the person has made alternative arrangements in order to be able to comply within a specified period.
- (3) The Australian Standards set out in Schedule 1 are modified as follows:
  - (a) a reference to the Controlling Authority or to the Chief Inspector is to be taken to be a reference to the Minister;
  - (b) a reference to a licence is to be taken to be a reference to an accreditation;
  - (c) a reference to a licensee is to be taken to be a reference to an accredited meat producer;

- (d) a reference to a registration is to be taken to be a reference to an accreditation;
- (e) a reference to a registered person is to be taken to be a reference to an accredited meat producer;
- (f) a reference to an inspector or to a meat safety inspector is to be taken to be a reference to an authorised person or a person designated (individually or by class) by the Minister by condition of accreditation as an inspector in relation to an accredited meat producer;
- (g) a reference to the production of meat is to be taken to be a reference to the processing or handling of meat and, in the case of meat derived from poultry, the growing of poultry;
- (h) a reference to an approved arrangement is to be taken to be a reference to an approved food safety arrangement;
- (i) a reference to premises is to be taken to be a reference to premises specified under the accreditation;
- (j) a reference to the proprietor of a meat business is to be taken to be a reference to a person carrying on the business of processing or handling meat;
- (k) a reference to the proprietor of a meat transport business is to be taken to be a reference to a person carrying on the business of transporting meat;
- (l) a reference to equipment is to be taken to be a reference to equipment used under the accreditation.

## **12—Approval required to carry on new activity**

An accredited meat producer must not carry on activities under the accreditation other than activities of a class specified under the accreditation without the prior written approval of the Minister.

## **13—Notification of change in circumstances**

An accredited meat producer must, no later than 14 days after—

- (a) a change in business name under which the accredited meat producer carries on activities under the accreditation; or
- (b) a change in the accredited meat producer's business address (including a change in the registered corporate office if the accredited meat producer is a body corporate); or
- (c) the commencement of construction, demolition or removal of a building or part of a building at premises at which activities are carried on under the accreditation,

give the Minister written notice of those matters.

Maximum penalty: \$250.

Expiation fee: \$80.

## Division 3—Marking of meat and containers

### 14—Marking of meat before removal from premises

- (1) An accredited meat producer authorised under the accreditation to slaughter animals must ensure that, before meat derived from animals processed under the accreditation and intended for human consumption is removed from premises subject to the accreditation, the meat—
  - (a) is safe and suitable; and
  - (b) has been marked as safe and suitable.Maximum penalty: \$5 000.  
Expiation fee: \$315.
- (2) Subregulation (1)(b) does not apply in relation to—
  - (a) meat processed or handled in an establishment registered under the *Export Control Act 1982* of the Commonwealth (as amended from time to time) and marked in accordance with that Act; or
  - (b) meat derived from poultry.
- (3) For the purposes of subregulation (1)(b), meat will only be taken to have been marked as safe and suitable if it is marked—
  - (a) in accordance with the accreditation; or
  - (b) by means of a brand or brands<sup>1</sup> leased by the producer from the Minister in accordance with the terms of the lease.

**Note—**

- 1 The brand will include the relevant accreditation number and may, if the brand is to be used in relation to a particular class of meat, include letters, numbers or symbols identifying the class of meat.

### 15—Marking of containers before removal from premises

- (1) An accredited meat producer must ensure that, before a container or other thing containing meat intended for human consumption is removed from the premises subject to the accreditation, it is marked with the person's accreditation number and the date of packing<sup>1</sup>.  
Maximum penalty: \$5 000.  
Expiation fee: \$315.
- (2) This regulation does not apply in relation to poultry.

**Note—**

- 1 These requirements are in addition to labelling requirements under the *Food Act 2001* or other legislation.

### 16—Leasing and care of brands used to mark meat safe and suitable

- (1) The Minister may charge a fee for leasing a brand and may impose conditions on the lease.

- (2) An accredited meat producer to whom a brand is leased must take all reasonable steps to prevent the brand from being stolen, defaced or used for a purpose other than the marking of meat for human consumption processed under the accreditation.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) An accredited meat producer to whom a brand is leased must return the brand to the Minister within 7 days after—

(a) the accreditation is cancelled, suspended or surrendered; or

(b) receiving a written request for its return from the Minister.

Maximum penalty: \$2 500.

Expiation fee: \$210.

### **17—Offence to manufacture or possess unauthorised brand**

- (1) A person must not, without the approval of the Minister—

(a) manufacture; or

(b) have in his or her custody or possession,

a brand that is or purports or appears to be a brand of a kind leased from the Minister under this Part.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) Subregulation (1)(b) does not apply in relation to a brand leased from the Minister being in the custody or possession of the lessee, or an employee or agent of the lessee, at the premises at which animals are slaughtered under the lessee's accreditation.

## **Division 4—Sale of meat**

### **18—Meat for human consumption not to be sold unless lawfully produced and safe and suitable**

A person must not sell meat for human consumption unless—

(a) it has been lawfully produced for human consumption; and

(b) it is safe and suitable.

Maximum penalty: \$5 000.

Expiation fee: \$315.

### **19—Meat for consumption by pets not to be sold unless lawfully produced and suitable**

A person must not sell meat for consumption by pets unless—

(a) it has been lawfully produced for consumption by pets; and

(b) it is suitable.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## Part 3—Evidence

### 20—Evidence

- (1) In proceedings for an offence against the Act or these regulations, an allegation—
  - (a) that specified matter was meat; or
  - (b) that specified meat was intended for human consumption; or
  - (c) that specified meat was intended for consumption by pets; or
  - (d) that the sale of specified meat was for human consumption; or
  - (e) that the sale of specified meat was for consumption by pets,will be accepted as proved, in the absence of proof to the contrary.
- (2) In proceedings for an offence against the Act or these regulations, proof that specified meat was on any premises used by a person for or in connection with the business of selling meat, or on any adjacent premises occupied by that person or any member of his or her family, will, in the absence of proof to the contrary, be accepted as proof that the meat was being offered, exposed or stored for sale by that person.

## Part 4—Fees and charges

### 21—Annual fees and returns

- (1) For the purposes of section 17(1) of the Act, an accredited meat producer must, not later than 30 June in each year—
  - (a) pay to the Minister the annual fee set out in Schedule 2; and
  - (b) lodge with the Minister an annual return.
- (2) For the purposes of section 17(2) of the Act, the penalty for default in paying an annual fee or lodging an annual return is set out in Schedule 2.

### 22—Matters to be determined in calculating annual fees

- (1) For the purposes of calculating the annual fee—
  - (a) the Minister may, from time to time, determine the period that is to be the relevant period for determining the nature and level of activity of accredited meat producers; and
  - (b) the Minister may determine the nature of an accredited meat producer's activity having regard to information about the amount (by mass) of meat processed, handled or sold in the course of the person's business during the relevant period; and
  - (c) the Minister may determine the level of activity of an accredited meat producer having regard to information about the number of positions held by persons engaged in the meat producer's business during the relevant period; and

- (d) if an accredited meat producer has not carried on business under the accreditation during the relevant period or part of the relevant period, the Minister may determine the nature and level of the meat producer's activity having regard to the Minister's reasonable assumptions as to what would have been the nature and level of the activity during the relevant period or part of the relevant period had the person carried on the business during that time.
- (2) An accredited meat producer must, if the Minister so requires by written notice, provide the Minister with specified information to enable the Minister to determine a matter under this regulation.

Maximum penalty: \$5 000.

Expiation fee: \$315.

### 23—Fee payable before grant of accreditation

- (1) A person who applies for accreditation must, before the accreditation is granted, pay to the Minister a fee of an amount calculated by multiplying the applicant's projected annual fee by the proportion that the number of whole months between the grant of the accreditation and the next 30 June bears to 12 months.
- (2) For the purposes of subregulation (1), an applicant's *projected annual fee* is the amount determined by the Minister as equivalent to the annual fee that would be payable by the applicant were the applicant an accredited meat producer liable to pay an annual fee under section 17 of the Act calculated by reference to the nature and level of the activity carried on by the applicant during the relevant period or the Minister's reasonable assumptions as to what would have been the nature and level of activity during the relevant period had the applicant's business commenced then.

### 24—Fees generally

- (1) Further fees and charges are payable as set out in Schedule 2.
- (2) The Minister may waive, defer or reduce payment of a fee payable under these regulations if the Minister considers that appropriate in the circumstances.
- (3) The Minister may recover an amount payable to the Minister by way of a fee or part of a fee payable under these regulations as a debt from the person liable to pay.

## Schedule 1—Codes (regulation 11)

A code set out in column 3 in the table in this Schedule applies in relation to the type of activity specified in column 2, subject to any modifications specified in column 4.

Item	Type of activity	Code	Modifications
1	Processing of meat consisting of killing an animal intended for human consumption excluding— <ul style="list-style-type: none"> <li>• killing poultry; or</li> <li>• killing kangaroos or other game in the field; or</li> <li>• killing rabbits; or</li> </ul>	AS 4696:2007 <i>Hygienic Production and Transportation of Meat and Meat Products for Human Consumption</i> , as amended or substituted from time to time.	Standard 4.2.3 is modified as follows: <ul style="list-style-type: none"> <li>• after the definition of "<b>ready-to-eat meat</b>" insert "<b>relevant authority</b> means the Minister."</li> <li>• delete from the Editorial note at the foot of clause 4</li> </ul>
		Standard 4.2.3 of the <i>Food Standards Code</i> , as amended or substituted from time to time.	

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 Schedule 1—Codes (regulation 11)

<b>Item</b>	<b>Type of activity</b>	<b>Code</b>	<b>Modifications</b>
	<ul style="list-style-type: none"> <li>killing ratite birds.</li> </ul> Processing or handling of a killed animal, or meat derived from a killed animal, for human consumption excluding— <ul style="list-style-type: none"> <li>processing poultry; or</li> <li>processing kangaroos or other game; or</li> <li>processing rabbits; or</li> <li>processing ratite birds; or</li> <li>transporting field processed kangaroos or other game to initial refrigeration facilities.</li> </ul> For example— <ul style="list-style-type: none"> <li>boning;</li> <li>pre-trimming;</li> <li>trimming;</li> <li>producing primal or other cuts of meat;</li> <li>mincing;</li> <li>dicing;</li> <li>packing and storing meat or offal.</li> </ul>		"Relevant authority is defined in Standard 1.1.1."  The carrying on of activities authorised under the accreditation in compliance with the <i>Guidelines for the Safe Manufacture of Smallgoods</i> published by Meat & Livestock Australia Ltd, ISBN 1 74036 0508, as amended or substituted from time to time, will be taken to be the carrying on of those activities in compliance with AS 4696:2007 and Standard 4.2.3.
2	Processing or handling of meat derived from poultry or products within the meaning of <i>meat</i> as defined by regulation 4.	AS 4696:2007 <i>Hygienic Production and Transportation of Meat and Meat Products for Human Consumption</i> , as amended or substituted from time to time.  AS 4465:2005 <i>Construction of Premises and Hygienic Production of Poultry Meat for Human Consumption</i> , as amended or substituted from time to time.  Standard 4.2.2 of the <i>Food Standards Code</i> , as amended or substituted from time to time.  Standard 4.2.3 of the <i>Food Standards Code</i> , as amended or substituted from time to time.	Standard 4.2.3 is modified as follows: <ul style="list-style-type: none"> <li>after the definition of "<b>ready-to-eat meat</b>" insert "<b>relevant authority</b> means the Minister."</li> <li>delete from the Editorial note at the foot of clause 4 "Relevant authority is defined in Standard 1.1.1."</li> </ul> The carrying on of activities authorised under the accreditation in compliance with the <i>Guidelines for the Safe Manufacture of Smallgoods</i> published by Meat & Livestock

Item	Type of activity	Code	Modifications
			Australia Ltd, ISBN 1 74036 0508, as amended or substituted from time to time, will be taken to be the carrying on of those activities in compliance with AS 4696:2007 and Standard 4.2.3.
3	Growing or processing poultry, or processing or handling meat derived from poultry, for human consumption.	AS 4696:2007 <i>Hygienic Production and Transportation of Meat and Meat Products for Human Consumption</i> , as amended or substituted from time to time.  AS 4465:2005 <i>Construction of Premises and Hygienic Production of Poultry Meat for Human Consumption</i> , as amended or substituted from time to time.  Standard 4.2.2 of the <i>Food Standards Code</i> as amended or substituted from time to time.	The carrying on of activities authorised under the accreditation in compliance with the <i>Guidelines for the Safe Manufacture of Smallgoods</i> published by Meat & Livestock Australia Ltd, ISBN 1 74036 0508, as amended or substituted from time to time, will be taken to be the carrying on of those activities in compliance with AS 4696:2007.
4	Processing or handling of kangaroos or other game, or meat derived from kangaroos or other game, for human consumption.  Transporting field processed kangaroos or other game to initial refrigeration facilities.	AS 4464:2007 <i>Hygienic Production of Wild Game Meat for Human Consumption</i> , as amended or substituted from time to time.	
5	Processing or handling of rabbits, or meat derived from rabbits for human consumption.	AS 4466:1997 <i>Hygienic Production of Rabbit Meat for Human Consumption</i> , as amended or substituted from time to time.	
6	Processing or handling of ratite birds, or meat derived from ratite birds for human consumption.	AS 5010:2001 <i>Hygienic Production of Ratite (Emu/Ostrich) Meat for Human Consumption</i> , as amended or substituted from time to time.	
7	Processing of natural sausage casings derived from the intestines of sheep, pigs, goats or cattle.	AS 5011:2001 <i>Hygienic Production of Natural Casings for Human Consumption</i> , as amended or substituted from time to time.	

<b>Item</b>	<b>Type of activity</b>	<b>Code</b>	<b>Modifications</b>
8	Processing or handling of meat for consumption by pets.	AS 4841:2006 <i>Australian Standard for the Hygienic Production of Pet Meat</i> , as amended or substituted from time to time.	<p>A reference to an animal approved by the Controlling Authority for the production of pet meat will be taken to be a reference to any of the following animals:</p> <ul style="list-style-type: none"> <li>• buffalo;</li> <li>• camel;</li> <li>• cattle;</li> <li>• deer;</li> <li>• donkey;</li> <li>• emu;</li> <li>• goat;</li> <li>• hare;</li> <li>• horse;</li> <li>• kangaroo;</li> <li>• ostrich;</li> <li>• pig;</li> <li>• poultry;</li> <li>• rabbit;</li> <li>• sheep;</li> <li>• wallaby.</li> </ul>

## **Schedule 2—Fees and charges**

### **Monetary value of fee unit and administration fee**

1	Fee unit	\$112
2	Administration fee	\$222

### **Application fees**

3	Application fee for accreditation (section 13 of Act)—	
	(i) if 6 or fewer full time equivalent positions are to be held by persons engaged in processing or handling meat under the accreditation	\$166
	(ii) in any other case	\$379
4	Application fee for variation of conditions of accreditation or variation of an approved food safety arrangement (section 18 of Act)—	
	(i) if 6 or fewer full time equivalent positions are to be held by persons engaged in processing or handling meat under the accreditation	\$166
	(ii) in any other case	\$379

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5 Application fee for exemption from compliance with code (regulation 11) \$379

**Annual fees** (section 17 of Act)

6 Annual fee for accreditation authorising a person to process or handle meat for consumption by pets only administration fee

7 Annual fee for accreditation authorising a person to store or transport meat only—

(a) ..... administration fee

plus

(b) if the person is authorised to store meat 2 fee units

plus

(c) if the person is authorised to transport meat—for each vehicle used to transport meat under the accreditation during the relevant period 1 fee unit

**Note—**

If a person uses more than one semi-trailer for each prime mover used to transport meat, each additional semi-trailer is, for the purposes of item 7(c) to be regarded as a separate vehicle.

8 Annual fee for accreditation authorising a person to process or handle kangaroos in the field—

(a) ..... administration fee

plus

(b) for each tray or rack (being a tray or rack to be attached to a vehicle used for transporting kangaroo carcasses) approved for use under the accreditation 1 fee unit

plus

(c) for each field chiller owned or leased by the person and approved for use under the accreditation 1 fee unit

9 Annual fee for accreditation authorising a retail meat processor and handler to undertake further processing or handling of meat that has been lawfully produced for human consumption—

(a) ..... administration fee

plus

(b) the aggregate of the fee units applicable to the each of the following types of activity carried on by the processor or handler:

(i) production of smallgoods by a process involving fermentation 1 fee unit

(ii) production of smallgoods by a process involving cooking or curing 1 fee unit

(iii) processing of raw meat (for example, boning, slicing, mincing or dicing of meat) or production of raw smallgoods (for example, sausages, patties or corned or pickled meat) within the ambit of the definition of *meat* (see section 6 of the Act and regulation 4) 1 fee unit

10 Annual fee for accreditation authorising a person to grow poultry—

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 Schedule 2—Fees and charges

(a)	if the poultry is being grown under contract to a processing company	1 fee unit plus \$25.75 for each 1 000 m <sup>2</sup> of shed space in which the poultry is housed
(b)	in any other case	administration fee plus 1 fee unit
11 In any other case, the annual fee is—		
(a)	.....	administration fee
plus		
(b)	the aggregate of the fee units applicable to each of the following types of activity carried on by an accredited meat producer:	
(i)	slaughtering for human consumption using a mechanised process—	
(A)	poultry only	8 fee units
(B)	red meat animals only	8 fee units
(C)	other	11 fee units
(ii)	slaughtering for human consumption without using a mechanised process—	
(A)	poultry only	4 fee units
(B)	red meat animals only	4 fee units
(C)	other	7 fee units
(iii)	slaughtering for consumption by pets	4 fee units
(iv)	production of smallgoods for human consumption by a process involving cooking or curing	4 fee units
(v)	production of smallgoods for human consumption by a process involving fermentation	4 fee units
(vi)	production of smallgoods for human consumption by a process not involving cooking, curing or fermentation	4 fee units
(vii)	further processing or handling of meat that has been lawfully produced for human consumption (other than the production of smallgoods) (eg boning, producing primal or other cuts of meat, packing meat and offal or processing or handling of field processed kangaroo carcasses)	4 fee units
plus		
(c)	the fee units applicable to the highest number of full-time equivalent positions ( <i>FTEs</i> ) held by persons engaged in producing meat under the accreditation during the relevant period as follows:	
(i)	not more than 6 <i>FTEs</i>	2 fee units
(ii)	more than 6 but not more than 11 <i>FTEs</i>	6 fee units
(iii)	more than 11 but not more than 26 <i>FTEs</i>	12 fee units
(iv)	more than 26 but not more than 40 <i>FTEs</i>	20 fee units
(v)	more than 40 but not more than 60 <i>FTEs</i>	30 fee units
(vi)	more than 60 <i>FTEs</i>	40 fee units

plus

- (d) if the person owns or leases a field chiller used for initially refrigerating kangaroo carcasses under the accreditation, for each field chiller 1 fee unit
- 12 Despite items 6 to 11 above, the annual fee payable by an accredited meat producer who is authorised to produce meat other than for supply to the domestic Australian market and is registered in accordance with regulations under the *Export Control Act 1982* of the Commonwealth is the administration fee.

**Default penalty** (section 17 of Act)

- 13 Penalty for default in payment of an annual fee or lodging of an annual return \$180.00

## Schedule 3—Transitional provisions

### Part 2—Transitional provisions

#### 2—Interpretation

In this Part—

*revoked regulations* means the *Primary Produce (Food Safety Schemes) (Meat Industry) Regulations 2006*.

#### 3—Approved food safety arrangements to continue

An approved food safety arrangement adopted by an accredited meat producer under regulation 11 of the revoked regulations and in force immediately before the commencement of this clause will be taken, on and from that commencement, to continue as an approved food safety arrangement adopted by the accredited meat producer under regulation 10 of these regulations, and subject to the same terms and conditions (if any), as applied under the approved food safety arrangement immediately before that commencement.

#### 4—Compliance with codes—exemptions to continue

An exemption given by the Minister under regulation 12(2) of the revoked regulations and in force immediately before the commencement of this clause will be taken, on and from that commencement, to continue as an exemption under regulation 11(2) of these regulations, and subject to the same terms and conditions (if any), as applied in respect of the exemption immediately before that commencement.

#### 5—Approvals to carry on new activity to continue

An approval given by the Minister under regulation 13 of the revoked regulations and in force immediately before the commencement of this clause will be taken, on and from that commencement, to continue as an approval given by the Minister under regulation 12 of these regulations, and subject to the same terms and conditions (if any), as applied under the approval immediately before that commencement.

## **6—Brands to continue**

A brand leased by a producer from the Minister under regulation 15(3)(b) of the revoked regulations and in force immediately before the commencement of this clause will be taken, on and from that commencement, to continue as a brand leased by the producer from the Minister under regulation 14(3)(b) of these regulations, and subject to the same terms and conditions (if any), as applied in respect of the brand immediately before that commencement.

## **7—Offence to manufacture or possess unauthorised brand—approvals to continue**

An approval given by the Minister under regulation 18 of the revoked regulations and in force immediately before the commencement of this clause will be taken, on and from that commencement, to continue as an approval given by the Minister under regulation 17 of these regulations, and subject to the same conditions (if any), as applied under the approval immediately before that commencement.

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- 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).

### Legislation revoked by principal regulations

The *Primary Produce (Food Safety Schemes) (Meat) Regulations 2017* revoked the following:

*Primary Produce (Food Safety Schemes) (Meat Industry) Regulations 2006*

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2017	278	<i>Gazette 19.9.2017 p4115</i>	19.1.2018: r 2
<b>2018</b>	<b>98</b>	<b><i>Gazette 21.6.2018 p2246</i></b>	<b>1.7.2018: r 2</b>
<b>2019</b>	<b>123</b>	<b><i>Gazette 13.6.2019 p2000</i></b>	<b>1.7.2019: r 2</b>

### 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>1.7.2018</i>
Sch 2	substituted by 98/2018 r 4	1.7.2018
Sch 3		
<i>Pt 1</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.7.2018</i>