

SOUTH AUSTRALIA

STOCK (HORMONAL GROWTH PROMOTANTS) REGULATIONS 1993

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Interpretation
4. Method of treatment of cattle or buffalo with hormonal growth promotants
5. Earmarking of treated cattle or buffalo
6. Declarations in relation to untreated cattle or buffalo
7. Marking of untreated cattle or buffalo
8. Records to be maintained by owners of cattle or buffalo
9. Declaration by saleyard agent in relation to split lots
10. Records to be maintained by saleyard agents
11. False or misleading statements
12. Defence of reliance on declaration

REGULATIONS UNDER THE STOCK ACT 1990
Stock (Hormonal Growth Promotants) Regulations 1993

being

No. 21 of 1993: *Gaz.* 18 February 1993, p. 647¹

¹ Came into operation 18 February 1993: reg. 2.

Citation

1. These regulations may be cited as the *Stock (Hormonal Growth Promotants) Regulations 1993*.

Commencement

2. These regulations come into operation on the day on which they are made.

Interpretation

3. In these regulations, unless the contrary intention appears—

"**hormonal growth promotant**" means a product containing one or more hormones (including but not limited to oestradiol, progesterone, trenbolone and zeranol) that increases the growth rate of, and enhances feed conversion in, cattle or buffalo.

Note: For definition of divisional penalties see Appendix.

Method of treatment of cattle or buffalo with hormonal growth promotants

4. A person must not treat cattle or buffalo with a hormonal growth promotant otherwise than by implanting the hormonal growth promotant under the skin behind the ear of the cattle or buffalo.

Penalty: Division 7 fine.

Earmarking of treated cattle or buffalo

5. A person who treats cattle or buffalo with a hormonal growth promotant must immediately mark each treated animal with an earmark, being an equilateral triangle with sides 20 millimetres in length, punched through the centre of the left or right ear of the animal.

Penalty: Division 7 fine.

Declarations in relation to untreated cattle or buffalo

6. (1) The owner of cattle or buffalo, or an authorised representative of the owner responsible for the husbandry of those cattle or buffalo, may, in a form approved by the Chief Inspector, declare that the cattle or buffalo have not been treated with hormonal growth promotants.

(2) A person who makes a declaration under this regulation must retain a copy of the declaration for a period of not less than two years.

Penalty: Division 7 fine.

Marking of untreated cattle or buffalo

7. (1) The Chief Inspector may, for the purposes of sale other than in a saleyard, approve means by which cattle or buffalo may be distinctively marked, tagged or otherwise identified to indicate that the cattle or buffalo have not been treated with hormonal growth promotants.

(2) The Chief Inspector may, for the purposes of sale in a saleyard, approve means by which cattle or buffalo may be distinctively marked, tagged or otherwise identified to indicate that the cattle or buffalo have not been treated with hormonal growth promotants.

3.

(3) A person must not mark, tag or otherwise identify cattle or buffalo in a manner approved under this regulation if the cattle or buffalo have been treated with hormonal growth promotants.

Penalty: Division 7 fine.

Records to be maintained by owners of cattle or buffalo

8. (1) A person must make the following records and retain them for a period of not less than two years:

- (a) on the acquisition from another person of cattle or buffalo that have been treated with hormonal growth promotants—a record of the number of animals acquired, the date of their acquisition, the name of that other person and a description of each animal; and
- (b) on the treatment of cattle or buffalo with hormonal growth promotants by that person—a record of the number of animals treated, the date of their treatment, and a description of each animal; and
- (c) on the disposal of cattle or buffalo that have been treated with hormonal growth promotants to some other person—a record of the number of animals disposed of, the date of the disposal, the name of that other person and a description of each animal.

Penalty: Division 7 fine.

(2) A person making a record under subregulation (1) in respect of cattle or buffalo that have been treated with hormonal growth promotants must—

- (a) indicate in the record that the animals have been so treated; and
- (b) keep the record separately from records in respect of animals that have not been so treated.

Penalty: Division 7 fine.

Declaration by saleyard agent in relation to split lots

9. Where a saleyard agent sells to more than one purchaser cattle or buffalo that are described in a single declaration under regulation 6, the agent must deliver to each purchaser a copy of that declaration and a declaration made by the agent in the form approved for the purpose by the Chief Inspector stating the number and type of cattle or buffalo referred to in the original declaration that have been sold to the purchaser.

Penalty: Division 7 fine.

Records to be maintained by saleyard agents

10. A saleyard agent must retain for a period of not less than two years—

- (a) a copy of any declaration under regulation 6 received by the agent in relation to cattle or buffalo sold by the saleyard agent; and
- (b) a copy of any declaration made by the saleyard agent under regulation 9.

Penalty: Division 7 fine.

False or misleading statements

11. A person must not, in making a declaration or record under these regulations, make a statement that is false or misleading in a material particular.

Penalty: Division 7 fine.

Defence of reliance on declaration

12. For the purposes of the establishment of a defence under section 37 of the *Stock Act 1990* in relation to an offence under these regulations, a person will be taken to have taken reasonable care to ascertain that, at the time he or she received the cattle or buffalo, the cattle or buffalo had not been treated with hormonal growth promotants if the person received with the cattle or buffalo a declaration under regulation 6 that the cattle or buffalo had not been treated with hormonal growth promotants and the cattle or buffalo were not, at the time they were received by the person, marked with the earmark referred to in regulation 5.

APPENDIX

Divisional Penalties

At the date of publication of this reprint divisional penalties are, as provided by section 28a of the *Acts Interpretation Act, 1915*, as follows:

Division	Maximum imprisonment	Maximum fine
1	15 years	\$60 000
2	10 years	\$40 000
3	7 years	\$30 000
4	4 years	\$15 000
5	2 years	\$8 000
6	1 year	\$4 000
7	6 months	\$2 000
8	3 months	\$1 000
9	-	\$500
10	-	\$200
11	-	\$100
12	-	\$50

Note: This appendix is provided for convenience of reference only.