

South Australia

Stock Medicines (Hormonal Growth Promotants) Regulations 1993

under the *Stock Medicines Act 1939*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Registration as seller of hormonal growth promotants
- 5 Cancellation or suspension of registration
- 6 Appeal to Minister
- 7 Person must not sell hormonal growth promotants unless registered
- 8 Sale of hormonal growth promotants
- 9 False or misleading statements

Schedule—Form of application for registration as seller of hormonal growth promotants

Legislative history

1—Short title

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

2—Commencement

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

3—Interpretation

In these regulations—

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.

4—Registration as seller of hormonal growth promotants

- (1) A person may, in the form set out in the schedule and giving the details required in that form, apply to the board for registration as a seller of hormonal growth promotants.
- (2) The board may require an applicant to furnish further specified information in relation to an application for registration.

- (3) Subject to these regulations, the board may determine an application for registration by registering or refusing to register the applicant as a seller of hormonal growth promotants.
- (4) The term of registration as a seller of hormonal growth promotants will be 12 months, but a person who holds a registration may earlier request the cancellation of the registration, in which case, the board must cancel the registration.
- (5) The board may refuse to register an applicant if—
 - (a) in the opinion of the board—
 - (i) the applicant; or
 - (ii) if the applicant is a body corporate, any director of the body corporate,
is not a fit and proper person to be registered as a seller of hormonal growth promotants; or
 - (b) the applicant has contravened these regulations or has been registered under these regulations and that registration has been cancelled or suspended, or, where the applicant is a body corporate, a director of the body corporate—
 - (i) has contravened these regulations or has been registered under these regulations and that registration has been cancelled or suspended; or
 - (ii) is or has been the director of another body corporate that has contravened these regulations or has been registered under these regulations and that registration has been cancelled or suspended.
- (6) The board must, by notice sent by ordinary mail to the address of the applicant disclosed on the application for registration, advise the applicant of its determination of an application for registration and, in the case of a refusal to grant a registration, state the reasons for that refusal.
- (7) The board must maintain a register, in a form and containing the information approved by the Minister, of persons registered to sell hormonal growth promotants.

5—Cancellation or suspension of registration

- (1) The board may, by notice sent to the person by ordinary mail at the address at which the person is registered as selling hormonal growth promotants, cancel or suspend for a specified period of time the registration of a person if satisfied that the person—
 - (a) obtained the registration improperly; or
 - (b) has contravened these regulations.
- (2) Before the board cancels or suspends the registration of a person under this regulation, the board must—
 - (a) notify the person of its proposed action; and
 - (b) allow the person at least 14 days within which to make written submissions to the board in relation to the proposed action.

6—Appeal to Minister

- (1) Where the board refuses to register an applicant or cancels or suspends a registration, the applicant or person who held the registration may, within 14 days or such longer time as the Minister allows after notice of the determination was sent to the applicant or person, apply to the Minister for a review of the determination.
- (2) The Minister may, for the purposes of a review under this regulation, make any investigation that the Minister considers appropriate and may confirm the determination of the board or direct the board to vary or reverse its determination and take necessary action to implement that variation or reversal.
- (3) Unless the Minister or the board determines otherwise, application by a person to the Minister for review of a determination of the board does not affect the operation of the determination or prevent the taking of action to implement the determination.

7—Person must not sell hormonal growth promotants unless registered

A person must not sell a hormonal growth promotant unless registered as a seller of hormonal growth promotants.

Penalty: \$100.

8—Sale of hormonal growth promotants

- (1) A person who sells hormonal growth promotants must, in relation to each sale, record—
 - (a) the date of the sale; and
 - (b) the quantity and batch number of hormonal growth promotants sold; and
 - (c) the name of the purchaser.
- (2) A person who sells hormonal growth promotants to a purchaser for use (and not for resale) by the purchaser must, in relation to each sale, record, in addition to the details specified in subregulation (1)—
 - (a) the address of the purchaser; and
 - (b) the identification number, if any, assigned by the chief inspector under regulation 4 of the *Stock Regulations 1991* in respect of the land on which the cattle or buffalo to be treated with the hormonal growth promotants are pastured.
- (3) A person required to record details under subregulations (1) or (2) must keep the records of those details for a period of not less than two years.
- (4) A person must not sell hormonal growth promotants to a purchaser for use (and not for resale) by the purchaser unless the purchaser has, in relation to each sale, provided the person with a declaration in the form approved by chief inspector signed—
 - (a) by the owner of the cattle or buffalo to be treated with the hormonal growth promotants; or
 - (b) by an authorised representative of the owner responsible for the husbandry of those cattle or buffalo.

- (5) A person who has been provided with a declaration under subregulation (4) must forward the declaration to the board no later than the seventh day of the month following the month in which the hormonal growth promotant was sold.
- (6) A person who fails to comply with any of the requirements of subregulations (1) to (5) is guilty of an offence.
Penalty: \$100.
- (7) An inspector may inspect, remove or take copies of any record or declaration referred to in this regulation.

9—False or misleading statements

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

Penalty: \$100.

Schedule—Form of application for registration as seller of hormonal growth promotants

(Regulation 4)

Form of application for registration as seller of hormonal growth promotants (Regulation 4)

APPLICATION FOR REGISTRATION

**TO THE SECRETARY
STOCK MEDICINES BOARD**

I
apply under regulation 4 of the *Stock Medicines (Hormonal Growth Promotants) Regulations 1993* for registration as a seller of hormonal growth promotants.

PARTICULARS

- 1. Full name and address of applicant(s):
- 2. Telephone number.....
- 3. Address and telephone number of premises from which hormonal growth promotants are to be sold:

I certify that the particulars provided in this application are true and correct in all respects.

DATED the day of

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Revocation of regulations

These regulations became obsolete on the repeal of the *Stock Medicines Act 1939* on 29.8.2004.

Principal regulations

| Year | No | Reference | Commencement |
|------|----|-------------------------------|----------------|
| 1993 | 20 | <i>Gazette 18.2.1993 p642</i> | 18.2.1993: r 2 |