

South Australia

Livestock Variation Regulations 2004

under the *Livestock Act 1997*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Livestock Variation Regulations 2004*.

2—Commencement

These regulations will come into operation on the day on which the *Agricultural and Veterinary Products (Control of Use) Act 2002* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Livestock Regulations 1998*

4—Substitution of Part 9

Part 9—delete Part 9 and substitute:

Part 9—Stock foods

Division 1—Preliminary

35—Interpretation

In this Part—

Agvet Code of South Australia—see the *Agricultural and Veterinary Chemicals (South Australia) Act 1994*;

approved label has the same meaning as in the Agvet Code of South Australia;

manufactured stock food means anything that is manufactured or processed as food for livestock but does not include stock food comprised only of chaff, hay or wholegrains;

package means anything in or by which a stock food is cased, covered, enclosed, contained or packed;

permit has the same meaning as in the Agvet Code of South Australia;

registered veterinary product has the same meaning as in the Agvet Code of South Australia;

restricted animal material means material derived wholly or partly from a vertebrate, but does not include milk, a milk product, gelatine, tallow or an extracted oil;

stock food means—

- (a) manufactured stock food; or

- (b) chaff, hay or wholegrains; or
- (c) anything else used as food for livestock;

supply means supply through sale, gift, loan, exchange or hire and includes offer to supply.

Division 2—Feeding of livestock

36—Feeding of restricted animal material to ruminants

A person must not;

- (a) feed to ruminants, or permit ruminants to feed on, restricted animal material (whether or not the material has been rendered suitable for animal consumption); or
- (b) dispose of restricted animal material (whether or not the material has been rendered suitable for animal consumption) in a manner that ruminants may gain access to it.

Maximum penalty: \$10 000.

37—Feeding of restricted animal material from placental mammals to non-ruminants

(1) A person must not—

- (a) feed to livestock, or permit livestock to feed on, restricted animal material from a placental mammal unless the material has been rendered suitable for animal consumption by means of a process approved by the Chief Inspector; or
- (b) dispose of restricted animal material from a placental mammal that has not been rendered suitable for animal consumption as referred to in paragraph (a) in a manner that livestock may gain access to it.

Maximum penalty: \$10 000.

(2) In subregulation (1)—

livestock does not include cats, dogs or ruminants.

38—Feeding of stock foods containing faeces

A person must not feed to livestock, or permit livestock to feed on, a stock food that consists wholly or partly of faeces.

Maximum penalty: \$10 000.

39—Feeding of stock foods containing registered veterinary products

A person must not feed to livestock, or permit livestock to feed on, a stock food that contains a registered veterinary product unless—

- (a) —
 - (i) the product is registered for use on the species of animal to which the livestock belongs; and

- (ii) the stock food is being used to treat the livestock for a disease or condition of the livestock, or infestation of the livestock by a pest, specified on the approved label for containers of that product; or
- (b) the person does so in accordance with a permit or the instructions of a veterinary surgeon responsible for treating the livestock.

Maximum penalty: \$10 000.

Division 3—Standards for stock foods

40—Offence

- (1) A person must not supply stock food unless the stock food complies with the standards prescribed by this Division.

Maximum penalty: \$10 000.

- (2) This regulation does not apply in relation to stock food supplied for consumption by cats, dogs, caged birds (other than poultry) or aquarium fish.

41—Restricted animal material in stock foods

- (1) A stock food supplied for consumption by ruminants must not contain restricted animal material.
- (2) A stock food supplied for consumption by non-ruminant livestock must not contain restricted animal material from a placental mammal unless the material has been rendered suitable for animal consumption by means of a process approved by the Chief Inspector.

42—Substances prohibited in stock foods

A stock food must not contain a substance specified in Schedule 2 Part 1 except as provided in that Part.

43—Organochlorine pesticides in stock foods

A substance specified in Schedule 2 Part 2 must not be present in stock food in a level that is more than the maximum level prescribed by that Part for that substance.

44—Antioxidants in stock foods

A substance specified in Schedule 2 Part 3 must not be present in stock food in a level that is more than the maximum level prescribed by that Part for that substance.

45—Registered veterinary products in stock foods

- (1) A stock food must not contain a registered veterinary product unless—
 - (a) the stock food is supplied for consumption by a species of animal for which the product is registered for use on; and

- (b) the stock food is supplied for the purpose of treating such an animal for a disease or condition of the animal, or infestation of the animal by a pest, specified on the approved label for containers of that product; and
 - (c) the proportion or amount of the product in the stock food is a proportion or amount determined in accordance with the directions for use of the product specified on the approved label for containers of the product.
- (2) Subregulation (1) does not prevent stock food containing a registered veterinary product being supplied to a veterinary surgeon for use in the treatment of livestock or to a person holding a permit authorising the supply or use of the registered veterinary product in stock food.

Division 4—Labelling of manufactured stock foods

46—Offences

- (1) A person must not supply manufactured stock food unless the stock food is labelled, or information is provided to the person to whom the stock food is supplied, in accordance with this Division.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A person must not, without reasonable excuse—
- (a) deface, alter or obscure a label for a package of stock food containing information required by this Division; or
 - (b) remove from a package of stock food containing restricted animal material a label for the food containing information required by this Division.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) This regulation does not apply in relation to stock food supplied for consumption by cats, dogs, caged birds (other than poultry) or aquarium fish.

47—Requirement for label or advice note

- (1) A stock food must—
- (a) if supplied in a package—have affixed to, or printed or stencilled on, the package a label that complies with this Division; or
 - (b) if supplied without a package—be supplied in accordance with this regulation with an advice note that complies with this Division.
- (2) If stock food supplied without a package is delivered to a person, the advice note for the stock food must be handed to the person or an agent of the person.

- (3) If stock food supplied without a package is delivered to premises where no person is in attendance to accept delivery of the advice note for the stock food, the advice note must, within 7 days of the delivery, be given or sent to the person to whom the stock food was supplied.

48—General information to be included on label or advice note

A label or advice note for a stock food must state—

- (a) the distinctive name of the stock food; and
- (b) the name and principal place of business of the manufacturer, producer or supplier of the stock food.

49—Information about restricted animal material content

- (1) If—
- (a) a stock food manufactured or produced before 20 December 2001 contains restricted animal material from animals other than fish or birds; and
 - (b) the stock food is not supplied for consumption by dogs or pigeons; and
 - (c) the label or advice note for the stock food does not contain a statement that the stock food is suitable for consumption by non-ruminant livestock only,

the label or advice note for the stock food must contain—

- (d) a statement indicating whether or not the restricted animal material is from a placental mammal; and
 - (e) if the restricted animal material is from a placental mammal—a statement indicating that the stock food must not be fed to ruminants.
- (2) A label or advice note for a stock food manufactured or produced on or after 20 December 2001 must—
- (a) if the stock food contains restricted animal material—contain the following statement:

This product contains restricted animal material—DO NOT FEED TO CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS.
 - (b) if the stock food does not contain restricted animal material—contain the following statement:

This product does not contain restricted animal material.

5—Substitution of Schedule 2

Schedule 2—delete Schedule 2 and substitute:

Schedule 2—Stock foods

Part 1—Prohibited substances

Hormones (whether a natural or synthetic product)
Hydroquinone
Phenothiazine
Phthalysulfacetamide
Piperazine and related compounds
Promazines
Reserpine
Sulfacetamide
Sulfacetamide sodium
Sulfachloropyridazine
Sulfafurazole
Sulfamethoxydiazine
Sulfamonomethoxine
Sulfanilimide
Sulfanitran
Sulfapyridine
Sulfathiazole
Thiofurfuran (except in stock food supplied for consumption by pigs)
Thiouracil

Part 2—Permitted levels of organochlorine pesticides

| Substance | Permitted maximum level |
|------------------------------|-------------------------|
| Aldrin | 0.01 ppm |
| Chlordane | 0.01 ppm |
| DDT, DDD, DDE combined total | 0.05 ppm |
| Dieldrin | 0.01 ppm |
| Endrin | 0.03 ppm |
| Heptachlor | 0.02 ppm |
| Hexachlorobenzene (HCB) | 0.01 ppm |
| Lindane (BHC) | 0.10 ppm |
| Any combination of the above | 0.10 ppm in aggregate |

ppm = parts per million

Part 3—Permitted levels of certain antioxidants

| Substance | Permitted maximum level |
|------------------------------|--------------------------------|
| Butylated hydroxy toluene | 100 ppm |
| Butylated hydroxy anisole | 100 ppm |
| Ethoxyquin | 150 ppm |
| Propyl gallate | 100 ppm |
| Any combination of the above | 150 ppm in aggregate |

ppm = parts per million

Part 3—Revocation of *Stock Foods Regulations 1996*

6—Revocation

The *Stock Foods Regulations 1996* are revoked.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 26 August 2004

No 183 of 2004

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