

South Australia

Primary Produce (Food Safety Schemes) (Seafood) (Fees) Variation Regulations 2007

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) (Seafood) (Fees) Variation Regulations 2007*.

2—Commencement

These regulations will come into operation on 1 July 2007.

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 *Primary Produce (Food Safety Schemes) (Seafood) Regulations 2006*

4—Variation of regulation 3—Interpretation

Regulation 3, definition of *bivalve molluscs*—delete "and pipis, but does not include scallops" and substitute:

, pipis and scallops

5—Variation of regulation 4—Seafood food safety scheme

Regulation 4(1)—delete "consisting of or"

6—Variation of regulation 5—Obligation to be accredited

Regulation 5(2)—delete subregulation (2) and substitute:

- (2) A bivalve mollusc producer need not hold an accreditation if—
- (a) the only bivalve molluscs farmed or taken by the producer comprise spat; or
 - (b) the only bivalve molluscs farmed or taken by the producer are scallops and only the adductor muscle of the scallops is sold or supplied for human consumption.

7—Variation of regulation 8—Specific requirements

Regulation 8—after subregulation (1) insert:

- (1a) Subregulation (1)(a) does not apply to scallops if only the adductor muscle of the scallops is sold or supplied for human consumption.

8—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1—Application for accreditation or for approval of a food safety arrangement other than in conjunction with an application for accreditation	\$380
2—Application for variation of a food safety arrangement	\$380
3—Annual fee if bivalve mollusc producer holds—	
(a) aquaculture licence authorising farming in subtidal area	\$163 + \$111 per hectare of the licence area
(b) aquaculture licence authorising farming in intertidal area	\$163 + \$222 per hectare of the licence area
(c) fishery licence authorising the taking of—	
(i) scallops	\$163 + \$200 per licence

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(ii)	mud cockles (<i>Katylsia spp.</i>)	\$163 + \$843 per licence
(iii)	Goolwa cockles (<i>Donax deltoides</i>)	\$163 + \$1 620 per licence
4—Penalty for default in payment of annual fee or lodging of annual return		\$90

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

following compliance by the Minister with section 11(4) of the Act and with the advice and consent of the Executive Council
on 28 June 2007

No 180 of 2007

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