

South Australia

## **Primary Produce (Food Safety Schemes) (Seafood) Variation Regulations 2008**

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

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Primary Produce (Food Safety Schemes) (Seafood) Regulations 2006***

- 4 Insertion of heading to Part 1
    - Part 1—Preliminary
  - 5 Variation of regulation 3—Interpretation
  - 6 Variation of regulation 4—Seafood food safety scheme
  - 7 Insertion of Part 2 and Part 3 heading
    - Part 2—Obligations relating to Food Standards Code
      - 4A All licensees must comply with Division 2 of Standard 4.2.1
    - Part 3—Obligations relating to production of bivalve molluscs
  - 8 Variation of regulation 5—Obligation to be accredited
  - 9 Variation of regulation 7—Obligation to have approved food safety arrangement
  - 10 Variation of regulation 8—Specific requirements
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Primary Produce (Food Safety Schemes) (Seafood) Variation Regulations 2008*.

#### **2—Commencement**

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

#### **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—Insertion of heading to Part 1**

Before regulation 1 insert:

#### **Part 1—Preliminary**

### **5—Variation of regulation 3—Interpretation**

- (1) Regulation 3—after the definition of *bivalve mollusc producer* insert:

*bivalve mollusc production activities* means activities constituted of the production of primary produce involving bivalve molluscs intended for sale or supply for human consumption;

- (2) Regulation 3, definition of *fishery licence*—delete "*Fisheries Act 1982*" and substitute:

*Fisheries Management Act 2007*

- (3) Regulation 3—after the definition of *fishery licence* insert:

*food safety arrangement*—see regulation 7;

*licensee* means the holder of an aquaculture or fishery licence;

### **6—Variation of regulation 4—Seafood food safety scheme**

- (1) Regulation 4(1)—delete "bivalve mollusc producers" and substitute:

licensees

- (2) Regulation 4(1)—delete "bivalve molluscs" and substitute:

fish

### **7—Insertion of Part 2 and Part 3 heading**

After regulation 4 insert:

#### **Part 2—Obligations relating to Food Standards Code**

##### **4A—All licensees must comply with Division 2 of Standard 4.2.1**

A licensee must ensure that the requirements set out in Division 2 of Standard 4.2.1 are complied with in respect of activities to which the seafood food safety scheme applies (assuming the activities comprise a seafood business).

## **Part 3—Obligations relating to production of bivalve molluscs**

### **8—Variation of regulation 5—Obligation to be accredited**

Regulation 5(1)—delete "a class of activities to which the seafood food safety scheme applies" and substitute:

bivalve mollusc production activities

### **9—Variation of regulation 7—Obligation to have approved food safety arrangement**

Regulation 7(1)—delete "activities to which the seafood food safety scheme applies" and substitute:

bivalve mollusc production activities

### **10—Variation of regulation 8—Specific requirements**

- (1) Regulation 8(1)—delete "activities to which the seafood food safety scheme applies" and substitute:

bivalve mollusc production activities

- (2) Regulation 8(1)(g)—after subparagraph (i) insert:

(ia) the number of the producer's accreditation; and

- (3) Regulation 8(1)(g)(iii)—delete "fishery licence and the number of the accreditation of the producer under these regulations" and substitute:

licence

- (4) Regulation 8(1)(j)—delete paragraph (j)

#### **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 26 June 2008

No 204 of 2008

MAFF08/001CS