

South Australia

Primary Produce (Food Safety Schemes) (Dairy Industry) Variation Regulations 2015

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) (Dairy Industry) Variation Regulations 2015*.

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) (Dairy Industry) Regulations 2005*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1), definitions of *dairy primary production business* and *dairy processing business*—delete the definitions and substitute:

dairy primary production business means a business, or an enterprise or activity carried on for a commercial purpose, that involves the production of milk for human consumption and includes the keeping, grazing, feeding and milking of animals and the storage of milk on the premises at which the animals were milked;

dairy processing business means a business, or an enterprise or activity carried on for a commercial purpose, that involves the manufacture of dairy products;

- (2) Regulation 3(1), definition of *dairy transport business*—delete the definition and substitute:

dairy products means—

- (a) milk (as defined in these regulations); and
- (b) any other product included in the definition of *dairy product* in Standard 4.2.4 of the *Food Standards Code*;

dairy transport business means a business, or an enterprise or activity carried on for a commercial purpose, involving the collection and transport of milk from a dairy primary production business to a dairy processing business or the transport of bulk milk or dairy products between dairy processors;

- (3) Regulation 3(1), definition of *milk*—delete the definition and substitute:

milk means milk (including colostrum) derived from a cow, goat, sheep or buffalo;

5—Substitution of regulation 18

Regulation 18—delete the regulation and substitute:

18—Compliance with Standard 4.2.4 of Food Standards Code

- (1) In this regulation, a reference to Standard 4.2.4 of the *Food Standards Code* is a reference to that Standard as modified by subregulation (4).
- (2) An accredited producer must ensure that the activities under the accreditation are carried on in compliance with the provisions of Standard 4.2.4 of the *Food Standards Code* applicable to those activities.

- (3) The Authority may, on application, exempt an accredited producer from compliance with specified provisions of Standard 4.2.4 of the *Food Standards Code* if satisfied that satisfactory alternative arrangements have been made by the producer or in order to allow the producer a specified period within which to comply.
- (4) Standard 4.2.4 of the *Food Standards Code* is modified as follows:
 - (a) a reference to a dairy primary production business is to be taken to be a reference to a dairy primary production business as defined in these regulations;
 - (b) a reference to a dairy processing business is to be taken to be a reference to a dairy processing business as defined in these regulations;
 - (c) a reference to dairy products is to be taken to be a reference to dairy products as defined in these regulations;
 - (d) a reference to a dairy transport business is to be taken to be a reference to a dairy transport business as defined in these regulations;
 - (e) a reference to milk is to be taken to be a reference to milk as defined in these regulations.

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 23 April 2015

No 40 of 2015

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