



Western Australia

Agricultural Products Act 1929

**Agricultural Products (General)  
Regulations 1983**

---

As at 03 Sep 2004

Version 01-a0-04

Extract from [www.slp.wa.gov.au](http://www.slp.wa.gov.au), see that website for further information



Reprinted under the  
*Reprints Act 1984* as at  
3 September 2004

Western Australia

## **Agricultural Products (General) Regulations 1983**

---

### CONTENTS

---

1.	Citation	1
2.	Commencement	1
4.	Interpretation	1
5.	Detention notice	1
6.	Order to make agricultural products conform to Act	2
7.	Order for destruction	2
8.	Disposal order	2
9.	Evidence of destruction or disposal	3
	<b>Schedule</b>	4
	<b>Notes</b>	
	Compilation table	12





Reprinted under the  
*Reprints Act 1984* as at  
3 September 2004

Western Australia

Agricultural Products Act 1929

## **Agricultural Products (General) Regulations 1983**

### **1. Citation**

These regulations may be cited as the *Agricultural Products (General) Regulations 1983*<sup>1</sup>.

### **2. Commencement**

These regulations shall come into operation on 1 October 1983.

[3. *Omitted under the Reprints Act 1984 s. 7(4)(f).*]

### **4. Interpretation**

In these regulations, unless the context otherwise requires —

***Form*** means a form in the Schedule to these regulations;

***regulation*** means one of these regulations;

***the Act*** means the *Agricultural Products Act 1929* and includes a code formulated by the Minister under the Act.

### **5. Detention notice**

A detention notice issued under section 4(4) of the Act shall be in the form of Form 1.

**6. Order to make agricultural products conform to Act**

Where, under section 4(4c) of the Act, an inspector orders the owner or the person for the time being in charge of the agricultural products to take such measures as the inspector determines necessary to make the agricultural products conform to the requirements of the Act he shall issue to the owner or the person for the time being in charge of the agricultural products an order in the form of Form 2.

**7. Order for destruction**

- (1) Where an inspector is satisfied that any agricultural products or any package of agricultural products cannot be made to conform to the requirements of the Act and is of the opinion that the agricultural products should be destroyed, he shall make a report in accordance with Part A of Form 3 and, subject to approval by the Minister or a person authorised by the Minister in that behalf, shall issue an order for destruction in accordance with Part B of Form 3.
- (2) An order for destruction shall require the agricultural products or package of agricultural products to be destroyed by burning, boiling, burying, dumping in a municipal tip or any other method of disposal that effectually destroys the products.

**8. Disposal order**

Where the owner of any agricultural products or any package of agricultural products that do not conform to the requirements of the Act informs the inspector, prior to the execution of an order issued under regulations 6 or 7, that he desires to dispose of the agricultural products other than by sale or destruction, the inspector may, if satisfied that the method of disposal specified by the owner does not contravene the requirements of the Act, issue to the owner an order in the form of Form 4.

**9. Evidence of destruction or disposal**

Where an order for destruction or disposal is made under section 4(4d), the inspector making the order may require the owner or the person for the time being in charge of the agricultural products described in the order to provide documentary evidence that the agricultural products were destroyed or disposed of as required by the order.



**Schedule**

---

While this detention notice is in force the agricultural products to which the notice relates shall not be sold and the copy of the notice attached to the products shall not be removed.

Date .....

Time .....

Inspector .....

**Schedule**

---

**Form 2**

[section 4(4c),  
regulation 6]

*AGRICULTURAL PRODUCTS ACT 1929*

*AGRICULTURAL PRODUCTS (GENERAL) REGULATIONS 1983*

**GRADING, MARKING AND PACKING ORDER**

No. ....

**PART A**

To .....  
(Name of owner or person in charge)

of .....  
(Address of owner or person in charge)

I, ....., an inspector under the above Act, having inspected and examined the agricultural products detained under Detention Notice No. .... of .....,  
(date)

am of the opinion that the agricultural products described hereunder can be made to conform to the requirements of the *Agricultural Products Act 1929*.

Items	Quantity	Marks	Name and address of packer or owner	Agent

I hereby order you to take the agricultural products described above to .....  
for the purpose of .....

NOTE: It is an offence to sell agricultural products which do not comply with the requirements of the Act.

Date .....

Time .....

Inspector .....

**Schedule**

---

**Form 2**

No. ....

**PART B**

Having further examined and inspected the agricultural products described in Part A I am of the opinion that items described hereunder have been made to comply with the requirements of the *Agricultural Products Act 1929*.

Items

.....  
.....  
.....

The remaining items (if any) are the subject of Disposal/Destruction Order

No. ....

Date .....

Time .....

Inspector .....

**Form 3**

[Section 4(4d),  
regulation 7]

*AGRICULTURAL PRODUCTS ACT 1929*

*AGRICULTURAL PRODUCTS (GENERAL) REGULATIONS 1983*

**DESTRUCTION REPORT AND ORDER**

No. ....

**PART A**

The Hon. Minister for Agriculture,

I, ....., an Inspector under the above Act, am of the opinion that the items described hereunder do not and cannot be made to conform to the requirements of the *Agricultural Products Act 1929*:

Items	Quantity	Marks	Name and address of packer or owner	Agent

I consider that the above items do not conform to the requirements in that .....

I recommend the destruction of the said items be approved.

Date .....

Inspector .....

(checked by Senior Inspector .....) )

Approved .....

(*Minister for Agriculture or person authorised by the Minister*)

**Schedule**

---

**Form 3**

No. ....

**PART B**

To .....  
of .....

The Hon. Minister for Agriculture having approved the destruction of the agricultural products the subject of Destruction Report No. ...., I hereby order the destruction of the said items by means of .....  
The accompanying Destruction Receipt is to be duly completed by the person supervising the destruction and to be returned to me not later than ...../...../.....

Date .....

Inspector .....

*[Form 3 amended in Gazette 20 Jan 1984 p. 180.]*

Form 4

[Section 4(4d),  
regulation 8]

AGRICULTURAL PRODUCTS ACT 1929

AGRICULTURAL PRODUCTS (GENERAL) REGULATIONS 1983

DISPOSAL ORDER

To .....

of .....

I, ....., an inspector under the above Act, am satisfied that the agricultural products described hereunder cannot be made to conform to the requirements of the Act in that

.....  
.....  
.....

Items	Quantity	Marks	Name and address of packer or owner	Agent

As you have informed me that you desire to dispose of the said items other than by sale or destruction, namely by .....

and I am satisfied that such disposal would not contravene the requirements of the Act, I hereby order such disposal of the said items.

The attached Disposal Receipt is to be duly completed by the person supervising the disposal and to be returned to me not later than ...../...../.....

Date .....

Inspector .....

**Notes**

- <sup>1</sup> This reprint is a compilation as at 3 September 2004 of the *Agricultural Products (General) Regulations 1983* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Agricultural Products (General) Regulations 1983</i>	23 Sep 1983 p. 3840-3	1 Oct 1983 (see r. 2)
<i>Agricultural Products (General) Amendment Regulations 1984</i>	20 Jan 1984 p. 180	20 Jan 1984
<b>Reprint 1: The <i>Agricultural Products (General) Regulations 1983</i> as at 3 Sep 2004</b> (includes amendments listed above)		