

AG302*

Biosecurity and Agriculture Management Act 2007

Biosecurity and Agriculture Management (Agriculture Standards) Amendment Regulations 2015

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Biosecurity and Agriculture Management (Agriculture Standards) Amendment Regulations 2015*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Biosecurity and Agriculture Management (Agriculture Standards) Regulations 2013*.

4. Regulation 6 amended

In regulation 6 delete the definition of *MRL Standard* and insert:

MRL Standard means the MRL Standard as defined in the *Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) 2012* (Commonwealth) clause 5(2), as amended from time to time;

5. Part 3A inserted

After regulation 19 insert:

Part 3A — Hormone growth promotants

20A. Terms used

In this Part —

animal means cattle;

ear punch mark means an ear punch mark in the form of an equal sided triangle with sides of 20 mm;

hormone growth promotant (HGP) means a veterinary chemical product that contains one or more of the following active constituents —

- (a) oestradiol 17B;
- (b) oestradiol benzoate;
- (c) progesterone;
- (d) testosterone propionate;
- (e) trenbolone acetate;
- (f) zeranol.

20B. Treating cattle with HGP

The owner of cattle treated with a HGP must ensure that each treated animal is, or has been, marked in accordance with regulation 20C.

Penalty: a fine of \$5 000.

20C. Marking of treated animals

- (1) An animal that has been treated with HGP is to be marked by applying an ear punch mark in the centre of the ear so as to leave a space on all sides within the margin of the ear using an ear punch of a type approved by the Director General.
- (2) If an animal has been identified for the purposes of the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* by means of an earmark the ear punch mark referred to in subregulation (1) is to be applied to the ear that is not so marked.
- (3) A person who is, or becomes, the owner of an animal that has been treated with HGP must ensure that the ear punch mark applied to the animal remains permanently identifiable.

Penalty: a fine of \$5 000.

20D. Declaration that animal HGP free

- (1) In this regulation —
HGP free, in relation to an animal, means an animal that has never been treated with HGP;
transport document has the meaning given in the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* regulation 3.
- (2) An animal is not to be taken to be HGP free unless the transport document in relation to each movement of the

animal that is required under the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* Part 8 includes, or is accompanied by, a declaration that the animal is HGP free.

- (3) A declaration that an animal is HGP free is to be in a form approved by the Director General.
- (4) A person must not make a declaration that an animal is HGP free if —
 - (a) the person has treated the animal with HPG; or
 - (b) the person has not obtained a declaration that the animal is HGP free from the previous owner or supplier (if any) of the animal.

Penalty: a fine of \$5 000.

- (5) A person must not make a claim in a declaration that an animal is HGP free that the person knows is false or misleading in a material particular.

Penalty: a fine of \$5 000.

- (6) The requirement under the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* regulation 201(3) in relation to retention of a transport document extends to the retention of a declaration that an animal is HPG free that accompanies the transport document.

R. KENNEDY, Clerk of the Executive Council.