

# — PART 1 —

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## HEALTH

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HE301\*

Health Act 1911

### Health (Meat Hygiene) Regulations 2001

Made by the Deputy of the Governor in Executive Council.

#### Part 1 — Preliminary

**1. Citation**

These regulations may be cited as the *Health (Meat Hygiene) Regulations 2001*.

**2. Interpretation**

In these regulations —

“**abattoir**” means a slaughter-house or other premises used for or in connection with the slaughtering of animals, including holding yards and similar places;

“**animal**” does not include a fish, crustacean or mollusc;

“**brand**” includes mark or stamp;

“**carcase**” means the whole or part of the body of a slaughtered animal but excludes any part (such as blood, viscera, head or hide) removed or severed during or immediately following slaughter;

“**EDPH**” means the Executive Director, Public Health;

“**game**” has the same meaning as in section 207A of the *Health Act 1911*;

“**inspector**” means —

- (a) an officer appointed under section 6 of the *Health Legislation Administration Act 1984*;
- (b) an officer appointed under section 27 of the *Health Act 1911*; or
- (c) an authorised officer (including a veterinary officer), meat inspector or food standards officer employed by the Commonwealth under the *Public Service Act 1922* or the *Export Control Act 1982* and performing meat inspection functions in accordance with an arrangement between the Commonwealth and the State;

“**poultry**” means avian species ordinarily consumed by humans (such as fowls, ducks, geese, turkeys, pigeons, pheasants, quails and guinea fowls) other than ratites;

“**processing premises**” means premises where meat is processed for human consumption (including premises where smallgoods are manufactured) other than —

- (a) retail butchers premises;
- (b) field depots or game processing establishments within the meaning of Part 4;

“**slaughter**” means slaughter for food for human consumption;

“**standard**” means an Australian Standard published by the Agriculture and Resource Management Council of Australia and New Zealand, as amended from time to time.

### 3. **Animals prescribed as game**

For the purposes of section 207A of the Act, camel is prescribed as game.

### 4. **Adoption of standards**

- (1) These standards are adopted and form part of these regulations —

- (a) the *Australian Standard for Hygienic Production of Meat for Human Consumption* (“**Meat Standard**”);

- (b) the *Australian Standard for Hygienic Production of Rabbit Meat for Human Consumption* (“**Rabbit Standard**”);
  - (c) the *Australian Standard for Hygienic Production of Ratite (Emu/Ostrich) Meat for Human Consumption* (“**Ratite Standard**”);
  - (d) the *Australian Standard for Hygienic Production of Crocodile Meat for Human Consumption* (“**Crocodile Standard**”);
  - (e) the *Australian Standard for Hygienic Production of Game Meat for Human Consumption* (“**Game Standard**”);
  - (f) the *Australian Standard for Hygienic Production of Poultry Meat for Human Consumption* as varied by subregulation (4); (“**Poultry Standard**”);
  - (g) the *Australian Standard for the Transportation of Meat for Human Consumption* as varied by subregulation (5) (“**Transport Standard**”);
  - (h) the *Australian Standard for Construction of Premises Processing Animals for Human Consumption* (“**Animal Processing Premises Standard**”); and
  - (i) the *Australian Standard for Construction of Premises Processing Meat for Human Consumption* (“**Meat Processing Premises Standard**”).
- (2) For the purposes of these regulations, in a standard adopted by subregulation (1) —
- (a) a reference to the “Controlling Authority” is to be read as a reference to the EDPH; and
  - (b) a requirement for a material, facility or thing to be adequate, it is to be read as a requirement that it be adequate in the opinion of the EDPH.
- (3) The EDPH is not to approve a quality assurance arrangement for a premises to which the —
- (a) Meat Standard;
  - (b) Rabbit Standard;
  - (c) Ratite Standard;
  - (d) Crocodile Standard; or
  - (e) Game Standard,

applies unless satisfied that at least one person who is an inspector within paragraph (a) or (b) of the definition of “inspector” will be present at the premises when carcasses are slaughtered.

- (4) For the purposes of these regulations Part 6 of the *Australian Standard for Hygienic Production of Poultry Meat for Human Consumption* is amended as follows:
- (a) in section 6.12 by deleting “a free residual chlorine level shall be detectable in the discharge water” and inserting instead —
- “
- a minimum bacterial effect equivalent to 5mg per litre free chlorine must be maintained
- ”;
- (b) in section 6.13 by inserting at the end of the second paragraph —
- “
- When chlorinated water is used a minimum bacterial effect equivalent to 5mg per litre free chlorine must be maintained at all times.
- ”.
- (5) For the purposes of these regulations, Part 1 of the *Australian Standard for the Transportation of Meat for Human Consumption* is amended in the fourth paragraph by deleting “should be encouraged to” and inserting instead —
- “ shall ”.
- (6) For the purposes of section 344A(3) of the Act, the following office is prescribed as the place at which the standards adopted by this regulation are available for public inspection —
- Environmental Health Services of the Health  
Department of Western Australia,  
Grace Vaughan House,  
227 Stubbs Terrace,  
Shenton Park

## Part 2 — Inspection, branding and processing of meat

### 5. Application of Part 2 to primary producers

- (1) This Part does not apply in respect of an animal if the animal is slaughtered —
- (a) by or for a primary producer;
- (b) on the land on which the primary producer carries on the farming or grazing business; and
- (c) for consumption by the primary producer or his or her immediate family or employees.
- (2) In subregulation (1) —
- “**primary producer**” means a person who carries out or is engaged in the business of farming or grazing on land that is —
- (a) zoned for rural purposes under a town planning scheme; and

- (b) used solely or principally for agricultural or grazing purposes or for a combination of those purposes.

**6. Inspection**

- (1) The operator of an abattoir must ensure that every animal slaughtered in the abattoir is inspected by an inspector in accordance with the relevant standard adopted by regulation 4.
- (2) Subregulation (1) does not apply in relation to an abattoir in the districts of Kellerberrin or Kondinin.

**7. Branding carcasses fit for human consumption**

- (1) When an inspector inspects a carcass and passes it as fit for human consumption the inspector must brand the carcass, or cause it to be branded, as required by this regulation using a brand set out in Schedule 1.
- (2) Subregulation (1) does not apply in relation to —
  - (a) an animal slaughtered in the districts of Kellerberrin or Kondinin; or
  - (b) poultry.
- (3) Except in the case of rabbits, the carcass is to be branded on each side.
- (4) If the animal is a bovine the carcass is to be branded —
  - (a) on the outside of the buttock;
  - (b) on the outside of the ribs; and
  - (c) on the shoulder.
- (5) If the animal is a sheep, goat or deer the carcass is to be branded —
  - (a) on the outside of the leg; and
  - (b) on the shoulder.
- (6) If the animal is a pig the carcass is to be branded —
  - (a) on the outside of the leg;
  - (b) on the outside of the loin;
  - (c) on the shoulder; and
  - (d) on the outside of the cheek.
- (7) If the animal is game other than a rabbit, the carcass is to be branded —
  - (a) on the outside of the buttock; and
  - (b) on the shoulder.
- (8) If the animal is a rabbit the carcass is to be branded on one side of the neck.
- (9) A brand affixed under this regulation is to be red in colour and made from —
  - (a) one of the synthetic colouring substances specified in Standard A5(2)(d)(i) of Volume 1 of the Australia New

Zealand Food Standards Code as adopted by the *Health (ANZ Food Standards Code Adoption) Regulations 2001*; or

- (b) a substance approved by the EDPH.

### 8. Branding carcasses unfit for human consumption

- (1) When an inspector inspects a carcase, other than poultry, and rejects it as unfit for human consumption the inspector must brand the shoulders, loins and legs of the carcase, or the portion of the carcase that is rejected, with this brand —



where A = Identifying number allocated to the establishment by the Western Australian Meat Industry Authority.

- (2) A brand affixed under this regulation is to be blue in colour and made from —
- (a) one of the synthetic colouring substances specified in Standard A5(2)(d)(i) of Volume 1 of the Australia New Zealand Food Standards Code as adopted by the *Health (ANZ Food Standards Code Adoption) Regulations 2001*; or
- (b) a substance approved by the EDPH.

### 9. Offences relating to brands

- (1) A person other than an inspector or a person acting on the direction of an inspector must not brand a carcase.
- (2) A person must not brand a carcase other than in accordance with this Part.
- (3) A person must not manufacture a brand set out in Schedule 1, or which purports to be, or resembles, such a brand, unless —
- (a) the person has the written authority of the EDPH; or
- (b) the brand is made by a local government for use by inspectors in abattoirs in the district of that local government.
- (4) A person must not remove from a carcase before it is sold by way of retail sale a brand affixed under this Part.

### 10. Restriction on sale of carcases

- (1) A person must not —
- (a) sell;
- (b) offer or expose for sale; or
- (c) have in his or her possession for the purpose of sale, a carcase unless the carcase —
- (d) is branded in accordance with this Part; or

- (e) under regulation 7(2), is not required to be branded.
- (2) Subregulation (1) does not apply in relation to the sale, offering or exposure for sale, or possession for sale, in the districts of Kellerberrin or Kondinin of the carcase of an animal slaughtered in that district by a person approved by the EDPH.

#### **11. Inspection fees**

- (1) Where meat is inspected in accordance with this Part the operator of the premises where the meat is inspected must —
  - (a) lodge with the relevant local government a written and signed statement in a form approved by the local government; and
  - (b) pay to that local government the fees specified in Part 1 of Schedule 2 in respect of that local government.
- (2) Fees under subregulation (1) are payable weekly, fortnightly or monthly as determined by the local government and are to be paid within 7 days of the end of the week, fortnight or month.
- (3) If a determination has not been made under subregulation (2) the fees are payable monthly.

#### **12. Local government to lodge returns**

- (1) Within 14 days of the end of a quarter, a local government that received fees under regulation 11(1) during that quarter must lodge with the EDPH a statement giving details of the operations in respect of which those fees were received.
- (2) In this regulation —  
“quarter” means a period of 3 months beginning on 1 July, 1 October, 1 January or 1 April in any year.

### **Part 3 — Premises used in meat production**

#### **13. Premises to comply with standards**

- (1) The operator of an abattoir must ensure that it complies with the Animal Processing Premises Standard.
- (2) The operator of a processing premises must ensure that it complies with —
  - (a) the Meat Processing Premises Standard; and
  - (b) if poultry are processed at the premises, clause 6.17 of the Poultry Standard.

#### **14. Processing to comply with standards**

- (1) The operator of an abattoir or processing premises at which rabbits are slaughtered or processed must comply with the Rabbit Standard.
- (2) The operator of an abattoir or processing premises at which ratites are slaughtered or processed must comply with the Ratite Standard.

- (3) The operator of an abattoir or processing premises at which crocodiles are slaughtered or processed must comply with the Crocodile Standard.
- (4) The operator of an abattoir or processing premises at which poultry is slaughtered or processed must comply with the Poultry Standard.
- (5) The operator of an abattoir or processing premises at which any other animals are slaughtered or processed must, subject to subsection (6), comply with the Meat Standard.
- (6) The operator of an abattoir in the districts of Kellerberrin or Kondinin need not comply with clauses 7.1, 7.7 and 7.16 of Part 7 of the Meat Standard.

## **Part 4 — Premises used in game meat production**

### **Division 1 — Preliminary**

#### **15. Interpretation**

- (1) In this Part “**field depot**” and “**game processing establishment**” have the same meanings as they have in section 207A of the *Health Act 1911*.
- (2) For the purposes of this Part a reference in the Game Standard to “small game” is to be read as a reference to game other than buffalo, goat, kangaroo, pig and camel.

### **Division 2 — Premises to be registered**

#### **16. Construction and operation of game processing establishments and field depots**

- (1) A person must not construct a game processing establishment unless the construction has been approved by the EDPH.
- (2) A person must not operate a field depot or a game processing establishment unless it is registered under this Division.
- (3) The operator of a field depot or game processing establishment must not make structural alterations to the depot or establishment unless the alteration has been approved by the EDPH.

#### **17. Applications**

- (1) An application for —
  - (a) approval to construct a game processing establishment;
  - (b) registration or renewal of registration of a field depot or game processing establishment; or
  - (c) approval to structurally alter a field depot or game processing establishment,

is to be —

- (d) made in the form of Form 1 in Schedule 3;

- (e) lodged with the local government of the district in which the field depot is initially to be operated; and
- (f) accompanied by —
  - (i) the information specified in Form 1; and
  - (ii) the fee set out in Part 2 of Schedule 2.
- (2) A local government with which an application is lodged under subregulation (1) —
  - (a) must forward the application to the EDPH; and
  - (b) may make recommendations to the EDPH with respect to the application.
- (3) A person must not make a statement or give information that the person knows is false or misleading in a material respect in connection with an application under this regulation.

#### **18. Registration or approval**

- (1) The EDPH must approve an application for the construction of a game processing establishment if satisfied that the establishment will comply with the Game Standard.
- (2) The EDPH must approve an application for registration, or renewal of registration, of a field depot or game processing establishment if satisfied that —
  - (a) the applicant is a fit and proper person to operate the depot or establishment;
  - (b) in the case of a field depot, the depot complies with Part 6 of the Game Standard; and
  - (c) in the case of a game processing establishment, the establishment complies with Part 8 of the Game Standard.
- (3) The EDPH must approve an application to structurally alter a field depot or game processing establishment if satisfied that the proposed alteration will comply with Part 6 or Part 8 (as the case requires) of the Game Standard.
- (4) If an application for registration or renewal of registration is not approved, the registration or renewal fee is to be refunded.

#### **19. Certificate of registration**

- (1) When the EDPH grants or renews the registration of a field depot or game processing establishment the EDPH is to issue to the applicant a certificate of registration.
- (2) The operator of a field depot or game processing establishment must, if directed to do so by the EDPH, return the certificate of registration to the EDPH if the registration is cancelled or suspended or is not renewed.

**20. Duration of registration**

The registration of a field depot of game processing establishment remains in force for 12 months from the date it is granted unless before then it is cancelled or suspended.

**21. Suspension or cancellation of registration**

- (1) If the operator of a field depot or game processing establishment is convicted of an offence against the Act, the EDPH may, by giving written notice to the operator —
  - (a) suspend the registration of the field depot or game processing establishment for up to 1 month; or
  - (b) cancel that registration.
- (2) The suspension or cancellation of the registration of a field depot or game processing establishment is not effective unless the EDPH —
  - (a) has given to the operator written notice of the intention to suspend or cancel the registration stating the grounds on which the suspension or cancellation is intended and allowing the operator 14 days within which to respond to the notice; and
  - (b) has had due regard to any response to the notice made within that time.

**22. Appeal to Minister**

- (1) A person aggrieved by a decision of the EDPH under this Division may appeal against the decision to the Minister.
- (2) An appeal is to be made in writing within 14 days of the decision of the EDPH and must set out the grounds for the appeal.
- (3) The operation of the decision to which an appeal relates is not affected by the making of the appeal unless the Minister otherwise orders.
- (4) The Minister is to determine the appeal on the material that was before the EDPH and on such other material as the Minister considers relevant.
- (5) On determining an appeal the Minister may —
  - (a) confirm, vary or set aside the decision of the EDPH; or
  - (b) substitute his or her own decision for that of the EDPH.

**Division 3 — Operation of field depots and game processing establishments****23. Field depots**

- (1) The operator of a field depot must comply with the Game Standard.

- (2) The operator of a field depot must not allow a carcase to be stored at the field depot unless it is game and has been game slaughtered and tagged in accordance with the Game Standard.

**24. Game processing establishments**

- (1) The operator of a game processing establishment must comply with the Game Standard.
- (2) The operator of a game processing establishment must ensure that carcases of different kinds of game are not processed in the same part of the establishment at the same time.
- (3) An operator of a game processing establishment must ensure that the temperature in any part of the establishment where carcases or meat are inspected, branded or processed does not exceed 10°C.

**25. Inspector's powers**

An inspector may inspect —

- (a) a field depot;
- (b) a game processing establishment; or
- (c) a vehicle used, or which the inspector reasonably suspects is being used, to transport game carcases or meat.

## **Part 5 — Transport of meat**

**26. Vehicles transporting meat**

- (1) The operator of a vehicle used for the transport of carcases or meat must ensure that the vehicle complies with the Transport Standard.
- (2) For the purposes of these regulations a reference in the Transport Standard to “a meat carrying compartment”, does not include a reference to a vehicle used by a butcher solely for the purpose of conveying wrapped meat from a retail premises to a customer who purchased the meat by way of retail sale.

## **Part 6 — General**

**27. Offence and penalty**

- (1) A person who contravenes these regulations commits an offence.

Penalty:

- (a) minimum —
  - (i) in the case of a first offence, \$250;
  - (ii) in the case of a second offence, \$500; and
  - (iii) in the case of a third or subsequent offence, \$1 250;

(b) maximum: \$2 500.

(2) If the offence is a continuing offence, the offender is also liable to a daily penalty of not less than \$125 nor more than \$250 for each day for which the offence continues.

**28. Regulations repealed**

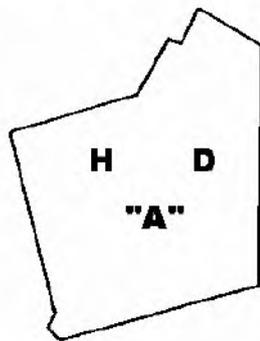
These regulations are repealed —

- (a) *Country Slaughterhouse Regulations 1969*;
- (b) *Health (Game Meat) Regulations 1992*;
- (c) *Health (Meat Inspection, Branding and Processing) Regulations 1950*;
- (d) *Meat Transport Regulations 1969*; and
- (e) *Poultry Processing Establishments Regulations 1973*.

**Schedule 1 — Brands**

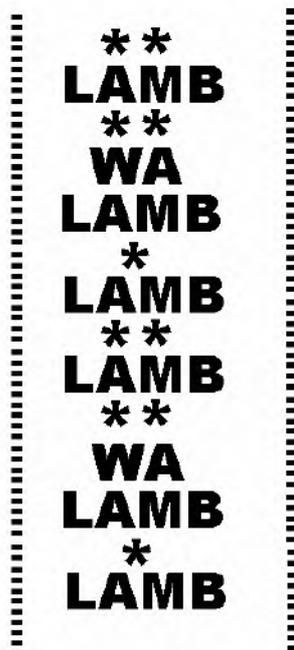
[r. 7]

**1. Health Department of Western Australia brands**



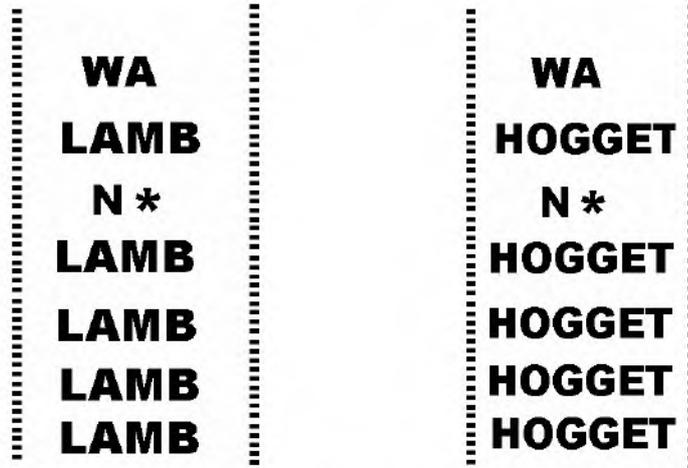
“A” = Identifying number allocated to the establishment by the Health Department of Western Australia

**2. Western Australian Meat Industry Authority brands**



\* = Identifying number allocated to the establishment by the Western Australian Meat Industry Authority

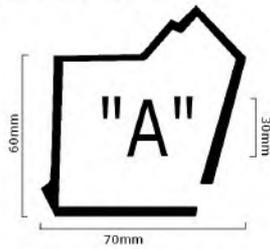
\*\* = Trade or company name or symbol



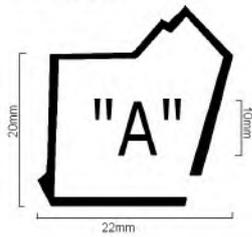
**N \*** = Identifying number allocated to the establishment by the Western Australian Meat Industry Authority

**3. Western Australian brands**

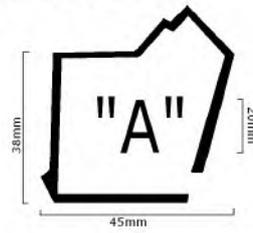
For large stock



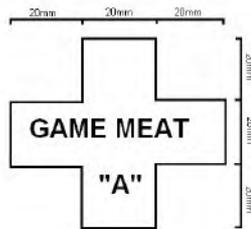
For rabbits



For other stock



“A” = Identifying number allocated to the establishment by the Western Australian Meat Industry Authority



For game

“A” = Identifying number allocated to the establishment by the Health Department of Western Australia

**4. Commonwealth brands**





For game

“A” = Identifying number allocated to the establishment by the Commonwealth Department of Agriculture, Fisheries and Forestry

## Schedule 2 — Fees

### Part 1 — Meat inspection fees

[r. 11]

	Local governments	Pigs	Fee per animal (S)	
			Bovines 70kg and under and other animals	Bovines over 70kg
1	Augusta-Margaret River	5.50	1.10	8.80
2	Bunbury			
	• (Dardanup Butchering Company, Wimbridge Road, Picton) . . . . .	1.90	0.45	2.75
	• (V&V Walsh, Wholesale Butchers, South Western Highway, Bunbury) . . . . .		0.13	0.66
3	Busselton . . . . .		0.33	2.64
4	Capel . . . . .		0.44	3.52
5	Coolgardie . . . . .	1.10	0.22	
6	Corrigin . . . . .	3.96	0.77	6.60
7	Esperance . . . . .	3.30	0.66	5.28
8	Gingin . . . . .		0.33	2.64
9	Greenough . . . . .	7.70	1.54	12.32
10	Harvey . . . . .		0.60	4.84
11	Manjimup . . . . .	4.12	0.82	6.60

	Local governments	Pigs	Fee per animal (\$)	
			Bovines 70kg and under and other animals	Bovines over 70kg
12	Merredin . . . . .	1.10	0.22	1.76
13	Narrogin . . . . .	2.47	0.49	3.96
14	Northam			
	• (Linley Valley Abattoir, Wooroloo Road, Northam) . . . . .	1.92		
	• (Roediger Bros. Abattoir, Goomalling Road, Northam) . . . . .		0.44	3.52
15	Plantagenet . . . . .		0.66	5.28
16	Serpentine-Jarrahdale . . . . .		0.36	
17	Wyndham-East Kimberley . . . . .			6.60

**Part 2 — Game meat premises fees**

[r. 17(1)(f)(ii)]

	\$
1 Application to construct game processing establishment . . .	100
2 Application for registration or renewal of registration of field depot or game processing establishment . . . . .	250
3 Application for approval to structurally alter field depot or game processing establishment . . . . .	100

**Schedule 3 — Forms**

[r. 17(1)(d)]

*Health (Meat Hygiene) Regulations 2001*  
**Game meat premises or field depot  
 Application**

<b>Applicant</b>	Name	
	Address	
	Postcode	
	Phone No.	

<b>Application</b>	<input type="checkbox"/> New registration	
	<input type="checkbox"/> Renewal of registration	If currently registered —
	<input type="checkbox"/> For approval to construct	Registration No.
	<input type="checkbox"/> For approval to structurally alter	_____

<b>Premises</b>	<input type="checkbox"/> Game processing establishment	<input type="checkbox"/> Field depot
	Address / location	
	Local government district	
	For field depot, other districts where depot does or will operate	

<b>Information to be provided with application for construction or alteration</b>	<p><b>Construction of game processing establishment</b></p> <ul style="list-style-type: none"> <li>• details of the kinds of game to be processed and the expected average weekly quantity of carcasses processed</li> <li>• plans and specifications of the establishment including details of compliance with Part 6 of the <i>Australian Standard for Hygienic Production of Game Meat for Human Consumption</i></li> </ul> <p><b>Alterations</b></p> <ul style="list-style-type: none"> <li>• plans and specifications of the proposed alterations including details of compliance with Part 6 or Part 8 of the <i>Australian Standard for Hygienic Production of Game Meat for Human Consumption</i></li> </ul>
<b>Applicant</b>	<div style="display: flex; justify-content: space-between;"> <span>Signature</span> <span>Date</span> </div>

By Command of the deputy of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.