**DRIED FRUITS BILL 1993**

**LEGISLATIVE COUNCIL, 23 APRIL 1993, PAGE 2080**

**Second reading**

The Hon. C.J. SUMNER (Attorney-General): I move that this Bill be now read a second time.

South Australia normally produces only about 10 per cent of Australia’s dried vine fruit (dvf), but in excess of 50 per cent of Australia’s dried tree fruit (dtf). In the 1991 season, the last season for which complete figures are available, South Australia produced 9,260 tonnes of dvf out of the 92,130 tonnes national production. In relation to dtf, South Australia produced 2794 tonnes out of a national total of 5,162 tonnes. Of the South Australian tonnage of dtf the majority are dried apricots whereas the majority of the balance are prunes produced in New South Wales.

The development of the *Dried Fruits Acts* was brought about as a result of the policies of Governments in the Southern States (Victoria, South Australia and New South Wales), supported by the Commonwealth Government, to settle large numbers of repatriated World War 1 soldiers in the River Murray areas of these States. Prior to government involvement with soldier settlement in these areas, there had already been steady growth in settlement. The government activity in this area led to a rapid increase in production which in turn led to the request from the industry for legislation to be developed to secure organisation of the marketing of the fruit.

The Victorian and South Australian Dried Fruits Boards were formed in 1925 and the New South Wales Dried Fruits Board was formed in 1927. To enhance the role of the Boards, the Commonwealth in 1928 passed legislation that allowed the State boards to act on the Commonwealth’s behalf and grant licences to packers.

To ensure that the dried fruits industry was best equipped to take advantage of the opportunities that exist in producing quality products, and as part of the South Australian Government’s commitment to regulatory review, a review of the *Dried Fruits Act 1934-72* was instigated.

The review has been supported by the majority of those involved with the dried fruits industry and all significant industry organisations representing dried fruits growers and packers have contributed comments to the review.

The *Dried Fruits Bill 1993* has been prepared following the receipt of industry and community responses to the Dried Fruits Marketing Green Paper released in January/February 1991 and the Review of Dried Fruits Marketing White Paper, released in July 1992.

From these papers, it has been concluded that some of the current functions and powers of the Dried Fruits Board (DFB) are outdated and should be phased out or not included in the new legislation.

It is proposed that the functions, powers, structure and method of nominating the Dried Fruits Board of South Australia be changed (through replacement of the current Act), to provide more focus on market development, generic promotion, collection and dissemination of marketing information.

Overall objects of the legislation are to:

▪ Establish a statutory corporation to oversee and assist the dried fruits industry; and

▪ Register producers and packers and require certain standards to be met for registration; and

▪ Require certain standards to be met in the production, packing, storage and handling of dried fruits.

Recommendations made in the White Paper which have been incorporated in the drafting of the Bill encompass the following changes from the current *Dried Fruits Act 1934-1972.*

▪ The following powers have been removed:

▪ to make and carry out contracts with any person in respect to the purchase or sale of dried fruits in Australia;

▪ to fix the remuneration paid to repackers (including the category ’dealers’ which is to be removed from the new legislation) for the sale or distribution of dried fruits.

▪ The new Board will not be able to use the licensing provisions to unfairly restrict entry and competition in the packaging and processing sector of the South Australian dried fruits industry, Processors and packers would be registered if minimum standards are met.

▪ The DFB operations will retain emphasis on the following areas:

▪ registration of packing sheds and stores;

▪ setting and monitoring standards for equipment, facilities, etc;

▪ setting grade standards;

▪ inspection of properties and drying grounds;

▪ registration of growers and packers;

▪ collection and dissemination of market information;

▪ promotion of dried fruits;

▪ assistance to research and development into dried fruit production, handling and packing procedures;

▪ collection of levies and other revenue.

▪ The DFB retains the power to make and carry out contracts or arrangements with boards appointed under legislation in force in other States with objects similar to those of this Act for concerted action in the marketing of dried fruits produced in Australia, or in taking or defending legal proceedings, and for purposes incidental thereto,

▪ A five member Selection Committee will be formed for the purpose of selecting four members of the DFB. The Minister of Primary Industries will nominate the chairperson of the Committee. Members of the Selection Committee will represent the various organisations and sectors which make up the dried fruits industry. The Selection Committee will be appointed by the Minister of Primary Industries following consultation with the industry.

▪ A new five member Board be appointed consisting of the following:

▪ a chairperson selected by the Minister of Agriculture;

▪ two members selected primarily on the basis of skills and experience in the dried fruits production sector of the industry;

▪ two members, one selected primarily on the basis of skills and experience in the packing sector of the industry and one selected primarily on the basis of skills and experience in the marketing sector of the food industry.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.