**MEAT HYGIENE BILL 1980**

**LEGISLATIVE COUNCIL, 1 APRIL 1980, PAGE 1886**

**Second Reading**

Received from the House of Assembly and read a first time.

**The Hon. J. C. BURDETT (Minister of Community Welfare)**: I move:

That this Bill be now read a second time.

It is designed to give effect to the recommendations contained in the report of the Joint Committee on Meat Hygiene Legislation which was established on 8 November 1979. That committee was empowered by both Houses of the Parliament to inquire into and report on matters pertaining to the meat hygiene legislation as embodied in the Abattoirs and Pet Food Works Bill, 1979; the Abattoirs Act Amendment Bill, 1979; the Health Act Amendment Bill, 1979; the Local Government Act Amendment Bill, 1979; and the South Australian Meat Corporation Act Amendment Bill, 1979.

This Bill, therefore, is essentially the Abattoirs and Pet Food Works Bill, 1979, but varied in a number of respects so that it accords with the recommendations to the joint committee. Accordingly, the Bill provides for the establishment of a licensing and inspection system for all red-meat slaughtering works and all pet food works in the State. It does not apply to poultry meat produced for human consumption which it is proposed will be regulated by amendment of the Poultry Meat Industry Act, 1969- 1976.

The Bill provides for the establishment of a Meat Hygiene Authority to be constituted of the Chief Inspector of Meat Hygiene, a nominee of the Minister of Health and a nominee of the Local Government Association of South Australia, Incorporated. The Meat Hygiene Authority is to be responsible for licensing slaughtering works and pet food works and is to review and report to the Minister on the standards of hygiene at such works and the adequacy of meat inspection procedures. It is proposed that the authority will be able to seek advice from a consultative committee to be known as the "Meat Hygiene Consultative Committee", which the Minister is empowered to appoint under the measure.

The Bill places no restrictions on the sale of meat produced at slaughtering works that are granted abattoir licences by the authority if the meat has been passed by an inspector as fit for human consumption. However, the Bill does provide for the imposition by the authority of licence conditions restricting the sale of meat produced by slaughtering works that are granted slaughterhouse licences. In general terms, it is intended that these conditions will be designed to restrict any expansion in slaughterhouse production of meat but will not affect their levels of production as at the commencement of the measure. The Bill also empowers the authority to fix a maximum throughput for licensed slaughterhouses with the same purpose in mind.

As already indicated, the Meat Hygiene Authority is empowered by the Bill to grant abattoir licences, slaughterhouse licences and pet food works licences. Each such works, wherever situated in the State, will be required to meet standards of construction, plant and equipment prescribed by regulation under the measure. However, any works that is in operation at the commencement of the measure is to be automatically granted a licence, but, if it does not comply with the prescribed standards, it will be required to upgrade to those standards within a period of three years from the initial grant of its licence. It should be noted that the authority is to have a discretion as to the grant of an abattoir licence in order to ensure that a slaughtering works that is in operation at the commencement of the measure but that is significantly below the standards required for abattoir licences may be refused an abattoir licence although it will be entitled to a slaughterhouse licence. Slaughtering works and pet food works established after the commencement of the measure will be required, in order to obtain a licence, to meet certain criteria to the satisfaction of the authority.

The Bill provides for the appointment of inspectors, who may under the measure be meat inspectors employed in the Commonwealth Department of Primary Industry or officers of local government. This will enable the establishment of an inspection system in accordance with the joint committee's recommendations that inspections be largely carried out by Commonwealth inspectors in the case of licensed abattoirs, and by local government officers in the case of licensed slaughterhouses. The joint committee recognised that it will not be possible to provide more than random meat inspections for licensed slaughterhouses which are of low throughput or situated in remote areas. Accordingly, the Bill provides that slaughtering at licensed abattoirs must be carried out in the presence of an inspector and the meat passed and branded by an inspector before it may be sold, but that this requirement is not to apply to licensed slaughterhouses. Meat produced at any licensed slaughterhouse, however, is to be branded by the licensee so that it may be subsequently identified.

As already stated, the Bill provides for the regulation of the hygiene standards of pet food works in addition to red meat slaughtering works. This is designed to minimise the risk of human infection by consumption of pet food, by consumption of food contaminated by contact with pet food, or by contact with animals infected by unhygienic pet food. I seek leave to have the explanation of the clauses inserted in Hansard without my reading it.

Leave granted.

**Explanation of Clauses**

Clause 1 is formal. Clause 2 provides that different provisions of the measure may be brought into operation at different times. Clause 3 sets out the arrangement of the measure. Clause 4 sets out the definitions of terms used in the Bill. Attention is drawn to the definition of "pet food works" which is wider than the definition of "slaughtering works" in the sense that it includes any works where pet food is produced whether or not slaughtering is carried on there.

Part II, comprising clauses 5 to 18, provides for administrative matters. Clause 5 provides for the establishment of a Meat Hygiene Authority and its incorporation. Clause 6 provides that the authority is to be constituted of the Chief Inspector of Meat Hygiene, a nominee of the Minister of Health and a nominee of the Local Government Association of South Australia, Incorporated. Clause 7 provides for the terms and conditions of office of members of the authority.

Clause 8 provides for payment of allowances and expenses to the members of the authority. Clause 9 regulates the proceedings at meetings of the authority. Clause 10 provides for the execution of documents by the authority. Clause 11 provides for the validity of acts of the authority notwithstanding a vacancy in the membership or a defect in appointment of a member. Clause 12 sets out the functions of the authority which primarily relate to the licensing of slaughtering works and pet food works. The authority is also to keep under review and report to the Minister on slaughtering for meat, meat products and pet food, standards of hygiene and meat inspection proce­dures.

Clause 13 provides that the authority is to be subject to the general control and direction of the Minister. Clause 14 provides for the accounts and auditing of the accounts of the authority. Clause 15 provides for the making by the authority of an annual report to the Minister and its tabling in Parliament. Clause 16 provides that the Minister may appoint a Meat Hygiene Consultative Committee to advise the authority on any matter relating to its functions or the administration of the measure.

Clause 17 provides for the appointment under the Public Service Act of staff and enables the authority to make use of officers of departments of the Public Service. Clause 18 provides for the appointment of a Chief Inspector and a deputy who are both to be veterinary surgeons and other inspectors. The clause also provides for the appointment of Commonwealth Department of Primary Industry meat inspectors as inspectors under the Act.

Part III, Division I, comprising clauses 19 to 33, deals with the licensing of red meat slaughtering works. Clause 19 defines the word "licence" for the purposes of Division I as being either an abattoir licence or a slaughterhouse licence. Clause 20 is one of the basic provisions of the measure, prohibiting the slaughter of animals for the production for sale of meat or meat products except at a licensed abattoir or licensed slaughterhouse. The Bill does not continue the present restriction on slaughtering by primary producers and others, namely, that the occupier of any land outside a municipality or township may only slaughter animals for the production of meat for the consumption of persons resident or employed on that land. This restriction has always been anomalous in its application and instead the provision prohibits slaughter for sale.

Clause 21 regulates applications for licences. Clause 22 regulates the grant of licences in respect of slaughtering works not in operation at commencement of this measure and sets out the criteria which the Chief Inspector is to have regard to in determining whether or not a licence should be granted. Clause 23 provides for the automatic licensing of abattoirs in operation for not less than six months preceding the day on which the Division comes into operation notwithstanding that a particular works may not conform to the prescribed standards of construction, plant and equipment for licensed abattoirs or, as the case may be, licensed slaughterhouses.

Subclause (2) of this clause gives the authority a discretion to refuse an abattoirs licence having regard to the standards of construction, plant and equipment of the slaughtering works in question. Subclauses (4) onwards provide for exemptions from compliance with the prescribed standards for a minimum period of 12 months up to a maximum period of three years.

Clause 24 permits the authority to attach conditions to licences. Subclause (2) makes clear that conditions may be attached to slaughterhouse licences limiting the maximum throughput of the works or regulating the sale or supply of meat or meat products produced at the works. Clause 25 provides for review by the Minister of any refusal by the authority to grant a licence or any licence condition imposed by the authority.

Clause 26 prohibits operation of a slaughtering works if it does not conform to a prescribed standard or in contravention of a condition attached to the licence in respect of the works. Clause 27 provides for the renewal of licences.

Clause 28 provides for the surrender, suspension and cancellation of licences. Clause 29 provides for a right of appeal to a local court of full jurisdiction against the suspension or cancellation of a licence. Clause 30 requires holders of licences to keep certain records which are to be available for inspection at any reasonable time by an inspector.

Clause 31 requires the authority to keep a register of licences. Clause 32 prohibits the carrying out of alterations to an abattoir without the approval of the authority. Clause 33 provides for the recognition of abattoirs outside the State, if they are of a standard equivalent to the standard required under this measure for licensed abattoirs.

Division II of Part III, comprising clauses 34 to 47, deals with the licensing of pet food works. Clause 34 defines "licence" for the purposes of Division II. Clause 35 prohibits the operation of a pet food works unless the pet food works is licensed. Clause 36 provides for applications for licences. Clause 37 regulates the grant of licences in respect of pet food works not in operation at the commencement of this measure and sets out the criteria which the authority is to have regard to in determining whether or not a licence should be granted.

Clause 38 provides for the automatic licensing of any pet food works in operation for not less than six months preceding the day on which the Division comes into operation, notwithstanding that the works may not conform to the prescribed standards of construction, plant and equipment for pet food works. Subclauses (3) onwards provide for exemptions from compliance with the prescribed standards for a minimum period of 12 months up to a maximum of three years. Clause 39 permits the authority to attach conditions to any pet food works licence. Clause 40 provides for review by the Minister of any refusal to grant a licence or licence condition imposed under this Division.

Clause 41 prohibits operation of any pet food works if it does not conform to a prescribed standard or in contravention of a condition attached to the licence in respect of that works. Clause 42 provides for the renewal of licences. Clause 43 provides for the surrender, suspension and cancellation of licences. Clause 44 provides for a right of appeal to a local court of full jurisdiction against any suspension or cancellation of a licence under this Division.

Clause 45 requires holders of licences to keep certain records which are to be available for inspection at any reasonable time by an inspector. Clause 46 requires the authority to keep a register of licences. Clause 47 prohibits the carrying out of alterations to any pet food works without the approval of the authority.

Part IV of the Bill relates to the inspection, branding and sale of meat, meat products and pet food. Clause 48 provides the powers necessary for an effective system of inspection and the particular attention of honourable members is drawn to this clause. Included in this clause is the power ofan inspector to dispose of any meat or poultry meat that in his opinion was derived from a diseased animal or is unfit for human consumption for any other reason and to brand meat as fit for human consumption. Clause 49 empowers an inspector to direct that steps be taken to remedy defects in a slaughtering works or pet food works that in his opinion render it insanitary or unhygienic and to order the works to close down, wholly or partially, in the meantime. Provision is made in this clause for an appeal to the Minister against such requirements of an inspector.

Clause 50 is another basic provision; in that it prohibits the slaughter of animals at licensed abattoirs unless an inspector is present at that time. Clause 51 provides that it is an offence for a person to brand meat unless he is an inspector or is acting at the direction of an inspector. Subclause (2) makes clear that this does not apply to branding in accordance with the regulations of slaughterhouse meat, which is to be branded by the licensee for identification purposes only. Clause 52 prohibits the sale of meat or a meat product unless it was produced at a licensed abattoir, at an interstate abattoir recognised under clause 33 or at a licensed slaughterhouse.

Clause 53 prohibits the sale of meat or any meat product that is unfit for human consumption. Clause 54 prohibits the sale for human consumption of any flesh or offal produced, processed or stored at a pet food works or any product derived from such flesh or offal. Clause 55 prohibits the sale of pet food unless it was produced at a licensed pet food works. Clause 56 prohibits the sale of pet food that is unfit for consumption by pets.

Part V deals with miscellaneous matters. Clause 57 empowers the Minister to exempt any person from compliance with all or any of the provisions of the measure or to exempt a slaughtering works or pet food works from all or any of the provisions of the measure. Clause 58 makes provision for the service of documents. Clause 59 prohibits the furnishing of information, or the keeping of records containing information, that is false or misleading in a material particular. Clause 60 is an evidentiary provision. Clause 61 provides for general defences to offences created by the measure. Clause 62 provides for a summary procedure in respect of offences against the measure.

Clause 63 is the usual provision subjecting officers of bodies corporate convicted of offences to personal liability in certain circumstances. Clause 64 provides for the imposition of penalties for continuing offences. Clause 65 empowers the making of regulations.

The Hon. B. A. CHATTERTON secured the adjournment of the debate.