



Queensland

Agriculture and Other Legislation Amendment Regulation (No. 1) 2016

Subordinate Legislation 2016 No. 65

made under the

Agricultural Standards Act 1994

Animal Care and Protection Act 2001

Animal Management (Cats and Dogs) Act 2008

Chemical Usage (Agricultural and Veterinary) Control Act 1988

State Penalties Enforcement Act 1999

Stock Act 1915

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Agriculture and Other Legislation Amendment Regulation (No. 1) 2016*.

2 Commencement

This regulation commences on 27 May 2016.

Part 2 Amendment of Agricultural Standards Regulation 1997

3 Regulation amended

This part amends the *Agricultural Standards Regulation 1997*.

4 Amendment of s 46 (Harmful ingredients)

Section 46(6), definition *MRL standard*—
omit, insert—

MRL standard means the schedule under the *Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) 2012* (Cwlth).

Part 3 Amendment of Animal Care and Protection Regulation 2012

5 Regulation amended

This part amends the *Animal Care and Protection Regulation 2012*.

[s 6]

6 Amendment of s 5 (Requirement to keep particular records for sows)

(1) Section 5(1)(a) and (b), before ‘farrowing crate’—

insert—

stall or

(2) Section 5(2)—

insert—

stall has the meaning given by schedule 2, section 1.

7 Amendment of sch 2 (Code of practice about pigs)

Schedule 2, before section 13—

insert—

Division 1 Housing pigs

8 Amendment of sch 2 (Code of practice about pigs)

Schedule 2, after section 13—

insert—

13A Restrictions on housing pigs in stall

(1) A person may keep a pig in a stall only if the pig is—

- (a) a pig that is sick, weak or injured; or
- (b) a sow that has been confirmed pregnant; or
- (c) a sow or gilt that has been mated; or
- (d) a boar.

Note—

For the requirement to release a boar periodically, see section 22.

(2) The person in charge of a pig mentioned in subsection (1)(a) to (c) must not keep the pig in

the stall—

- (a) if the pig is a sow that has been confirmed pregnant—for more than a total of 6 weeks during the pregnancy of the sow; or
- (b) otherwise—for more than a total of 6 weeks starting on the day the pig is confined in the stall.

Note—

For the requirement to keep particular records for sows, see section 5 of this regulation.

- (3) Subsection (2) does not apply to a person in charge of a pig kept in a stall if—
 - (a) the pig is under the special care of a person suitably qualified to provide the care; and
 - (b) the pig is removed from the stall as soon as the pig's good health and wellbeing has been restored.

- (4) In this section—

special care means 1 or more of the following requiring a pig to be confined in a stall for more than 6 weeks—

- (a) administering an individual nutrition program to promote the pig's good health and wellbeing;
- (b) administering a veterinary treatment or a husbandry procedure;
- (c) providing health management under a herd health program to promote the pig's good health and wellbeing.

13B Restriction on housing pigs in farrowing crate

A person may keep a pig in a farrowing crate only if—

[s 9]

- (a) the pig is a farrowing sow or a sow suckling piglets; and
- (b) the pig is placed in the crate no earlier than 7 days before the day the person expects the pig to farrow.

Note—

For general requirements for farrowing crates used to keep sows, see section 23.

Division 2 Floor area requirements

9 Amendment of sch 2 (Code of practice about pigs)

Schedule 2, after section 18—

insert—

Division 3 Stalls used to keep pigs

10 Amendment of sch 2, s 19 (General requirements for stalls used to keep pigs)

Schedule 2, section 19(1), note—

omit, insert—

Notes—

- 1 For restrictions on housing pigs in stalls, see section 13A.
- 2 For measurement requirements for indoor stalls for particular pigs, see sections 20 and 21.

11 Amendment of sch 2 (Code of practice about pigs)

Schedule 2, after section 22—

insert—

**Division 4 Farrowing crates used to
keep sows**

**Part 4 Amendment of Animal
Management (Cats and Dogs)
Regulation 2009**

12 Regulation amended

This part amends the *Animal Management (Cats and Dogs) Regulation 2009*.

13 Amendment of s 4 (Requirements for PPIDs—Act, s 12)

(1) Section 4(1), ‘section 12(2)’—

omit, insert—

section 12(1)(c)

(2) Section 4(2)(a) and (b), ‘PID number’—

omit, insert—

PPID number

14 Amendment of s 26 (Deciding application)

Section 26, ‘PID legislation’—

omit, insert—

PPID legislation

15 Amendment of s 33 (Information that is PID information)

Section 33, ‘PID information’—

omit, insert—

PPID information

16 Amendment of sch 4 (Information that is PID information)

- (1) Schedule 4, heading, ‘PID’—

omit, insert—

PPID

- (2) Schedule 4, sections 2(1) and 3, ‘PID’—

omit, insert—

PPID

**Part 5 Amendment of Chemical Usage
(Agricultural and Veterinary)
Control Regulation 1999**

17 Regulation amended

This part amends the *Chemical Usage (Agricultural and Veterinary) Control Regulation 1999*.

18 Replacement of s 4 (Purpose of pt 3)

Section 4—

omit, insert—

4 Purpose of pt 3

This part prescribes, for the schedule of the Act, definition *maximum residue limit*, paragraph (a), the MRL for the residue of a chemical mentioned in this part in or on agricultural produce.

19 Amendment of s 5 (Definitions for pt 3)

Section 5, definition *MRL standard*—

omit, insert—

MRL standard means the schedule under the

*Agricultural and Veterinary Chemicals Code
Instrument No. 4 (MRL Standard) 2012 (Cwlth).*

20 Replacement of ss 6–8

Sections 6 to 8—

omit, insert—

6 MRLs for chemicals for human food commodity—MRL standard

- (1) If the MRL standard fixes an MRL (as defined in the standard) for a particular chemical for a particular human food commodity, the MRL is the prescribed MRL for the residue of the chemical in or on the commodity as a human food commodity.
- (2) If the MRL standard does not fix an MRL (as defined in the standard) for a particular chemical for a particular human food commodity, but fixes an ERL for the chemical for the commodity, the ERL is the prescribed MRL for the residue of the chemical in or on the commodity as a human food commodity.

7 Other MRLs for chemicals for human food commodity

- (1) If the MRL standard does not fix an MRL (as defined in the standard) or ERL for a particular chemical for a particular human food commodity, the prescribed MRL for the residue of the chemical in or on the commodity as a human food commodity is zero.
- (2) If the MRL standard does not fix an MRL (as defined in the standard) or ERL for a particular chemical for any human food commodities at all, the prescribed MRL for the residue of the chemical in or on each commodity as a human

[s 21]

food commodity is zero.

- (3) However, subsections (1) and (2) do not apply to a chemical if the use of the chemical in relation to the commodity as a human food commodity is allowed under part 2 of the Act.
- (4) If subsection (3) applies for a particular chemical, no MRL is prescribed for the residue of the chemical in or on a commodity as a human food commodity.

8 MRLs for chemicals for animal food—sch 2

- (1) The prescribed MRL for the residue of a chemical mentioned in schedule 2 in or on animal food is the level stated opposite the name of the chemical in schedule 2.
- (2) If a particular chemical is not mentioned in schedule 2, no MRL is prescribed for the residue of the chemical in or on animal food.
- (3) In this section—

animal food means agricultural produce intended or normally used for animal consumption.

Part 6 Amendment of State Penalties Enforcement Regulation 2014

21 Regulation amended

This part amends the *State Penalties Enforcement Regulation 2014*.

22 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

Schedule 1, entry for the *Animal Management (Cats and Dogs) Act 2008*, entries for sections 18, 19 and 20—
omit.

Part 7 Amendment of Stock Identification Regulation 2005

23 Regulation amended

This part amends the *Stock Identification Regulation 2005*.

24 Amendment of schedule (Dictionary)

(1) Schedule—

insert—

food standards code means the Australia New Zealand Food Standards Code within the meaning of the *Food Standards Australia New Zealand Act 1991* (Cwlth).

MRL standard means the schedule under the *Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) 2012* (Cwlth).

standard 1.4.1 means ‘Standard 1.4.1—Contaminants and Natural Toxicants’ of the food standards code.

(2) Schedule, definition *chemical residue status*, paragraphs (b) and (c)—

omit, insert—

(b) a metal or polychlorinated biphenyl mentioned in standard 1.4.1;

(c) a substance mentioned in the MRL standard;

[s 25]

Part 8 Amendment of Stock Regulation 1988

25 Regulation amended

This part amends the *Stock Regulation 1988*.

26 Amendment of s 5A (Definitions for pt 1A)

- (1) Section 5A, definitions *MRL standard* and *standard 1.4.1*—
 omit.
- (2) Section 5A—
 insert—

MRL standard means the schedule under the
*Agricultural and Veterinary Chemicals Code
Instrument No. 4 (MRL Standard) 2012* (Cwlth).

standard 1.4.1 means 'Standard
1.4.1—Contaminants and Natural Toxicants' of
the food standards code.

ENDNOTES

- 1 Made by the Governor in Council on 26 May 2016.
- 2 Notified on the Queensland legislation website on 27 May 2016.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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