

Authorised Version No. 001
Agricultural and Veterinary Chemicals
(Control of Use) (Ruminant Feed)
Regulations 2015

S.R. No. 146/2015

Authorised Version as at
10 December 2015

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Page</i>
1 Objective	1
2 Authorising provisions	1
3 Commencement	1
4 Revocation	1
5 Definitions	2
6 Offences involving labelling or advice notes for stock food which contains restricted animal material	3
7 Offences involving labelling or advice notes for manufactured stock food which does not contain restricted animal material	4
8 Offence involving labels or advice notes that accompany meal of animal origin	6
9 Offence to deface, damage, remove or destroy label	7
10 Offences involving mixing of stock foods	7
11 Specification and method of measurement for tallow and used cooking oil	8
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Endnotes	9
1 General information	9
2 Table of Amendments	11
3 Amendments Not in Operation	12
4 Explanatory details	13

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1 Objective

The objective of these Regulations is—

- (a) to prescribe the requirements for labels or advice notes on the sale of stock food or meal of animal origin; and
- (b) to provide for the requirements for the labels or advice notes on the sale or use of stock food containing restricted animal material.

2 Authorising provisions

These Regulations are made under sections 27 and 76 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

3 Commencement

These Regulations come into operation on 10 December 2015.

4 Revocation

The Agricultural and Veterinary Chemicals (Control of Use) (Ruminant Feed) Regulations 2005¹ are **revoked**.

5 Definitions

In these Regulations—

chief veterinary officer means the chief veterinary officer of the Department of Economic Development, Jobs, Transport and Resources;

manufactured stock food means stock food that has undergone a manufacturing process, but does not include a stock food that is comprised entirely of, or any combination of, hay, straw, chaff, whole grains or whole seeds, milk products or products derived from milk;

restricted animal material means material, tissue or blood taken from an animal and includes meal obtained from rendering tissues and blood from animals, but does not include—

- (a) gelatin, milk products and oils extracted from fish; and
- (b) tallow and products containing rendered fats that comply with the specification and methods required by regulation 11; and
- (c) oil previously used for the purposes of cooking that—
 - (i) has been collected, filtered (or centrifuged) and packaged in accordance with regulation 11; and
 - (ii) complies with the specification and methods required by regulation 11; and
- (d) mineralised sea bird guano.

ruminant means any animal that chews its cud;

the Act means **Agricultural and Veterinary Chemicals (Control of Use) Act 1992.**

6 Offences involving labelling or advice notes for stock food which contains restricted animal material

- (1) For the purposes of section 18(1)(b) of the Act, stock food which contains restricted animal material is a prescribed class of stock food.
- (2) For the purposes of section 18(1)(b) of the Act, the prescribed requirements in respect of a label or advice note that accompanies stock food which contains restricted animal material are that—
 - (a) the label or advice note must contain a statement—
 - (i) comprised of the following words—

"This product contains restricted animal material—DO NOT FEED TO CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS"; and
 - (ii) that is displayed in a prominent position; and
 - (iii) that is in dark print on a light background or light print on a dark background; and
 - (iv) that is not defaced or marked so as to be obscured; and
 - (b) in the case of a label, the statement referred to in paragraph (a)—
 - (i) is printed directly onto a bag weighing less than 20 kilograms, the statement be comprised of letters of 3 millimetres or more in height; or

- (ii) is printed directly onto a bag weighing 20 kilograms or more, the statement be comprised of letters of 10 millimetres or more in height; or
 - (iii) is fixed to the outside of a package, the statement be comprised of letters of 3 millimetres or more in height; and
- (c) in the case of an advice note, that contains the statement referred to in paragraph (a) the statement must be comprised of letters of 3 millimetres or more in height; and
- (d) in the case of a label accompanying a package of that stock food the label must measure at least 45 millimetres by 120 millimetres and be firmly attached to that package.
- (3) A label or advice note that complies with regulation 8 is taken to comply with the requirements of this regulation.

7 Offences involving labelling or advice notes for manufactured stock food which does not contain restricted animal material

- (1) For the purposes of section 18(1)(b) of the Act, manufactured stock food that does not contain restricted animal material is a prescribed class of stock food.
- (2) For the purposes of section 18(1)(b) of the Act, the prescribed requirements in respect of a label or advice note that accompanies manufactured stock food that does not contain restricted animal material are that—

- (a) the label or advice note must contain a statement—
 - (i) comprised of the following words—

"This product does not contain restricted animal material"; and
 - (ii) that is displayed in a prominent position; and
 - (iii) that is in dark print on a light background or light print on a dark background; and
 - (iv) that is not defaced or marked so as to be obscured; and
- (b) in the case of a label, the statement referred to in paragraph (a)—
 - (i) is printed directly onto a bag weighing less than 20 kilograms, the statement be comprised of letters of 3 millimetres or more in height; or
 - (ii) is printed directly onto a bag weighing 20 kilograms or more, the statement be comprised of letters of 10 millimetres or more in height; or
 - (iii) is fixed to the outside of a package, the statement be comprised of letters of 3 millimetres or more in height; and
- (c) in the case of an advice note, that contains the statement referred to in paragraph (a) the statement must be comprised of letters of 3 millimetres or more in height; and
- (d) in the case of a label accompanying a package of that manufactured stock food, the label must measure at least 45 millimetres by 120 millimetres and be firmly attached to that package.

8 Offence involving labels or advice notes that accompany meal of animal origin

- (1) For the purposes of section 20(1) of the Act, a label or advice note that accompanies meal of animal origin must contain the following statement—

"This product contains restricted animal material—DO NOT FEED TO CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS".

- (2) The statement referred to in subregulation (1) must—
- (a) be displayed in a prominent position; and
 - (b) in the case of a label—
 - (i) printed directly onto a bag weighing less than 20 kilograms, be comprised of letters of 3 millimetres or more in height; or
 - (ii) printed directly onto a bag weighing 20 kilograms or more, be comprised of letters of 10 millimetres or more in height; or
 - (iii) fixed to the outside of a package, be comprised of letters of 3 millimetres or more in height; and
 - (c) in the case of an advice note, be comprised of letters of 3 millimetres or more in height; and
 - (d) be in dark print on a light background or light print on a dark background; and
 - (e) not be defaced or marked so as to be obscured.

- (3) If the meal of animal origin referred to in subregulation (1) is sold in a package, the label must measure at least 45 millimetres by 120 millimetres and be firmly attached to that package.
- (4) A label or advice note that complies with regulation 6 is taken to comply with the requirements of this regulation.

9 Offence to deface, damage, remove or destroy label

A person must not, without reasonable excuse, deface, damage, remove or destroy a label containing—

- (a) a statement prescribed in regulation 6 or 7 that accompanies stock food; or
- (b) a statement prescribed in regulation 8 that accompanies meal of animal origin.

Penalty: 20 penalty units.

10 Offences involving mixing of stock foods

- (1) A person must not cause or permit restricted animal material to be mixed with stock food intended for ruminant use.

Penalty: 50 penalty units.

- (2) A person must not possess restricted animal material for the purposes of mixing it with stock food intended for ruminant use.

Penalty: 50 penalty units.

- (3) A person must not place restricted animal material in stock food intended for ruminant use.

Penalty: 50 penalty units.

**11 Specification and method of measurement for tallow
and used cooking oil**

For the purposes of the definition of *restricted animal material*—

- (a) tallow and products containing rendered fats must comply with a specification of 2% maximum M + I (moisture plus insoluble impurities) as measured by a method approved in writing by the chief veterinary officer; and
 - (b) used cooking oil must—
 - (i) be collected, filtered (or centrifuged) and packaged in accordance with a process approved in writing by the chief veterinary officer; and
 - (ii) comply with a specification of 2% maximum M + I (moisture plus insoluble impurities) as measured by a method approved in writing by the chief veterinary officer.
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Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Agricultural and Veterinary Chemicals (Control of Use) (Ruminant Feed) Regulations 2015, S.R. No. 146/2015 were made on 8 December 2015 by the Governor in Council under sections 27 and 72 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, No. 46/1992 and came into operation on 10 December 2015: regulation 3.

The Agricultural and Veterinary Chemicals (Control of Use) (Ruminant Feed) Regulations 2015 will sunset 10 years after the day of making on 8 December 2025 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

2 Table of Amendments

There are no amendments made to the Agricultural and Veterinary Chemicals (Control of Use) (Ruminant Feed) Regulations 2015 by statutory rules, subordinate instruments and Acts.

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

¹ Reg. 4: S.R. No. 160/2005.