

South Australia



**MEAT HYGIENE (DEFINITION OF MEAT AND WHOLESOME)
AMENDMENT ACT 1995**

No. 57 of 1995

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ANNO QUADRAGESIMO QUARTO
ELIZABETHAE II REGINAE
A.D. 1995

No. 57 of 1995

An Act to amend the Meat Hygiene Act 1994.

[Assented to 3 August 1995]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Meat Hygiene (Definition of Meat and Wholesome) Amendment Act 1995*.

(2) The *Meat Hygiene Act 1994* is referred to in this Act as "the principal Act".

Amendment of s. 3—Interpretation

2. Section 3 of the principal Act is amended—

- (a) by striking out the definition of "diseased animal or bird";
- (b) by striking out the definition of "meat" and substituting the following definition:

"meat" means—

- (a) the whole or part of a killed animal or bird intended for human consumption or consumption by pets; or
- (b) a product intended for human consumption or consumption by pets resulting from a process in which meat is mixed with another substance or is minced, cured, cooked, salted, fermented or otherwise treated (including a product of a class included by regulation within the ambit of this paragraph),

but does not include—

- (c) the whole or a part of a fish; or
- (d) a product if the proportion of meat in the product measured by mass is less than 30%; or

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- (e) the whole or part of an animal or bird, or a product resulting from the processing of meat, of a class excluded by regulation from the ambit of this definition;.

Substitution of ss. 4 and 5

3. Sections 4 and 5 of the principal Act are repealed and the following sections are substituted:

Meaning of meat processing

4. For the purposes of this Act, a person will be taken to process meat if the person takes part in any of the following activities:

- (a) killing an animal or bird intended for human consumption or consumption by pets; or
- (b) preparing a killed animal or bird, or part of a killed animal or bird, for human consumption or consumption by pets; or
- (c) producing a product for human consumption or consumption by pets that is within the ambit of the definition of "meat"; or
- (d) packing meat intended for human consumption or consumption by pets; or
- (e) storing meat intended for human consumption or consumption by pets; or
- (f) transporting meat intended for human consumption or consumption by pets.

Meaning of wholesome

5. For the purposes of this Act, meat will be taken not to be wholesome if—

- (a) the animal or bird from which it came was not killed in the course of a meat processing operation; or
- (b) the animal or bird from which it came was residue affected; or
- (c) in the case of meat intended for human consumption—
 - (i) the regulations do not allow the holder of an accreditation to process it, or the animal or bird from which it came, for human consumption; or
 - (ii) it is or was contaminated by a prohibited substance or organism within the meaning of the *Food Act 1985*; or
 - (iii) the animal or bird from which it came was suffering from or affected with a disease, parasite, pest or other condition rendering the meat unfit for human consumption; or
 - (iv) it is for any reason unfit for human consumption; or
- (d) in the case of meat intended for consumption by pets—
 - (i) the regulations do not allow the holder of an accreditation to process it, or the animal or bird from which it came, for consumption by pets; or

- (ii) the animal or bird from which it came was suffering from or affected with a disease, parasite, pest or other condition rendering the meat unfit for consumption by pets; or
- (iii) it is for any reason unfit for consumption by pets.

Amendment of s. 12—Obligation to hold accreditation

4. Section 12 of the principal Act is amended by striking out subparagraph (iii) of subsection (2)(c).

Amendment of s. 29—General powers of meat hygiene officers

5. Section 29 of the principal Act is amended by striking out paragraph (g) of subsection (1) and substituting the following paragraph:

- (g) seize and retain, or issue a seizure order in respect of, an animal or bird apparently intended to be killed for meat—
 - (i) in order to prevent the animal or bird being killed before it can be determined whether it is residue affected or suffering from or affected with a disease, parasite, pest or other condition that would render meat derived from the animal or bird unwholesome; or
 - (ii) if the officer reasonably suspects that the animal or bird is residue affected or suffering from or affected with a disease, parasite, pest or other condition that would render meat derived from the animal or bird unwholesome;.

Amendment of s. 30—Provisions relating to seizure

6. Section 30 of the principal Act is amended by striking out subsection (5) and substituting the following subsection:

(5) If an animal or bird has been seized, or a seizure order issued in respect of an animal or bird, under this Division, the following provisions apply:

- (a) if a meat hygiene officer is satisfied that the animal or bird is not residue affected and is not suffering from or affected with a disease, parasite, pest or other condition that would render meat derived from it unwholesome—it must be released immediately;-
- (b) if a meat hygiene officer is satisfied that the animal or bird is residue affected or is suffering from or affected with a disease, parasite, pest or other condition that would render meat derived from it unwholesome—the meat hygiene officer may dispose of it as the officer thinks fit or direct its disposal in a specified manner.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor