

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

STOCK (AMENDMENT) BILL 1999

EXPLANATORY MEMORANDUM

**Circulated with the authority of
Brendan Smyth MLA,
Minister for Urban Services**

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Outline

This Bill proposes to ban the feeding of certain mammalian materials to ruminants. There is an unproven but potential link between bovine spongiform encephalopathy (BSE or 'Mad Cow' Disease) and a variant form of Creutzfeld-Jakob Disease (CJD), which affects humans. As a consequence the World Health Organisation Special Consultation on BSE/CJD made some key recommendations, one being that all countries should ban the use of ruminant tissues in ruminant feed. Internationally this ban is now being extended to apply to all mammalian material, not just that originating from ruminants.

Revenue/Cost Implications

The Bill has no cost or revenue implications.

Formal Clauses

Part 1- Preliminary:

Clauses 1 to 5 are formal requirements. They deal with the short title of the Bill and commencement provisions.

Clause 36A (1) is an interpretation provision and defines certain terms used in the Bill.

Clause 36B (1) identifies the warning statements required if any product contains mammalian material or if not containing mammalian material a statement stating this fact. (These are referred to in this memorandum as "material statements".)

Clause 36 C makes it an offence to manufacture feed or meal intended for ruminants that includes mammalian material.

Clause 36D (1) & (2) deals with the sale and supply of feed and meal in bulk or in bags and the requirements for labels or invoices to have either a statement indicating it contains mammalian material or non-mammalian material. It also stipulates the size of the wording and what the statement should say.

Clause 36E makes it an offence to mark or deface documents relating to compounded feed or meal in a way that will obscure a material statement.

Clause 36F makes the removal of material statements an offence.

Clause 36G deals with the feeding of mammalian material to ruminants and the penalty incurred if such an action were to be taken without the consent of the Minister.

Clauses 36H, 36I and 36J are provisions that stipulate the requirements under various circumstances for an authorised officer to enter premises:

- With the consent of the occupier; or
- With a search warrant.

Clause 36K requires inspectors who enter a premise to produce identity cards when requested.

Clause 36L stipulates what the inspector may do once entering the premise.

Clause 36M stipulates the procedures that must be followed if a sample is to be taken.

Clause 36N defines who is eligible to be appointed an analyst for the purpose of the Act.

Clause 36O provides for the actual appointment of analysts.

Clause 36P stipulates the requirements of an evidentiary certificate by an analyst in relation to any sample taken.

Clause 36 Q relates to what procedures must be followed if an item is seized for the purpose of a prosecution under the Act.