

1994—No. 35

STOCK DISEASES ACT 1923—REGULATION

(Relating to particulars of identification of stock)

NEW SOUTH WALES



[Published in Gazette No. 27 of 28 January 1994]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Stock Diseases Act 1923, has been pleased to make the Regulation set forth hereunder.

IAN CAUSLEY
Minister for Agriculture and Fisheries.

Commencement

1. This Regulation commences on 1 February 1994.

Amendment of the Stock Diseases (General) Regulation 1992

2. The Stock Diseases (General) Regulation 1992 is amended:

- by omitting clause 9 (2);
- by omitting Part 5 and by inserting instead the following Part:

PART 5—IDENTIFICATION OF STOCK

Definitions

18. In this Part:

“ear tag” means a tag that can be securely attached through the ear of the stock concerned but does not include a ratchet tag;

“ratchet tag” means a tag that incorporates a ratchet mechanism that can be securely attached to the tail or through the ear of the stock concerned;

“wrap-around tag” means a tag that consists of an adhesive strip that can be securely attached to the tail of the stock concerned by wrapping it around the tail.

Nature of tag

19. (1) For the purposes of the definition of “tag” in section 19C of the Act, the prescribed kind of tag is an ear tag, ratchet tag or wrap-around tag, in each case made of orange material that is either plastic or a material approved by the Chief, Division of Animal Industries.

(2) However, if an order under section 46 of the Stock Medicines Act 1989 has made provision for or with respect to the use of a different colour of tag, the colour of the tag must be according to that order in any case to which that order applies.

Section 19E: exempt persons

20. (1) A sale, sending or delivery of any of the following classes is prescribed as exempt pursuant to section 19E of the Act:

- (a) the sale of stud stock at, or the sending or delivery of stud stock to, an agricultural show or exhibition;
- (b) the sale of stock as an incident of the sale of land or the sale of a business under which the stock will remain on the land or be retained as part of the business;
- (c) the sale of stock (otherwise than at a saleyard) to a purchaser where the seller believes on reasonable grounds that the stock will travel directly to a holding occupied by the purchaser for the purpose of restocking that holding;
- (d) the sale, or the sending or delivery to an abattoir or saleyard or any other place for sale, of:
 - stock that has been introduced into New South Wales during the period of 28 days (or, in the case of swine, 7 days) immediately preceding the sale, sending or delivery, being stock that is identified in accordance with a provision of the law in force in the State or Territory from which it has been introduced that corresponds to section 19F of the Act; or
 - stock that has been purchased within the period of 28 days (or, in the case of swine, 7 days) immediately preceding the sale, sending or delivery, being stock that was identified in accordance with the Act at the time of purchase and remains identified in the same manner as it was at the time of purchase;

1994—No. 35

- (e) the sending or delivery to an abattoir or saleyard or any other place for sale of stock for which, no later than the day before the sending or delivery, approval has been given by an inspector to its sending or delivery, being stock that is identified in accordance with the Act prior to slaughter or sale;
- (f) the sending or delivery by a person of stock to an abattoir that receives stock exclusively from that person or that person's holding, where the sending or delivery is approved by the Chief, Division of Animal Industries;
- (g) the sending or delivery by a person of swine to an abattoir under an agreement with that person for the slaughter of the swine and the return of the carcass to that person for personal consumption or use.

(2) In this clause, “**saleyard**” means any premises used or established for use wholly or partly for the sale of stock to the public.

Further requirements for identification of cattle

21. The following are prescribed under section 19F (4) of the Act as further requirements as to the manner of identification of stock other than swine:

- (a) a tag, if it is an ear tag, must be attached securely through the left (near side) ear, have dimensions not less than 57 mm in width and not less than 40 mm in height, and be of a kind approved by the Chief, Division of Animal Industries;
- (b) a tag, if it is a ratchet tag, must be attached securely around the tail immediately before the brush or, if there is no tail or the tail is of such size as to prevent the tag from being attached to it securely, the tag must be attached securely through the ear;
- (c) a tag, if it is a wrap-around tag, must be in Form 1 and must be attached securely around the tail;
- (d) a tag must be so attached as to ensure that the particulars of identification on the tag are clearly visible;
- (e) the height of the particulars of identification on the tag must be not less than 7 mm in the case of tail tags, and not less than 10 mm in the case of ear tags.

Further requirements for the identification of swine

22. The following are prescribed under section 19F (4) of the Act as further requirements as to the manner of identification of swine:

1994—No. 35

(a) the branding device is to be applied so as to impress the character of the brand through the skin over one or both shoulders;

(b) the characters of the brand must be clearly legible.

Application fee for particulars of identification

23. For the purposes of section 19H (2) of the Act, the prescribed fee is \$25.

Section 19Q: records of untagged stock delivered to abattoir

24. For the purposes of section 19Q of the Act, the prescribed information is the following:

(a) the date when the stock are, or are expected to be, slaughtered;

(b) a description of the class or breed of the stock;

(c) a description of any brand or other mark on the stock;

(d) the name of the person on whose behalf the stock was delivered to the abattoir.

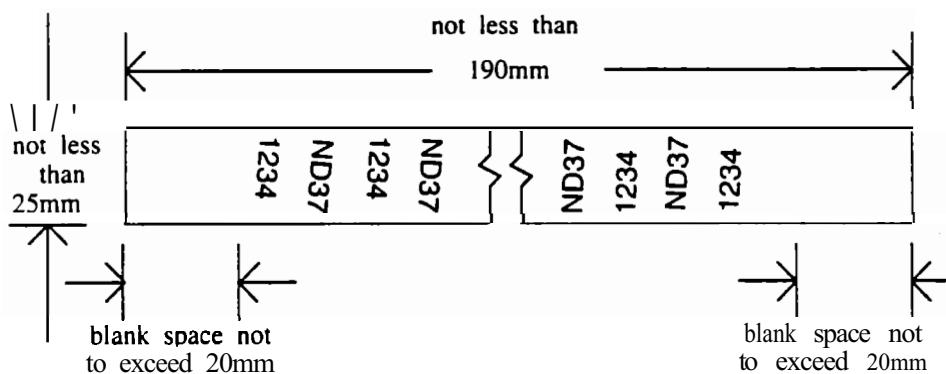
(e) by omitting clause 31;

(f) by omitting Forms 1–5 and by inserting instead the following Form:

Form 1

(Cl. 21 (c))

WRAP-AROUND TAG



Note: Letters and numerals of particulars of identification to be shown in an analogous manner. The letters and numerals here are only an example to show size and arrangement.

EXPLANATORY NOTE

The principal object of this Regulation is to amend the Stock Diseases (General) Regulation 1992 as a consequence of the introduction by the Stock Diseases (Amendment) Act 1992 of a modified system for the identification of stock.

The stock identification system is used to assist in tracing disease in stock (and, to some extent, to assist in the control of hormonal growth promotants and other substances in stock). The modified system is more decentralised and also largely self-financing.

The Regulation also omits a provision relating to the marking of cattle with yellow colour as a consequence of the incorporation of a similar provision in the Stock Diseases Act 1923 itself.

The Regulation is made under section 23 (1) (the general regulation making power) of the Stock Diseases Act 1923 and under various provisions of Part 4A of that Act (as inserted by the Stock Diseases (Amendment) Act 1992), as referred to in the Regulation.
