



New South Wales

# **Stock (Chemical Residues) Amendment (Reporting of Test Results) Regulation 1999**

under the

Stock (Chemical Residues) Act 1975

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Stock (Chemical Residues) Act 1975*.

RICHARD AMERY, M.P.,

Minister for Agriculture.

## **Explanatory note**

Under section 12C of the *Stock (Chemical Residues) Act 1975*, the owner of a laboratory or other facility that carries out testing to determine if stock are chemically affected must report the results of that testing. The objects of this Regulation are as follows:

- (a) to provide for the manner, form and time in which the particulars of test results indicating that stock are chemically affected are to be furnished,
- (b) to specify the office holders to whom those results, and the results of tests indicating that stock are not chemically affected, are to be furnished.

This Regulation is made under the *Stock (Chemical Residues) Act 1975*, including sections 12C (reporting of test results) and 16 (the general regulation-making power).

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## **Stock (Chemical Residues) Amendment (Reporting of Test Results) Regulation 1999**

### **1 Name of Regulation**

This Regulation is the *Stock (Chemical Residues) Amendment (Reporting of Test Results) Regulation 1999*.

### **2 Commencement**

This Regulation commences on 1 June 1999.

### **3 Amendment of Stock (Chemical Residues) Regulation 1995**

The *Stock (Chemical Residues) Regulation 1995* is amended as set out in Schedule 1.

### **4 Notes**

The explanatory note does not form part of this Regulation.

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## Schedule 1 Amendment

(Clause 3)

### Clauses 5A and 5B

Insert after clause 5:

#### **5A Reporting of test results indicating stock are chemically affected: section 12C (a)**

- (1) For the purposes of section 12C (a) of the Act, subclauses (2) and (3) prescribe the manner, form and time in which particulars of test results indicating that stock are chemically affected must be furnished under that section.
- (2) The owner of a laboratory or other facility that carried out the tests indicating that stock are chemically affected must cause a written report to be prepared containing the following particulars in respect of each sample that indicates that stock are chemically affected:
  - (a) the date the sample was taken,
  - (b) the date the sample was submitted to the laboratory or other facility,
  - (c) the name and address of the person who submitted the sample,
  - (d) the species of stock from which the sample was taken,
  - (e) if known—the name, address and telephone and facsimile numbers of the owner of the stock from which the sample was taken,
  - (f) if known—details identifying the property from which the stock came, including the address of the property, the rural lands protection district in which the property is situated, and the particulars of identification for the stock in accordance with the *Stock Diseases Act 1923*.

- (g) the test method used or an identifying code for that test method.
  - (h) a description of the tissue or other material tested.
  - (i) any chemical residue identified which causes the stock to be categorised as chemically affected,
  - (j) the level of any chemical residue so identified.
- (3) A report referred to in subclause (2) must:
  - (a) specify the name of the laboratory or other facility that carried out the testing, and
  - (b) contain an identifying number allocated in respect of the report by the laboratory or other facility, and
  - (c) be signed and dated by the analyst who has responsibility for the contents of the report, and
  - (d) be furnished in person (including by courier), or by facsimile or other electronic means, and
  - (e) be furnished as soon as possible on the day that the test results indicating that stock are chemically affected become available (or such later time as the office holder to whom the report is to be furnished may agree to in writing, but not being later than 24 hours after the test results become available).
- (4) For the purposes of section 12C (a) of the Act, the following office holders are prescribed in relation to the furnishing of particulars as contained in a report referred to in subclause (2):
  - (a) Manager, Animal Residue Programs, National Residue Survey, Commonwealth Department of Agriculture, Fisheries and Forestry—in relation to a report of a kind notified by the Director-General of the Department of Agriculture to the owner of the laboratory or other facility concerned,
  - (b) State Residue Coordinator, Department of Agriculture—in all other cases.

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**5B Reporting of test results indicating stock are not chemically affected: section 12C (b)**

For the purposes of section 12C (b) of the Act, the following office holders are prescribed in relation to the furnishing of particulars of test results indicating that stock are not chemically affected:

- (a) Manager, Animal Residue Programs, National Residue Survey, Commonwealth Department of Agriculture, Fisheries and Forestry,
- (b) State Residue Coordinator, Department of Agriculture.