



New South Wales

Stock Medicines Regulation 2024

under the

Stock Medicines Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Stock Medicines Act 1989*.

TARA MORIARTY, MLC
Minister for Agriculture

Explanatory note

The object of this regulation is to remake, without substantial changes, the *Stock Medicines Regulation 2019*, which is repealed on 1 September 2024 by the *Subordinate Legislation Act 1989*, section 10(2).

This regulation provides for the following matters—

- (a) the prescribing of certain types of stock as *major food producing species*,
- (b) the information that must be given when supplying stock food that has been treated with a stock medicine,
- (c) the records required to be kept by veterinary practitioners who prescribe, supply or use a stock medicine,
- (d) the prohibiting of certain advertisements of stock medicines,
- (e) the offences for which penalty notices may be issued and the amounts of the fines payable under the notices.

With the exception of section 5, this regulation comprises or relates to matters set out in the *Subordinate Legislation Act 1989*, Schedule 3, namely—

- (a) matters of a machinery nature, and
- (b) matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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Stock Medicines Regulation 2024

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1 Name of regulation

This regulation is the *Stock Medicines Regulation 2024*.

2 Commencement

This regulation commences on 1 September 2024.

Note— This regulation replaces the *Stock Medicines Regulation 2019*, which is repealed on 1 September 2024 by the *Subordinate Legislation Act 1989*, section 10(2).

3 Definitions

In this regulation—

stock food has the same meaning as in the *Biosecurity Act 2015*.

the Act means the *Stock Medicines Act 1989*.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this regulation.

4 Major food producing species

For the Act, section 3(1), definition of **major food producing species**, paragraph (b), the following types or species of stock are prescribed—

- (a) bees,
- (b) ducks,
- (c) farmed fish, farmed crustaceans and farmed molluscs,
- (d) geese,
- (e) goats,
- (f) turkeys.

5 Supplying stock food treated with stock medicine—the Act, s 65(2)(b)

(1) A person who supplies stock food (a **supplier**) to another person knowing the food has been treated with a stock medicine must—

- (a) ensure the other person is aware the stock food has been treated, and
- (b) give the other person the relevant details obtained by the supplier—
 - (i) when the supplier obtained the stock food, or
 - (ii) when the supplier obtained the stock medicine with which the stock food has been treated.

Maximum penalty—50 penalty units.

(2) In this section—

relevant details means written details about the use of the stock medicine, including the relevant withholding period for the stock medicine.

6 Records to be kept by veterinary practitioners

- (1) For the Act, section 39E, a veterinary practitioner must record the following—
 - (a) the date of the prescription, supply or use of the stock medicine,
 - (b) details to identify the particular stock on which the stock medicine was used,
 - (c) the name of the owner of the stock or the person in charge of the stock,
 - (d) particulars to identify the stock medicine,
 - (e) the name of the active constituent of the stock medicine,
 - (f) the type of stock for which the stock medicine is intended,
 - (g) the withholding period, including that there was no withholding period if the veterinary practitioner considered none was required,
 - (h) the dosage rate,
 - (i) the frequency of treatment,
 - (j) the length of treatment,
 - (k) the manner of administration.
- (2) The records required by the Act, section 39E must be retained by the veterinary practitioner for at least 2 years after the date of the prescription, supply or use of the stock medicine.

7 Advertising—the Act, s 43(1)

- (1) This section applies to a stock medicine containing—
 - (a) a substance specified in Schedule Three, Four or Eight of the Poisons List proclaimed under the *Poisons and Therapeutic Goods Act 1966*, section 8, or
 - (b) after the commencement of the *Medicines, Poisons and Therapeutic Goods Act 2022*, section 4(2)—a Schedule 3, 4 or 8 substance within the meaning of that Act.
- (2) A person must not advertise stock medicines or the uses of stock medicines except in—
 - (a) a journal with a circulation generally limited to veterinary practitioners, pharmacists or wholesalers of stock medicines, or
 - (b) a document or electronic communication intended for distribution exclusively to veterinary practitioners, pharmacists or wholesalers of stock medicines.

8 Penalty notice offences

- (1) For the Act, section 60A—
 - (a) each offence created by a provision specified in Schedule 1 is an offence for which a penalty notice may be issued, and
 - (b) the amount payable under the penalty notice is the amount specified in Schedule 1 for the offence.
- (2) If the provision is qualified by words that restrict its operation to limited kinds of offences or to offences committed in limited circumstances, the penalty notice may be issued only for—
 - (a) that limited kind of offence, or
 - (b) an offence committed in those limited circumstances.

9 Savings

An act, matter or thing that, immediately before the repeal of the *Stock Medicines Regulation 2019*, had effect under that regulation continues to have effect under this regulation.

Schedule 1 Penalty notice offences

section 8

Provision	Penalty for individual	Penalty for corporation
Offences under the Act		
Section 39C(1)	\$550	\$1,100
Section 39C(2)	\$550	\$1,100
Section 39C(3)	\$550	\$1,100
Section 39D(1)	\$1,100	\$2,200
Section 39E	\$550	\$1,100
Section 39F	\$550	\$1,100
Section 40(2)	\$1,100	\$2,200
Section 40A(1A)	\$1,100	\$2,200
Section 43(1)	\$1,100	\$2,200
Section 46(6)	\$1,100	\$2,200