

# Stock Medicines Regulation 2019

[2019-396]



New South Wales

## Status Information

### Currency of version

Current version for 16 August 2019 to date (accessed 6 May 2024 at 20:38)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**  
[Medicines, Poisons and Therapeutic Goods Act 2022 No 73](#) (not commenced)
- **Editorial note**  
The Parliamentary Counsel's Office is progressively updating certain formatting styles in versions of NSW in force legislation published from 29 July 2019. For example, colons are being replaced by em-rules (em-dashes). Text of the legislation is not affected.  
  
This version has been updated.
- **Staged repeal status**  
This legislation is currently due to be automatically repealed under the [Subordinate Legislation Act 1989](#) on 1 September 2024

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 28 November 2022

# Stock Medicines Regulation 2019



New South Wales

## Contents

|   |          |
|---|----------|
| 1 Name of Regulation .....  | 3        |
| 2 Commencement .....  | 3        |
| 3 Definitions .....   | 3        |
| 4 Use of stock food that has been treated with stock medicine ..... | 3        |
| 5 Major food producing species .....                                | 4        |
| 6 Records to be kept by veterinary practitioners.....               | 4        |
| 7 Advertising etc.....  | 5        |
| 8 Savings.....  | 5        |
| <b>Schedule 1 Penalty notice offences .....</b>                     | <b>5</b> |

# Stock Medicines Regulation 2019



New South Wales

## 1 Name of Regulation

This Regulation is the *Stock Medicines Regulation 2019*.

## 2 Commencement

This Regulation commences on 1 September 2019 and is required to be published on the NSW legislation website.

### Note—

This Regulation replaces the *Stock Medicines Regulation 2010*, which is to be repealed on 1 September 2019 by section 10 (2) of the *Subordinate Legislation Act 1989*.

## 3 Definitions

(1) 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.

(2) Notes included in this Regulation do not form part of this Regulation.

## 4 Use of stock food that has been treated with stock medicine

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

(a) must ensure that the person supplied is aware that the stock food has been so treated, and

(b) must, in accordance with this clause, provide the person supplied with the written details concerning the use of the stock medicine that were obtained by the supplier when the supplier obtained the stock food or when the supplier obtained the stock medicine with which the stock food has been treated.

- (2) The written details must include details of the relevant withholding period for the stock medicine.

Maximum penalty—50 penalty units.

## **5 Major food producing species**

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

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

## **6 Records to be kept by veterinary practitioners**

- (1) For the purposes of section 39E of the Act, the following particulars are to be recorded by veterinary practitioners—
  - (a) the date on which the use, supply or prescription of the stock medicine occurred,
  - (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 section 39E of the Act must be retained by the veterinary

practitioner for at least 2 years from the date on which the use, supply or prescription of the stock medicine occurred.

**Note—**

Section 39E of the Act requires certain records to be kept by a veterinary practitioner in accordance with the regulations. The maximum penalty for a failure to keep records in accordance with the regulations is 100 penalty units.

**7 Advertising etc**

- (1) This clause applies to any stock medicine containing a substance included in Schedule Three, Four or Eight to the Poisons List proclaimed under section 8 of the *Poisons and Therapeutic Goods Act 1966*.
- (2) For the purposes of section 43 (1) of the Act, a person must not advertise, or make any claims, statements or representations relating to the use of, or disseminate information concerning, a stock medicine (or its uses) to which this clause applies other than in a journal whose circulation is generally limited to, or in a document or electronic communication intended for distribution exclusively to, veterinary practitioners, pharmacists or wholesalers of stock medicines.

**Note—**

Section 43 (1) of the Act operates to make a contravention of clause 7 an offence, for which the maximum penalty is 200 penalty units or, for an offence by a corporation, 400 penalty units.

**8 Savings**

Any act, matter or thing that, immediately before the repeal of the *Stock Medicines Regulation 2010*, had effect under that Regulation continues to have effect under this Regulation.

**Schedule 1 Penalty notice offences**

For the purposes of section 60A of the Act—

- (a) each offence specified in this Schedule is an offence for which a penalty notice may be issued, and
- (b) the amount payable under any such penalty notice is the amount specified in this Schedule for the offence.

| Column 1                      | Column 2                  | Column 3                  |
|-------------------------------|---------------------------|---------------------------|
| Provision                     | Penalty for an individual | Penalty for a corporation |
| <b>Offences under the Act</b> |                           |                           |
| 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 |