

**Submission to the
NSW Department of Primary Industries**

~ Stock Diseases Regulation 2009 ~

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1. Introduction

The NSW Farmers' Association (the 'Association') welcomes the opportunity to comment on the proposed *Stock Diseases Regulation 2009*.

The Association is Australia's largest state farming organisation representing the interests of the majority of commercial farm operations throughout the farming community in NSW. Through its commercial, policy and apolitical lobbying activities it provides a powerful and positive link between farmers, the Government and the general public. The Association is the key state representative body for both intensive and extensive industries ranging from broad acre, meat, wool and grain producers, to producers in the horticulture, dairy, poultry meat, egg, pork, oyster and goat industries. The Association also represents the interests of rural and regional communities and the important issues associated with natural resource management.

The Association has identified a number of comments on the proposed *Stock Diseases Regulation 2009* and these are outlined in this submission under the following areas.

1. Identification of Stock.
2. Property Identification Code ('PIC').
3. Permits.

4. Identification of Stock

Cattle

The Association is supportive of the mandatory National Vendor Declaration for Cattle for prime and store cattle sales across Australia. As such the inclusion of the requirement to provide the unique serial number of any movement documents (such as the National Vendor Declaration ('NVDs')) when cattle arrive at saleyards for sale is seen as beneficial. It is expected that such a requirement will encourage the correct completion of NVDs.

The Association also expects that the changed requirement at saleyards for owners or persons in charge of cattle to provide relevant information to the stock and station agent who is to sell the cattle rather than the previous requirement to provide the information to the owner or manager of the saleyard is logical. In most cases the stock and station agent is the main contact for sellers and buyers of cattle through saleyards and as such it is appropriate that they facilitate the information flow.

Sheep

The Association supports the development of a mob based movement database and accurate recording of all other sales including property to property destination PICs. The Association also supports in principle the electronic scanning and recording to a database of all NVDs for sheep (and goats) once the system has been proven.

However the Association strongly opposes multiple tagging of sheep, including opposition to pink transaction tags on all sheep sold that are not off the property of birth. The inclusion of the word "each" into the definition of relevant identification particulars under the definitions in clause 17(1)(b) implies that under clause 19(a) sheep will be required to have a permanent identifier attached containing the PIC for each property the sheep has resided on. The Association is particularly concerned with this proposal given there has been no final decision made by Australian Primary Industry Ministers Council on the requirement of transaction tagging. The Association believes the term each should be removed from the definition in clause 17(1)(b).

The Association supports an exemption on tagging of lambs sold direct to slaughter on an "over the hooks" basis. While it is recognised that clause 14 provides the Director-General to

grant an exemption from any provision within Part 3 of the Regulation the Association is particularly concerned with the inclusion of clause 19 requiring the identification of stock without a provision to allow for lambs and kids sent direct to slaughter. The Association argues that the information requirements under clause 34 can be used to meet the traceability requirements without the need for a permanent identifier to be attached to the lamb or kid which simply adds additional costs for the producer.

The Association continues to oppose the mandatory electronic NLIS tagging of sheep. To this extent the Association welcomes the fact that the definitions under clause 17 do not include the requirement that each sheep or goat be individually identified.

The Association is concerned with the inclusion of clause 21(2) regarding identifiable stock at a saleyard or abattoir. It is difficult to guarantee that ear tag permanent identifiers will remain in the ears of stock during transit and at saleyards. Clause 21(2) has the potential to implicate a producer who has taken all reasonable steps to ensure that ear tags are in place yet through no action of the producer the tag has fallen out. The Association recommends that a degree of subjectivity should be incorporated into the clause to ensure where a producer has taken all reasonable steps to ensure tags are in place they are not guilty of an offence.

Pigs

The Association welcomes the expansion of the regulations to include all pigs under the requirements for permanent identification. However, the Association would like to clarify that under clause 19 of the proposed regulation the requirement that permanent identifiers be attached to the stock would include slap branding of pigs.

5. Property Identification Code

The Association supports the mandatory uptake of any land carrying livestock to be issued with a PIC. Requiring all properties to have a PIC will improve the accuracy of the traceability system allowing better identification to the individual property level for traceability. It is also expected that ensuring individual properties are identifiable may also promote a greater awareness of smaller livestock owners of the responsibilities and requirements under the traceability system for food safety and animal health.

6. Permits

The Association has concerns with the proposed removal of clauses 52(3) and 54(2) of the 2004 regulation that required inspectors to inform applicants of the reasons for refusing a permit, and the requirement that a notice of revocation of a permit contain the reasons for the revocation respectively. In the interests of transparency and accountability the Association believes that the provision of such explanatory information in refusing and revoking a permit is necessary to avoid misunderstanding and confusion. The Association would welcome the inclusion of a requirement that such information continue to be made available.

The Association would also appreciate further clarification on the reasons for removing clauses 53 and 56 of the 2004 regulation relating to permits.