

TASMANIA

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**PRIMARY PRODUCE SAFETY (MEAT AND  
POULTRY) REGULATIONS 2024**

**STATUTORY RULES 2024, No. 87**

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## **PRIMARY PRODUCE SAFETY (MEAT AND POULTRY) REGULATIONS 2024**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Primary Produce Safety Act 2011*.

Dated 2 December 2024.

B. BAKER  
Governor

By Her Excellency's Command,

J. HOWLETT  
Minister for Primary Industries and Water

### **PART 1 – PRELIMINARY**

#### **1. Short title**

These regulations may be cited as the *Primary Produce Safety (Meat and Poultry) Regulations 2024*.

#### **2. Commencement**

These regulations take effect on 31 December 2024.

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**3. Interpretation**

In these regulations –

***accredited meat premises*** means premises on which an accredited meat producer is authorised to carry on a meat processing business for the purposes of carrying out the primary production activities to which the accreditation relates;

***accredited meat producer*** means the proprietor of a meat processing business, or a poultry production business, who is an accredited producer;

***Act*** means the *Primary Produce Safety Act 2011*;

***approved meat or meat product food safety program*** means a food safety program in respect of meat, meat product or poultry, whichever is relevant in the circumstances, that is an approved food safety program;

***food business*** has the same meaning as in the *Food Act 2003*;

***full-time meat handler*** means an individual who directly engages in meat processing –

- (a) as an employee or agent of a meat processing business; and
- (b) for 38 hours in a week;

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***game bird*** means a living bird in the wild;

***homekill meat*** means meat or poultry meat that is produced –

- (a) from an animal that has been lawfully slaughtered –
  - (i) by or on behalf of the owner of the animal; and
  - (ii) on premises –
    - (A) where the owner of the animal resides; or
    - (B) that have been approved, in writing, by the Chief Inspector; and
  - (iii) for human consumption on either of the premises referred to in subparagraph (ii); and
  - (iv) for a non-commercial purpose; or
- (b) from game or a game bird that has been lawfully slaughtered –
  - (i) in the wild; and
  - (ii) for a non-commercial purpose;

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***homekill processing*** – see regulation 7;

***meat and poultry food safety scheme*** – see regulation 8;

***meat processing business*** means a primary produce business, or a proposed primary produce business, that consists, in whole or in part, of meat processing other than homekill processing;

***meat producer*** means a producer who engages in, or is proposing to engage in –

- (a) meat production; or
- (b) meat processing; or
- (c) poultry production;

***meat production*** means –

- (a) the rearing, management or transport of an abattoir animal intended for supply to a meat processing business for the purpose of producing meat or meat product from the abattoir animal; or
- (b) the lawful slaughter of an animal in the wild for the purpose of producing meat, meat product or poultry meat from the animal;

***poultry meat*** means meat or meat product produced from lawfully slaughtered

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poultry or a game bird, other than a ratite;

***poultry production*** means the rearing, management or transport of live poultry, other than a ratite, intended for supply to a meat processing business for the purpose of producing poultry meat;

***poultry production business*** means a primary produce business, or a proposed primary produce business, that consists, in whole or in part, of poultry production;

***ratite*** includes an emu, ostrich and cassowary.

**4. Meaning of *abattoir animal***

For the purposes of paragraph (d) of the definition of *abattoir animal* in section 4(1) of the Act, the following animals are prescribed as an abattoir animal:

- (a) a ratite that has been lawfully slaughtered for human consumption;
- (b) any other animal that has been lawfully slaughtered for human consumption, other than game or a game bird that has been slaughtered in the wild.

**5. Meaning of *diseased***

For the purposes of the definition of ***diseased*** in the Act, a condition, state or abnormality is prescribed in respect of an animal if –

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- (a) the condition, state or abnormality is specified in a standard referred to in Schedule 2; and
- (b) an animal would be unsuitable, under a standard referred to in that Schedule, for use in meat production if it were lawfully slaughtered while affected by the condition, state or abnormality.

**6. Prescribed meat processing activity**

For the purposes of paragraph (e) of the definition of *meat processing* in section 4(1) of the Act, the production of meat from poultry or a game bird that has been lawfully slaughtered in the wild is prescribed as a meat processing activity.

**7. Meaning of *homekill processing***

- (1) In these regulations, *homekill processing* means meat processing of, and for the purposes of, homekill meat for a non-commercial purpose.
- (2) For the avoidance of doubt, homekill processing does not include the supply of homekill meat or meat product produced from homekill meat –
  - (a) for a commercial purpose; or
  - (b) to a meat processing business; or
  - (c) to a food business; or
  - (d) at a market; or

(e) by way of retail or wholesale.

## **8. Meat and poultry food safety scheme**

- (1) These regulations establish, in Part 2, a food safety scheme in respect of meat, meat product and poultry meat.
- (2) In any document, a reference to the meat and poultry food safety scheme is taken to be a reference to Part 2 of these regulations, as amended from time to time.

## **9. Periodic fees and return**

- (1) For the purposes of section 16(1) of the Act, in relation to an accredited meat producer –
  - (a) the period prescribed is the period of 12 months ending on the last day of June in any calendar year; and
  - (b) the date prescribed is the 1 July immediately after the period prescribed under paragraph (a); and
  - (c) the fee prescribed is the relevant annual fee specified in item 4 of Schedule 1.
- (2) For the purposes of section 16(2) of the Act, the fee prescribed as a penalty for default by an accredited meat producer is the penalty for default specified in item 5 of Schedule 1.

**10. Fees generally**

(1) In this regulation –

*GST* has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

(2) The fees specified in Schedule 1 –

(a) are, unless otherwise specified, exclusive of GST; and

(b) are prescribed as the fees payable in respect of the matters to which they relate.

(3) The Chief Inspector may exempt a person, or class of persons, from liability for all or part of a fee payable under the Act in one or more of the following circumstances:

(a) the meat processing business, or poultry production business, carried on by the person involves the export of meat to another country in accordance with a law of the Commonwealth;

(b) the meat processing business, or poultry production business, carried on by the person forms part of, or is attached to, a food business registered under the *Food Act 2003* that is carried on by that person at the same premises as the meat processing business or poultry production business;

- (c) the person is an Aboriginal person engaging in a primary production activity of traditional or cultural significance within the Tasmanian Aboriginal community;
- (d) the person holds, or has applied for, accreditation under 2 or more food safety schemes;
- (e) the meat processing business, or poultry production business, carried on by the person is carried on by the person primarily for a charitable, educational or other non-commercial purpose;
- (f) the circumstances are exceptional circumstances in which it would be just and equitable to exempt the person from all or part of the fee.

**11. Application for accreditation to take into account certain offences**

The following Acts are prescribed Acts for the purposes of section 14(3)(a)(iii) of the Act:

- (a) *Agricultural and Veterinary Chemicals (Control of Use) Act 1995*;
- (b) *Agricultural and Veterinary Chemicals (Tasmania) Act 1994*;
- (c) *Animal (Brands and Movement) Act 1984*;
- (d) *Animal Health Act 1995*;

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- (e) *Animal Welfare Act 1993;*
- (f) *Biosecurity Act 2019;*
- (g) *Environmental Management and  
Pollution Control Act 1994;*
- (h) *Public Health Act 1997.*

**PART 2 – MEAT AND POULTRY FOOD SAFETY  
SCHEME**

**12. Application of meat and poultry food safety scheme**

- (1) The meat and poultry food safety scheme applies to –
  - (a) all primary produce comprised, in whole or in part, of meat, meat product or poultry meat; and
  - (b) all primary production activities involving meat production, meat processing or poultry production, either alone or in combination.
- (2) The following persons must comply with the meat and poultry food safety scheme:
  - (a) a person who supplies primary produce to which the meat and poultry food safety scheme applies;
  - (b) a person who engages in, or proposes to engage in, a primary production activity to which the meat and poultry food safety scheme applies.

**13. Standard applying under meat and poultry food safety scheme**

- (1) A person who is required to comply with the meat and poultry food safety scheme must, when performing a primary production activity set out

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in Schedule 2, comply with the standards specified in Schedule 2, as may be amended or substituted from time to time, in respect of that primary production activity.

- (2) Subregulation (1) is in addition to, and does not remove or replace, a requirement within another food safety scheme or standard that applies to a person referred to in subregulation (1).

**14. Requirement to be accredited**

- (1) In this regulation –

*ready-to-eat meat* means meat, meat product or poultry meat, intended for human consumption without further heating or cooking, that is –

- (a) fermented meat that is cooked or uncooked; or
- (b) pate; or
- (c) dried meat; or
- (d) slow-cured meat; or
- (e) luncheon meat; or
- (f) cooked muscle meat; or
- (g) any other meat, meat product or poultry meat that is considered ready-to-eat meat under a standard that is specified in Schedule 2.

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- (2) Subject to subregulation (3), the proprietor of a meat processing business, or poultry production business, is required to be accredited under the meat and poultry food safety scheme.
- (3) The proprietor of a meat processing business, or poultry production business, is not required to be accredited under subregulation (2) if the meat processing business, or poultry production business, is –
- (a) only involved in –
    - (i) homekill processing; or
    - (ii) the growing, keeping or transporting of live poultry for the purpose of producing homekill meat or poultry meat that is not intended for sale or commercial use; or
  - (b) a food business, registered under Part 7 of the *Food Act 2003*, that does not engage in –
    - (i) the slaughter of animals; or
    - (ii) poultry production; or
    - (iii) the production or manufacturing of ready-to-eat meat for human consumption.

**15. Requirement for accreditation**

It is a requirement for accreditation under the meat and poultry food safety scheme that the applicant for the accreditation –

- (a) has made appropriate arrangements to comply with the requirements of the Act and the meat and poultry food safety scheme; or
- (b) proposes to make appropriate arrangements to comply with the requirements of the Act and the meat and poultry food safety scheme and has the capacity to make those arrangements before the accreditation is to commence.

**16. Register of accreditation**

- (1) The Chief Inspector must establish a public register of the persons holding an accreditation under the meat and poultry food safety scheme.
- (2) The register established under subregulation (1) is to contain the particulars in respect of the following relevant matters as they relate to an accreditation granted to a meat producer in relation to meat, meat product or poultry meat:
  - (a) granting of accreditations;
  - (b) conditions attached to accreditations;
  - (c) variation or revocation of a condition attached to an accreditation;

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- (d) suspension of accreditations;
  - (e) cancellation or revocation of accreditations;
  - (f) if such an accreditation is surrendered, the surrender of the accreditation;
  - (g) transfer of accreditations.
- (3) The register established under subregulation (1) is to be available for inspection, without charge and during normal business hours, on a written request to the Chief Inspector.
- (4) A person inspecting the register under subregulation (3) may, on payment of a reasonable fee determined by the Chief Inspector that does not exceed 50 fee units, do one or more of the following:
- (a) obtain an extract of an entry in the register;
  - (b) obtain a copy of anything contained in the register.

**17. Requirement to prepare and implement a food safety program**

An accredited meat producer must prepare and implement a food safety program in respect of each activity involving meat, meat product or poultry meat for which the accredited meat producer holds accreditation under the meat and poultry food safety scheme.

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**18. Auditing requirements**

(1) In this regulation –

*relevant food safety auditor* means a food safety auditor approved under Part 11 of the Act to audit food safety programs in respect of meat processing or poultry production, whichever is relevant in the circumstances.

(2) An approved meat or meat product food safety program must be audited by the relevant food safety auditor –

(a) at intervals determined and notified by the Chief Inspector in respect of –

(i) the approved meat or meat product food safety program; or

(ii) approved meat or meat product food safety programs generally;  
or

(b) if no intervals are determined and notified under paragraph (a), at least once every 12 months.

(3) A notification by the Chief Inspector under subregulation (2)(a) is to be made in writing to the accredited meat producer of the approved meat or meat product food safety program.

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**PART 3 – OFFENCES**

**19. Meat, meat product or poultry meat must be lawfully produced**

- (1) A person must not supply meat, meat product or poultry meat that has not been lawfully produced for human consumption.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 250 penalty units and, in the case of a continuing offence, a further fine not exceeding 20 penalty units for each day during which the offence continues; or
- (b) an individual, a fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues.
- (2) For the purposes of this regulation, meat, meat product or poultry meat is taken to have been lawfully produced for human consumption if –
- (a) in the case of meat, meat product or poultry meat that has been produced outside of Australia, it has been imported lawfully into Australia; and

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- (b) in the case of, and to the extent that, meat, meat product or poultry meat has been produced or processed, or both, within Australia, the production or processing, or both, has been carried out –
  - (i) if within Tasmania, in accordance with the requirements of the Act; or
  - (ii) if within a State or Territory of Australia other than the State of Tasmania, in accordance with any applicable corresponding law of that State or Territory.
- (3) An offence against this regulation is an offence of strict liability.

**20. Infringement notices**

For the purposes of section 53 of the Act –

- (a) an offence specified in column 1 of the table in Schedule 3 is prescribed as an offence for which an infringement notice may be served; and
- (b) a penalty specified in column 2 of the table in Schedule 3 is prescribed as the penalty for an individual for the corresponding offence specified in column 1 of the table; and

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- (c) a penalty specified in column 3 of the table in Schedule 3 is prescribed as the penalty for a body corporate for the corresponding offence specified in column 1 of the table.

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**SCHEDULE 1 – FEES**

Regulations 9 and 10

		<b>Fee units</b>
1.	Application under section 12 of the Act for accreditation of a meat producer	350
2.	Application under section 18 of the Act for variation of accreditation of a meat producer –	
	(a) if the variation does not involve the approval or variation of an approved meat or meat product food safety program	250
	(b) if the variation involves the variation of an approved meat or meat product food safety program for the accreditation	300
	(c) if the variation involves the approval of a new approved meat or meat product food safety program for the accreditation that is in addition to, or in substitution for, an existing approved meat or meat product food safety program for the accreditation	300
3.	Application under section 19 of the Act for transfer of accreditation of a meat producer	300

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		<b>Fee units</b>
4.	Annual fee for accredited meat producer whose maximum number of persons employed or engaged, by that producer at any point during the 12 months preceding the calculation of the fee, was equivalent to the following:	
	(a) fewer than 5 full-time meat handlers	175
	(b) 5-50 full-time meat handlers	350
	(c) more than 50 full-time meat handlers	750
5.	Penalty for default in respect of an accredited meat producer	75

**SCHEDULE 2 – APPLICABLE STANDARDS**

Regulation 13

1. Meat production must comply with *Standard 4.2.3 – Primary Production and Processing Standard for Meat* in the Food Standards Code.
2. The operation of a meat processing business, or a poultry production business, in respect of poultry production and meat processing that involves poultry meat must comply with *Standard 4.2.2 – Primary Production and Processing Standard for Poultry Meat* in the Food Standards Code.
3. The operation of a meat processing business that involves meat processing must comply with the following standards:
  - (a) *Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption (AS 4696:2007)*;
  - (b) *Australian Standard for Hygienic Production of Wild Game Meat for Human Consumption (AS 4464:2007)*;
  - (c) *Australian Standard for Hygienic Production of Rabbit Meat for Human Consumption (AS 4466:2007)*;

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- (d) *Australian Standard for Hygienic Production of Ratite (Emu/Ostrich) Meat for Human Consumption (AS5010:2001);*
  - (e) *Australian Standard for Hygienic Production of Natural Casings for Human Consumption (AS 5011:2001);*
  - (f) *Standard 4.2.3 – Primary Production and Processing Standard for Meat in the Food Standards Code.*
4. The identification, processing and storage of any carcass of game, or a game bird, before its delivery to accredited meat premises must comply with *Australian Standard for Hygienic Production of Wild Game Meat for Human Consumption (AS 4464:2007)*.
5. The transport of slaughtered game or a game bird from the place of slaughter to accredited meat premises must comply with *Australian Standard for Hygienic Production of Wild Game Meat for Human Consumption (AS 4464:2007)*.
6. The transport of meat, meat product or poultry meat to, from or on accredited meat premises must comply with the following standards:
- (a) *Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption (AS 4696:2007);*

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- (b) *Australian Standard for Hygienic Production of Natural Casings for Human Consumption (AS 5011:2001).*

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**SCHEDULE 3 – INFRINGEMENT NOTICE OFFENCES**

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Regulation</b>	<b>Penalty – Individual (penalty units)</b>	<b>Penalty – Body corporate (penalty units)</b>
6.	Regulation 19(1)	5	10

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 11 December 2024.

These regulations are administered in the Department of Natural Resources and Environment Tasmania.

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These regulations –

- (a) for the purposes of the *Primary Produce Safety Act 2011* –
  - (i) establish a food safety scheme in respect of meat, meat product and poultry; and
  - (ii) establish a public register of persons holding an accreditation under that scheme; and
  - (iii) prescribe the accreditation requirements in respect of the production and processing of meat, meat product and poultry meat; and
  - (iv) prescribe certain fees that are payable under that Act; and

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- (v) prescribe an infringement notice offence and the penalty for that infringement notice offence; and
- (b) are made consequentially on the repeal of the *Primary Produce Safety (Meat and Poultry) Regulations 2014* under section 11 of the *Subordinate Legislation Act 1992*.