NSW Legislative Council Hansard

STOCK MEDICINES AMENDMENT BILL

Second Reading

The Hon. IAN MACDONALD (Minister for Primary Industries) [4.04 p.m.]: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

I thank the Honourable Members for their contribution to this debate.

As various speakers have noted, the *Stock Medicines Act* provides important controls over the use of stock medicines in New South Wales.

It recognises the particular expertise and training of veterinary surgeons by allowing them to use products off-label—a concession not available to any users of pesticide products.

This Bill strengthens controls over the use of stock medicines in order to safeguard public health and trade in the major livestock products. It imposes only minor additional requirements on certain users of stock medicines in order to achieve these significant outcomes.

The amendments will streamline compliance measures by giving authorised officers the power to issue 'on the spot' penalty notices.

The Legislation Review Committee has noted that there are no requirements regarding the qualifications or attributes of persons who may be authorised to issue penalty notices.

However, the Act provides for the Director-General to authorise these officers and he has discretion to appoint only those officers who have been identified as suitably qualified.

The New South Wales Department of Primary Industries employs a number of multi-skilled regulatory officers who have been specifically trained in the use of penalty notices. These staff are already authorised to issue penalty notices under other legislation administered by the Department. This legislation includes the Stock Diseases Act 1923, the Plant Diseases Act 1924 and the Noxious Weeds Act 1993.

Only officers like these properly trained regulatory staff will be authorised by the Director-General to issue penalty notices under the Stock Medicines Act. The process for issuing penalty notices under this Act will also be subject to the same strict oversight that already applies to other enforcement activities administered by the Department.
Similar provisions exist for the appointment of authorised officers in other legislation, including the Valuer's Act 2003, the Companion Animals Act 1998, the Electricity Supply Act 1995 and the Dangerous Goods Act 1975.

I am confident that the recommendations flowing from the competition policy reviews of both the *Stock Medicines Act 1989* and the national agricultural and veterinary chemical legislation, are well-founded.
The *Stock Medicines Amendment Bill* seeks to implement these recommendations and in doing so provides a sound basis for ensuring the safe and effective use of stock medicines in New South Wales.

I commend the Bill to the House.

The Hon. DUNCAN GAY (Deputy Leader of the Opposition) [4.05 p.m.]: The Opposition does not oppose the Stock Medicines Amendment Bill, which amends the principal Act, the Stock Medicines Act 1989. By way of background, this Act is intended to ensure that animal products consumed by humans are not contaminated with stock medicines, trade in animals is not affected by residues, and stock medicines are used appropriately and effectively. The objects of this bill are to impose further safeguards in relation to the use of stock medicines on major food-producing species. These are defined as cattle, sheep, pigs or chickens or any other species prescribed by the regulations.

Ensuring that animal products are not contaminated by stock medicines and residues is extremely important. Residue-affected livestock has the potential to cost producers millions of dollars in the loss of export and domestic markets. As I am sure all honourable members are aware, the bill comes before the House at a time when farmers are fighting one of the worst locust plagues in 30 years, brought on by the inaction of this Government and the inability of this Minister to

grapple with the problem properly.

I have been approached by a number of farmers who hold concerns that some locust control chemicals have high residue and withholding periods that may adversely affect livestock targeted at export markets that are grazed on land that has been sprayed. It is not just stock diseases that we need to be wary of; we also need to be careful of chemicals and residues used in farming activities other than livestock. The bill enables the use of stock medicines intended for a major food-producing species on stock of some other food-producing species so long as certain requirements are complied with. It ensures that relevant instructions are given to the owner or person in charge of stock in relation to the treatment of stock with a stock medicine.

The bill also removes certain offences relating to the advertising of stock medicines and extends the grounds on which orders may be made under the Act prohibiting or regulating the use of a stock medicine or recalling stock medicine. The legislation repeals provisions of the Act, the operation of which is currently suspended under the Agricultural and Veterinary Chemicals (New South Wales) Regulation 2000 because those provisions are covered by Commonwealth law. In addition to making a number of miscellaneous amendments, the bill enables penalty notices to be issued for offences against the Act or the regulations.

The bill implements the results of two national competition policy reviews: a national review of Federal agricultural and veterinary chemical legislation and a separate State review of the New South Wales Stock Medicines Act 1989. The bill also modernises the Act and improve its efficiency, and I congratulate the Government on that measure. It removes from the Act the offence of using an unregistered stock medicine on stock that is not a member of a food-producing species. It prevents a veterinary surgeon from prescribing or supplying an unregistered stock medicine for use on stock that is not a member of a food-producing species unless, of course, the stock medicine complies with certain requirements.

Owners of companion animals have used unregistered stock medicines on their animals for a number of years with no indication of any real risk to the animals or the community. Consequently, the bill will remove the previous restrictions on this use. For example, owners of companion animals will now be able to use cat worming tablets to treat dogs, and vice-versa. Some additional restrictions are being implemented in accordance with the agreements coming out of the national competition policy review. The first is a ban on the use of oral or topical products by injection. The Opposition supports this ban as it could pose a risk to the animal and could also change the residue profile of the product. As it may also cause illegal or unsafe residues in food-producing animals, this ban fulfils an important function in protecting both our livestock and consumers. The bill proposes that all users of stock medicines, including veterinary surgeons, must comply with a new category of restraints.

This will ensure that controls in New South Wales, especially in regard to the use of important antibiotic products, properly reflect the risk assessments carried out by the Australian Pesticides and Veterinary Medicine Authority. The Opposition supports those provisions within the bill that continue to allow veterinary surgeons to use and prescribe products off-label, but not in cases where there are specific restraints. This includes preventing the use of antibiotics from being used in food-producing animals. The bill specifies that veterinary surgeons will be permitted to treat animals of a major food-producing species only with a product that is already registered for the treatment of another major food-producing species, and that is a reasonable measure. This means that food-producing species will be treated with products that have been assessed as suitable for human consumption.
The Opposition welcomes the extensive consultation with livestock industries and the veterinary profession in the preparation of this legislation. That is unusual for this Minister. The Opposition has been advised that the New South Wales Farmers Association, representing livestock industries, has no major concerns with this bill. Indeed, representations have not been made by the even larger number of farmers who are not members of the association. The Opposition believes that farmers will benefit from the legislation by virtue of the provision of some new flexibility in relation to minor or innovative livestock industries. There are few, if any, registered products available to treat unusual animals, including deer, alpaca or emus.

The amendments encompassed in the legislation will allow the use of stock medicines registered for these and other species, provided that they do not increase the label dose. Under the new legislation farmers are also required to apply an appropriate withholding period using the label-withholding period as a minimum. This period will be set in consultation with the veterinary surgeon. Once the withholding period is established, farmers will not have to continually seek written approval to use the product. This will provide producers with limited power to use certain stock medicines off-label in low-risk situations without routine veterinary intervention, thus saving them a great deal of time and, in some cases, money. The bill makes changes to definitions of food-producing species under section 3 of the Act.

These are now categorised as either food-producing species or major food-producing species. The Opposition welcomes the fact the bill provides for other animals to be prescribed in the regulations once the amendments are implemented, and if their importance as food-producing animals increases in future. This recognises the importance of major species as food in the Australian market and also their significance to our international trade. The veterinary profession was closely consulted on this bill through the Australian Veterinary Association and former national registration authority, the Australian Pesticides and Veterinary Medicines Authority. I am aware that the Australian Veterinary Association recognised the validity of basic national controls and was keen to see them established in a consistent manner.

The association has supported the identification of treated animals and the keeping of records of such treatment. As the keeping of records is good veterinary practice, in the majority of cases veterinarians would already be doing this. Such provisions will ensure veterinary surgeons are accountable for any residues that may arise in circumstances where the veterinarian is responsible for determining the treatment administered to an animal. It also ensures that any residues arising from treatments to food-producing animals can be traced. I am aware that during consultation in regard to the national competition policy review of the bill the Australian Veterinary Association raised questions about certain issues,

including the wording of the proposed controls where such wording may imply that veterinary surgeons were required to authorise uses of certain products.

The Opposition is aware that this was addressed in consultation with the association, which is now satisfied with the amendment. We welcome the fact that requests by the Australian Pesticides and Veterinary Medicines Authority regarding off-label treatment of food animals and appropriate use of label restraints statements were addressed in the final proposal. The bill repeals the advertising provisions in the Act, which the National Competition Council considered as being anti-competitive, when alternative national controls commence under the Agricultural and Veterinary Chemical Code Act 1994. The new legislation will take affect upon proclamation, not assent, to allow time for such national controls to be developed. In conclusion, the Opposition does not oppose the Stock Medicines Amendment Bill. It is a practical piece of legislation designed to protect consumers of food derived from stock and livestock industries, while providing limited freedom for producers to use some over-the-counter products without veterinary supervision.

Mr IAN COHEN [4.08 p.m.]: I shall briefly speak on the Stock Medicines Amendment Bill, which the Greens do not oppose. We acknowledge the existence of chemicals and their residues in stock that will be used for food products and agree that this area requires regulation. We support added restrictions on stock medicines to be used for major food-producing species and registration of the use of such chemicals by veterinary surgeons. We agree that the liability and accountability measures in the bill are a step in the right direction. Chemical use is widespread in animal husbandry in this State and control is required to avoid contamination by harmful chemicals, such as helix, which had a major impact on our beef exports and adversely affected Australia's reputation as a clean exporter. As a Green I constantly refer in this House to Australia's reputation overseas. This amendment to the Stock Medicines Act 1989, which will improve the Act and its efficiency, is a step in the right direction to guarantee that we have a tighter regulatory regime while also allowing, in certain circumstances, the use of over-the-counter products for individuals who need to use stock medicines on companion animals and the like.

The Greens do not oppose that. However, we believe that the chemicals used in agriculture, and in animal husbandry in particular, need greater scrutiny. Often the significant use of veterinary products and chemicals is part and parcel of normal animal production. However, the Greens are concerned about animal production that facilitates the need for ever-increasing amounts of antibiotics and other veterinary chemicals. I refer particularly to factory farming, where animals are often kept in inhumane circumstances. It may be efficient but it is not natural, and animals living in such circumstances are prone to contract various diseases from which they would not otherwise suffer and, therefore, certain practices have to be undertaken. That may involve the significant use of antibiotics and other veterinary products.

While such use may be below the standards set out in the bill, the Greens believe that the increasing use of various veterinary and agricultural chemicals and medicines in farming practices is dangerous. So any regulation is welcomed. That is important for consumers' rights and environmental issues, as residue from these chemicals may get into the environment as a result of intensive factory farming. It is necessary to be extremely cautious. The industry undertakes a level of checks and balances in terms of the agricultural medicines and chemicals used in factory farming, especially as the animals do not live naturally, to ensure that the level of veterinary medicines and chemicals used is not too high in relation to safe consumption.

That is a subjective opinion, and I appreciate that there are controls and standards. Interestingly, the growth in acceptance of and encouragement for organic industries is significant. Organic industries have great potential in the general market in Australia because of concern about. GE products. Indeed, that matter was raised during debate on the gene technology bill, which the Greens and The Nationals did not support. The Greens are concerned about the many unknowns in intensive farming practices. We want to encourage farming practices that minimise the use of chemicals and veterinary medicines. As such, the Greens do not oppose the Stock Medicines Amendment Bill.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [4.24 p.m.]: The Australian Democrats note the conclusion of the Legislation Review Committee, which wrote to the Minister regarding the appointment of authorised officers under proposed section 60A. Such officers can impose penalties of up to $44,000, but the bill does not prescribe any qualifications for such officers. A police officer is mentioned as an example. The Minister in his reply said that the director-general would not appoint anyone without appropriate qualifications and experience. If that is the intention, it would be good if that were written into the bill, because we need to be sure that people who have this amount of power know what they are doing.

The Democrats are also concerned about items [21] and [37] schedule 1, which remove the power to regulate the advertising of stock medicines. In particular, they remove the penalties that can be imposed for faulty or misleading advertising and for advertising stock medicines for purposes for which they are not registered. The question is whether such regulations can be made under the Federal Agricultural and Veterinary Chemicals Code. Sections 84, 88 and 89 of the code state:

It is against the law to:

Make claims, or permit claims to be made, about registered agricultural or veterinary chemicals that are inconsistent with instructions on the approval label.

Place and publish an advertisement or notice that offers to sell or invites someone to buy an unregistered agricultural or veterinary chemical, unless an application for registration has been made with NRA and the **advertising** states that fact and advises that the chemical is not yet registered.

Make claims or permit claims to be made that are incorrect, false or misleading. This includes implying the NRA or any

Commonwealth, State or Territory Department recommends the product.

Given that the pharmaceutical industry, sadly, has been irresponsible in its marketing, in countries that have removed restrictions on the advertising of pharmaceuticals there have been big changes in consumption patterns, with the consumption of medicines that were often not needed and which effectively are a misdirection of the health resources of the nation, to put not too fine a point on it. The regulation of advertising is an important subject. It is my position that people should have responsibility in proportion to their power. Industries that have the power to influence consumption patterns at a national level must be responsible for the consequences of the changes in those consumption patterns. That principle has put pressure on McDonald's with regard to childhood obesity and the consumption of junk foods—

The Hon. Catherine Cusack: Individuals are responsible for what they consume.

The DEPUTY-PRESIDENT (The Hon. Patricia Forsythe): Order! The Hon. Dr Arthur Chesterfield-Evans has the call.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: It is difficult to speak when someone is interrupting. I propose to wait to collect my thoughts for however long it takes. If the interjections interrupt my train of thought I propose to wait until they have cleared and my thought processes have come back. Should that take half the afternoon, that will be on the head of the interjectors. The power of advertising is extremely important. The general sniggering is much to be regretted and shows just how little thought is given to the power of advertising. The irresponsibility of pharmaceuticals, the changes in consumption patterns in New Zealand, the effect of advertising of medicines to doctors and their prescribing habits have all been told by groups such as MaLAM, the Medical Lobby for Appropriate Marketing, now called "Healthy Scepticism", and others concerned about the effect advertising of medicines has on health. The advertising of medicines in the public domain has been regarded as even more important than in professional journals, because the readers of professional journals, one hopes, are sophisticated and aware of the possible effects of advertising. Advertising in professional journals is quite serious because of the distorting effect it has on the item being advertised. Papers such as the *Land*—

The Hon. Duncan Gay: Point of order: I take a point of order on relevance. On my reading of the objects of the bill, the bill has nothing to do with advertising, least of all medical advertising. I request that you draw the honourable member back to the subject matter of the bill.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: To the point of order: I find these continual points of order from the Leader of The Nationals extremely offensive. The minute I endeavour to make a point from the general to the particular, from the general aspect of advertising to the advertising of pharmaceuticals, I am interrupted by frivolous points of order. I had referred to the content of newspapers and to the *Land.* I was about to refer to stock medicines and to talk about their general advertising. I had moved from general concerns about advertising to concerns about this bill and why the regulation of advertising should be preserved. I had been developing these claims for not more than five minutes and I was interrupted by a silly diatribe from a member who is quite happy to talk for 20 minutes about nothing when it suits him.

The DEPUTY-PRESIDENT (The Hon. Patricia Forsythe): Order! The Hon. Dr Arthur Chesterfield-Evans should not debate the issue; he should address the point of order.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: My point is that my comments about advertising are extremely relevant to this bill, and I was on my way to proving just that. I have been interrupted and I would like permission to continue my sensible approach to advertising.

The DEPUTY-PRESIDENT (The Hon. Patricia Forsythe): Order! It is not a question of my giving the member permission to continue. Although the Hon. Dr Arthur Chesterfield-Evans may speak generally about advertising, I remind him that it behoves him to address the specific objectives of the bill.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Thank you, Madam Deputy-President, I acknowledge your ruling. As I was saying, advertising in the *Land* has considerable impact on the content of the *Land*. I had a friend who was involved in—

The Hon. Catherine Cusack: Point of order: The Hon. Dr Arthur Chesterfield-Evans acknowledged the ruling of Deputy-President Forsythe but then continued from where he left off. He is treating the ruling with contempt. He has not been able to demonstrate where advertising in medical journals is relevant to the objects of the bill. He launched a personal attack on the Deputy Leader of the Opposition, saying that it was churlish of the Deputy Leader of the Opposition to take a point of order, but he did not address the point of order himself. Again, I ask you to draw the honourable member back to the subject matter of the bill.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: To the point of order: I was talking about the effect of advertising. This bill will change laws in relation to advertising. I was speaking about advertising and its effect on the content of journals, which affect very much the way stock are managed by farmers, and that is extremely important to husbandry, to which this bill is related. I argue that what I am saying is absolutely relevant to the bill. The Opposition is merely being churlish in taking the point of order. There is no point of order and what I am saying is exactly on the subject of the bill.

The DEPUTY-PRESIDENT (Reverend the Hon. Fred Nile): Order! The member will confine his remarks to subject matter of the bill and not embark on a general discussion about advertising.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Items [21] and [37] of schedule 1 to the bill will remove the power to regulate the advertising of stock medicines. In particular, they will remove the penalties that can be imposed for faulty or misleading advertising and for advertising stock medicines for purposes for which they are not registered. These are

extremely important provisions in that they weaken the power to regulate advertising. I contend, given the power of advertising to influence husbandry practices and the chemical environment in which stock exists—and the chemical environment consequently in which the population exists—that the Government should not give up the power to regulate advertising. Advertising in the *Land* affects the content of all articles in the *Land.*

The Hon. Ian Macdonald: The *Land* newspaper?

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Yes, the *Land* newspaper. A friend of mine conducted research into organic farming involving non-chemical—non-medicinal, if you like—treatment of stock and the breeding of stock resistant to worms, as opposed to the practice of having to squirt worm medicine into the mouths of cattle. He found that because the *Land* took so many advertisements for stock medicines, such as anti-worming mixtures, it was difficult to have published in that newspaper articles about breeding worm-resistant stock. If ever such an article were to appear in the paper, there would be a flurry of advertisements and another article would be published stating that although the theories about breeding worm-resistant stock were being developed, the standard practice was to use chemicals.

In other words, chemical advertising has a double effect: the effect the advertising has on those reading the newspaper, and its effect on the content of the paper. This advertising must be accurate and it must be regulated. The Government must have the power to monitor it and to enforce reasonable practice. The key point is that the Government should not surrender the power to regulate advertising.

As a further example on this point, in the early 1980s the editor of the *Medical Journal of Australia*, Alan Blum, resigned because the journal's content was being influenced by the marketing department and its relationship with advertisers. This is a crucial aspect of consumption patterns with regard to drugs and medicines, and that will be critical to our practices and our diets. To suggest that my contribution is beyond the scope of the bill is nonsense. It is right on the bill. The Australian Democrats are quite concerned about this aspect of the bill. Any suggestion that government control of advertising should be abolished—which no doubt comes from the stock medicines industry itself—should be resisted. I am disappointed that this Government has not done a better job of resisting that suggestion or of at least placing this power within a more sensible national framework, because increasingly advertising, even in print, should be regulated at the national level. I give notice that I will be moving amendments in this regard.

Reverend the Hon. Dr GORDON MOYES [4.40 p.m.]: I speak on behalf of the Christian Democratic Party on the Stock Medicines Amendment Bill, the motivation for which is to make amendments to the Stock Medicines Act 1989, to implement the results of the two National Competition Policy reviews on stock medicine use. The Stock Medicines Act 1989 primarily governs the use of stock medicines in New South Wales. Stock medicines are also known as "veterinary chemicals" in other Australian States. One of the main purposes of the Act is to regulate stock medicines in order to ensure that products consumed by humans are not contaminated by stock medicines. The first review, conducted by the Commonwealth Government in 1999, was a national review of Federal agricultural and veterinary chemicals legislation. The second was a separate State review of the New South Wales Stock Medicines Act 1989. The bill proposes a number of incidental amendments to update the Act and improve its efficiency. It is said that the bill will bring the New South Wales Act up to speed with the agreed national framework on stock medicine use.

The Christian Democratic Party supports the proposed changes to the New South Wales Stock Medicines Act 1989. Given that the changes will primarily bring regulation of stock medicines in New South Wales up to the standards derived at the Federal level, I do not see any great problems with them. As was said by another member earlier, there is a great future for organic farming, but this does not mean that we should ignore the use of chemicals and medicines in general farming. Some of the major provisions for change are as follows. The bill proposes a redefinition of the objects of the Act to include the protection of human health by early intervention in the agricultural production process, the facilitation of international trade by ensuring that New South Wales chemical residue standards are on par with standards set by international trading partners, and the protection of the welfare of animals treated with stock medicines. The inclusion of these objects is vital for the correct interpretation of the statutory provisions of the Act. When a provision is, on its face, ambiguous, recourse is had to the general context of a bill and, of course, to its objects. An appropriate guiding light to the way a provision is to be interpreted in the form of a clearly attainable object is commendable. In brief, any product used with any stock used for human consumption must be suitable for food produced for humans.

A number of strict liability offences are created by the bill. This means that the prosecution need not prove that the offender had the intention of committing an offence; the prosecution need only prove, in order to secure a prosecution, that the offence was committed. This is the legal principle known as mens rea. An example of such an offence is the use of unregistered stock medicine without authorisation, the maximum fine for which is $22,000 for an individual or $44,000 for a corporation. Another example is when a veterinary surgeon prescribes stock medicines contrary to the Act. As noted by the Legislation Review Committee, strict liability offences should only be applied when it is in the public interest because, generally, criminal intent must be proved by the prosecution as an element of an offence. But strict liability offences ought to apply when there is a need for persons to act with the utmost diligence and care, especially when human health is potentially at risk by acts or omissions. As the Legislation Review Committee stated:

Given the objects of the Act, the need for persons dealing with stock of a food producing species to be attentive to compliance with controls on using stock medicines, and the proportionality of the penalty to the offence, the Committee does not consider that these strict liability offences trespassed unduly on personal rights and liberties.

I take the liberty of trying to explain that in simple terms. It means: Abuse these substances and you will cop it! The bill provides that records must be kept by veterinary surgeons of certain treatments and prescriptions relating to stock medicines. Though it may be said that this is common practice, there is no harm in legislating such a requirement. The bill requires veterinarians to provide relevant instructions to the owner or person in charge of stock relating to the treatment of

that stock with a stock medicine. Again, we would expect that to happen. Given the position of authority and expertise exercised by veterinarians, this provision is a welcome addition to the raft of initiatives introduced by the bill to ensure that veterinarians exercise a high degree of care in providing such services. This is particularly so as many of the stock medicines now available are highly potent.

The bill will allow a person to use a stock medicine intended for a major food producing species on stock of some other food producing species so long as certain requirements are complied with. The bill removes certain offences relating to the use of unregistered stock medicines on animals that are not of a food producing species. For example, persons may give aspirin to their cat or worm tablets designed for cats may be given to dogs. The Hon. Dr Arthur Chesterfield-Evans referred to advertising of stock products. I will not revisit that argument. The only provisions in this bill concerning the advertising of stock medicines are those that relate to the removal of offences for advertising stock medicines, an initiative taken as a result of a move to control advertising on a Federal level. In July this year the Australian Health Ministers Conference recommended to the Council of Australian Governments that all controls on the advertising of agricultural and veterinary products should be included in the Agricultural and Veterinary Chemicals Code Act, which is administered by the Australian Pesticides and Veterinary Medicines Authority. A consistent, uniform code in this area will be beneficial to advertisers, given that certainty and clarity will hopefully be the result of a national advertising standard.

The grounds upon which orders may be made under the Act prohibiting or regulating the use of stock medicines or their recall are extended by the bill. The bill also repeals provisions of the Act, the operation of which is currently suspended under the Agricultural and Veterinary Chemicals (New South Wales) Regulations 2000 because the provisions are covered by Commonwealth law. The bill will enable penalty notices to be issued for offences against the stock medicine legislation. For example, the proposed provisions. will make veterinary surgeons legally responsible if they provide inappropriate advice that results in illegal residues in animals under their care.

Proposed section 60A will enable authorised officers to issue such penalty offences. However, as pointed out by the Legislation Review Committee, the bill does not provide requirements regarding the qualifications or attributes of persons who may be authorised for the purposes of proposed section 60A. It is of utmost importance for legislation to provide statutory limits on those who may exercise administrative powers, especially when such persons are in a position to issue penalty notices. In brief, the Christian Democratic Party supports the Stock Medicines Amendment Bill, primarily because what we feed to animals may end up in the human health chain. Therefore, we must regulate the use of stock medicines in farm animals that are used for human consumption.

The Hon. IAN MACDONALD (Minister for Primary Industries) [4.49 p.m.], in reply: I thank the honourable members for their contributions to the debate, particularly the Deputy Leader of the Opposition, who made a very cogent and insightful speech. I note the concerns of the Hon. Dr Arthur Chesterfield-Evans about advertising controls, which are being repealed at the direction of the National Competition Council. The Department of Primary Industries does not consider that this direction is appropriate, but it concedes that it would be extremely difficult to argue against it.

The national review of drugs, poisons and controlled substances, known as the Galbally review, recommended such an appeal only when alternative national legislation was in place. The repeal of the provisions will not be enacted until that has happened. If this does not happen, New South Wales will be completely out of step with the other jurisdictions in relation to these controls. In other words, the advertising provisions are directed out of a national framework that is being developed and that will be implemented only when the national legislation is enacted. I remind the House also that the registration and control-of-use provisions for stock medicines remain with the Australian Pesticides and Veterinary Medicines Authority. I thank honourable members for their contributions and commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

NSW Legislative Council Hansard, 17 November 2004, Pages 39 - (article 36)

- Subjects:
  Rural Industry; Veterinarians; Chemicals; Animals; Drugs in Sport
- Speakers:
  Macdonald The Hon Ian; Gay The Hon Duncan; Cohen Mr Ian; Chesterfield-Evans The Hon Dr Arthur; Deputy-President (The Hon Patricia Forsythe); Deputy-President (Reverend the Hon Fred Nile); Moyes Reverend the Hon Dr Gordon
- Speech Type:
  2R; Bill; Debate; Motion
- Printing Tips
- Print selected text