

#### Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

#### Overview of Bill

Section 18 of the Food Act 2003 makes it an offence to engage in misleading or deceptive conduct in relation to food intended for sale or the sale of food. Section 18 also makes it an offence to falsely describe such food. Section 22 of that Act sets out various circumstances in which food is taken to be falsely described. The maximum penalty for an offence under section 18 is 500 penalty units (for an individual) and 2,500 penalty units (for a corporation).

The object of this Bill is to amend section 22 of the Food Act 2003 as follows:

(a) to provide that meat is falsely described if it is described by words, letters or symbols that are used by the AUS-MEAT Users' Guide to Australian Meat to designate or indicate meat of a particular type or grade, but has not been assessed in accordance with the requirements of that publication or does not comply with the standards set out in that publication with respect to that type or grade of meat,

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(b) to provide that a person is taken to have engaged in conduct that is misleading or deceptive in relation to the sale of meat if:

(i) the person advertises, packages, labels or sells meat described by means of AUS-MEAT language, and

(ii) other meat advertised, packaged, labelled or sold by that person is described by any other means.

#### Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 is a formal provision that gives effect to the amendment to the Food Act 2003 set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the Interpretation Act 1987 provides that the repeal of an amending Act does not affect the amendments made by that Act.

#### Schedule 1 Amendment

Schedule 1 amends the Food Act 2003 to give effect to the object referred to above.