

**FOOD ACT 1989—REGULATION**

(Relating to food utensils and meat for human consumption)

NEW SOUTH WALES



*[Published in Gazette No. 37 of 27 March 1996]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Food Act 1989, has been pleased to make the Regulation set forth hereunder.

ANDREW REFSHAUGE  
Deputy Premier and Minister for Health.

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**Commencement**

1. This Regulation commences on 27 March 1996.

**Amendments**

2. The Food (General) Regulation 1992 is amended:
  - (a) by inserting in clause 4 (1) in alphabetical order the following definition:

**“Food Standards Code”** has the same meaning as in the Food Standards Code (Incorporation) Regulation 1995;
  - (b) by inserting after clause 13 (5) the following subclause:

(6) This clause does not apply to premises or a vehicle if disposable eating or drinking utensils only are provided to customers for consumption of the food prepared in the premises or vehicle.
  - (c) by inserting after clause 33 (4) the following subclause:

(5) This clause does not apply to premises or a vehicle if disposable eating and drinking utensils only are provided to customers for consumption of the food prepared in the premises or vehicle.

- (d) by omitting clauses 64 and 64A and by inserting instead the following clauses:

**Possession of meat not used for human consumption**

64. (1) A person must not, in premises used to handle food for sale for human consumption, keep or have possession of:

- (a) game meat, or
- (b) meat (other than game meat) that is derived from an animal not generally used as food for human consumption.

Maximum penalty: 25 penalty units.

(2) Subclause (1) does not apply to game meat if the game from which the meat is derived has been killed and handled, and the meat has been handled, prepared, processed, inspected, transported and stored, in accordance with Part 14 of Standard C1 of the Food Standards Code.

(3) In this clause, "game meat" has the same meaning as in Part 14 of Standard C1 of the Food Standards Code.

**Game meat for human consumption**

64A. (1) The Director-General may, for the purposes of Part 14 of Standard C1 of the Food Standards Code, approve a code as a governmentally approved quality assurance program.

(2) A code approved under this clause, and any amendment to the code, must be published in the Gazette.

(3) A code approved under this clause, and any amendment to the code, does not have effect for the purposes of Part 14 of Standard C1 of the Food Standards Code until it is published in the Gazette.

(4) The New South Wales Code of Practice for Kangaroo Meat for Human Consumption approved by the Director-General and the Meat Industry Authority of New South Wales and published in the Gazette on 24 March 1993 is taken to have been approved under this clause.

(5) This clause does not limit the meaning of governmentally approved quality assurance program referred to in Part 14 of Standard C1 of the Food Standards Code.

- (e) by inserting in clause 68 (c) after the word "overalls" the words "(other than one-piece overalls)".
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**EXPLANATORY NOTE**

The object of this Regulation is to amend the Food (General) Regulation 1992:

- (a) to exempt vehicles and premises in which food is prepared for sale from certain requirements relating to dishwashers, sinks and the cleaning of food utensils if disposable food utensils only are provided to customers of the vehicle or premises; and
- (b) to amend the provisions relating to the possession and sale of meat for human consumption as a consequence of amendments inserting standards for game meat into the Commonwealth Food Standards Code which is applied as a law of New South Wales by the Food Standards Code (Incorporation) Regulation 1995; and
- (c) to prevent one-piece overalls being used by persons delivering meat to butchers' shops.

This Regulation is made under the Food Act 1989, including section 90 (the general regulation making power).

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