Quarantine Amendment Proclamation 2012 (No. 2)1

*Quarantine Act 1908*

I, PROFESSOR MARIE BASHIR, AC, CVO, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Proclamation under section 13 of the *Quarantine Act 1908*.

Signed and sealed with the
Great Seal of Australia
on 30 August 2012

MARIE BASHIR
Administrator

By Her Excellency’s Command

JOSEPH WILLIAM LUDWIG

Minister for Agriculture, Fisheries and Forestry

1 Name of Proclamation

 This Proclamation is the *Quarantine Amendment Proclamation 2012 (No. 2)*.

2 Commencement

 This Proclamation commences on the day after it is registered.

3 Amendment of *Quarantine Proclamation 1998*

 Schedule 1 amends the *Quarantine Proclamation 1998*.

Schedule 1 Amendments

(section 3)

[] Section 3

insert

***Agriculture Department*** means the Department administered by the Agriculture Minister.

[] Section 3

insert

***Agriculture Minister*** means the Minister who administers this Proclamation in relation to matters relating to animal and plant quarantine.

[] Section 3

insert

***DAFF FMD Approved Country List*** means the list that is published on the Agriculture Department website of countries that the Secretary is satisfied is free from foot-and-mouth disease.

*Note*The Agriculture Department’s website address is www.daff.gov.au.

[] Section 38, table 13, item 4A

omit

and animal tissues (including fish) if:

insert

, animal tissues (including fish) and animal excretions, if:

[] Section 38, table 13, item 20

omit

Prawns

insert

Dried prawns

[] Section 38, table 13, after item 20

insert

|  |  |
| --- | --- |
| 20A | Prawn-based food products, if shelf-stable and for the personal consumption of the person wishing to import the product |

[] Section 38, table 13, after item 25C

insert

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| --- | --- |
| 25D | Non-salmonid finfish and finfish products, if the product: (a) is able to be stored at room or ambient temperature; and (b) does not require refrigeration or freezing before the package is open; and (c) is for the personal consumption of the person wishing to import the product |

[] Section 38, table 13, after item 29

insert

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| --- | --- |
| 29A | Luwak coffee in any form (including whole beans, ground beans or for instant use) if: (a) the beans, or the beans from which the product is made, have been roasted; and (b) the product is commercially prepared and packaged; and (c) the product is imported in an amount not more than 1 kilogram or not more than 1 litre; and (d) the product is for the personal consumption of the person wishing to import the product |
| 29B | Soup, if shelf stable and for the personal consumption of the person wishing to import the product |
| 29C | Kopi luwak, if completely embedded in resin and intended for the purpose of display only |

[] Section 38, table 13, after item 31A

insert

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| --- | --- |
| 31B | Pate, whether containing egg or not, if the product is: (a) shelf stable; and (b) imported in an amount not more than 1 kilogram or not more than 1 litre; and (c) for the personal consumption of the person wishing to import the product |

[] Section 38, table 13, item 34

substitute

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| --- | --- |
| 34 | Commercially prepared meat floss, if for the personal consumption of the person wishing to import the product |

[] Section 38, table 13, after item 37

insert

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| --- | --- |
| 38 | Beef jerky, if the product is: (a) shelf stable; and (b) imported in an amount up to 1 kilogram; and (c) manufactured in a country on the DAFF FMD Approved Country List; and (d) for the personal consumption of the person wishing to import the product |

[] Paragraph 40 (2) (g)

substitute

 (g) personal consignments of commercially prepared and packaged dairy products that are manufactured in a country on the DAFF FMD Approved Country List and intended for human consumption;

[] Paragraph 40 (2) (i)

substitute

 (i) personal consignments of cheese cakes, and cooked cakes containing dairy fillings or toppings, that are manufactured in a country on the DAFF FMD Approved Country List and intended for human consumption;

[] Subparagraph 40 (2) (j) (i)

omit

coffee

insert

coffee, tea

[] Subparagraph 40 (2) (j) (iv)

omit

it.

insert

it;

[] After subparagraph 40 (2) (j) (iv)

insert

 (k) protein powders and supplements, with or without enzymes or egg proteins, that are:

 (i) commercially prepared and packaged; and

 (ii) manufactured in a country on the DAFF FMD Approved Country List; and

 (iii) for personal consumption by the person wishing to import the product;

 (l) a dairy product that is manufactured in a country not listed on the DAFF FMD Approved Country List, if the product is:

 (i) shelf stable; and

 (ii) imported in an amount not more than 1 kilogram or not more than 1 litre; and

 (iii) imported for the personal consumption of the person wishing to import the product; and

 (iv) not prohibited by a notice on the Department of Agriculture, Fisheries and Forestry website;

 (m) a commercially prepared dairy product, if the product is:

 (i) an infant food; and

 (ii) manufactured in a country not listed on the DAFF FMD Approved Country List; and

 (iii) shelf stable; and

 (iv) for the personal use of infants under the care of the person wishing to import the product; and

 (v) either:

 (A) if accompanied into Australia by the person importing the product—in an amount not more than 5 kilograms or not more than 5 litres; or

 (B) if not accompanied into Australia by the person wishing to import the product—in an amount not more than 1 kilogram or not more than 1 litre.

[] Subsection 41 (2), table, after item 6

insert

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| --- | --- |
| 7 | Egg waffles that are shelf stable and for the personal consumption of the person wishing to import the product |
| 8 | Processed egg products (excluding whole eggs) that are: (a) shelf stable; and (b) imported in an amount not more than 1 kilogram or not more than 1 litre; and (c) for the personal consumption of the person wishing to import the product |
| 9 | Whole eggs, if the product is: (a) canned; and (b) shelf stable; and (c) imported in an amount not more than 1 kilogram or not more than 1 litre; and (d) for the personal consumption of the person wishing to import the product |

**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003.* See [www.comlaw.gov.au](http://www.comlaw.gov.au/).