



SUBMISSION

14 October 2024

Laura Bruce
Director, Biosecurity Operations
Department of Primary Industries and Regions
By email: pirsaeidsheepandgoat@sa.gov.au

Dear Laura

Re: Feedback to the draft Livestock (Electronic identification of Sheep and Goats) Amendment Regulations 2024

Thank you for your letter on 12 September 2024 inviting Livestock SA to provide feedback on the draft *Livestock (Electronic Identification of Sheep and Goats) Amendment Regulations 2024* (draft regulations) that are required to implement electronic identification of sheep and farmed goats in South Australia.

Livestock SA is the peak industry organisation for South Australia's red meat and wool producers. Representing over 5,200 sheep producers and more than 2,700 beef cattle producers across the state, we work to secure a strong and sustainable livestock sector. South Australia's \$4.3 billion livestock industry is a key economic contributor to the state which supports 21,000 South Australian jobs across the red meat and wool industries.

The transition to Sheep and Goat eID is significant for these industries as it has considerable operational and financial impacts. We welcome the opportunity to provide this submission to ensure the final regulations achieve national harmonisation and effectively meet the needs of the sheep and goat industries.

Background

Since the commitment to transition to eID for sheep and farmed goats was made by all state, territory and federal governments in 2022, Livestock SA has worked closely with the Department of Primary Industries and Regions SA (PIRSA) to achieve the best outcomes for our members and the broader industry.

In early 2023, Livestock SA developed a set of principles to guide our position on the transition to sheep and goat eID. National harmonisation across all jurisdictions, including but not limited to state legislation and regulations, is one of these eight principles¹. National harmonisation has been

¹ Livestock SA Sheep and Goat eID Principles (Livestock SA) 2023, <https://livestocksa.org.au/news/current-issues/eid-2/sheep-goat-traceability-principles>

strongly and consistently supported by industry in all forums and processes related to this significant change to small stock traceability.

We provided feedback on the development of the National Livestock Identification System (NLIS) Sheep and Goat Standards (the Standards) and supported our peak industry council, Sheep Producers Australia, in endorsing the amendments through the SAFEMEAT process. These Standards serve as the agreed industry and government framework to guide national harmonisation.

At the state level, Livestock SA supported the government's transition timelines for the introduction of eID in South Australia².

We note that the regulation amendments are proposed to apply only to sheep and goats and are not intended to impact the existing requirements for other species regulated under Part 11 of the *Livestock Regulations 2013* such as cattle, pigs and deer.

After reviewing the consultation documents, we consider the proposed amendments to the *Livestock Regulations 2013* through the draft regulations to implement minimum essential requirements for sheep and farmed goat eID in South Australia align with the intent of the Standards to achieve a harmonised transition.

Electronic Identification

Broad policy intent: Sheep and farmed goats must be electronically tagged with an NLIS accredited eID device in the timeframes reflected in South Australia's eID Implementation Timeline.

Livestock SA supports the policy changes that enables the transition to eID for sheep and goats, phasing out the current visual tag system. The transition accurately reflects the 'South Australia's eID Implementation Timeline'. The policy changes outlined are consistent with the state and national timelines and achieve the key objectives of the Standards and the Livestock SA principles.

Producers have raised concerns about the retention of eID tags and the potential compliance issues that may occur when animals lose tags unbeknownst to the responsible person of the livestock. For example, there may be instances where all sheep and farmed goats have eID tags in place when they leave their property of origin but lose tags in transit to a saleyard or abattoir so the owner cannot replace them and will potentially be liable for a penalty. We seek further clarity on how these issues will be enforced and comply with Subdivision 2, regulation 71G.

Recommendation:

Government clarifies compliance operations in relation to Subdivision 2, regulation 71G.

Movement documentation

Broad policy intent: Movement documentation requirement to be updated to reflect the changes to individual electronic identification of sheep and farmed goats.

² South Australia's eID implementation timeline (Department of Primary Industries and Regions) 2024, https://www.pir.sa.gov.au/biosecurity/livestock_movement/eid_sheep_and_goats#toc_South-Australia-s-eID-implementation-timeline

Livestock SA supports the proposed changes regarding the information required in waybill movement documentation, which serves as an alternative to the National Vendor Declaration (NVD). The removal of the requirement to record data already embedded in eID tags will reduce the risk of human error. We also support the inclusion of the documentation completion date to ensure alignment with the Standards.

NLIS notification

Broad policy intent: Movement of individual sheep and farmed goats must be recorded in the NLIS database within 2 days (or earlier), with commencement of new requirements throughout the supply chain consistent with South Australia's eID Implementation Timeline.

Livestock SA support the changes to the data that needs to be uploaded to the NLIS database, allowing for the recording of individual animals by number or code, replacing the visual mob-based system.

We support the move to a nationally consistent 2-day (or earlier) timeframe for recording movements on the NLIS database. This is crucial for system success, ensuring rapid traceability of animals and alignment with cattle NLIS requirements. Consistency across species and jurisdictions reduces confusion through one rules-based system.

We request assurance from PIRSA that any potential issues with the NLIS database's capacity to handle the increased data demands of eID for sheep and goats, or other database issues beyond the control of producers, will not lead to penalties under Subdivision 4, regulation 71K. Producers cannot be held responsible for delays in data uploads due to limitations within the database. Clarifying the process for enforcement of compliance will ensure producers can take necessary steps to avoid non-compliance.

Recommendation:

Government clarifies how it will enforce compliance with the two-day timeframe for recording livestock movements on the NLIS database, as outlined in Subdivision 4, regulation 71K.

Harvested Rangeland Goats

Broad policy intent: Tag-free pathways from property of capture direct to processor or goat depot will continue for harvested rangeland goats (HRG).

Livestock SA broadly supports the proposed additions in Subdivision 5 as they align to the Standards but raises concerns regarding the definition of HRG in regulation 3A and the risks associated with accepting wild state goats that roam on farmed lands. We request that PIRSA include provisions in the regulations granting the authority to reject consignments of animals harvested from farmed lands where they may have been exposed to chemicals that pose a risk of residues. This is particularly relevant in southern regions of the state where wild goats inadvertently graze on cropping lands treated with chemicals that have meat withholding periods.

Livestock SA notes that regulation 71Q refers to the Chief Executive rather than the Chief Inspector and seeks clarification on whether this is correct.

The device free movement pathway must maintain the highest level of integrity for it to be operationally successful. A robust process assessing individual HRG applications will be imperative for the effective oversight of the system.

Recommendation:

Government refines the definition of harvested rangeland goat in 3A and include a provision to reject consignments that do not meet the criteria.

Other Considerations

South Australia will soon have a new Biosecurity Act, which consolidates a number of existing Acts that were passed or last amended between 15 and 104 years ago, including the *Plant Health Act 2009*, *Dog Fence Act 1946*, *Impounding Act 1920*, relevant provisions of the *Fisheries Management Act 2007*, and importantly the *Livestock Act 1997*.

Consistent with our position on the legacy of changes made to the *Livestock Act 1997* in late 2022 in response to increased emergency animal disease risks, we request that harmonised regulatory amendments made now are retained in the new Biosecurity Act framework. We also seek government assurance that future regulatory changes will ensure the system operates effectively across the supply chain, such as the Transporters section.

Recommendation:

Government ensure future regulatory work maintains all harmonised regulatory amendments, and further addresses areas of harmonisation.

Consistent with modern biosecurity legislation in other jurisdictions, the new SA Biosecurity Act introduces the General Biosecurity Duty (GBD), which will enable the concept of shared biosecurity responsibility to be legally enforced.

Livestock SA has held concerns about the compliance with traceability and other biosecurity responsibilities on small properties (e.g. hobby and lifestyle farms) for some time. For example, some of these properties do not have a property identification code (PIC), do not tag sheep and goats (or cattle), and do not record livestock movements on or off their properties.

Government should consider new ways to address these shortcomings in the system and incorporate solutions in the practical application of the draft regulations. New response options should be incorporated into the guidelines for future compliance activities now. For example, mandating PIC registration when properties change ownership and reviewing the timeframe for PIC renewals could be explored.

Recommendation:

Government considers new ways to address long standing noncompliance with traceability and other biosecurity obligations on small properties and incorporate solutions in the practical application of the draft regulations.

Summary

Livestock SA is generally comfortable that the draft regulations achieve national harmonisation and align with the principles we set in early 2023 for the government mandated transition to sheep and goat eID.

We strongly encourage the government to undertake a broad public awareness campaign to communicate the regulatory amendments to help livestock producers fully understand their obligations and assist with compliance.

We request that producers are given the opportunity to adjust to the new requirements of eID for sheep and goats, and after a fair and suitable transition period, non-compliance is investigated.

Please contact the Livestock SA office on (08) 8297 2299 or via email at admin@livestocksa.org.au if you would like to discuss this submission further.

Yours sincerely

Travis Tobin
Chief Executive Officer