**POULTRY PROCESSING BILL 1969**

**Legislative council, 13 February 1969, pages 3589-90**

Second reading

The Hon. C. R. STORY (Minister of Agriculture) introduced a Bill for an Act to regulate and control the processing of poultry intended for sale. Read a first time.

The Hon. C. R. STORY: I move:

That this Bill be now read a second time. For some time this Government, in common with the Governments of New South Wales and Victoria, has been concerned with reports that poultry, particularly frozen poultry, is being sold containing what are clearly excessive amounts of water. It follows that, if the housewife bought a bird that contained, say, 10 per cent to 15 per cent water (and such percentages are not uncommon) she would in fact be buying less chicken meat than she thought she was buying. Also, a processor who includes an excessive amount of water in his product can sell his product at a lower price than his competitors can and still retain his acceptable margin of profit. It appears then that two classes of person are deserving of protection in this matter - the housewife and the processor who is producing a good standard of product.

When this question was first looked at, the amount of water in the product was determined by allowing the bird to thaw out under controlled conditions and then comparing the weight of water expressed with the weight of the bird after thawing. This test could be described as the “thaw test”. However, it was noted that on the thaw test not all the water in the bird was recovered and that a certain significant amount was actually retained in the tissues of the bird. This fact alone renders the thaw test unsuitable for the purposes of determining the amount of water taken up.

After intensive investigations by officers of the Agriculture Department and the Chemistry Department, a suitable test has been designed. It entails weighing a representative sample of birds before they are washed after evisceration and again after they are drained prior to freezing or chilling. The difference in the weights is then expressed as a percentage of the first weight and called the “weight gain”. This weight gain test is acceptable to the authorities in New South Wales and Victoria.

Of its nature, this test can be applied only in a plant since it must take place during the processing. As there is a considerable interstate movement of birds for sale, it follows that each major producer State must have legislation that is broadly similar. This State was given the task of producing a model Bill embodying the test, and this model has been accepted in principle by New South Wales and Victoria. In fact, Victoria has already enacted legislation substantially the same as the measure now proposed. When the principal producer States have enacted appropriate legislation, a uniform commencing date will be decided upon. This measure recognizes that some take-up of water is inevitable but is intended to ensure that this take-up is kept to the acceptable figure of 8 per cent, a figure that has been accepted by the industry generally. Its enactment should result in more orderly marketing and a better product being placed on the dining table.

Let me consider the Bill in some detail. Clause 1 is formal. Clause 2 will allow for the fixing of a day of commencement after consultation with the other producer States. Clause 3 is formal. Clause 4 sets out the definitions necessary for the Bill, the most significant being the “weight gain” formula. Clause 5 makes provision for any exemptions from the Act that may be found necessary. Clause 6 provides for the appointment of inspectors, and Clause 7 provides for the issuing to such inspectors of certificates of identification. Clause 8 sets out the powers of inspectors and is generally self-explanatory. Clause 9 prohibits the processing of poultry in other than registered plants. Clause 10 provides that any change of control of a registered plant shall be notified to the Minister.

Clause 11 provides for the registration of plants and for the registration of two or more plants as one plant. This is to cover the situation where part of the processing is carried out in one set of premises and part in another set of premises. Clause 12 is the key clause and, in effect, provides for a substantial penalty for processors who process birds having a weight gain of more than per cent. If the penalty of $2,000 seems excessive, it must be remembered that an average of 5 per cent excess water in a day’s run of 45,000 birds represents a weight of water equivalent to the weight of more than 2,000 birds each day. Clause 13 will allow a court before which an operator is convicted to suspend the registration of the plant, in respect of which the breach occurred, for up to six months.

Clause 14 is designed to prevent the application of processing methods that would cause to be retained in the tissues water that could not be detected by the application of the test— for instance, the injection of water into a bird before it was first weighed. Clause 15 empowers an inspector to give reasonable directions so as to avoid excessive water take-up, and clause 16 provides for an appeal against those directions. Clause 17 is an evidentiary provision. Clause 18 extends the liability for an offence to those members of g body corporate who permitted the offence to occur. Clause 19 provides for summary proceedings for offences—that is, for proceedings to be conducted under the Justices Act. Clause 20 provides for the necessary power to make regulations.

The Hon. A. F. KNEEBONE secured the adjournment of the debate.