**CHAFF, HAY AND FRUIT BILL1908**

**House of Assembly, 19 November 1908, pages 861-3**

Second reading

**The COMMISSIONER of CROWN LANDS,** in moving the second reading, said the Bill had been agitated for for many years. Last year on account of the scarcity of chaff considerable mixing went on, and the position became so acute that he was waited on by various bureaus, the Advisory Board, and the general public, with requests for prohibitive legislation. People who bought chaff for their horses found that it was half straw, and that the animals knocked up half way on a journey. This was brought about entirely by unscrupulous sellers of chaff putting straw in with it. The same thing applied with regard to cows. A man might sell a cow thinking it was no good, whereas the rea­son that it did not give the desired amount of milk was that the hay on which, it was fed was adulterated. It became so necessary to legislate in the matter that the Government felt itself forced to introduce the Bill. The trouble was aggravated last

year by the shortage of hay, and suburban stockowners and farmers in newly opened districts strongly complained of the inferior quality of the chaff supplied to them. The Agricultural Bureau had moved in the matter on many occasions, and at the September congress a motion was carried by a large majority in favour of the Bill. The Advisory Board of Agriculture also strongly supported it. In some cases salt and water were mixed with chaff in an excessive proportion. At present, although they knew that the article was adulterated in different ways, they could not sheet the guilt home, and the object of the Bill was to give them power to do so. Honest dealers would welcome the measure. The Bill dealt with various others matters. Among them clause 9 dealt with the standard weight of a bag of wheat. That was there by mistake. The Bill had been prepared a long time ago, whether by the present Government he did not know. That matter, however, had been dealt with by the Federal Parliament, and he did not propose to touch it. The standard weight of a bag of chaff had been asked for by a large section of the public. (Mr. McDonald—“You have made it 40 lb. gross. It should be 40 lb. net.”) He had been told by a number of merchants that it would be impossible to carry out the proposal for 40 lb. net. The Chapman sack would not hold it. The stan­dard fruit case had been advocated by the Fruitgrowers’ Association for years. Publicity had been given to the proposal, and no opposition had been shown. The market wholesale packers supported the proposal. Legislation was necessary. Otherwise a few growers would upset the standard case by selling in the larger kerosine case. The kerosine case was not only considerably in excess of a bushel in capacity, but was not fit for use as a receptacle for fruit. The proposed case was similar to that used for practically all exports of apples, and was the same as the Victorian standard case. Victoria and Tasmania had already legislated on the subject, and results had been satisfactory. The only objection in Victoria so far as could be learned was the necessity for having the maker’s name legibly marked on every case. This was not asked for in South Australia. The Federal conference of fruitgrowers last month had passed a resolution unanimously asking the States to legislate for the adoption of a standard case. (Mr. Rudall—“You propose that chaff shall be sold by the long ton?”) Yes; the 2 000 lb. ton was a fraud. (Mr. Rudall— “Oh, no; people know it.”) Not, always. The standard ton had been asked for by chaff merchants and by the public all over the State. People charged as much as they could, and gave as little as they could. (Mr. Rudall—“How much would a bran bag hold?”) As much as one put into it. The standard ton would do away with a lot of misunderstanding. The draftman’s report was as follows:—“This Bill is based upon resolutions adopted from time to time by the Advisory Board of Agriculture. Its object, as the full title indicates, is two fold:—(1) To prevent adulteration of chaff; and (2) to regulate the sales of chaff, cereals, and fruit. The former-object is aimed at in clauses 3 to 5. and the latter in clauses 6 to 12. The remaining clauses contain machinery for administering the Act and enforcing it’s provisions. For the purposes of the Act chaff is divided into hay chaff and straw chaff. The former is defined as the chaffed stalks, leaves, and heads of any one or more of the following cereals and plants:— Wheat, oats, lucerne, and any other cereals and plants, the chaff of which is by proclamation declared to be hay chaff; but the chaff of any cereal or plant from which the grain or seed has been removed is not hay chaff. Any chaff not coming within that description is called straw chaff. There is no definition of mixed chaff, because, acting on the advice of the Advisory Board of Agriculture, it has been decided to treat mixtures as straw chaff. Clause 3 prohibits the sale of chaff other than hay chaff unless the bag is marked straw chaff in letters at least 1 1/2 in. in height; and clause 4 prohibits the sale of any chaff to which any foreign ingredient has been added other than such as are permitted by regulation, or in greater proportions or amounts than allowed by regulation. Clause 5 makes a further provision for the protection of the purchaser of chaff. When a quantity not less than 10 cwt. is sold a signed statement must be given indicating whether it is hay chaff or straw chaff, and the statement amounts to a warranty of the class, so that if not true the purchaser would have the ordinary civil remedies for breach of warranty. The sale of chaff, cereals, and fruit is regulated by fixing standards. By clause 6 the standard weight of a bag of chaff is 40 lb. (including the weight of the bag), and clause 7 prohibits the sale of a bag chaff of less than that weight. Clause 8 is inserted to remove an irregular and inconvenient practice which exists to a considerable extent in the chaff trade, and which renders the expression ‘ton’ uncertain in meaning and often misleading. It seems a ton is taken to mean what is called a short ton—2,000 lb., contrary to the ordinary use of manking whereby a ton means 2, 240 lb. When chaff is exported, however, a ton has to be a long ton—a ton properly speaking. The clause provides that when chaff is sold by the ton, the word shall have its proper meaning of 2,240 lb. Clause 9 fixes the standard weight of a bag of cereals at 200 lb. (including the weight of the bag), and clause 10 prohibits the sale or putting up of a bag of cereals exceeding that weight. Clause 11 fixes the standard size of a case and of a half-case of fruit, allowing a small percentage of variation; and clause 12 prohibits the sale of fruit otherwise than by standard case or half-ease except where it is- sold—(a) by weight, measure, or number; (b) in baskets, &c., or (c) in trays of one layer; and the clause does not apply to fruits exempted by proclamation. Clause 13 provides for prohibiting the introduction into particular localities of boxes, &c., which have already contained fruit. The administration clauses began at clause 14, which provided for inspectors. Clause 15 empowered those officers to enter premises for the purpose of inspecting the weight of bags of chaff, and of cereals, and the size of cases of fruit, and for taking samples of chaff for analysis, and for re­gulations whereby the exercise of those powers might be more particularly pre­scribed. Clause 16 provided for penalties, and clauses 17 and 18 dealt with summary proceedings and appeals. Under clause 19 regulations might be made for assisting in giving effect to the Act. In addition, if ‘cereals’ included wheat, oats, barley, rye, and such other grains as the Governor, by proclamation in The Government Gazette declared to be cereals for the purpose of this Act. The ordinary dictionary meaning of ‘cereals’ was ‘any edible grain,’ and that might be considered too wide, though Mr. Summers, the secretary of the Advisory Board of Agriculture, thought no practical difficulty could arise out of it." The Bill was well drawn, and after the thorough manner in which he had explained it members would have little difficulty in passing it into law.

Mr. PFLAUM said chaff merchants and the general public wouId welcome the Bill. It was rather ancient in some respects, and a good many alterations were - required to make it workable. The measure was not much wanted when wheat and hay were at ordinary or nominal prices. It had been brought forward to assist honest mer­chants and the persons who had to purchase fodder for consumption to ensure a good article. When chaff was at a high price straw was mixed with it, and as there was no Act in force the people did as they pleased. It was certainly better that they should know what they were buying. A man under the Bill would have to say what he was selling. It also provided for proper weight. When hay was £5 a ton they saw chaff being sold at 1/9 a bag, which was less than *£5,* and it was found that the people were not putting 40 lb. in the bag. The definition of what was chaff was clear, and they had to say whether it was wheaten or hay chaff. When wheat was dear and chaff was cheap some merchants used to take the heads of wheat out of a load and strip them before cutting it up. (MV. Rudall—“Would not it be shriveled?”) It might be good for milling or for fowls’ feed. Another wise provision was that no other ingredients than those stipulated in the regulations could be put in the chaff. A little water and a little salt did not hurt, but there should not. be so much as to allow the seller to make *money by* their addition. When straw chaff was being sold the seller had to declare it in writing; but he presumed that could be done on the cartnote, and not before a justice of the peace. They were now providing for the ton to be 2,240 lb.; but hay sold for chaff was generally 2,000 lb. to the ton. It did not make much difference, as the buyer knew what he was doing; but it was a mistake to sell chaff for 40 lb. gross. They had the 40 lb. net now, and as the bag generally weighed 2lb. the selling it at 40 lb. gross meant the loss of one cwt. in the long ton. If chaff was to be sold at 2,240 lb. to the ton, why not flour at the same quantity? (Commissioner of Crown Lanas—“Because there are not two kinds for flour, and there are for chaff.”) As it was now it made no difference how it was sold. Any buyer who used a quantity knew the weight he bought, and would reckon up himself which way he could buy the cheapest. Clause 9 should not be in the Bill, because by the time the measure came into operation there would be no more of the large sacks in the State. (Mr. James—“The size of chaffbags will not be altered.”) He presumed that branbags would be used for chaff. As for the fruit sections in the Bill, he took it that the standard case fixed for the sale of fruit would not affect the punnet trade in strawberries. Altogether the Bill would do a lot of good.

On the motion of the Hon. R. BUTLER the debate was adjourned until November 20.