



# Victoria Government Gazette

No. S 532 Thursday 6 October 2022  
By Authority of Victorian Government Printer

## Food Act 1984

(Section 5(5))

### EXEMPTION ORDER

I, Penelope McKay, Acting Secretary Department of Jobs, Precincts and Regions acting under section 5(5) of the **Food Act 1984** exempt the class of persons shown in column 1 of an item in the Schedule from complying with the specified clause of Standard 4.2.5 in column 2, for the limited circumstances specified in column 3.

In this exemption Order the following terms apply –

**egg producer** has the same meaning as in Standard 4.2.5;

**egg processor** has the same meaning as in Standard 4.2.5;

**Standard 4.2.5** means Standard 4.2.5 of the primary production and processing standard for eggs and egg product;

**the Act** means the **Food Act 1984**.

#### Revocation

The Order made under section 5(5) of the Act and published in the Victoria Government Gazette No. 392 dated 22 November 2012 is revoked.

Dated 27 September 2022

PENELOPE MCKAY

Acting Secretary, Department of Jobs, Precincts and Regions

### SCHEDULE

Item	Column 1 Class of Person	Column 2 Specified Requirement	Column 3 Specified Circumstance
1	Egg producer	Clause 10(1) of Standard 4.2.5.	The production involves eggs from an avian species other than chickens.
2	Egg processor	Clause 20(1) of Standard 4.2.5.	The processing involves eggs from an avian species other than chickens.
3	Egg producer	Clause 3(3) of Standard 4.2.5.	The production involves the production of eggs from any avian species where the producer has less than 50 birds.
4	Egg processor	Clause 13(3) of Standard 4.2.5	The processing of eggs occurs at a food premises declared to be a class 2 food premises under section 19C of the Act. The processing of eggs occurs at food premises under a non-standard food safety program for that food premises that is audited as required under the Act by an approved food safety auditor.

**SPECIAL**

**Food Act 1984**

(Section 4I)

## ORDER

I, Mary-Anne Thomas, Minister for Health, acting under section 4I of the **Food Act 1984**, declare an employee holding, acting in, occupying or performing the duties of the following positions to be a declared authority for the purposes of carrying out any function, duty or exercising any power of an Authority for the limited circumstances specified by this order:

- a) Secretary, to the department;
- b) Deputy Secretary, Agriculture to the department;
- c) Chief Executive, Agriculture Victoria to the department;
- d) Executive Director, Biosecurity Services to the department;
- e) Director, Plants, Chemicals and Invasives to the department;
- f) Chief Veterinary Officer to the department;
- g) Director, Animal Health and Welfare to the department.

For the purposes of this order, a declared authority specified in column 2 of an item in the Schedule is an Authority for the limited circumstances of a primary production and processing standard specified in column 3.

In this instrument –

‘*employee*’ has the same meaning as in the **Public Administration Act 2004**;

‘*the department*’ means the Department of Jobs, Precincts and Regions;

‘*primary production and processing standard*’ has the same meaning as in the **Food Act 1984**.

This Declaration revokes the declaration made pursuant to section 4I of the Act and published in the Victoria Government Gazette S 315 dated 16 September 2014.

Dated 6 September 2022

HON. MARY-ANNE THOMAS MP  
Minister for Health

---

**SCHEDULE**

## Declared Authority for Primary Production and Processing Standard

**Table**

<b>Column 1 Item</b>	<b>Column 2 Declared Authority</b>	<b>Column 3 Primary Production and Processing Standard</b>
1	Secretary Chief Executive, Agriculture Victoria Deputy Secretary, Agriculture Executive Director, Biosecurity Services Chief Veterinary Officer Director, Animal Health and Welfare Director, Plants Chemicals and Invasives	Standard 4.1.1 of the Australia New Zealand Food Standards Code (being the Primary Production and Processing Standards – Preliminary Provisions), to the extent that it relates to item 2 and 3 in the Schedule.
2	Secretary Chief Executive, Agriculture Victoria Deputy Secretary, Agriculture Executive Director, Biosecurity Services Chief Veterinary Officer Director, Animal Health and Welfare Director, Plants Chemicals and Invasives	Divisions 1 and 2 of Standard 4.2.5 of the Australia New Zealand Food Standards Code (being the Primary Production and Processing Standard for Eggs and Egg Product)
3	Secretary Chief Executive, Agriculture Victoria Deputy Secretary, Agriculture Executive Director, Biosecurity Services Director, Plants Chemicals and Invasives	Standard 4.2.6 of the Australia New Zealand Food Standards Code (being the Production and Processing Standard for Seed Sprouts)

# ive

The *Victoria Government Gazette* is published by IVE Group Limited with the authority of the Government Printer for the State of Victoria

© State of Victoria 2022

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria  
Level 2, 1 Macarthur Street  
Melbourne 3002  
Victoria Australia

## How To Order



**Retail &  
Mail Sales**

**Victoria Government Gazette**  
Ground Floor, Building 8,  
658 Church Street,  
Richmond 3121



**Telephone  
email**

(03) 8523 4601  
[gazette@ivegroup.com.au](mailto:gazette@ivegroup.com.au)

**Price Code A**