

BIOSECURITY ACT 2015

# Discussion Paper: Prohibited Pig Feed (‘swill’) and Notifiable Pig Diseases

December 2015



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**Comments on this paper close on 12 February 2016**

*Email your comments to:* [submissions.biosecuritylegislation@dpi.nsw.gov.au](mailto:submissions.biosecuritylegislation@dpi.nsw.gov.au)

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2015). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser.

## Summary

The *Biosecurity Act 2015* (Biosecurity Act) will repeal the *Stock Diseases Act 1923* (SDA) and the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* (ADAPEO), which currently include various regulatory controls and powers with respect to:

- certain diseases in pigs, and
- prohibitions on pig feed and the feeding of pigs.

Having considered existing management arrangements and risks associated with pig diseases, it is proposed to implement similar management arrangements for pig diseases under the Biosecurity Act. Specifically, emergency animal diseases in pigs, which are currently declared under ADAPEO have been listed as **prohibited matter** under the Biosecurity Act. It is proposed that other diseases in pigs currently declared under the SDA, will be managed under the **General Biosecurity Duty** (GBD) including supporting **mandatory measures**.

## Background Information

Prohibited pig feed ('swill') means material of mammalian origin, or any substance that has come in contact with this material, but does not include:

- milk, milk products or milk by-products either of Australian provenance or legally imported for stockfeed use into Australia
- material containing flesh, bones, blood, offal or mammal carcasses that is treated by an approved process
- a carcass or part of a domestic pig, born and raised on the property on which the pig or pigs that are administered a part of the pig are held, that is administered for therapeutic purposes in accordance with the written instructions of a registered veterinary practitioner
- material used under an individual and defined-period permit issued by a jurisdiction for the purposes of research or baiting

Feeding prohibited pig feed includes:

- feeding or allowing or directing another person to feed prohibited pig feed to a pig
- allowing a pig to have access to prohibited pig feed
- the collection and storage or possession of prohibited pig feed on a premises where one or more pigs are kept
- supplying to another person prohibited pig feed that the supplier knows is for feeding to any pig. (e.g. products which contain or have been in direct contact with meat from restaurants and bakeries cannot be supplied to another person for the feeding of pigs).

## What is the problem?

Australia enjoys freedom from most of the serious pig diseases that occur around the world. Feeding of prohibited pig feed to pigs represents a huge risk as it could cause an outbreak of foot-and-mouth disease (FMD), classical swine fever or another exotic pig disease in Australia.

There are also some notifiable endemic pig diseases that pose a risk to the NSW pig industry, market access and/or human health.

## Why is it important?

FMD has been identified as the single greatest threat of any disease to Australian livestock industries. An outbreak of FMD in Australia would have catastrophic socio-economic impacts.

Most notifiable pig diseases in NSW are exotic to Australia. If introduced here, these diseases could have serious impacts on trade, pig production or human health.

A few pig diseases that already exist in NSW are notifiable because of zoonotic potential or risk to the domestic pig industry.

*Brucella suis* is a serious zoonotic disease that poses a risk to the NSW pig industry, both economically and from a human health perspective.

### What is the outcome we are seeking?

The desired outcomes are:

- To keep Australia free of FMD and other exotic pig diseases by taking measures that include the prohibition of prohibited pig feed and feeding of prohibited pig feed to pigs
- To maintain the integrity of the NSW animal health surveillance and accreditation programs by maintaining the reporting requirements for all pig diseases that are currently notifiable
- To maintain market access for the NSW pig industry
- To protect human health against zoonotic pig diseases

### Current management arrangements

Diseases of pigs that are exotic to Australia are declared as emergency animal diseases by the [Emergency Animal Diseases and Animal Pests Order 2014](#). Porcine myocarditis (PMC) and anthrax (a multi-species disease that can affect pigs) are also declared under this Order to be emergency animal diseases.

The presence of any of these diseases in NSW will usually trigger an emergency response using the powers in ADAPEO and in accordance with the Emergency Animal Disease Response Agreement (EADRA) and relevant AUSVETPLANs. The EADRA is a contractual arrangement between the Commonwealth, State and Territory governments and livestock industry groups. This collaborative approach significantly increases Australia's capacity to prepare for, and respond to, emergency animal diseases.

Diseases of pigs that occur in Australia are declared by the [Stock Diseases \(Declaration of Diseases in Stock\) Proclamation 2014](#) to be diseases to which the Act applies. This places a legal obligation on occupiers of land, owners of stock, persons in charge of travelling stock, veterinarians and other persons consulted about stock, to notify an inspector within 48 hours of first becoming aware that pigs are infected or suspected to be infected with a declared disease.

The *Stock Diseases Act 1923* also includes various offences for the sale and movement of infected stock and for the wilful communication of a declared disease to stock.

Other specific regulatory controls and powers for pigs include:

- Restrictions on pigs moving into New South Wales from Queensland and north of the Tropic of Capricorn in the Northern Territory and Western Australia on account of the declared disease Porcine Brucellosis under the [Stock Diseases Porcine Brucellosis Proclamation 2013](#).
- A prohibition on swill feeding under section 71 of the *Stock Diseases Regulation 2009*.

### Proposed Management under the NSW Biosecurity Act 2015

#### Prohibited Matter

Diseases of pigs that are exotic to Australia, and anthrax, PMC and *Brucella suis* (in non-feral pigs) are listed as **prohibited matter** under the *Biosecurity Act 2015*.

'Prohibited matter' is a category of pests and diseases that present a high level of risk to NSW. It will be an offence to possess or 'deal with' prohibited matter, which would include selling or moving pigs infected with diseases that are listed as prohibited matter. Significant penalties

apply for prohibited matter offences. Permits will be available to provide for actions contrary to a prohibited matter duty.

In many situations, the presence of prohibited matter will trigger an emergency response. The Biosecurity Act includes emergency powers that can be exercised if the Secretary of the Department of Industry is satisfied or reasonably suspects that a biosecurity risk may have a significant biosecurity impact. An **Emergency Order** is designed to isolate, prevent the spread and eliminate the biosecurity matter. The Biosecurity Act allows the Secretary to take action regardless of whether the biosecurity matter is on the prohibited matter list.

## The General Biosecurity Duty

The Biosecurity Act introduces the concept of shared responsibility via the inclusion of a **General Biosecurity Duty (GBD)**. The GBD requires any person dealing with biosecurity matter (e.g. porcine brucellosis) or a carrier of biosecurity matter (e.g. pigs) and who knows or ought to know of the biosecurity risks associated with that activity to take measures to prevent, minimise or eliminate the risk as far as is reasonably practicable. In some cases, **mandatory measures** will be prescribed in the regulations. These mandatory measures must be complied with in order to discharge the GBD and could include notification of the presence or suspected presence of certain diseases.

In relation to porcine brucellosis, it is proposed to prescribe a mandatory measure in the regulations restricting the movement of pigs from Queensland and north of the Tropic of Capricorn in the Northern Territory and Western Australia into NSW. Another option for the consideration of industry could be a proposed voluntary NSW Porcine Brucellosis Herd Accreditation Program.

It is also proposed that mandatory measures under the Biosecurity Act will prohibit the feeding of prohibited pig feed to pigs similar to the current swill feeding prohibitions in the *Stock Diseases Regulation 2009*.

The GBD will also require that anyone who deals with pigs must take measures to prevent, minimise or eliminate disease risks as far as is reasonably practicable. The following examples of the GBD and how it might relate to prohibited pig feed and pig diseases are included as a starting point for discussion with industry.

A local council responsible for a council waste facility could discharge its GBD by taking measures to stop feral pigs from accessing the facility and subsequently feeding on waste that is prohibited pig feed, such as meat scraps.

The management of a piggery could discharge its GBD by taking measures to minimise the risks of piggery workers introducing infectious diseases to the pigs in their care. For example, the piggery could have management standards that:

- Require piggery workers to be vaccinated against influenza
- Do not allow piggery workers to work with pigs while they (the workers) have clinical signs indicative of an influenza infection
- Do not allow piggery workers to also work in an abattoir, or keep pigs at home

Also, the management of a piggery could discharge its GBD by taking measures to minimise the risks of visitors to the piggery introducing infectious diseases to the pigs. For example, the piggery could have management standards that include:

- Piggery biosecurity signage on the front gate
- Piggery visitors kept to a minimum
- Visitor sign-in book with contact details and last known contact with pigs recorded
- Provision of boots/overalls for piggery visitors

How you can discharge your GBD may be outlined in Industry Standards, Codes of Practice, Guidelines or through other advisory or education material.

## What do you think?

We value your comments on how we can improve our biosecurity system and look forward to receiving your input into this important process.

Please complete the following survey on 'Pig diseases and swill feeding' at:  
<https://www.surveymonkey.com/r/prohibitedpigfeedanddiseases>.

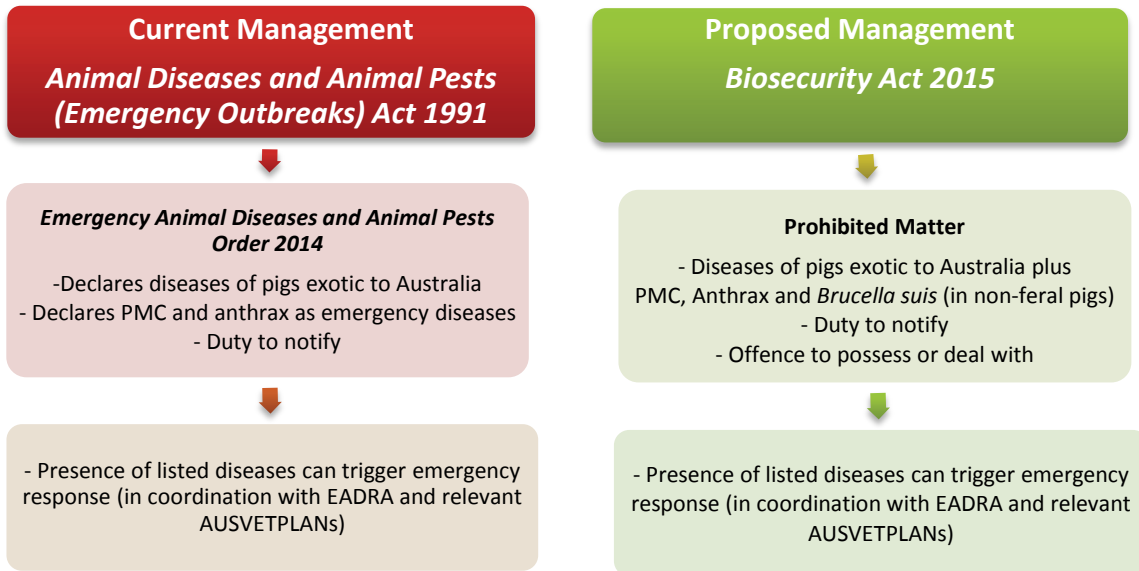
Alternatively, submit your feedback **by Friday, 12 February 2016** via [email](#) or post to:

Biosecurity Act 2015  
NSW Department of Primary Industries  
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For more information about the *Biosecurity Act 2015* and regulatory framework, please visit [www.dpi.nsw.gov.au/biosecurityact](http://www.dpi.nsw.gov.au/biosecurityact).

## Appendix 1

### Summary of current notifiable pig diseases under the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* and proposed management



## Summary of current management of swill and notifiable pig diseases under the *Stock Diseases Act 1923* and proposed management

