

Web Submission Received

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Confidential: **No**

Submission

Section 3 a (iii) Goods are to be traceable & if necessary can be recalled.

Where does the Exporters and the Registered Establishments responsibility for Traceability start & finish?

Recall could be difficult for a Registered Establishment as they lose control of the goods once they enter the port.

235 – Please quantify – If the goods are likely to deteriorate. Any product deteriorates from harvest.

246 – Meaning of trade description.

I feel that the description is too broad for Seed & Grain. All that is important and should not be changed or altered is the actual Name of the product, whether that be the Scientific or the Common name.

Line numbers are a commercial issue not a Departmental issue. If a company wishes to mix more than 1 line of the same product into a container they should be allowed to apply a new line number to all the bags. Some companies have very identifiable numbering systems which if I am exporting one of their products I may not want our client to see.

250 – Alteration or interference with a trade description –

Can I apply stickers over line numbers or any other markings if they are incorrect? Goods will have to be re-bagged if we can't change the markings. Are we allowed to re-bag product and make the correction?

Germination of seed changes over time, if we have a line retested, how can we change the germination if it is different to the original test result branded on the bag? Wouldn't the original branding then be classed as an incorrect trade description?

251 – Please clarify a) Anything omitted.

If a bag is branded Sunflowers but doesn't state Grey Stripe or Black, is this an omission?

Because 247 says "When a trade description is applied", (currently we do not have to brand bags) if we do not brand anything on the bags is this an omission.

& B) Any alterations make it a false Trade Description. Even if you are correcting an error?

252 – Recklessly applying a False Trade Description.

This could make it very hard to prove it was a simple error.

As an Exporter, what happens where bag branding is incorrect (a bag company mistake), or the wrong bags have been used by the Registered Export Establishment, who has been Reckless, the Bag Company, the Registered Export Establishment or the Exporter?

367 – Your associates impact or whether you are a Fit & Proper person.

We will have to ask all current & future employees if they have a conviction for Fraud or Dishonesty & they will have to inform you if they are convicted of any crimes which may impact on our status. As it is not in definitions, please clarify Dishonesty.

368 – You must inform the Department if you or an Associate are convicted of an offence.

If the Associate doesn't inform the Fit & proper person of a conviction or pecuniary penalty, how can the fit & proper person be held liable for a 60 penalty unit fine?