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OFFICE OF THE PREMIER OF QUEENSLAND

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-2 AUG 1991

Mr K Fitzgibbon
Secretary
Commercial Egg Producers'
Association of Victoria
Strathfieldsaye Road
STRATHFIELDSAYE VIC 3551

Dear Mr Fitzgibbon,

The Premier has asked that I respond to your letter of 23rd May, 1991, in conjunction with his Department's interim response of 17th June, 1991, concerning uniform grading standards for eggs.

As you would be aware a motion by New South Wales at the meeting of the Australian Standing Committee of Agriculture at Nelson, New Zealand, in February, proposed that all States:

- (a) Remove all egg quality requirements other than those consistent with human health needs.
- (b) Remove all packaging requirements other than those required by truth in labelling.
- (c) Allow eggs that meet the above requirements to be sold throughout Australia without penalty.

The Standing Committee resolved to establish a working group, convened by New South Wales, with the following terms of reference:

- (a) To examine present State and Federal provisions for the licensing of packers, food safety standards for eggs and to outline what, if any, steps should be taken to remove inconsistencies identified.

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- (b) To examine current egg packaging legislation, and identify those provisions which go beyond the basic principle of 'truth in labelling', with a view to seeking their abolition.
- (c) To prepare a report on the above matters by mid-April 1991 to allow Ministers to be briefed in time for the Premiers Conference, and report progress to next SCA.

The deadline for a briefing note to Ministers was not met since an initial draft circulated by New South Wales attracted considerable criticism and comment from the other States. A full meeting of the working group was needed to resolve issues and this meeting was held on 17th May, 1991.

Queensland's position in the working group's deliberations has been not to oppose the introduction of uniform standards but to ensure that national standards retain requirements which can be clearly justified on the basis of protection of the health of consumers. A draft report by the working group which is currently under consideration appears to meet this criterion.

The use of egg grading and stamping regulations to prohibit or inhibit interstate trade in eggs, as implied in your letter would invite a legal challenge and would be seen to be an infringement of Section 92 of the Australian Constitution.

The Premier believes that the Australian Agricultural Council remains the most appropriate body to consider this matter.

Yours faithfully



LYN HEWLETT
PRIVATE SECRETARY