

# Dairy Farmer Licence Conditions

1. The licence holder must comply at all times with the *Dairy Act*, regulations made under the *Dairy Act*, any other legislation State or Commonwealth relevant to the business carried on pursuant to this licence and the terms of this licence.
2. Dairy food must be produced and stored in accordance with:
  - (a) the Code of Practice for Dairy Food Safety (September 2002) or any subsequent Code of Practice for Dairy Food Safety made under Section 32 of the Dairy Act; and
  - (b) Standard 4.2.4 of the Australian and New Zealand Food Standards Code (Primary Production and Processing Standard for Dairy Products) and as amended from time to time.
3. The licence holder must make the current dairy farm licence certificate available to an authorised officer or any approved auditor upon request.
4. It is the responsibility of the licence holder to implement a food safety program approved by Dairy Food Safety Victoria.
5. It is the responsibility of the licence holder to ensure an auditor approved by Dairy Food Safety Victoria, or an authorised officer under the *Dairy Act*, verifies the implementation of, and continued compliance with, an approved dairy food safety program through an audit. Audits must be conducted at a frequency no greater than 24 months and within 6 months of a new licence being issued.
6. The licence holder must comply with any written corrective action request by an approved auditor or an authorised officer pertaining to their approved Food Safety Program within the stated time frames specified in the request.
7. The licence holder will upon request in writing provide to Dairy Food Safety Victoria any information required to enable the licence fee to be calculated. Such information is to be in a format and contain such detail as required by Dairy Food Safety Victoria and is to be made available within the time frames stipulated in the request.
8. The licence holder will make available upon request by Dairy Food Safety Victoria such records as are necessary to enable Dairy Food Safety Victoria to audit information provided by the licence holder to Dairy Food Safety Victoria for the purpose of calculating the licence fee.
9. The licence holder shall pay the licence fee and any other fees owed to Dairy Food Safety Victoria by the due date for the payment of such fee. A failure to pay any fee owed to Dairy Food Safety Victoria is a breach of this licence and may result in Dairy Food Safety Victoria taking action including refusal to renew or cancellation of the licence.

Where the failure to pay a fee arises through the act or omission of a dairy manufacturer authorised to remit the fee to Dairy Food Safety Victoria on the dairy farmer's behalf, the dairy farmer will not be considered to be in breach of this licence condition.

10. Where the licence holder has authorised a dairy manufacturer or dairy manufacturers to deduct licence fee instalments and remit these to Dairy Food Safety Victoria, any such authority must be maintained over the course of the licence term.

In the event that the authority is not maintained or an instalment payment is not received by Dairy Food Safety Victoria, then the licence holder must immediately pay the total balance of the licence fee to Dairy Food Safety Victoria, unless the failure to pay the instalment is a failure on the part of the dairy manufacturer to remit a payment on the dairy farmer's behalf to Dairy Food Safety Victoria.
11. Fees will be cumulatively increased by an administration fee in respect of each and every late payment of licence fees and any other charges owed to Dairy Food Safety Victoria. The licence holder will be responsible for payment of this administration fee, except where the late payment arises through the act or omission of a dairy manufacturer authorised to remit the licence fees or charges to Dairy Food Safety Victoria on the dairy farmer's behalf. This administration fee will be cumulatively added to the licence fee in respect of each and every subsequent reminder notice that is sent to a licence holder.
12. Dairy Food Safety Victoria is subject to the provision of the Information Privacy Act 2000 (Vic) when handling your personal information. A copy of the Dairy Food Safety Victoria privacy policy is available on request.
13. The licence holder must immediately notify Dairy Food Safety Victoria in writing of any changes pertaining to the ownership of the business.
14. Dairy Food Safety Victoria reserves the right to add, to amend or alter these conditions from time to time, and shall notify licence holders of such changes in writing.