

REVIEW OF SUBMISSIONS ON:

DRAFT IMPORT HEALTH STANDARD FOR THE IMPORTATION INTO NEW ZEALAND OF FISH FOOD AND FISH BAIT FROM ALL COUNTRIES

Biosecurity New Zealand
Ministry of Agriculture and Forestry
Wellington
New Zealand

5 February 2010

Ministry of Agriculture and Forestry
Te Manatu Ahuwhenua, Ngaherehere
Pastoral House
25 The Terrace
P O Box 2526
Wellington
New Zealand

Telephone: 0800 00 83 33
Facsimile: +64 4 894 0773
Internet: <http://www.maf.govt.nz>

Border Standards Directorate
MAF Biosecurity New Zealand

**REVIEW OF SUBMISSIONS ON:
DRAFT IMPORT HEALTH STANDARD FOR THE IMPORTATION INTO NEW
ZEALAND OF FISH FOOD AND FISH BAIT FROM ALL COUNTRIES.**

5 February 2010

Approved for general release

Matthew Stone
Animal Export/ Import Group Manager
MAF Biosecurity New Zealand

TABLE OF CONTENTS

EXECUTIVE SUMMARY	6
INTRODUCTION	8
REVIEW OF SUBMISSIONS	10
KEY MESSAGE – IMPORT REQUIREMENTS FOR FROZEN MARINE FISH REINSTATED	10
<i>Introduction</i>	10
<i>Reasons for proposing the deletion</i>	11
<i>Submissions</i>	11
<i>MAFBNZ's response</i>	12
<i>Future work in this field</i>	13
1. PENGUIN WHOLESALERS WHANGAREI LTD, DEREK SLATTER, SUBMISSION 1	14
2. THE FISHING WEBSITE, GRANT BLAIR	14
3. TOP CATCH ONLINE, MIKE ANDA, SUBMISSION 1	14
4. NEW ZEALAND SEA FOOD INDUSTRY COUNCIL, ALISTAIR MACFARLANE, SUBMISSION 1	15
5. COMPOSITE DEVELOPMENTS NZ LTD., ADAM JOHANSSON,	15
6. COMPOSITE DEVELOPMENTS NZ LTD., MARTY JOHANSSON,	16
7. TALLEY'S GROUP LTD., DARRYL CALDER	17
8. PETE LAMB FISHING LTD. AND WELLINGTON FISHING CHARTERS LTD., PETE LAMB	17
9. KEN SEWELL, SUBMISSION 1	18
10. P. SIXTUS.....	18
11. RIVKA THOMAS	19
12. SAUL HARMAN	19
13. KERRY DAVIES	19
14. PENGUIN WHOLESALERS WHANGAREI LTD., DEREK SLATTER, SUBMISSION 2.....	19
15. RICHARD BARNETT.....	20
16. KEN SEWELL, SUBMISSION 2.....	20
17. PVL PROTEINS LIMITED, ALAN VON TUNZELMAN, SUBMISSION 1	21
18. MARK MORTIMER	22
19. JEREMY TROUP	22
20. LYFORD & BURKHART EXPORTS (NZ) LTD, MARK LYFORD	22
21. STUART HANDLEY	23
22. COUNTRIES SPORTS FISHING CLUB INC., ROBERT HILTON	23
23. GEOFF CAMPBELL	24
24. PHIL MAURICE.....	24
25. PENGUIN WHOLESALERS WHANGAREI LTD., DEREK SLATTER, SUBMISSION 3.....	24
26. KIMBERLY PARKER	34
27. NEW ZEALAND SALMON FARMERS ASSOCIATION, MARK GILLARD, SUBMISSION 1	34
28. NZ FEED MANUFACTURERS ASSOCIATION (INC), MICHAEL BROOKS	36
29. PENDARVES LTD. AND ASSOCIATED COMPANIES, ROSS POWELL	37
30. MATTHEW SIMCOX.....	38
31. FAT SNAPPER FISHING CHARTERS, MARK BROWN	39
32. LEE DURHAM.....	39
33. NEW ZEALAND SEA FOOD INDUSTRY COUNCIL, ALISTAIR MACFARLANE, SUBMISSION 2	39
34. AOTEAROA FISHERIES LIMITED, MARK SOBOIL,	42
35. TEMUKA SEAFOODS INTERNATIONAL, BENJAMIN BURNEY.....	42
36. ROY GOULD.....	42
37. SOLANDER, PETER BALLANTYNE	43
38. SANFORD LIMITED, VAUGHAN WILKINSON.....	43
39. GEOFF HEDLEY.....	44
40. TOP CATCH ONLINE, MIKE ANDA, SUBMISSION 2.....	44
41. NEW ZEALAND SALMON FARMERS ASSOCIATION, MARK GILLARD, SUBMISSION 2	44
42. TALLEY'S GROUP, ANDREW TALLEY	44
43. AUSTRALIAN RENDERERS ASSOCIATION, GRAEME BANKS	45
44. PVL PROTEINS LIMITED, ALAN VON TUNZELMAN, SUBMISSION 2	48
45. UNITED STATES AGRICULTURAL ATTACHÉ, LAURA SCANDURRA.....	49
APPENDIX ONE: COPIES OF SUBMISSIONS	54

EXECUTIVE SUMMARY

The current Import Health Standard (IHS) for Products for Fish Food and Fish Bait from All Countries was reviewed based on the “Import Risk Analysis: Fish food”. Key proposed changes included:

Deletion of the import requirements for:

- Non-viable organisms to be used for aquatic animal or fish food
- Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation

Amendment of the import requirements for:

- fishmeal
- Poultry meal and/or poultry feather meal and/or poultry oil
- Poultry blood meal
- Zooplankton (freshwater or marine origin)

Addition of import requirements for:

- Fish oil
- Rendered ruminant products

The draft Import Health Standard for Products for Fish Food and Fish Bait from All Countries was notified for 6 weeks consultation on 22 June 2009. Consultation closed on 3 August 2009 and 45 submissions were received. The full text of each submission is included in Appendix One.

Issues of direct relevance to the Import Health Standard highlighted by the submissions include:

- Objections to the proposed deletion of *marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard;
- Appropriate import measures for fish meal and fish oil;
- Appropriate attestations for rendered poultry products;
- Clarification around what rendered ruminant products and what rendered poultry products are eligible for import under the draft standard;
- Clarification around different rendering methods meeting the draft import requirements;

As a result of these submissions the following changes have been made to the provisional import health standard:

- The option of importing frozen whole marine fish has been reinstated in the provisional import health standard. The following clause, listing the requirements from the current import health standard, has been added to section 7, ELIGIBILITY:

7.6 *Marine fish:*

Marine fish may be given biosecurity clearance provided:

- i. Species and country/region of origin are stated in accompanying documentation.*
- ii. The product has been:*

EITHER a. frozen to below -18°C for a minimum of 18 hours prior to importation.

OR b. subject to irradiation with 2.5 Mrads (25kGy)

- The clause regarding ACVM requirements has been amended to state “*The Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM Act) requires certain oral nutritional compounds (an example of which is stock feed) to be registered prior to their importation*”.
- Definitions of “*private consignment*” and “*commercially prepared and packaged*” have been added.
- “*Rendered ruminant products*” has been clarified by adding “*(restricted to ovine blood meal, ovine meat meal, ovine bone meal, ovine casing meal, bovine blood meal, bovine meat meal, and bovine bone meal)*” to the description.
- “*Rendered poultry products*” has been clarified by adding “*(restricted to poultry meal, poultry feather meal, poultry oil, and poultry blood meal)*” to the description.
- Numbering has been added to Section IV, bullet 1.1 “*Rendered poultry products*” of the model zoosanitary certificate.
- The following clauses have been deleted as a result of comments raised in a submission:

“The rendered poultry products are derived from poultry that at the time of slaughter did not show any clinical signs of disease.”

“The rendered ruminant products were derived from animals that passed ante-mortem and post-mortem veterinary inspection at the time of slaughter and were processed in premises under the supervision of the Competent Authority.”

“The rendered ruminant products are derived from ruminants that at the time of slaughter did not show any clinical signs of disease.”

- The requirement for a zoosanitary certificate for fishmeal and fish oil in fish food, or intended for manufacture into fish food remains. However, for fishmeal and fish oil not intended for fish food, the following has been added to section 7, ELIGIBILITY:

7.5 Fishmeal and fish oil

7.5.1 Fishmeal and/or fish oil not intended for manufacture into fish food may be given biosecurity clearance provided:

EITHER i. The consignment is accompanied by a manufacturer’s declaration stating the fishmeal and/or fish oil has been heat treated at a minimum core temperature of 80°C for a period of no less than 20 minutes.

OR ii. The fishmeal and/or fish oil is part of a composite product, is commercially prepared and packaged, and not intended for human or animal consumption.

OR iii. For a private consignment:

- a. The product is commercially prepared and packaged
- b. The product is in its original sealed packaging on arrival
- c. The consignment has a total weight of 20 kilograms or less.

7.5.2 Fish oil and/or fishmeal in fish food or intended for manufacture into fish food may be given biosecurity clearance provided it is accompanied by appropriately completed health certification that meets the requirements of PART D. ZOOSANITARY CERTIFICATION.

INTRODUCTION

The draft import health standard for the importation into New Zealand of Fish Food and Fish Bait from all countries was notified for consultation on 22 June 2009.

MAF received submissions from the following:

1. Penguin Wholesales Whangarei Ltd, Derek Slatter (1)	22 June 2009
2. The fishing Website, Grant Blair	02 July 2009
3. Top Catch Online, Mike Anda (1)	02 July 2009
4. New Zealand Sea Food Industry Council, Alistair MacFarlane(1)	02 July 2009
5. Composite Developments NZ Ltd, Adam Johansson	03 July 2009
6. Composite Developments NZ Ltd, Marty Johansson,	03 July 2009
7. Talley's Group Ltd, Darryl Calder	03 July 2009
8. Pete Lamb Fishing Ltd. and Wellington Fishing Charters Ltd. (Pete Lamb)	05 July 2009
9. Ken Sewell (1)	05 July 2009
10. P. Sixtus	05 July 2009
11. Rivka Thomas	05 July 2009
12. Saul Harman	06 July 2009
13. Kerry Davis	06 July 2009
14. Penguin Wholesales Whangarei Ltd., Derek Slatter (2)	07 July 2009
15. Richard Barnett	07 July 2009
16. Ken Sewell (2)	07 July 2009
17. PVL Proteins Limited, Alan von Tunzelman (1)	09 July 2009
18. Mark Mortimer	10 July 2009
19. Jeremy Troup	13 July 2009
20. Lyford & Burkhart Exports (NZ) Ltd., Mark Lyford	17 July 2009
21. Stuart Handley	19 July 2009
22. Counties Sports Fishing Club Inc, Robert Hilton	19 July 2009
23. Geoff Campbell	20 July 2009
24. Phil Maurice	23 July 2009
25. Penguin Wholesales Whangarei Ltd., Derek Slatter (3)	27 July 2009
26. Kimberley Parker	27 July 2009
27. New Zealand Salmon Farmers Association, Mark Gillard (1)	29 July 2009
28. NZ Feed Manufacturers Association (Inc), Michael Brooks	29 July 2009
29. Pendarves and associated companies, Ross Powell	31 July 2009

30. Matthew Simcox	31 July 2009
31. Fat Snapper Fishing Charters, Mark Brown	02 August 2009
32. Lee Durham	02 August 2009
33. New Zealand Sea Food Industry Council, Alistair MacFarlane (2)	03 August 2009
34. Aotearoa Fisheries Limited, Mark Soboil	03 August 2009
35. Temuka SeaFoods International, Benjamin Burney	03 August 2009
36. Roy Gould	03 August 2009
37. Solander, Peter Ballantyne.	03 August 2009
38. Sanford Limited, Vaughan Wilkinson	03 August 2009
39. Geoff Hedley	03 August 2009
40. Top Catch Online, Mike Anda (2)	06 August 2009
41. New Zealand Salmon Farmers Association, Mark Gillard (2)	06 August 2009
42. Talley's Group Ltd, Andrew Talley	06 August 2009
43. Australian Renderers Association, Graeme Banks	06 August 2009
44. PVL Proteins Limited, Alan von Tunzelman (2)	13 August 2009
45. United States Agricultural Attaché, Laura Scandurra	27 October 2009 *

* A late submission was accepted from United States Agricultural Attaché, Laura Scandurra, as the submission potentially required a review of the requirements in the draft import health stand. Its MAF policy to review import requirement if, as in this submissions, scientific information is put forward justifying a review. As the review of submissions was not finalised when the submission was received, and for reasons of transparency the submission was added to this review of submissions.

This document summarises the issues raised in the submissions, and presents MAFBNZ's response to each. The full text of each submission is included in Appendix One.

REVIEW OF SUBMISSIONS

Key Message – import requirements for frozen marine fish reinstated

MAF Biosecurity New Zealand (MAFBNZ) accepts that valid arguments have been raised in the submissions contained in this document with regard to the deletion of the option to import frozen, whole, round, marine fish. MAFBNZ has therefore reinstated the import requirements for frozen marine fish in the provisional import health standard.

The following clause, listing the requirements from the current import health standard, has been added to section 7, ELIGIBILITY:

- 7.6 *Marine fish:*
Marine fish may be given biosecurity clearance provided:
- i. Species and country/region of origin are noted in accompanying documentation.*
 - ii The product has been:*
 - EITHER a. frozen to below -18°C for a minimum of 18 hours prior to importation.*
 - OR b. subject to irradiation with 2.5 Mrads (25kGy)*

Introduction

In 1995 and 1998, Australia and New Zealand suffered significant pilchard mortality events. The outbreak in Australia is thought to have resulted from a virus associated with imported fish for aquaculture feed, followed by transfer of this virus to New Zealand via an unknown pathway. The Ministry of Agriculture and Forestry (MAF) consulted industry at the time and there was broad consensus that biosecurity risks, on pathways such as fish bait, needed a higher degree of risk management. Measures requiring heat treatment or irradiation of fish bait were initially proposed. However, given the species and sources of imports MAF data indicated were being imported at that time, freezing was eventually considered appropriate, at the time.

In 2006, MAF carried out an initial review of the import health standard for products for fish food and fish bait from all countries to determine the scope of planned risk analyses for fish food and fish bait. A risk analysis for fish food was completed in April 2008. No risk analysis for whole round fish used for fish bait was completed because of the complexity of the issues involved and the variety of sources and species being imported at present.

Part of the review proposed the deletion of the following option from the import health standard for fish food and fish bait from all countries:

Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation;

Reasons for proposing the deletion

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the draft import health standard are:

- i. The current requirements for fish bait are not specifically covered by a risk analysis. This does not align with the risk management framework under the Biosecurity Act 1993, which requires that risk goods not be imported unless there is an analysis of the biosecurity risks
- ii. No specific risk analysis for whole round fish for fish bait has been developed as frozen, whole round fish cover a broad range of products, and a clear definition of the associated hazards has proven to be very difficult
- iii. Whole round fish are generally considered risk products as pathogens are more likely to be concentrated in the viscera than any other portion of the fish. Eviscerated fish are generally regarded as lower or negligible risk
- iv. The risk analyses for frozen, skinless and boneless fillet meat derived from tilapia and catfish conclude that freezing does not sufficiently manage the risks of viruses or bacteria that might be present in whole round fish. As a consequence frozen, whole round (uneviscerated) fish used as fish food or bait potentially pose an unacceptable risk of transmission of viruses or bacteria. Links to the risk analyses:
<http://www.biosecurity.govt.nz/files/regs/imports/risk/tilapia-ra.pdf>
<http://www.biosecurity.govt.nz/files/regs/imports/risk/pangasius-final-ra.pdf>
- v. An internal review of aquatic animal products suggests that the feeding of imported frozen, whole, round fish to aquaculture stock would represent a significant risk to New Zealand
- vi. New Zealand is a signatory to the *Agreement on Sanitary & Phytosanitary Measures* (the "SPS Agreement") of the World Trade Organisation. A key obligation under the SPS agreement is that sanitary and phytosanitary measures must be based on scientific principles and maintained only while there is sufficient scientific evidence for their application. In practice, this means that unless MAF is using internationally agreed standards, all sanitary measures must be justified by a scientific analysis of the risks posed by the imported commodity. Because no risk analysis has been completed MAF has opted to use an internationally agreed standard. The World Organisation for Animal Health (OIE) Aquatic Animal Health code states: "*The practice of trading fresh or frozen whole marine fish represents a risk of introducing disease into populations. Risk mitigation measures include sourcing fish from stocks only where there is no evidence of infection with any of the OIE listed diseases or treatments which inactivate aquatic animal pathogens*".

Given these factors the draft import health standard proposed removing the option of freezing as a risk management measure for imports of frozen whole round fish as it does not manage the potential biosecurity risk. Under the proposed change, locally sourced fish or imported irradiated fish would still be available. New import health standards for specific species of fish for use as bait from specific countries could also be developed, if supported by risk analysis.

Submissions

The proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation*; raised a lot of concern with consulted parties and members of the public. MAFBNZ received 35 submissions (from 30 submitters) opposing the proposed deletion and 2 submissions giving their support.

The objections that were submitted during consultation of this draft import health standard include:

- a. The lack of scientific evidence and no specific risk analyses;
- b. The industry and recreational fishermen are reliant upon the importation of fish bait as the local quota and catch is not sufficient to supply New Zealand demand;
- c. The need for consistent import requirements for both whole round marine fish imported for human consumption and the same product imported for bait. Frozen fish imported for bait is generally imported as fit for human consumption, and is indistinguishable at the border from whole frozen fish imported for human consumption;
- d. An expectation that the current proposal will result in an increase in the price of fish bait, which would have a negative impact on the viability of commercial and recreational fishing in New Zealand;
- e. Irradiation, as an alternative risk mitigation option, is impractical considering the volumes involved and the limited size of an irradiation chamber, the effect on price and the potentially reduced performance of the product;
- f. Evisceration, as an alternative risk mitigation option, is impractical considering the volumes involved and the effect on price;
- g. Possible trade implications, including possible negative effects on New Zealand's ability to export of whole round fish;
- h. An expectation that the current proposal will lead to increased pressures on New Zealand fish stocks;
- i. The fact that New Zealand has imported whole round fish for use as bait over many years without incident.

MAFBNZ's response

Research has been done to suggest that feeding whole round fish to aquaculture stock potentially poses a risk of introducing pathogens or pests to New Zealand. This is because large quantities are placed into a localised area of water containing a high density of cultured fish (potentially allowing multiplication of pathogens). This feeding occurs in a structure that in itself is attractive to wild fish to scavenge and that utilise the nets as shelter. The potential to multiply a pathogen in close proximity to increased densities of wild fish makes this a practice with a risk to New Zealand's biosecurity. The outbreak of pilchard herpes virus (Australia and New Zealand in 1995, and Australia again in 1998) is often quoted as an example of the risks involved with such a practice. However the feeding of whole round fish to aquaculture stock is currently not practiced in New Zealand.

The situation is more complicated for whole round fish used as bait. It is difficult to define, risk assess and control the commodity "fish bait", which makes developing specific risk measures for whole round fish used as bait complicated. The exposure risk is not as great, and is not as well documented. A small amount of bait would have to contain an infected fish that contained an infective dose (the amount of pathogenic organisms that will cause infection in susceptible animals). This would need to be consumed by a susceptible species of fish that was not caught and removed from the water. This fish would then have to develop clinical disease that could spread to other susceptible fish. This situation is less likely with the relative lower densities of wild fish compared to aquaculture.

MAFBNZ has subsequently decided not to implement the restriction on importation for frozen whole marine fish and to reinstate the option of importing frozen whole marine fish in the provisional import health standard.

Future work in this field

Whole round fish imported for bait will be considered together with whole round fish for human consumption. That analysis is underway as a part of MAFBNZ's review of all import health standards for aquatic animal products. With regard to whole round fish, MAFBNZ will investigate the option of requiring additional risk mitigation measures for high risk species. High risk species would include fish susceptible to OIE listed diseases. High risk fish would still be eligible for import but subject to additional measures to ensure the country/region of origin is free of the relevant diseases. This is in accordance with the recommendations in the OIE Aquatic Animal Health code. If this work results in changes to the current import requirements, changes will be consulted on before being finalised.

1. Penguin Wholesales Whangarei Ltd, Derek Slatter, submission 1

- 1.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard and asks for the science behind this proposal.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 1.2 The submitter states that fish bait has been imported for a long time without any issues, that local industry is unable to meet New Zealand demand, a lot of fish bait is imported for re-export and whole round fish imported for human consumption having consistent measures to fish imported for bait and the possible impacts on New Zealand's fishing industry.

The submitter states that the proposal would create huge cost and complexity for recreational and commercial fishing industries. If the risks are similarly significant, then an import ban might be what is necessary, but in the absence of some proven risk the submitter believes the proposal should not be progressed.

MAF Biosecurity New Zealand response:

Comments noted, please refer to key message on page 10.

2. The Fishing Website, Grant Blair

- 2.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard as the impact would be massive and not welcomed by recreational anglers.

MAF Biosecurity New Zealand response:

Comments noted, please refer to key message on page 10.

3. Top Catch Online, Mike Anda, submission 1

- 3.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard as it is going to have a significant impact on the price of recreational and commercial baits and the US & Australia could retaliate with bans on New Zealand's fish exports.

MAF Biosecurity New Zealand response:

Comments noted, please refer to key message on page 10

4. New Zealand Sea Food Industry Council, Alistair MacFarlane, submission 1

- 4.1 The submitter concludes that MAFBNZ may now (after issuing the draft import health standard for consultation) be of the view that there is no significant risk posed to New Zealand's biosecurity from the use of imported whole frozen (head on, gill intact, skin on) fish for fish bait, but the use of imported fish to feed aquacultured fish may pose a disease risk to those fish during their husbandry.

MAF Biosecurity New Zealand response:

MAFBNZ's view after consultation are summarised in the key message on page 10, under "MAFBNZ's response".

- 4.2 The submitter requested MAFBNZ remove the following paragraph immediately from its website and cease to take any further action:

"Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation;

Whole round fish represent a significant risk of introducing pests or pathogens that are not managed by the current freezing requirement. The risks of introducing a pathogen or pest are non-negligible if imported whole round fish are used as fish bait. This commodity is too broad to define appropriate risk management measures for. Subsequently this commodity has been deleted from this import health standard and is no longer eligible for import."

MAF Biosecurity New Zealand response:

MAFBNZ believes that there are valid biosecurity risk considerations and wanted to hear industry's views on the matter. MAFBNZ therefore decided to continue the consultation process. MAFBNZ has also stated that alternative risk management options will be considered before the standard is finalised.

- 4.3 Under the Official Information Act, the submitter made a request that MAFBNZ provide the following to the New Zealand Seafood Industry Council: *All papers, drafts, memo's, emails and file notes relating to the making a risk assessment of frozen whole round fish imported for any purpose including its use as human food, food for aquacultured fish and for fish bait.* In order to adequately respond to MAFBNZ's request for comments by 3 August.

MAF Biosecurity New Zealand response:

This request was responded to under the Official Information Act 1982 before consultation on the draft import health standard closed (3 August 2009).

5. Composite Developments NZ Ltd., Adam Johansson,

- 5.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard as it would have a negative impact on the price of bait and a New Zealand industry which already is under pressure. By driving up the price of fishing and therefore discouraging this form of activity MAF will be putting potentially hundreds of jobs in jeopardy.

MAF Biosecurity New Zealand response:

Comments noted, please refer to key message on page 10

6. Composite Developments NZ Ltd., Marty Johansson,

- 6.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard and states that requiring fish bait to be eviscerated (gutted) is not a practical option due to the local market not being able to supply the demand and increased bait prices would inhibit fishing on a regular basis.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

- 6.2 The submitter indicates a need for an open forum and full discussion by interested groups before such a legislation is passed and put in place.

MAF Biosecurity New Zealand response:

When the draft Import Health Standard was sent out for consultation the following organisations or people were notified:

- industry representatives including Ministry of Fisheries, DOC, Fish and Game, Seafood Industry Council, Aquaculture New Zealand, etc;
- All companies that have imported fish food and fish bait over the last two years. (these companies were identified on the basis of import records);
- People or companies that subscribed to our email distribution list. These included two popular fishing websites (see submission 2 and 3). We encourage importers or other interested parties to subscribe to this list, and a link to sign up for this email list is also listed at the bottom of all our outgoing emails;
- The document was publically available for comment for a period of six weeks on the MAFBNZ website.

Under section 22(6) of the Biosecurity Act consultation on amendments of import health standards is only required with "*those persons considered by the chief technical officer to be representative of the classes of persons having an interest in the standard*". In this case, these are the industry organisations, which represent recreational and commercial fishing, aquaculture, fish food manufacturers and retail. Therefore the public does not need to be consulted, as they are represented by other consulted parties. But MAFBNZ is happy to hear the views of any party who wishes to make their views known as a part of the consultation.

- 6.3 The submitter asks to be kept updated of any changes to these import requirements.

MAF Biosecurity New Zealand response:

The review of submissions document will be forwarded to all submitters. In addition when changes will be proposed in the future, these changes will be consulted on and MAF will attempt to ensure all the current submitters are notified.

7. Talley's Group Ltd., Darryl Calder

- 7.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard as Talley's Group Ltd on occasion land fish caught outside New Zealand water for re-export purposes. With this deletion, it would stop Talley's being able to do this and the submission strongly opposes this change.

MAF Biosecurity New Zealand response:

Section 4 of the Biosecurity Act: states:

Application of Act to fish and mammals taken in exclusive economic zone (EEZ)

This Act shall have effect in relation to fish (within the meaning of section 2 of the Fisheries Act 1983) and marine mammals (within the meaning of section 2 of the Marine Mammals Protection Act 1978),—

(a) Taken in the exclusive economic zone; and

(b) Carried on board a foreign licensed vessel, a vessel registered under the Fisheries Act 1983, or a vessel operated by the Crown,—

as if they are not imported goods.

This means that fish caught outside of the New Zealand EEZ would be regarded as an import and would need to meet the relevant import health standard.

However MAFBNZ has decided to reinstate the import requirements for frozen marine fish in the provisional import health standard. For further information, please refer to the key message on page 10.

8. Pete Lamb Fishing Ltd. and Wellington Fishing Charters Ltd., Pete Lamb

- 8.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard and ask for the reasons behind the proposal.

MAF Biosecurity New Zealand's response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 8.2 The submitter proposes to test imported product and ban products that are contaminated.

MAF Biosecurity New Zealand response:

It is MAFBNZ's policy to manage risks offshore where possible. Furthermore, the costs of testing would be recovered from the importer in accordance with the Biosecurity Act and it's unknown whether importers would be willing to carry these costs.

- 8.3 The submitter asks why MAF is sneaking the new standard under the radar asking for submissions by 3rd August without letting the public know.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ's response to 6.2

9. Ken Sewell, submission 1

- 9.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard and asks for the scientific evidence behind this proposal.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 9.2 The submitter states that all whole fish imports including human consumption grade products may also have to be stopped.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

- 9.3 The submitter considers boats flushing their bilges here as the real threat and enquires what is being done to stop this practice.

MAF Biosecurity New Zealand response:

There are no biosecurity requirements for actual bilge water. This is water that has entered the vessels bilges due to leaks etc. Bilge water is usually a small amount of water and is often contaminated or foul water in which few organisms are likely to survive.

The submitter may have intended the term 'bilge water' to include ballast water. Ballast water is subject to biosecurity requirements. Vessels arriving in New Zealand that use water to ballast their vessels are permitted to discharge ballast water here once they have shown the biosecurity inspector by way of a signed declaration that they have exchanged the water in the ballast tanks with mid-ocean water en route to NZ. The vessel must give the time, location and volumes pumped for each tank that will be discharged here.

10. P. Sixtus

- !0.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the lack of a biosecurity risk.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 10.2 The submission considers ships from overseas pumping their bilge out in NZ waters as a bigger risk.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ response to 9.3.

11. Rivka Thomas

- 11.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the lack of a biosecurity risk and the inability of New Zealand stock supplying demand.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

12. Saul Harman

- 12.1 The submitter states that evisceration is not suited as an alternative risk mitigation measure, the submitter also asks that if imported baits carry pathogens why people aren't becoming sick from eating the fish they catch.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

- 12.2 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the lack of scientific research and the potential for trade implications.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10

13. Kerry Davies

- 13.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to New Zealand has imported whole round fish for use as bait of fish food over many years without incident and the lack of a new threat.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10

14. Penguin Wholesales Whangarei Ltd., Derek Slatter, submission 2

- 14.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the lack of supporting evidence, no specific risk being identified and the lack of research done by other countries to support MAF's views. He also asks for practical and cost considerations to prevail.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10

- 14.2 The submitter asks for a copy of MAF's reply to the Official Information Act request lodged by the Seafood Industry Council.

MAF Biosecurity New Zealand response:

This OIA request has been responded to in accordance with the Official Information Act before consultation on this document closed (3 August 2009).

15. Richard Barnett

- 15.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard and believe that whole (bait) fish frozen at -40C and stored at -18C poses the smallest of risks based on the submitter's long involvement with food safety.

MAF Biosecurity New Zealand response:

The risk analyses for frozen, skinless and boneless fillet meat derived from tilapia and catfish conclude that freezing does not sufficiently manage the risks of viruses or bacteria that might be present in whole round fish. As a consequence frozen, whole round (uneviscerated) fish used as fish food or bait potentially pose an unacceptable risk of transmission of viruses or bacteria.

Links to the risk analyses:

<http://www.biosecurity.govt.nz/files/regs/imports/risk/tilapia-ra.pdf>

<http://www.biosecurity.govt.nz/files/regs/imports/risk/pangasius-final-ra.pdf>.

- 15.2 The submitter indicates that the price of bait would rise three fold as a result of this proposal during a recession which would put additional burden on recreational fishermen and the industry.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10

16. Ken Sewell, submission 2

- 16.1 The submitter repeats the objections to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard as listed in the previous submission. In addition the submission raises concerns about the impacts on New Zealand fish stocks.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10

- 16.2 The submitter ask why this proposal has not been brought to the attention of the media, and states that it appears that the government wants to slip this past without anyone knowing.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ's response to 6.2.

- 16.3 The submitter refers to the recently issued import requirements for processed catfish from Vietnam for human consumption. The submitter comments that the environment these fish are raised in is highly polluted and asks why MAF allows these products to be imported but regards the use of frozen whole round fish for bait as not safe.

MAF Biosecurity New Zealand response:

When considering the import of products, such as processed catfish from Vietnam, MAFBNZ goes through a process of analysing the biosecurity risks of the product. It then develops an import health standard to specify how the imported product must be treated and handled to effectively manage identified risks. Whereas the import risk analyses are restricted to the consideration of organisms that may be present in imported risk goods, chemical residues fall under the Food Act 1981 and the responsibility of the New Zealand Food Safety Authority (NZFSA).

An import health standard for tilapia from Brazil and China was issued on 21 April 2008 following public consultation on both the risk analysis and a draft import health standard. The import health standard was amended again to include catfish from Vietnam on 20 March 2009, following consultation on an import risk analysis and a draft import health standard. Links to the import risk analyses and the import health standard are provided below.

Because the biosecurity risks associated with these commodities have been assessed and measures have been put in place to manage those risks, MAFBNZ is confident that the risk of new pests or diseases establishing through this commodity is negligible.

Links to the import risk analyses:

<http://www.biosecurity.govt.nz/files/regs/imports/risk/tilapia-ra.pdf>

<http://www.biosecurity.govt.nz/files/regs/imports/risk/pangasius-final-ra.pdf>.

Link to the import health standard:

<http://www.biosecurity.govt.nz/files/ihs/fisfilic.spe.pdf>

17. PVL Proteins Limited, Alan von Tunzelman, submission 1

- 17.1 The submitter discusses the different drying systems used in Australia, and their ability to meet or demonstrate compliance with the suggested requirements for rendered poultry and ruminant products.

MAF Biosecurity New Zealand response:

Comment noted. These issues have been raised in more detail in the submission by the Australian Renderers Association and MAFBNZ has

responded to these issues in response to their submission. Please refer to submission 43.

18. Mark Mortimer

- 18.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* and asks what evidence there is that whole baitfish are a risk.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

19. Jeremy Troup

- 19.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to a lack of proven risks, possible increase in price of local fish product and the effects on New Zealand's retail, tourism and fishing industry.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10

- 19.2 The submitter raises the issue that a ban on 'natural' bait will increase the use of plastic and biodegradable baits that can potentially contain products such as oil or formalin that are harmful to the environment.

MAF Biosecurity New Zealand response:

MAF Biosecurity New Zealand's responsibility is restricted to the consideration of "organisms" that may be present in imported risk goods. The submitter raises the concern that more artificial baits may be used, which may have harmful effect though the hazardous substances these might contain. Hazardous substances fall under the Hazardous Substances and New Organisms (HSNO) Act 1996 and are the responsibility of the Environmental Risk Management Authority (ERMA).

20. Lyford & Burkhart Exports (NZ) Ltd, Mark Lyford

- 20.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the impact on both the commercial and recreational fishing industries as both rely heavily on imported bait as there is not sufficient local catch to supply the need. Secondly, local catch is mainly for export purposes and local industry cannot afford to pay export prices.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

20.2 The submitter states that the remaining option of irradiation is impractical, too costly considering the volumes involved, and would potentially reduce the performance of the product.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

20.3 The submitter states that if other countries implemented a similar ban this would have a big impact on New Zealand's exports.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

21. Stuart Handley

21.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard and asks what this proposal is based on.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

22. Countries Sports Fishing Club Inc., Robert Hilton

22.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* due to nil reported cases of unwanted pests suspected of entering the country via this product and asks for the research behind this proposal

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

22.2 The submitter considers bilge water of ocean-going vessels as a far greater risk.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ's response to 9.3.

22.3 The submitter states that due to the impact on New Zealanders more research is needed before this proposal can go forward.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

23. Geoff Campbell

- 23.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* due to the possible impact on the price of bait.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

- 23.2 The submitter suggests specifying country of origin, fish types, fresh or salt-water species, or size as an alternative method.

MAF Biosecurity New Zealand response:

MAFBNZ is investigating the options of country of origin and differentiating between species of fish by requiring additional risk mitigation measures for high risk species of fish. For further information, please refer to the key message on page 10, under "*Future work in this field*".

24. Phil Maurice

- 24.1 The submitter asks about the risks associated with these imports and the evidence that there is potential or actual harm.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

25. Penguin Wholesales Whangarei Ltd., Derek Slatter, submission 3

- 25.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* and any related controls or expenses placed on imports. He believes the status quo should prevail unless a genuine and significant risk is identified that outweighs the major cost and practical problems such a ban or cost imposition would create.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

- 25.2 The submitter supports the New Zealand Seafood Industry Council's submission.

MAF Biosecurity New Zealand response:

Support noted, please refer to MAFBNZ's response to 33.

- 25.3 The submitter states the position that if a serious risk to our recreational fishery was present it would be unwise to object. But if the risk is minor or undefined a cost benefit analysis should be taken into account.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

- 25.4 The submitter refers to information released under an OIA requests and states that the information doesn't appear to include any specific formal risk assessment on whole round fish bait.

MAF Biosecurity New Zealand response:

As stated in the key message on page 10 no specific risk analysis has been completed because the issues are too complex, since the current regime allows multiple sources, multiple species, and minimal processing of the commodity.

- 25.5 The submitter quotes "*Minutes of discussion on work to be done on ornamental fish and the review of aquatic animal products*", released under an OIA request as stating "*Needs risk analysis work to enable an import ban for fish bait.*" The submission expresses concerns that it appears that MAFBNZ decided that a fish bait ban will be implemented and the science will be done to enable it.

MAF Biosecurity New Zealand response:

The quoted document minutes internal discussions. MAFBNZ acknowledges that the wording is open to interpretation as indicated by the submission.

The intention was to document that a risk analysis should indicate what risk mitigation options are appropriate and these may include restrictions on the import of fish bait.

However, no specific risk analysis for fish bait has been completed because the issues are too complex due to the multiple sources, multiple species, and minimal processing of current fish bait imports. The Import Risk Analyses for frozen, skinless and boneless fillet meat derived from tilapia and catfish do conclude that freezing does not sufficiently manage the risks of viruses or bacteria that might be present in whole round fish. As a consequence frozen, whole round (uneviscerated) fish used as fish food or bait potentially pose an unacceptable risk of transmission of viruses or bacteria. Based on these Import Risk Analyses MAFBNZ decided to use an internationally agreed standard in the absence of a specific MAF Import Risk Analysis for fish bait.

The World Organisation for Animal Health (OIE) Aquatic Animal Health code states: "*The practice of trading fresh or frozen whole marine fish represents a risk of introducing disease into populations. Risk mitigation measures include sourcing fish from stocks only where there is no evidence of infection with any of the OIE listed diseases or treatments which inactivate aquatic animal pathogens*". Under the proposed change irradiated fish would still be eligible for import. New import health standards for specific species of fish for use as bait from specific countries could also be developed, if supported by risk analysis.

- 25.6 The submitter states that their local pilchard supplier has shown in previous years to be unable to supply the demand, the catch generally occurs in winter months where the sales occur mainly in summer months and the local quota is not sufficient to supply pilchard demand in New Zealand.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

25.7 The submitter states that any import ban would possibly create a monopoly in favour of the company currently controlling the pilchard quota.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

25.8 The submitter asks how MAFBNZ will control commercial fishing vessels arriving in New Zealand's Exclusive Economic Zone (EEZ), 200 mile zone, carrying bait sourced overseas.

MAF Biosecurity New Zealand response:

Under the Biosecurity Act (1993) MAFBNZ only have jurisdiction over New Zealand territory (the land plus the territorial sea). A boat coming to fish in New Zealand waters is treated as an import and requires biosecurity clearance.

Under the Biosecurity Act (section 17) any craft proceeding to New Zealand territory from outside New Zealand territory must proceed directly to a port of first arrival. An inspector will not give biosecurity clearance for any goods unless satisfied that the goods are not risk goods; or satisfied that the goods comply with the requirements specified in the relevant import health standard.

As bait fish are classed as risk goods they need to comply with the requirements specified in the import health standard for the importation into New Zealand of products for fish food and fish bait from all countries.

Ships staying outside the territorial waters, for example boats fishing in the New Zealand EEZ without entering the territorial waters, are not considered an import.

25.9 The submitter states that food grade products get used for bait or berley purposes and proposed restrictions should cover both food grade and bait grade products to be effective.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

25.10 The submitter states that the average whole round bait is a very small quantity being put into the sea and at least a reasonable proportion of fish eating this bait will be caught and thus removed from the sea.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

25.11 The submitter states he is not aware of any of New Zealand's trading partners having implemented controls on the import of fish bait.

MAF Biosecurity New Zealand response:

Australia has implemented controls on the import of bait. Australia utilises both specified import requirements and import permits issued on an "as-needed" basis. The importer must apply for an import permit, at which time the import requirements are specified.

An import permit is required for bait for aquatic purposes (including aquaculture) of animal, plant or microbial origin, but import requirements have not been specified.

- 25.12 The submitter states that the OIE code recommendation states fish should be sourced from disease free stocks, but no information is available on which diseases are present in which stocks.

MAF Biosecurity New Zealand response:

The OIE launched the new *World Animal Health Information System* in January 2005, based on the commitment of OIE Member Countries to notify cases of the main animal diseases detected in their territories. Whenever an important epidemiological event occurs in a Member country, the Member must inform the OIE by sending an Immediate Notification which includes the reason for the notification, the name of the disease, the affected species, the geographical area affected, the control measures applied and any laboratory tests carried out or in progress.

The data and information provided by Members are accessible via the Web interface [WAHID](#) (World Animal Health Information Database) and can be accessed by the public through the OIE Web site.

- 25.13 The submitter states that the proposed restrictions will increase the price of whole round fish bait and therefore increase the use of artificial plastic products, which potentially causes pollution and possibly fish health issues.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ's response to 19.2.

- 25.14 The submitter quotes an internal email released by MAFBNZ under the Official Information Act. The email refers to an OIE [World Organisation for Animal Health] process underway. The submission questions whether MAF shouldn't wait for the OIE process to be finalised.

MAF Biosecurity New Zealand response:

This OIE process underway refers to an OIE *Ad Hoc* working group which has recently been convened to work on the list of products regarded as safe, or as bearing negligible risk, for each OIE listed disease. It is unlikely that whole round fish would ever be considered for addition to this list because of the likely presence of OIE listed pathogens in the internal organs. This work does not include a list of risk goods or risk mitigation measures. If the commodity isn't listed then the OIE aquatic animal code would suggest the country may need to look at what measures may or may not be required. Therefore the outcome of the OIE process underway would be extremely unlikely to affect import requirements for whole round fish.

- 25.15 The submitter further quotes the email "*I would suggest that level of processing is considered in light of currently available scientific literature and some generic risk conclusions drawn. I would like to clearly legitimise within MAFBNZ the premise that processed product (eviscerated etc.) is inherently lower risk and recognise those arguments that take a highly risk averse approach (e.g. anything that crosses the*

border could be fed to fish....) should not be the benchmark upon which risk mitigation measures are based. It will be necessary to write a risk based decision document on this point anyway.” and states such a document was not released under the OIA request.

MAF Biosecurity New Zealand response:

This email refers to the internal “Review Document: Import Standards for Aquatic Animal Products”. This document considers the full range of aquatic animal products, not just fish bait. The document suggests which areas require work, the priority of addressing that work and the terms of reference and scope of any further work that should be done in reviewing the existing standards or developing new standards.

The follow up to this Review Document is underway, and the completion of the risk based decision document as indicated above is part of this follow up. For further information, please refer to key message on page 10, under “*Future work in this field*”.

- 25.16 The submitter quotes an internal email released by MAFBNZ under the Official Information Act. The email refers to the risk of White Spot Syndrome Virus associated with crustaceans and the Australia’s and New Zealand’s approach. The submitter states Australia regard crustaceans as high risk but New Zealand doesn’t have to worry as there is no “*prawn industry lobby*” and thus “*we don’t have the same political risk here*”. The submission questions why a clear biosecurity risk (white spot) is not an issue unless combined with political risk.

MAF Biosecurity New Zealand response:

The quoted email states white spot syndrome virus is not a biosecurity risk: “*we could argue the likelihood of [crustaceans] being deliberately fed to aquaculture and/or wild crustaceans is negligible and that they can be allowed in without further measures.*” The email then distinguishes between an actual biosecurity risk and a perceived/political risk, stating that as there is not an actual biosecurity risk it must be assumed that Australia has implemented measures on the basis of a political risk, i.e. the industry lobby in Australia.

- 25.17 The submitter states the deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* is based on very shaky grounds.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 25.18 The submitter asks whether a distinction can be made by quantity, or commercial/non-commercial use.

MAF Biosecurity New Zealand response:

Some import health standards do differentiate between private consignments and commercial consignments, such as the Import Health Standard for the Importation into New Zealand of Salmonids for Human Consumption from Specified Countries:

<http://www.biosecurity.govt.nz/imports/animals/standards/fissalic.spe.htm>

However, MAFBNZ has decided not to implement the restriction on importation for frozen whole marine fish in the provisional import health standard and no changes to the requirements for these types of imports will be made, at this time.

Future work is planned for whole round fish imported for bait together with whole round fish for human consumption, as a part of MAFBNZ's review of all import health standards for aquatic animal products. MAFBNZ will investigate the option of requiring additional risk mitigation measures for high risk species. High risk fish would include fish susceptible to OIE listed diseases. High risk fish would still be eligible for import, subject to additional measures to ensure the country/region of origin is free of the relevant OIE listed diseases, which is in accordance with the recommendations in the Aquatic Animal Health code. A further division into private and commercial consignments might be included as a part of this work. For further information, please refer to the key message on page 10.

- 25.19 The submitter discusses the internal "Review Document: Import Standards for Aquatic Animal Products" released by MAFBNZ under the Official Information Act. It refers to page 4 of the document and questions that if the proposed restrictions on whole round fish are based on the OIE then why does this document suggests ignoring work being done by the OIE.

MAF Biosecurity New Zealand response:

The Review Document states "*The OIE is expected to have the results of its ad hoc working group entering the aquatic animal code within 2 years. Given that we will have a wider range of pathogens of interest, it would be beneficial to commence within that 2 year period, rather than wait until the OIE working group has completed its task*".

For further information, please refer to MAFBNZ's response to 25.14.

- 25.20 The submitter concludes from the Review Document that Canada and the USA have no or very limited control on the whole round fish imports and New Zealand risks accusations of acting outside of WTO rules if the proposed ban proceeds in any form.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

- 25.21 The submitter asks why the OIE recommendation "*Higher risk products should be accompanied by a health certificate showing freedom from the relevant OIE diseases, or subject to zoosanitary requirements as determined by a scientific risk analysis*" listed in the Review Document is not followed.

MAF Biosecurity New Zealand response:

Comments noted. Please refer to the key message on page 10, under "*Future work in this field*".

- 25.22 The submitter quotes the Review Document: "*Abroad there have been a number of expensive attempts to research bait use and source, without any resultant alterations in import standards now or in the foreseeable future*" and asks whether this conflicts with the proposal.

MAF Biosecurity New Zealand response:

Australia has carried out several attempts at developing a risk analysis for whole round fish, however these attempts have not resulted in a completed risk analysis, or subsequent import requirements.

In July 1999, the Australian Quarantine and Inspection Service (AQIS) published an import risk analysis on non-viable salmonids and non-salmonid marine finfish. For whole, round, commercially-harvested, market-size non-salmonid marine finfish, AQIS concluded that the disease agents which required specific risk management were aquabirnaviruses, IPNV, red sea bream iridovirus, *Aeromonas salmonicida* and *Photobacterium damsela piscicida*. However, AQIS was unable to identify pre-export risk management measures that would have reduced the risk of establishment of these hazards to the extent required to meet Australia's acceptable level of protection.

AQIS recommended that the import of whole, round finfish (i.e. bait fish) would not generally be permitted. Instead, AQIS would examine proposals on a case-by-case basis. Applications for permits to import baitfish need to provide details of the finfish species to be imported (scientific and common names), the waters in which the fish were farmed (if applicable) and harvested and the intended end use of the imported fish. Applications are then assessed in light of the quarantine risks they present. However, AQIS do not require an import permit for consignments of consumer-ready products or for consignments of fish that are head-off, gilled, gutted, inspected and accompanied by an official health certificate.

This supports MAFBNZ's argument that developing a risk analysis and subsequent risk management measures in this field is very difficult and that it would require extensive resource commitment without a guarantee of achieving results. Therefore a risk analysis is unlikely to be developed, and MAFBNZ decided to use an internationally agreed standard (OIE Aquatic Animal Health Code) instead.

- 25.23 The submitter asks whether trade volumes should have been considered in respect to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation*

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

- 25.24 The submitter quotes the options for moving forward as listed in the Review Document and concludes that option 3 seems to have been adopted with regard to the proposed deletion. But the phrase "*However this would only occur when specific data had been sourced to allow the identification of commodities of negligible risk no matter to what end use they are put*" seems in conflict with an earlier statement that sourcing this data for fish bait is too costly or impractical.

MAF Biosecurity New Zealand response:

The follow up to this Review Document is currently underway. It therefore cannot be concluded that option 3 has been adopted when the proposal to

delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation was made.*

Commodities of negligible risk could potentially include leather made from fish skin, pasteurised products, fish oil, fish meal, eviscerated fish, fillets or cutlets, dried eviscerated fish (based on the OIE Aquatic animal health code). Whole round fish would not be considered as negligible risk as pathogens are more likely to be concentrated in the viscera than any other portion of the fish.

- 25.25 The submitter quotes an internal memo released by MAFBNZ under the Official Information Act which refers to a review of fish bait that was carried out in 1995/96: *“It was therefore incorrect to state that the current IHS is not risk based. If, despite the review of 1995/96 it is decided that an import risk analysis is necessary for fish bait, my previously circulated document describes the scope of such a piece of work and the extensive resource commitment this would require.”* The submission asks why the IHS was amended if it was risk based and why amend the standard without a risk analysis.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

- 25.26 The submitter raises that the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* risks creating an inequity between New Zealand and Australia, New Zealand’s major trading partner.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

- 25.27 The submitter quotes the internal paper *“Importation of frozen baitfish; disease risks”* released by MAFBNZ under the Official Information Act. The submitter states that the conclusions appear to confirm that feeding bulk baitfish to marine farmed fish may be a risk but that otherwise known risks are negligible and can generally be dealt with by freezing.

MAF Biosecurity New Zealand response:

The internal paper *“Importation of frozen baitfish; disease risks”* states

“Only the viral, bacterial, fungal and protist infections of baitfish were considered in this study, as freezing fish effectively kills helminth parasites, and the complexity of helminth life cycles make it highly [unlikely] that they would become established, even if viable”

The document therefore concludes that freezing effectively kills helminth parasites. It does not conclude viral, bacterial, fungal and protist infections of baitfish can be dealt with by freezing, if they were they would be no need to consider these further in this study.

The risk analyses for frozen, skinless and boneless fillet meat derived from tilapia and catfish also conclude that freezing does not sufficiently manage the risks of viruses or bacteria that might be present in whole round fish. As a consequence frozen, whole round (uneviscerated) fish used as fish food or bait potentially pose an unacceptable risk of transmission of viruses or bacteria. These analyses can be viewed on our website at:

<http://www.biosecurity.govt.nz/files/regs/imports/risk/tilapia-ra.pdf>
<http://www.biosecurity.govt.nz/files/regs/imports/risk/pangasius-final-ra.pdf>

For further information, please refer to the key message on page 10, under “MAFBNZ’s response”.

- 25.28 The submitter quotes an internal email released by MAFBNZ under the Official Information Act. This email states “*When one considers fish bait however, the situation is complicated by the cascade of risk, where a small amount of bait would have to contain a fish that was infected, that contained an infectious dose, that was consumed by a susceptible species fish, that was not itself caught and removed from the water but developed clinical disease and could spread that to other fish, all in a situation of the relative lower densities of the wild. Thus I had hoped, in my review, to indicate that the use of baitfish for aquaculture feed was high risk and should be avoided, whereas the risks from bait... would only be managed through education..... Rather than as a defacto ban on fishbait.*” The submission asks why the draft IHS proposes a deletion of Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation when the email above is taken into account.

MAF Biosecurity New Zealand response:

The draft Import Health Standard was sent out for consultation on the 22th of June 2009. The email quoted above is dated the 25th of June 2009. Therefore this email was not received before the standard was sent out for consultation and therefore could not have been taken into account when the proposed changes, as listed in the draft standard, were made.

Since issuing the draft Import Health Standard for consultation and receiving feedback from submitters and subsequently having further internal discussions (this includes the email quoted above) MAFBNZ has decided not to implement the restriction on importation for frozen whole marine fish. For further information, please refer to the key message on page 10, under “MAFBNZ’s response”.

- 25.29 The submitter quotes the internal “*Decision Document, Import Risk analysis: Fish Food*”, released by MAFBNZ under the Official Information Act: “*the freezing requirements for fish bait are not sufficient to manage the associated risks of whole round fish.*” The submission asks how MAF arrived at this conclusion.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 25.30 The submitter further quotes the Decision document “*It has been decided to remove frozen fish bait from this standard. Fish bait is still eligible for importation if it is either shelf stable or if it meets the irradiation requirement.*” The submission asks how this decision is justified if it contradicts MAFBNZ’s own internal discussions and advice.

MAF Biosecurity New Zealand response:

It is assumed “MAFBNZ’s own internal discussions and advice” refers to the email quoted in submission 25.29. Please refer to MAFBNZ response to 25.29, noting that this Decision Document was finalised before the Import health standard was consulted.

- 25.31 The submitter states that the conclusions and resultant decisions of the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* cannot be justified or sustained on any reasonable basis and go against the science available. In addition it states the proposal will cause disproportionately high costs to recreational and commercial fishing industries, create difficulties for other fish processors in terms of waste disposal (berley) and that there is a vary high chance that other countries will see the ban as being unjustifiable in terms of our WTO and OIE commitments and thus impose costs or trade sanctions on our marine export industries.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

- 25.32 The submitter states that no science or OIE recommendations seem to change the position arrived at following the review process of 1995/96 and asks why MAFBNZ is changing that position.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ’s response to 25.26.

- 25.33 The submitter quotes an internal email released by MAFBNZ under the Official Information Act: “*Fish Bait – Colin’s draft review of aquatic animal products states that the feeding of whole round fish to other fish is a serious risk. I’ve taken fish bait out of this IHS because it is not covered by a risk analysis and because whole fish can be imported under fismaric.all. But importing fish for fishbait under fismaric.all doesn’t sound very appropriate because the only condition is it has to be dead. The review set me thinking...*” The submitter states that the Review Document indicates that there are risks in feeding fish to other fish in an aquaculture setting and that the risks in respect of recreational/commercial type fishing bait are not significant. The submissions questions how the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* can be based on the email quoted above.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 25.34 The submitter concludes there is not enough science to support an import ban for fish bait. It is acknowledged by MAFBNZ that proper risk analysis must be done – and also that resource has not been prioritised for it.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

25.35 The submitter concludes control over the practise of feeding whole round fish to aquaculture would manage the main risk. He notes that type of feeding is currently not practised in New Zealand

MAF Biosecurity New Zealand response:

Feeding of whole round fish to aquaculture stock is not currently practiced in New Zealand. This has contributed to MAFBNZ's decision to reinstate the option of importing frozen whole marine fish in the provisional import health standard.

25.36 The submitter concludes MAFBNZ's own advice is that New Zealand risks trade issues and will have practical difficulties in regulation and enforcement of any ban.

MAF Biosecurity New Zealand response:

Comments noted, please refer to the key message on page 10.

25.37 The submitter asks that if a permit based system was recommended as an alternative to a ban, then it should reflect as much commonality with Australia as possible, and be set up to minimise cost and red tape.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10, under "*Future work in this field*". If this work results in changes to the current import requirements or the way import health standards are structured, these changes will be consulted on before being finalised.

26. Kimberly Parker

26.1 The submitter supports the proposed IHS amendment for Fish food and Fish Bait from All Countries

MAF Biosecurity New Zealand response:

Noted.

27. New Zealand Salmon Farmers Association, Mark Gillard, submission 1

27.1 The submitter agrees with the removal of frozen baitfish from the proposed Import Health Standard (IHS) and further recommends that any reference to bait or baitfish be removed from the document. It recommends that the IHS should solely focus on fish food. Bait products have no relevance to fish food and are more likely to warrant their own risk assessment given the reduced lack of end use direct control compared to carefully managed marine and freshwater fish farms.

MAF Biosecurity New Zealand response:

Fish bait and fish food were included under the same standard in the past because both are consumed by fish. MAFBNZ is not considering splitting the standard as a part of this review, but is looking at reorganising the Import Health Standards as a part of the review of aquatic animal products (please refer to key message on page 10, under "*Future work in this field*"). If this work results in changes to the current import requirements or the way import health

standards are structured, these changes will be consulted on before being finalised.

- 27.2 The submitter states that although it is the responsibility of the importer or agent to ensure compliance, MAF could demonstrate leniency and not hold up shipments if there are minor discrepancies with documentation that do not affect the biosecurity risk profile, as these hold ups can have major implications for a fish farmer who is relying on the consignment to feed his/her fish.

MAF Biosecurity New Zealand response:

Section 27 of the Biosecurity Act (1993) states:

“Inspector to be satisfied of certain matters

- *An inspector shall not give a biosecurity clearance for any goods unless satisfied that the goods are not risk goods; or satisfied—*
 - (a) That the goods comply with the requirements specified in an import health standard in force for the goods (or goods of the kind or description to which the goods belong); and*
 - (b) That there are no discrepancies in the documentation accompanying the goods (or between that documentation and those goods) that suggest that it may be unwise to rely on that documentation;”*

Based on the Act, an Inspector therefore has the discretion to accept the required documentation with minor discrepancies, provided the Inspector believes these discrepancies do not suggest an increase in risk.

- 27.3 The submitter recommends there be an addition to Part A. General information that clarifies where an omission on documents is obviously an error, that has no obvious biosecurity risk, and the document can be easily rectified, then MAF can demonstrate leniency. This would ensure farmed fish will continue to be fed and thus animal welfare issues avoided. It further requests MAF implement internal policy that would enable leniency to be considered in terms of documentation correctness. This request is not the same as the current option of equivalence under this IHS. The decision on leniency could be delegated to the Inspector BA.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ’s response to 27.2.

- 27.4 The submitter requests import documentation including the zoosanitary certificate be acceptable to MAF for consignment clearance in electronic format. Electronic copies of documentation should be considered adequate for border clearance (subject to later receipt of originals if necessary) at least for imports that are regular and ongoing and have demonstrated low historical biosecurity risk.

MAF Biosecurity New Zealand response:

Based on the Act, an inspector has the discretion to accept an electronic copy of the required documentation if the Import Health Standard requires an original, provided the inspector believes this discrepancy doesn’t suggest an increase in risk. For further information, Please refer to MAFBNZ’s response to 27.2.

- 27.5 The submitter raises the issue of new MAF inspectors interpreting the IHS differently to previous personnel employed for that task, thus causing hold ups at the border where previously there was none. Consistency of interpretation and adequate training should be obligatory.

MAF Biosecurity New Zealand response:

All new quarantine inspectors undergo consistent and rigorous training based on the statutory powers and duties that are outlined in the Biosecurity Act, 1993. Training is pathway and commodity based using the Import Health Standards as underpinning documents. New Quarantine Inspectors are given their statutory appointments upon completion of the training and assessment process. Inspectors are then subject to an annual technical competency assessment to ensure currency and consistency of decision making.

At the time of drafting this reply no new risk screeners had been hired for some time. Delay in getting a consignment cleared can be caused by an array of issues including timeliness, what information was provided, the quality of the information and the format in which it was provided. MAFBNZ border staff is always willing to provide advice on the best way to provide information to support the clearance process.

28. NZ Feed Manufacturers Association (Inc), Michael Brooks

- 28.1 The submitter suggest rewording paragraph 2.3 to “The Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM Act) requires certain oral nutritional compounds (an example of which is stock feed) to be registered prior to their importation” as the current wording could be misinterpreted to mean that stock feeds require registration prior to importation.

MAF Biosecurity New Zealand response:

This clause has been amended as suggested.

- 28.2 The submitter notes the removal of the definition of “hermetically sealed” from the import health standard but this term is still included in the draft IHS. It therefore suggests that the definition should be included in this section for the sake of clarity.

MAF Biosecurity New Zealand response:

MAFBNZ currently uses a definition of “*commercially prepared and packaged*” to manage the associated risks. This definition is also used in the Import Health Standard for Specified Foods for Human Consumption Containing Animal Products (dated 25 may 2009).

The provisional import health standard has been amended to include the following definition:

Commercially prepared and packaged

A product that has been manufactured in a commercial manner by a commercial enterprise and is packaged in tamper proof packaging.

Section 7.3 of the provisional import health standard has been reworded to

7.3 Shelf-stable fish food and fish bait may be given biosecurity clearance provided it is commercially manufactured and packaged.

28.3 The submitter commends MAF Biosecurity New Zealand for the inclusion of the flow diagram in the eligibility section (section 7) and believes that such flow diagrams help to clarify the decision processes for importation of commodities into New Zealand.

MAF Biosecurity New Zealand response:

Noted.

28.4 The submitter states that in many cases, poultry or ruminant products will be purchased by the fish feed manufacturer (in some cases from a supplier in a third country). Therefore, in many, if not all cases, it will be impossible for the Official Veterinarian to provide the certification which MAF Biosecurity New Zealand is requiring in sections 1.1 and 1.2 of the zoosanitary certificate. The New Zealand Poultry Industry request that further consideration is given to this section by MAF as the current structure of the draft IHS may subsequently devalue the provision of official certification.

MAF Biosecurity New Zealand response:

It is quite common in international trade for animal products to be imported for re-export. This can include the imported products being processed (for example being processed into fish food) before being exported again.

To manage the biosecurity risks in these cases, the manufacturer must provide the Certifying Official in the exporting country with evidence that the source premises, in the originating country, complies with New Zealand's certification requirements and that the product itself would be eligible for direct export from the source premises to New Zealand.

In New Zealand the Certifying Official for the re-export of imported material or product is the New Zealand Food Safety Authority (NZFSA). NZFSA has the requirements that must be met in these cases listed on their website:

http://www.nzfsa.govt.nz/animalproducts/publications/manualsguides/oap/oa-programme/page-22.htm#P1458_167587

28.5 The submitter acknowledges the inclusion in the draft IHS of Part E, Appendix A and supports this inclusion as it increases the transparency of the draft IHS.

MAF Biosecurity New Zealand response:

Noted.

29. Pendarves Ltd. and associated companies, Ross Powell

29.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the impact of the proposal on the submitters business, the impact on the viability of other businesses associated with commercial and recreational fishing, possible negative responses from our trading partners, an expected rise in the price of bait, no risk assessment being done to support this proposal and therefore asks that this proposal be deleted, ensuring whole round fish can continue to be imported.

MAF Biosecurity New Zealand response:

Comments noted, please refer to key message on page 10.

- 29.2 The submitter states that Australian studies conducted on requirements for fish bait also resulted in whole round bait continuing to be allowed import status if frozen at -18 degrees Celsius for 18 hours prior to shipping.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ's response to 25.23.

- 29.3 The submitter is concerned that when enquiring as to the science behind the proposal, the submitter was told that the world health organization (OIE) was starting to look at these issues.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

For more information on the work currently started by the OIE, please refer to MAFBNZ's response to 25.14.

- 29.4 The submitter asks whether an email exists saying that importing of fish bait should be banned and then the science should be carried out to enable the ban?

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ's response to 25.5

- 29.5 The submitter asks whether this proposal is driven by the science or any present or past staff members?

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 29.6 The submitter states that easy solutions, such as shutting the border, aren't always commercially viable. The submission believes the current proposal is an 'easy' solution that now need to be assessed against commercial reality.

MAF Biosecurity New Zealand response:

Comment noted. Please refer to the key message on page 10

- 29.7 The submitter states that the options of eviscerating or eradiating whole round fish also are outside commercial reality.

MAF Biosecurity New Zealand response:

Comment noted. Please refer to the key message on page 10.

30. Matthew Simcox

- 30.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the expected increase in the price of bait and raises the need for good scientific evidence and a sound decision which looks at all the sides of the story.

MAF Biosecurity New Zealand response:

Comments noted. Please refer to the key message on page 10.

31. Fat Snapper Fishing Charters, Mark Brown

- 31.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the impact on the submitter's business to a point where the sustainability of the operation comes into question.

MAF Biosecurity New Zealand response:

Comments noted, please refer to key message on page 10.

- 31.2 The submitter states that there does not seem to be any damming evidence to show these regulations need to be implemented.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

32. Lee Durham

- 32.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the inconsistencies between bait fish and fish for human consumption and the expected rise in the price of fish bait and threats to New Zealand exports.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

33. New Zealand Sea Food Industry Council, Alistair MacFarlane, submission 2

- 33.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to no risk analysis has been completed to support this proposal. The submission therefore requests that this proposal is not implemented and that whole frozen fish can continue to be imported.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

- 33.2 The submitter states that frozen whole fish imported for bait is generally imported as fit for human consumption, and is indistinguishable at the border from whole frozen fish

imported for human consumption. One of the largest importers of whole frozen fish apparently sells significant quantities of fish for human consumption and bait from the same imported stocks. The submission indicates a need for consistency.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

- 33.3 The submitter concludes that MAF Biosecurity is adopting a zero-risk policy. Which is contrary to New Zealand's international obligations under the WTO's Sanitary and Phytosanitary Agreement to ensure that "any sanitary or phytosanitary measure is applied only to the extent necessary to protect human, animal or plant life or health, is based on scientific principles and is not maintained without sufficient scientific evidence"

MAF Biosecurity New Zealand response:

Comments noted. Please refer to the key message on page 10.

- 33.4 The submitter objects to MAF's statement that the absence of a risk assessment requires the import of a product that may be imported now without restriction to be stopped and the submission regards it as an opposite interpretation of New Zealand's international obligation noted in the paragraph above.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 33.5 The submitter states that it is not clear if the proposal to remove import eligibility for whole frozen fish applies to the commodity in general, regardless of purpose, and fears that the intent of the sentence "Subsequently this commodity has been deleted from this import health standard and is no longer eligible for import" will mean a ban on all imports of whole frozen fish for any purpose.

MAF Biosecurity New Zealand response:

At the time the proposal was made, only the import health standard for fish food and fish bait was being reviewed. Therefore the proposal only applied to whole round fish being imported for fish food or fish bait. However, after reviewing the submissions MAFBNZ has decided to reinstate the option of importing frozen whole marine fish in the provisional import health standard for fish food and fish bait.

Whole round fish used for bait will be considered together with aquatic animal products for human consumption. That analysis is underway, as a part of MAF's review of all import health standards for aquatic animal products. As apart of this review MAFBNZ is developing a more consistent approach to the import management of aquatic animal products. For further information, please refer to the key message on page 10, under "*Future work in this field*".

- 33.6 The submitter states that MAF doesn't clarify how it would be able to identify whole frozen fish fit for human consumption (and therefore able to be imported without restrictions) imported to be used as bait.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

- 33.7 The submitter notes that the ‘Import Health Standard for the import of liquid berley, berley straps, berley blocks and lure skirts into New Zealand from Australia’ would pose a similar potential biosecurity risk as frozen whole fish for bait. But this standard doesn’t appear to be affected by the current proposal.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ’s response to 33.5.

- 33.8 The submitter notes that the OIE Aquatic Animal Code recommendation “*The practice of trading fresh or frozen whole marine fish represents a risk of introducing disease into populations. Risk mitigation measures include sourcing fish from stocks where there is no evidence of infection with any of the OIE listed diseases or treatments which inactivate aquatic animal pathogens*” suggests that international trade in whole frozen fish would be commonly regarded as a risky activity and subject to biosecurity controls in many markets. But the submission provides information about current trade and concludes that the OIE’s advice does not appear to be commonly heeded and a ban on imports of whole frozen fish without any published assessment of the risks to New Zealand’s biosecurity can be an invitation for retaliatory action from New Zealand’s seafood trading partners.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

- 33.9 The submitter states that it is unlikely that locally sourced bait fish could be available in the amount and at internationally competitive prices required by the commercial and recreational fishing industry in New Zealand. .

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

- 33.10 The submitter responds to MAF’s concerns around importing whole frozen fish being used to feed aquaculture stock, noting the following:
- a. There is little or no fin fish aquaculture underway in New Zealand at present that would require the feeding of bait fish.
 - b. The most established fin fish aquaculture system is for Pacific Salmon species, which are fed compounded feed using a mix of fish meal, fish oil and other ingredients.
 - c. The types of feed that can be fed to aquaculture stock are normally stipulated in each farm’s resource consent. SeaFIC is unaware of any resource consent that permits the feeding of whole fish.
 - d. The likelihood of fin fish aquaculture that requires frozen fish as a feed establishing in New Zealand is small in the short to medium term.
 - e. Should MAF have reasoned concerns that can be articulated, it may be possible to address those concerns by directed measures.
 - f. The submitter sees no grounds for a blanket ban on whole frozen fish imports for this purpose at the expense of other legitimate purposes for which the biosecurity risks are likely to be negligible.

MAF Biosecurity New Zealand response:

Comments noted, please refer to key message on page 10.

34. Aotearoa Fisheries Limited, Mark Soboil,

- 34.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard because no risk analysis has been completed to support this proposal, the expected rise in the price of bait, and because local catch is not sufficient to supply the New Zealand demand. The submission therefore requests that this proposal is not implemented and that whole frozen fish can continue to be imported.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

35. Temuka SeaFoods International, Benjamin Burney

- 35.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard because of possible negative effects on New Zealand's export of whole round fish, local catch not being sufficient to supply the New Zealand demand which would reduce the amount of fish that can be caught and the need for consistency between whole round marine fish imported for human consumption and the same product imported for bait. The submission therefore requests that this proposal is not implemented and that whole frozen fish can continue to be imported.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

- 35.2 The submitter asks for the science behind the proposal.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 35.3 The submitter states that this issue was raised in Australia and it was decided there that restrictions were not necessary.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ's response to 25.23.

- 35.4 The submitter states that New Zealand Aquaculture industry currently doesn't feed whole fish to aquaculture stock.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

36. Roy Gould

36.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard because bait fish has been imported over a substantial period without the introduction of any harmful viruses or bacteria to New Zealand waters that can be attributed to imported bait.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

36.2 The submitter states that Australia has been looking into this matter for some time but hasn't banned the imports of bait and that New Zealand should follow the Australian approach.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ's response to 25.23.

37. Solander, Peter Ballantyne

37.1 The submitter supports the New Zealand Seafood Industry Council's submission.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ response to 33.

37.2 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the potential impact on the submitter's business and local catch not being sufficient to supply the New Zealand demand.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

38. Sanford Limited, Vaughan Wilkinson

38.1 The submitter supports the New Zealand Seafood Industry Council's submission.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ response to 33.

38.2 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the potential impact on the submitter's business and local catch not being sufficient to supply the New Zealand demand.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

38.3 The submitter states that unless specific, robust, scientific information is available regarding the risk posed by a particular imported bait species then importation of that species should continue to be allowed and additional requirements should not be imposed.

MAF Biosecurity New Zealand response:

Comment noted, please refer to key message on page 10.

39. Geoff Hedley

- 39.1 The submitter objects to the proposed deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard due to the lack of scientific evidence, the potential impact on the submitter's business, the expected increase in the price of bait and increased pressure on increase fishing pressure on local bait fish populations

MAF Biosecurity New Zealand response:

Comments noted, please refer to key message on page 10.

40. Top Catch Online, Mike Anda, submission 2

- 40.1 The submitter asks for the science behind the proposal.

MAF Biosecurity New Zealand response:

The reasons behind the proposal to delete the option of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* are set out in the key message on page 10.

- 40.2 The submitter states that the remaining option of irradiation is impractical considering the volumes involved.

MAF Biosecurity New Zealand response:

Comment noted, please refer to the key message on page 10.

41. New Zealand Salmon Farmers Association, Mark Gillard, submission 2

- 41.1 The submission contains a discussion between the New Zealand Salmon Farmers Association and the New Zealand Seafood Industry Council. This discussion provides clarification on the New Zealand Salmon Farmers Association's submission (nr. 27). From this additional submission it becomes clear that the New Zealand Salmon Farmers Association has purposely refrained from comment on import of whole round fish for bait or other purpose, limiting the submission to the use of whole round frozen fish used as fish feed and states that if whole round frozen fish is imported to be fed to aquaculture stock an assessment of risk would be a prudent measure.

MAF Biosecurity New Zealand response:

MAFBNZ appreciates the clarification provided. Please refer to MAFBNZ's response to 27, 33 and the key message on page 10.

42. Talley's Group, Andrew Talley

- 42.1 The submitter supports the deletion of *Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation* from the standard and agrees that whole round fish represents a significant risk of introducing pest, pathogens and diseases not controllable by freezing.

MAF Biosecurity New Zealand response:

Noted.

- 42.2 The submitter states that New Zealand has adequate ‘internal’ resource to provide for domestic customers that can be made available without the attendant biosecurity risk or concern.

MAF Biosecurity New Zealand response:

Comments noted. However this information differs to that provided in several other submission (see 6, 11, 20, 25, 33, 34, 35 and 37) that state that the catch of local species is not sufficient to supply the New Zealand demand. No evidence is provided with this submission to substantiate this claim.

Submission 25 (by Penguin Wholesales Whangarei Ltd, Derek Slatter, submission 3) provides evidence that based on the current quotas and recent catch numbers the New Zealand supply would not be sufficient to supply to local demand. In addition, a number of submissions (see submissions 3, 5, 6, 15, 19, 20, 23, 25, 29, 30, 32, 33, 34, and 39) state that as a result of the current proposal the price of New Zealand origin fish bait is expected to rise significantly if no additional quota was issued, and that a rise in the price of bait would have a significant impact on commercial and recreational fishing in New Zealand.

On the basis of the information listed above MAFBNZ concluded that commercial and recreational fishermen in New Zealand are reliant upon the importation of whole round fish to be used as bait.

- 42.3 The submitter states it is essential the import requirements do not apply to (fresh or frozen) whole, round, marine fish caught by New Zealand vessels outside of New Zealand waters returning to New Zealand to unload.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ response to 7.1.

43. Australian Renderers Association, Graeme Banks

- 43.1 The submitter states rendered products produced in accordance with the Australian Standard for Hygienic Production of Rendered Animal Products should be recognised as acceptable for use in fish foods exported to New Zealand.

MAF Biosecurity New Zealand response:

To ensure consignments of rendered products meet New Zealand’s import requirements, they are required to be accompanied by a zoosanitary certificate issued by the Veterinary Authority of the exporting country. The Veterinary Authority of the exporting country is ultimately accountable for veterinary certification used in international trade. This means that it is up to the Veterinary

Authority of the exporting country, in this case the Australian Quarantine and Inspection Service (AQIS), to certify the products have been produced in compliance with New Zealand's import requirements. It is therefore up to AQIS to determine whether products manufactured in accordance with the Australian Standard for Hygienic Production of Rendered Animal Products meet New Zealand's import requirements.

- 43.2 The submitter states the draft Import Health Standard specifies eligibility requirements for rendered poultry products and rendered ruminant products, but it does not allow for other rendered mammalian products such as rendered porcine products. The submitter states the Import Health Standard should clarify whether rendered products containing non-ruminant mammalian material are considered eligible products.

MAF Biosecurity New Zealand response:

Rendered porcine products or other non-ruminant mammalian material are not eligible for import under this draft import health standard. The products eligible for import under the draft import health standard are listed under clause 7 of the standard, titled ELIGIBILITY. Under this clause ruminant rendered products are included but other mammalian products are not.

- 43.3 The submitter indicates blood meal and feather meal appear to be included as rendered products in the Import Risk Analysis but are not clearly included as rendered products in the Import Health Standard. The Import Health Standard should define what products are eligible as poultry rendered products and ruminant rendered products.

MAF Biosecurity New Zealand response:

The "Import Risk Analysis: Fish food" considers ovine blood meal, meat meal, bone meal, and casing meal and bovine blood meal, meat meal, and bone meal under rendered ruminant products, and poultry meal, poultry feather meal, poultry oil, and poultry blood meal under rendered poultry products.

To define what products are eligible as rendered poultry products and ruminant rendered products in the provisional import health standard the following wording has been added to rendered ruminant products "*(restricted to ovine blood meal, ovine meat meal, ovine bone meal, ovine casing meal, bovine blood meal, bovine meat meal, and bovine bone meal)*" and to rendered poultry products "*(restricted to poultry meal, poultry feather meal, poultry oil, and poultry blood meal)*".

- 43.4 The submitter states that if blood meal is eligible, it assumed that the processing conditions specified for poultry and ruminant rendered products also apply to poultry and ruminant blood.

MAF Biosecurity New Zealand response:

Correct.

- 43.5 The submitter states some processes for the production of blood meal do not comply with the specified time/temperature requirements for rendered ruminant products. Nevertheless these processes produce safe product due to the small particle size and rapid heat transfer into blood particles and the very high temperatures that blood particles are exposed to.

MAF Biosecurity New Zealand response:

The draft import health standard allows applications for equivalence to be made. Equivalence requests can include applications for treatments to be assessed as equivalent to the requirements listed in the import health standard. For further information on how to apply for equivalence, please refer to section 4 of the standard, titled EQUIVALENCE.

- 43.6 The submitter states that MAF has previously accepted that under specified conditions, continuous wet rendering systems that use a cascading rotary dryer provide equivalent sterilising effect to heating in steam at 115°C for 60 minutes. This exceeds the time/temperature requirements for rendered poultry products and could be considered to be equivalent to some of the conditions specified for ruminant rendered products. However, it is doubtful that this type of rendering system could be shown to comply with the specified requirements for poultry and ruminant rendered products. There should be an allowance for alternative rendering systems that provide equivalent heat treatments to those specified.

MAF Biosecurity New Zealand response:

The submission refers to Overseas Market Access Requirement (OMAR) 02/076 - Export Certification: Cascade Type Meat Meal Driers issued under section 60 Animal Products Act 1999 for the purpose of enabling the issue of official assurances to the Authorities in overseas countries with confidence the overseas requirements have been complied with.

This OMAR states that:

“Meat meal produced by cascade type rotary met meal driers is intended for export certification to markets (notified by OMAR) requiring sterilisation by moist heat at 115°C for 60 minutes must meet the specifications set out in this notice.

Operators must ensure that “Flow-Dry” and “Duske” cascade rotary meat meal driers meet one of the following sets of criteria to be recognised as being equivalent with the heat sterilisation standard above:

*Input gas temperature > 640°C
Particle size < (30x20x10) mm
Input meal moisture content < 1.35 kg/kg (57.4%)
Input Meal temperature > 50°C*

OR

*Input gas temperature > 640°C
Particle size < (15x8x8) mm
Input meal moisture content < 1.5 kg/kg (60%)
Input Meal temperature > 30°C*

OR

*Input gas temperature > 800°C
Particle size < (15x8x8) mm
Input meal moisture content < 1.5 kg/kg (60%)*

Input Meal temperature > 15°C

Rendered poultry products

Based on this OMAR, MAFBNZ considers “*Flow-Dry*” and “*Duske*” cascade rotary meat meal driers that meet one of the sets of criteria above as equivalent to sterilisation by moist heat at 115°C for 60 minutes. As 115°C for 60 minutes is over and above the requirements in the draft standard for rendered poultry products (115°C for 2 minutes), these cascade rotary meat meal driers would meet New Zealand’s import requirements rendered poultry products for use as fish food.

Rendered ruminant products

For rendered ruminant products based on “Import Risk Analysis: Fish food” the following conclusions with regard to 115°C for 60 minutes has been assessed as equivalent to 118°C for 40 minutes.

This analysis concludes that *Bacillus anthracis* is more likely to survive exposure to high temperatures than the other agents listed. A review of the inactivation of *Bacillus anthracis* spores demonstrates that exposure of spores to a moist heat of 100°C for 10 minutes is sufficient for inactivation. It is therefore concluded that rendering to 115°C for 60 minutes is likely to inactivate *Bacillus anthracis* and other bacterial and other agents.

- 43.7 The submitter states the heat treatments specified involve time/temperature conditions that are notoriously difficult to measure and verify in continuous systems. Some of the time/temperature conditions specified for ruminant rendered products are complex and cannot be verified in a practical way with any accuracy. Six alternative time/temperature conditions are specified for ruminant rendered product. These conditions are extracted from EC Regulation 1774/2002. EC regulation 1774/2002 allows a seventh heat treatments in which other time/temperature combinations are permitted provided that the effectiveness of the conditions is validated by testing. This seventh processing condition should be allowed for production of rendered products for use in fish food. It should be accepted that rendered products produced in validated heat treatments are safe to use in fish food.

MAF Biosecurity New Zealand response:

Please refer to MAFBNZ response to 43.5.

- 43.8 The submitter then goes on to provide comments on the risk analysis.

MAF Biosecurity New Zealand response:

MAFBNZ is currently not consulting on the draft import health standard for fish food and fish bait not on the “Import Risk Analysis: Fish food”. The draft “Import Risk Analysis: Fish food” was consulted from 4 January 2008 till 15 February 2008 and was finalised in April 2008. Therefore the comments on the “Import Risk Analysis: Fish food” will not be reviewed.

44. PVL Proteins limited, Alan von Tunzelman, submission 2

- 44.1 The submitter forwards the submission from the Australian Renderers Association and states this submission should be taken seriously and requests MAFBNZ to view this

submission as it is intended, a helpful input into a complex issue and one that will likely become more important as the months unfold.

MAF Biosecurity New Zealand response:

Comments noted. Please refer to MAFBNZ response to the submission by the Australian Renderers Association (submission nr 43).

45. United States Agricultural Attaché, Laura Scandurra

- 45.1 The submitter comments on Part D of the draft Import Health Standard, titled, Zoosanitary Certification. Section I, “Origin of the Consignment”, asks for the “processing premises registration number.” The submission asks whether New Zealand would consider waiving the requirement for a premises registration number provided the facility was adequately identified (for traceability), and the product properly certified?

MAF Biosecurity New Zealand response:

MAFBNZ would accept facility identification, other than a registration number, provided traceability of the exported products to the processing premises is guaranteed.

- 45.2 The submitter states that Section IV, 1, 1.1 – “Rendered poultry products”, requires a certifying official to certify that “The rendered poultry products are derived from poultry that at the time of slaughter did not show any clinical signs of disease.” United States origin poultry meals, including feather meals, are derived from poultry presented for slaughter at approved FSIS establishments under official veterinary supervision. Although only healthy flocks are transported to slaughter, a few birds may die during transit. These birds are excluded from the edible channel, but may be used domestically for inedible rendering. The submission requests that New Zealand waive the requirement for the exclusion of the very small percentage of birds which may die in transit.

MAF Biosecurity New Zealand response:

The “*Import Risk Analysis: Fish food*” defines rendered poultry products and rendered ruminant meals are defined as material derived from poultry/ or ruminants which have not been slaughtered for disease control purposes and have been exposed to one of the cooking conditions described in the Import Risk Analysis.

This definition does not include the requirement for rendered poultry products to be derived from poultry that at the time of slaughter did not show any clinical signs of disease. Therefore poultry that dies during transit as indicated above are eligible for inclusion in rendered poultry products exported to New Zealand provided the finished products meets the requirements of the import health standard.

Based on the definition in the Import Risk Analysis (see above) MAFBNZ has deleted the following clauses from the import health standard:

“The rendered poultry products are derived from poultry that at the time of slaughter did not show any clinical signs of disease.”

“The rendered ruminant products were derived from animals that passed ante-mortem and post-mortem veterinary inspection at the time of slaughter and were processed in premises under the supervision of the Competent Authority.”

“The rendered ruminant products are derived from ruminants that at the time of slaughter did not show any clinical signs of disease.”

- 45.3 The submitter notes that required certification statements for all eligible products are numbered except in that Section IV, 1, 1.1 – “Rendered poultry products”, and asks whether these statements be numbered (e.g., 1.1.1, 1.1.2) in the final published IHS?

MAF Biosecurity New Zealand response:

Numbering has been added to these clauses in the provisional import health standard

- 45.4 The submitter states that Section IV, 1, 1.3, “Fishmeal and fish oil”, requires a certifying official to certify that “The product is derived from animals that at the time of slaughter did not show any clinical signs of disease.” Fish, especially marine caught fish, cannot be subjected to the same ante mortem inspection procedures that are used for livestock and poultry. Although the raw materials used to produce fishmeal and fish oil are often byproducts resulting from fish processed for human consumption, no competent authority can unequivocally state that all the fish used to produce the end product had no clinical signs of disease. Therefore, the submission requests that New Zealand remove this requirement or provide clarification on what is expected.

MAF Biosecurity New Zealand response:

Based on this submission and consignments of non-compliant products containing fish meal and or fish oil MAFBNZ has reviewed the proposed import requirements for fish meal and fish oil.

The “Import Risk Analysis: Fish food” (April 2008), concludes that:

“The viral and non-viral agents considered to be most resistant to heat treatment are likely to be inactivated by rendering at a temperature of at least 80°C for a period of no less than 20 minutes. Therefore, it is concluded that no potential hazards have been identified in fishmeal and fish oil which have been manufactured using an initial cooking temperature of at least 80°C for a period of no less than 20 minutes.”

The World Organisation for Animal Health (OIE) Aquatic Animal Health Code recommends:

“Article 10.1.3.

1. *When authorising the importation of the following commodities, the Competent Authorities should not require any [OIE listed disease] related conditions, regardless of the [disease] status of the exporting country, zone or compartment:*

- a. *From the species referred to in Article 10.1.2. intended for any purpose:*

- i. *commodities treated in a manner that inactivates the disease agent e.g. leather made from fish skin, pasteurised products and some ready-to-eat meals; and fish oil and fish meal intended for use in feed*

Note these requirements are to mitigate against the introduction of IPNV and *R. salmoninarum*, which are not OIE listed diseases.

Based on the information listed above MAFBNZ has replaced the requirement for a zoosanitary certificate for fish meal and fish oil with the following clause that has been added to section 7 ELIGIBILITY:

7.5 *Fishmeal and fish oil*

Fishmeal and fish oil may be given biosecurity clearance provided:

EITHER i. The consignment is accompanied by a manufacturer's declaration stating the fishmeal or fish oil has been heat treated at a minimum core temperature of 80°C for a period of no less than 20 minutes.

OR ii. For a private consignment:

a. The product is commercially prepared and packaged

b. The product is in its original sealed packaging on arrival

c. The consignment has a total weight of 20 kilograms or less.

In addition the following definitions have been added to the import health standard:

Commercially prepared and packaged

A product that has been manufactured in a commercial manner by a commercial enterprise and is packaged in tamper proof packaging.

Private consignment

A consignment imported as personal property and not intended for resale.

45.5 The submitter states that Section IV, 1, 1.3, "Fishmeal and fish oil", requires a certifying official to certify that "The fishmeal and fish oil has been heat treated at a minimum core temperature of 80°C for a period of no less than 20 minutes." In the United States, minimally acceptable processing standards for fishmeal and fish oil require these products to be heat treated at a minimum core temperature of 80°C for no less than 10 minutes. Studies done by the National Marine Fisheries Services have demonstrated that this time/temperature combination reduces Salmonella (a major pathogen of concern) to non-detectable levels in fishmeal. The submission therefore requests that New Zealand consider accepting a minimum processing time of 10 minutes in lieu of 20 minutes. Alternatively, the United States would like to know what the diseases of concern are that require the longer processing times.

MAF Biosecurity New Zealand response:

The import requirements in this draft import health standard are based on the “*Import Risk Analysis: Fish food*” (April, 2008). This risk analysis examines the biosecurity risks posed by the importation of fish oil and fish meal using the guidelines set out in Biosecurity New Zealand’s *Risk Analysis Procedures – Version 11* (adapted from Murray, 2002) and in section 1.3 of the *OIE Terrestrial Animal Health Code* (OIE, 2006).

For the purposes of this risk analysis, fishmeal and fish oil are defined as material derived from fish that have not been slaughtered for disease control purposes and that have been manufactured under initial cooking conditions of at least 80°C for a period of no less than 20 minutes.

Chapter 4 of the “*Import Risk Analysis: Fish food*” lists the diseases of concern in fish meal and fish oil that are resistant to heat treatment. With respect to IPNV: the RA considers 80°C for 10 minutes to be sufficient based on Whipple & Rohovec JS (1994) The effect of heat and low pH on selected viral and bacterial fish pathogens, *Aquaculture* 123, 179-189. This paper does indeed indicate in Table 1 (p. 183) that 10 minutes at 80°C is sufficient to inactivate IPNV. However the wording on p. 184 is “IPNV...survived for 3-4h at 65°C, more than 90 min at 70°C and for approximately 10 min at 80°C”. This wording is ambiguous, as whilst the table indicates time until undetectable for IPNV as 10 minutes at 80°C, the paragraph indicates that IPNV “survived” for “approximately 10 min”. Whipple & Rohovec 1994 does however indicate that (in viral culture medium) 65°C, 15 minutes followed by 82°C for 10 minutes resulted in a 3 log₁₀ reduction in IPNV titre but clearly indicates that virus could still be detected. It was only at lower than neutral pH that the process resulted in no detectable virus.

The EFSA report (EFSA (2003), The use of fish by-products in aquaculture, EFSA, 93pp) indicates on page 67 that 15 minutes at 80°C is required to inactivate IPNV. It is unclear from the EFSA report which specific reference is used to derive this figure, but it does raise an issue with time for inactivation of IPNV. This is a question that does not impact on our published requirements of 80°C for 20 minutes, but would impact on the equivalence request of 80°C for 10 minutes.

With respect to *R. salmoninarum*: the most detailed paper regarding inactivation of *R. salmoninarum* is again the Whipple & Rohovec 1994 paper. This paper is not without inconsistency, reporting

1. that a time in excess of 15 minutes is required at 65°C to inactivate *R. salmoninarum*. There was no test performed at 80°C
2. that a 4log₁₀ reduction in viable *R. salmoninarum* resulted from 65°C, 15 minutes followed by 82°C, 10 minutes (in neutral pH) with a clear indication that some bacteria survived this process
3. that complete inactivation of *R. salmoninarum* occurred after 71°C, 10 minutes followed by 82°C, 10 minutes (in neutral pH)
4. acid pH greatly reduced the time/temperature equivalents required for *R. salmoninarum*.

The conclusion is worded slightly differently, but the risk analysis will be based on the data as published in the results section.

Pascho and Ongerth (Pascho RJ, Ongerth JE (2000) Method for flow cytometric monitoring of *Renibacterium salmoninarum* inactivation, *Diseases of Aquatic*

Organisms 41, 181-193) utilise a time/temperature combination of 80°C for 20 minutes to effectively inactivate suspensions of approximately 10⁶ cfu/mL *R. salmoninarum* for a flow cytometry experiment.

It is apparent that the available literature suggests that a temperature of 80°C must be maintained for more than 10 minutes but less than 20 minutes to ensure inactivation of significant titres of IPNV and *R. salmoninarum*. It thus appears that the NZ IHS published standard is effective and provides a degree of safety, whereas the requested standard (80°C, 10 minutes) is equivocal in its safety level unless the raw material was of guaranteed low titre for IPNV and *R. salmoninarum* or was of low pH (approx. pH 4).

The manufacture of fish meal and fish oil is however a multistep process and the failure to meet the standards of one step does not necessarily preclude the assessment of the end product as representing negligible risk if further information on the remainder of the process, backed by available published literature, indicated that the combination of steps was effective.

In summary, meeting 80°C, 20 minutes automatically results in downstream products being considered to represent negligible risk. Failing to meet that standard, however, does not mean that downstream products are unsafe, but that it may be possible (where data exists) to analyse the entire process and be satisfied that the end products represent negligible risk. There is no guarantee that relevant data exists.

Based on the information listed above, New Zealand will not accept a minimum processing time of 80°C for 10 minutes.

APPENDIX ONE: COPIES OF SUBMISSIONS

1. Penguin Wholesales Whangarei Ltd, Derek Slatter, submission 1

From: Derek Slatter [mailto:derek.slatter@penguinwholesalers.co.nz]

Sent: Monday, 22 June 2009 5:45 p.m.

To: Richard Soons

Subject: discussions today

Richard – thanks for calling back so promptly. To summarise my thoughts briefly:

1. In order for us to offer informed comment we will need to look at the science behind this. As I explained – if there was a genuine risk that bait imports could wipe out the snapper fishery, we would be very stupid to object to banning imports. On the other hand, fishbait has been imported for a long time now without any issues.
2. Competition issues – a de facto monopoly will be created in the pilchard industry for one – and it will be unable to supply demand in NZ, unless quota is increased by 500% or so. Of course prices will rise significantly if no extra quota was issued.
3. A large tonnage of commercial and recreational bait is imported in NZ and then exported to other countries. This employs a lot of people as well as bringing financial benefits to NZ. It also raises the issue – the worlds commercial fisheries all operate using imported whole round bait to some degree. So I assume the science here would indicate that commercial fisheries around the world should look to be self supporting for bait? That would get interesting.
4. Food grade vs bait grade imports. You mentioned that evisceration is a possible outcome for all w/r product. I don't know if this is practical or even possible for things like squid. What about processors who import w/r fish and further manufacture it? I guess you could implement controls on that?
5. You mentioned that Australia had done a lot of work on this – in the context of my question about whether a geographic or general ban was being considered. You said that Australia had difficulty in defining the risks due to complexity of the pathways.
6. You mentioned that MAF science people were working with the World Organisation for Animal health. Again – this indicates that some science is available to underpin the proposal?
7. I assume the ban would also apply to commercial boats operating within our 200 mile zone? Otherwise it would be pointless as the tonnage they use would probably dwarf recreational use. If whole round fish is banned from that application, what is the alternative? How would the logistics work – to get “approved” bait to these ships?

You encouraged me to send in our feedback – and undertook to ask MAF scientists for something that we can use to educate ourselves on the risk and the rationale behind the proposal. My initial response – in the absence of seeing the science and thus understanding the risks – is that the proposal would create huge cost and complexity for recreational and commercial fishing industries. If the risks are similarly significant, then an import ban might be what is necessary, but in the absence of some proven risk I think the proposal would be grossly one sided and should not be progressed.

Regards

Derek Slatter
General Manager

DDI (09) 4700268
Mob (027) 4962575

Penguin Wholesalers (Whangarei) Ltd
6 Hewlett St
PO Box 1523
Whangarei

2. The Fishing Website, Grant Blair

From: Grant Blair [mailto:Grant@Fishing.net.nz]
Sent: Thursday, 2 July 2009 11:06 a.m.
To: Richard Soons
Subject: RE: Proposed legislation changes

Thanks for your prompt response Richard – much appreciated.

Clearly the impact of any ban would be massive and not welcomed by recreational anglers. I'll be posting something on our forums and notify people they can comment direct to you.

Regards,
Grant.

Grant Blair | Director | **The Fishing Website**
www.Fishing.net.nz
New Zealand's leading fishing website
Mobile: 021-996-955

3. Top Catch Online, Mike Anda, submission 1

From: Mike Anda [mailto:mike@topcatch.co.nz]
Sent: Thursday, 2 July 2009 11:15 a.m.
To: Richard Soons
Subject: Bait Importation ban

Richard I have been reading the proposed submission at
<http://www.biosecurity.govt.nz/biosec/consult/ihs-amendment-fish-food-bait>.

It would appear that it would ban the importation of whole fish (pilchards, squid, bonito etc).

If this is the case it is going to have a significant impact on the price of recreational and commercial baits and I would not be surprised if the US & Australia retaliate with bans on our fish exports.

To whom and how do I put in a submission as I would be directly impacted as a business and recreational fisher.

Mike Anda
Top Catch Online
www.topcatch.co.nz

4. New Zealand Sea Food Industry Council, Alistair MacFarlane, submission 1

From: MACFARLANE, Alastair [mailto:Alastair.Macfarlane@seafood.co.nz]
Sent: Thursday, 2 July 2009 11:59 a.m.
To: Richard Soons
Cc: SYMMANS, Owen
Subject: Import of whole frozen fish for fish bait/feed

Dear Richard
Thank you for our telephone conversation.

My conclusion from that conversation is that Biosecurity NZ may now be of the view that there is no significant risk posed to NZ's biosecurity from the use of imported whole frozen (head on, gill intact, skin on) fish for fish bait. I understood from our conversation that there may be a point of view in the organisation that use of such imported fish to feed aquacultured fish may pose a disease risk to those fish during their husbandry.

I would ask therefore that MAF Biosecurity remove the following paragraph immediately from its website and cease to take any further action:

"Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation;

Whole round fish represent a significant risk of introducing pests or pathogens that are not managed by the current freezing requirement. The risks of introducing a pathogen or pest are non-negligible if imported whole round fish are used as fish bait. This commodity is too broad to define appropriate risk management measures for. Subsequently this commodity has been deleted from this import health standard and is no longer eligible for import."

Under the Official Information Act, I ask that you provide the following to the New Zealand Seafood Industry Council:

All papers, drafts, memo's, emails and file notes relating to the making a risk assessment of frozen whole round fish imported for any purpose including its use as human food, food for aquacultured fish and for fish bait.

I make this request given that MAF Biosecurity has not provided any Import Risk Assessment document to back up its proposition to remove import eligibility for frozen whole round fish. We require to analyse your import risk assessment in order to adequately respond to your request for comments by 3 August.

Regards

Alastair Macfarlane
General Manager - Trade and Information
NZ Seafood Industry Council
Private Bag 24-901
Wellington
NEW ZEALAND
Tel: +64-4-385-4005; Fax: +64-4-385-2727; Home Page: www.seafood.co.nz

5. Composite Developments NZ Ltd, Adam Johansson

From: Adam Johanson [mailto:adam@cdrods.co.nz]

Sent: Thursday, 2 July 2009 2:23 p.m.

To: Richard Soons

Subject: bait importation ban

Dear Richard

I have recently read of MAF's proposal to ban the importation of baits that are not eviscerated.

This proposal if passed would adversely affect a large number of New Zealanders by impacting the environment, people's health and the economic wellbeing of an industry that hires many thousands of people.

The proposed bill will push up the price of bait so that plastic baits will become a more cost effective option for recreational fishing. The affect this will have on the environment will be significant; although some soft-plastic baits pertain to be bio-degradable we are still not certain of the length of time it takes for these baits to degrade nor are we fully aware of the impact they have on aquatic life.

Within the "2007/2008 Active NZ Survey" (undertaken by SPARC) it was made clear that fishing remains a hugely popular means of activity. This study reported that over 630,000 New Zealanders partake in fishing in a given year – that's almost 15% of the entire population of New Zealand. MAF's proposal will inflate the cost of this activity so that some of these people may not be able to afford what is an accessible activity for all socio-economic factions.

Most forms of New Zealand industry are under pressure with GDP figures for the last quarter showing an accelerating recession at 1% negative growth. With a reported 1,000 New Zealanders signing up for the unemployment benefit every week it makes no sense to add pressure to any industry. By driving up the price of fishing and therefore discouraging this form of activity **MAF will be putting potentially hundreds jobs in jeopardy**. The retail sector is already under immense pressure – cost of borrowing has remained consistent with a growth economy and access to capital for many retailers has dried up. Boat sales have all but died; I spoke recently to a previously successful boat manufacturer here in New Zealand and for this company boat sales have slowed by 60%. Most boat based businesses are cutting staff and inventories at alarming rates – raising the cost to go fishing will only compound what is already a dire situation. The increase in bait cost will also negatively affect the commercial fishing industry by increasing primary costs. This will mean local fish prices such as Snapper will increase putting fish sales in supermarkets, fish and chip shops and fish markets under pressure. This will in turn reduce fresh New Zealand fish demand and put yet **more jobs in jeopardy**.

I am categorically against any reform that has wide spread negative effects on New Zealand's environment, health and economic well-being. I expect there will be strong disapproval of such measures amongst an overwhelming majority of New Zealand's voters.

Kind Regards,

Adam Johanson
Sales and Marketing
Composite Developments NZ LTD

6. Composite Developments NZ Ltd, Marty Johansson

From: Marty Johanson [mailto:marty@cdrods.co.nz]
Sent: Thursday, 2 July 2009 12:58 p.m.
To: Richard Soons
Cc: Adam Johanson
Subject: Importation of bait non gutted to be banned into N.Z. ?

Dear Richard,

Having just returned today from a fishing trade show in Europe I was horrified to be advised that M.A.F. is considering the banning of whole bait imported into this country unless eviscerated (gutted).

I am in total opposition to this both as a businessman and also as an avid fisherman whom is still able to afford to go to the local shop and buy bait as necessary, I also prefer to use this type of bait as opposed to polluting the ocean with plastics.

If such an ban was to be imposed it would simply put out of reach the affordability to be able to do this on a regular basis. Quite simply the local market would not be able to supply the demand required and if they did they will certainly start to gouge the local consumer due to demand.

This needs an open forum and full discussion by interested groups before such a legislation is passed and put in place.

I would appreciate please the progress of such law changes so that we can inturn keep our interested parties informed as to where this extremely amazing idea is going.

We await your reply with interest.

Regards,

MartyJohanson –Managing Director

D; +64 9 448 0991

F; +64 9 415 9965

M; +64 275 990 940

E;marty@cdrods.co.nz

7. Darryl Calder, Talley's Group Ltd.

From: Darryl Calder [mailto:darryl.calder@nn.talleys.co.nz]

Sent: Friday, 3 July 2009 9:35 a.m.

To: Richard Soons

Subject: Proposed IHS amendment for Fish Food and Fish Bait from all Countries

Good morning Richard,

Regarding one of the proposed key deletion changes to the above document:
*"Marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation;
Whole round fish represent a significant risk of introducing pests or pathogens that are not managed by the current freezing requirement. The risks of introducing a pathogen or pest are non-negligible if imported whole round fish are used as fish bait. This commodity is too broad to define appropriate risk management measures for. Subsequently this commodity has been deleted from this import health standard and is no longer eligible for import."*

As an operator of a Tuna Purse seine fishing vessel that operates in New Zealand Waters, Australian Waters and within the waters of the Western and Central Pacific region. We do on occasion bring back Tuna from waters outside NZ and land in NZ, then export to overseas markets/canneries. Weight of landings would vary from 100mt to 950mt on 1 or 2 occasion per annum.

Our vessel operates under a New Zealand Food Safety Authority (NZFSA) Regulated Control Scheme at all times, even when fishing in the Western Pacific region.

With this deletion, it would appear that this would stop us being able to do this and we strongly oppose this being changed for several reasons:

- the fish we target are termed Highly Migratory Species.(Katsuwonus Pelamis/Thunnus Albacares/Thunnus Obesus). These species are all present within the New Zealand EEZ, with most Fisheries and Scientists specialises believe fish from the Western and Central pacific Region migrate to NZ waters during the summer months. All fish is stored deep frozen (-18) then unloaded within the requirements of the NZFSA RCS programme.

- Talley's Group exports between 3000 - 6000mt of these species caught in within NZ EEZ each year from NZ.
- The Species identified above, have been fished in NZ waters since fishing commenced in NZ.
- We operate on an NZFSA Food Safety Programme, fully audited by NZFSA Verification Agency under there performance based auditing system. On each 'landing' from outside NZ waters an audit is required, usually due to the time since the last audit.

Whilst supporting MAF Biosecurity in what you are trying to achieve, due to the above reasons, I believe that the proposed Key Deletion will significantly effect our operation and our ability to land NZ export quality fish, and I have to oppose it, if this is the case.

If you require a more formal submission to this opposition of this one key change, please advise.

Yours sincerely

Darryl Calder
Talley's Group Ltd

8. Pete Lamb, Pete Lamb Fishing Ltd, Wellington Fishing Charters Ltd

From: Pete @ petelambfishing [mailto:pete@petelambfishing.co.nz]
Sent: Sunday, 5 July 2009 10:01 a.m.
To: Richard Soons
Subject: importing bait

Hi Richard

I've been manufacturing, wholesaling and retailing fish bait in NZ for almost 20 years. Why are you trying to ban the importation of bait? Can't you just test the stuff that comes in and ban products that are contaminated? There are thousands of jobs and business's that rely on imported bait. Why are you sneaking your submission under the radar asking for public submissions by 3rd August without letting us know?

That's very unprofessional and just breads more mistrust from the public, recreational fishing industry towards MAF.

Rgds, Pete

Pete Lamb Fishing Ltd
Wellington Fishing Charters Ltd
15 Kingsford Smith St, Rongotai, Wellington, New Zealand
ph/fax 0064 4 3878150, mobile 0064 0274439750

fishing charters, wholesale/retail tackle, rods, reel, bait, berley
online shop, forums, photos, articles
www.petelambfishing.co.nz

9. Ken Sewell, submission 1

From: ken sewell [mailto:kensew@gmail.com]
Sent: Sunday, 5 July 2009 6:46 p.m.
To: Richard Soons
Subject: stopping whole imported baits

I wish to register my dismay at the proposal to stop importing whole imported baits, I don't know where you get your scientific basis for this, if it is because you think that the gut cavity of these fish might bring in some foreign nasties you missed the boat by about 20 or 30 years.

Obviously this has been thought up by some green nutcase, you may have to stop importing all fish products, food grade as well, how about stopping the boats which flush their bilges here, they are the real threat, I intend to write a letter to the pm about this and bring it to the attention of the media.

10. P. Sixtus

From: P Sixtus [mailto:psixtus@xtra.co.nz]
Sent: Sunday, 5 July 2009 7:35 p.m.
To: Richard Soons
Subject: Fish bait

Hi Richard, As a Recreational fisherman I implore you and your department to leave the importation of whole fish bait alone. If there was a bio-security risk would there not be millions of fish floating dead on the ocean or a lot of sick people who eat the fish they catch by using imported bait. Surely there is more risk of the sea being contaminated by ships from overseas pumping their bilges out in NZ waters. Thanks

11. Rivka Thomas

From: Rivka Thomas [mailto:keylev@hotmail.com]
Sent: Sunday, 5 July 2009 8:30 p.m.
To: Richard Soons
Subject: Whole Bait Fish

Dear Richard,

I wish to add my 2c worth to the proposal to drop the importation of whole bait to NZ unless they have been eviscerated....

I will start by saying I totally agree our borders are worth protecting and we must do what it takes to keep it that way but what I don't understand is if for all these years the imports have been fine and causing no issues / problems how come suddenly almost from one day to the next the bait fish being imported is no longer ok - nothing has changed?? Not allowing the importation would have serious immediate consequences on the recreational fisher and after a while on our whole marine fishing industry as stocks of fish will be depleted to who knows what levels?? If we were able to sustain our own baiting industry successfully without depleting all the stocks of fish would we not be doing it already??

Thank you for considering my input.

Rivka

12. Saul Harman

From: SAUL HARMAN [mailto:saulharman@hotmail.com]

Sent: Monday, 6 July 2009 12:31 a.m.

To: Richard Soons

Subject: Proposal to ban the import of whole baits

Richard,

I have learned that there is a proposal to drop the importation of whole baits into NZ unless they have been eviscerated.

Evisceration would not be practical, would be hugely expensive and would ultimately end the importation of bait for recreational fishing and commercial longliners alike. This would in turn cause the price of bait to skyrocket. Being able to catch fish to feed our families is something that is not only a right, but a very special part of being a New Zealander. In these tough economic times hugely inflated bait prices would put exercising this right further out of reach for the average New Zealander.

According to the source this proposal is not based on any scientific research and I find it impossible to imagine why anyone would consider this ban, and its consequences, necessary without any evidence.

I for one have been using imported baits for recreational fishing for nearly 30 years as have countless other New Zealanders, their parents before them and probably before them too. Please explain why no threat to our environment has emerged so far.

If imported baits are carrying pathogens from other waters and the use of these baits is spreading these dangerous pathogens in our waters then why are we all not falling sick with serious illnesses from eating the fish we catch?

If some hard facts were given and a real threat was present then I would wholeheartedly back this proposal. However, it seems this is not the case and New Zealand's favourite pastime is under threat because of a ridiculous proposal that has no basis and serves no real purpose.

I would hope that you would consider these issues and maybe find the time to reply me with some answers.

Kind regards,
Saul Harman.

PS. On the flip side, I'm sure that any ban that is not based on scientific evidence could be interpreted by other nations as an unnecessary export ban. These nations would then hopefully ban our exports of whole fish and put a serious dent in the commercial sector's market.

13. Kerry Davies

-----Original Message-----

From: Kerry Davis [mailto:pulsta@gmail.com]

Sent: Monday, 6 July 2009 7:55 p.m.

To: Richard Soons

Subject: I STRONGLY DISAGREE - Import of bait for recreational fishing to be prohibited

Hi,

I would like my voice heard on this issue.

There is absolutely NO logic in this - if we had never imported bait then you may have had a point but since we have then where is the new Threat?

It just doesn't make sense.

Kerry.

14. Penguin Wholesales Whangarei Ltd, Derek Slatter, submission 2

From: Derek Slatter [mailto:derek.slatter@penguinwholesalers.co.nz]

Sent: Tuesday, 7 July 2009 11:38 a.m.

To: Richard Soons

Subject: RE: RE: discussions today

Richard,

If that is correct then I assume all countries will be putting in place similar requirements? It seems to me that this is a general type of "ass-covering". Why not ban all flights and travel to or from anywhere there is foot and mouth disease on the same basis? Or for that matter all containers from China as my understanding is that those represent the largest proportion of actual (as opposed to potential) biosecurity breaches that we face daily. I am becoming suspicious as to who is driving this as there are entities that would benefit hugely from the proposal. I have been discussing this with the Minister of Fisheries and intend to push this as far as I can for the reasons below:

1. I am taking it from your comments that there is no supporting science.
2. Therefore practical and cost considerations should prevail.
3. and there is no need to take into count risks as no specific risks have been identified.
4. nor are there any examples of research done by any other country that would support MAF's view on this.

I understand that other parties have sought information under the Official Information Act. Please send me copies of everything that you will be sending to SEAFIC.

Regards

Derek Slatter
General Manager

DDI (09) 4700268
Mob (027) 4962575

Penguin Wholesalers (Whangarei) Ltd
6 Hewlett St
PO Box 1523
Whangarei

15. Richard Barnett

From: Richard Barnett [mailto:Richard.Barnett@ew.govt.nz]

Sent: Tuesday, 7 July 2009 1:33 p.m.

To: Richard Soons

Subject: Proposed IHS amendment for Fish Food and Fish Bait from all Countries

Dear Richard

As a keen fisherman I am very concerned about the negative impact such a change as proposed to the regulations for the importation of whole round fish will have on the recreational and commercial fishing in NZ. Whilst I can't quote the science around the risk to our biosecurity, my long-term involvement with food safety with respect to the extended shelf life of fresh and processed meats leads me to believe that whole (bait) fish frozen at -40C and stored at -18C poses the smallest of risks.

I understand that the cost of bait would rise three fold at a time when the whole world's economy is in recession. Folk I know are struggling at this time. We need to be finding ways to improve N Zer's welfare, not adding another burden. What of the many companies whose mainstream business is bait supply? Surely some of these would fail with the resulting loss of jobs?

I suggest there are other more immediate risks to our biosecurity than the humble frozen bait fish, much of which is imported as food grade.

regards

Richard Barnett

16. Ken Sewell, submission 2

From: ken sewell [mailto:kensew@gmail.com]

Sent: Tuesday, 7 July 2009 10:03 p.m.

To: Richard Soons

Subject: banning whole fish

I for one don't know who thought this idea up, but whole baits have been used here for decades with no effect on the fish stocks that I can see, as I have said before the real threat comes from the ships flushing their bilges.

This alone can introduce living bacteria into our sea life, what's to stop a shoal of sardines/pilchards from swimming into our waters from another country, same thing isn't it?. I can tell you what is going to happen if you get this bill through, everyone, including me will be netting for mullet/bait fish for our own use as it will be far too expensive to buy, the price will skyrocket, also any by catch that people catch will not be thrown back, the fish stocks will suffer accordingly.

We (recreational fisherman) all know that a draft proposal is another way of saying "this is what we are going to do", the submission process is just something that has to be put out there, then put under T for trash.

If this is so important why has this not been brought to the attention of the media/tv, just seems to me the government wants to slip this past without anyone knowing, that is not going to happen.

Just recently processed fish has been shipped into this country from the Me cong delta, which is massively polluted, for human consumption, so you can bring in fish from a polluted area to eat, but cant use frozen fish for bait, considering we export blue fin tuna fresh to markets overseas (not frozen, on ice), those markets don't seem to be worried much?

Fisherman are also voters, tell Mr Key he should remember that.

Regards

Ken Sewell

17. PVL Proteins Limited, Alan von Tunzelman

-----Original Message-----

From: Alan von Tunzelman [<mailto:alan@auckmeat.co.nz>]
Sent: Thursday, 9 July 2009 4:08 p.m.
To: Richard Soons
Subject: FW: Proposed IHS Amendment for Fish Food and Fish Bait from All Countries

Richard,

This is a copy of the reply I forwarded to the Email received, originating from Australia and questioning the ability of Flo Dry Driers to meet the suggested 100 degree C temperature for 25 minutes.

I think you will find my reply logical and sensible.

Before I wish to commit formally to you I will speak with Roger Cook (NZFSA) expert on these issues.

You may be able to respond without this expert advice based on the existing regulations with respect to M & B Meal.

For your information these driers, when operated within the proscribed parameters were found to destroy even the spores of Clostridium Perfringens. I would venture to suggest that the proposed 100 degrees centigrade for 25 minutes would be quite easy to achieve with the Flo Dry cascade driers being operated as designed.

The NZFSA information I am currently referring to with respect to Cascade driers is OMAR 02/076, which may well have been replaced since, but the essence will remain the same, and the sterilisation characteristics will not have altered at all.

Kindest regards,

Alan von Tunzelman

General Manager
PVL Proteins Limited

Phone 09 2702766
Mob 021 728107

-----Original Message-----

From: Alan von Tunzelman
Sent: Thursday, 9 July 2009 2:02 p.m.
To: Graeme Banks
Subject: FW: Proposed IHS Amendment for Fish Food and Fish Bait from All Countries

-----Original Message-----

From: Alan von Tunzelman
Sent: Thursday, 9 July 2009 2:00 p.m.
To: 'Damir Biondic'; 'tissaf@flo-dry.com'; 'gsbanks@ozmail.com.au'
Cc: bill.s@bigpond.net.au
Subject: RE: Proposed IHS Amendment for Fish Food and Fish Bait from All Countries

Tissa, (Kevin, Bill, Brian and Graeme)

I have not spent a lot of time studying this document yet but have no concerns that Flo Dry cascade dryers will not be able to demonstrate compliance.

You will be aware that the NZ regulations for cascade dryers for M & B Meal validate equivalence to sterilisation in moist heat at 115 degrees C for 60 minutes.

To meet this requirement there are four necessary criteria:

- Input gas temperature
- Particle size
- Input meal moisture content
- Input meal temperature

There are variations within the above criteria that allow for some process differentiation.

The set of conditions we comply with (for M&B M) Input gas temp

640 degrees C+

Particle size

less than (15*8*8mm)

Input Meal moisture

content less than 1.5kg/kg (60%)

Input Meal Temperature

greater than 30 degrees C

You should note here that there are no time requirements necessary to meet the equivalence of 115C for 60 minutes

I see no good reason to suspect that the normal parameters for operating a Flo Dry cascade dryer on Blood will not easily exceed any sterilisation parameters delivered by the intended regulations ie 100 degrees C for 25 minutes.

- Quite obviously particle size
- Input meal moisture content
- Input Meal temperature

can be the same as for M & B Meal (or more favourable with respect to heat transfer eg smaller particle size)

and although we normally dry blood at a similar temperature to M & B Meal I am convinced that even at a much lower temperature meeting the sterilisation equivalence of 100 degrees C for 25 minutes should be easy, and I am sure that a discussion with the right people at NZFSA can quite quickly resolve this issue.

I have tried to contact Roger Cook (NZFSA) who was involved in the original validation of Cascade Driers. He is unfortunately out of the country till 20th July.

I will try others in the meantime but would suggest that there will be little trouble in ensuring that Flo Dry Cascade Driers will be able to meet these proposed standards with a little common sense and a prudent system of monitoring of operational parameters.

I hope that this will set your minds at rest in the meantime.

Alan von Tunzelman

PVL Proteins Limited

Auckland
New Zealand

-----Original Message-----

Review of Submissions Draft IHS for Fish Food and Fish Bait from All Countries.

From: Damir Biondic [<mailto:Biondi@flo-dry.com>]
Sent: Thursday, 9 July 2009 12:10 p.m.
To: Alan von Tunzelman
Subject: FW: Proposed IHS Amendment for Fish Food and Fish Bait from All Countries

-----Original Message-----

From: Flo-Dry Engineering Ltd
Sent: Thursday, 9 July 2009 11:37
To: alan@auckmeat.co.nz
Subject: FW: Proposed IHS Amendment for Fish Food and Fish Bait from All Countries

Alan,

Resending

Regards

Tissa F

-----Original Message-----

From: Camilleri Stockfeeds Pty Ltd [<mailto:cam2756@wix.com.au>]
Sent: Tuesday, 30 June 2009 6:07 p.m.
To: Tissa Fernando
Subject: Fw: Proposed IHS Amendment for Fish Food and Fish Bait from All Countries

Tissa

Trying again

Kevin

----- Original Message -----

From: "Camilleri Stockfeeds Pty Ltd" <cam2756@wix.com.au>
To: "TISSA FERNANDO" <tissaf@flo-dry.com>
Sent: Thursday, June 25, 2009 3:17 PM
Subject: Fw: Proposed IHS Amendment for Fish Food and Fish Bait from All Countries

> Tissa
>
> Can you please review and give me your comments
>
> Thanks
> Kevin

> ----- Original Message -----

> From: "Bill Spooncer" <bill.s@bigpond.net.au>
> To: <Brian.Bramble@skretting.com>; <gsbanks@ozemail.com.au>
> Cc: "Kevin Pratt" <cam2756@wix.com.au>
> Sent: Thursday, June 25, 2009 11:23 AM
> Subject: RE: Proposed IHS Amendment for Fish Food and Fish Bait from
> All Countries

>
>

> Hi Brian,
> The proposed changes to the MAF requirements for fish food look
> tougher for poultry blood meal but easier for poultry and feather
> meal.
> I think that establishments with disc driers should be able to meet

Review of Submissions Draft IHS for Fish Food and Fish Bait from All Countries.

> the poultry blood requirement of 100deg C for 25 minutes or one of the
> equivalents. I think it will be difficult for establishments with
> cascading rotary driers to demonstrate that they consistently heat
> blood to a core temperature of 100 deg C for 25 minutes. Some (e.g.
> those with FloDry
> driers) might be able to go for the equivalent conditions of 110 deg C
> for
> 4
> minutes but I do not know what sort of evidence of compliance they can
> produce. I do not think that it will be possible to demonstrate
> compliance for blood meal produced in a ring drier.
> The requirements as applied to poultry meal should be straightforward
> for establishments with dry rendering systems. I think the conditions
> can be met for wet rendering systems with disc driers although it may
> be difficult to produce the evidence of compliance.
> The feather meal requirements are not a problem.
> The draft allows for import of ruminant material, not mammalian. I do
> not think there is any ruminant blood meal processed according to the
> proposed requirements.
> There are two plants that produce meat meal according to method i of
> the proposed ruminant processes. I think that many plants with
> continuous or batch dry rendering systems could comply with method iv
> but it will be very difficult to provide evidence of compliance in a
> continuous system.
> Regards, Bill
>
>
> Bill Spooncer
> Kurrajong Meat Technology
> PO Box 181 KURMOND NSW 2758
>
> Phone 02 4567 7952
> Fax 02 4567 8952
> Mobile 0414 648 387
> E-mail bill.s@bigpond.net.au
>
>
> -----Original Message-----
> From: Brian.Bramble@skretting.com [<mailto:Brian.Bramble@skretting.com>]
> Sent: Thursday, 25 June 2009 10:11 AM
> To: bill.s@bigpond.net.au; gsbanks@ozemail.com.au
> Subject: Fw: Proposed IHS Amendment for Fish Food and Fish Bait from
> All Countries
>
>
> Hi Graeme and Bill.
>
>
> Here is the link to the draft IHS for Aquafeed into NZ.
>
> Can the renders meet the MAF requirements as layed out in this draft?
> Poultry Blood/Mammalian blood meals is the biggest change.
>
> Once you have read this and digested it I would appreciate your
> comments, please note the August 3rd dead line for comment.
>
> Thanks in advance
>
> Brian Bramble
>
> Purchasing Manager
> Skretting
>
>

>
> Brian Bramble Tel: + 61 3 62 161
> 202
>
> Purchasing Manager Mob: + 0419 372
> 576
>
> Fax: + 61 3 62
> 161
> 233
>
> Skretting E-mail:
> Brian.Bramble@skretting.com
>
> 26 Maxwells Road Web:
> www.skretting.com.au
>
> Cambridge
>
> Tasmania 7170

18. Mark Mortimer

From: Mark Mortimer [mailto:mark@bambusero.co.nz]
Sent: Friday, 10 July 2009 4:49 p.m.
To: Richard Soons
Subject: Bait

I wish to express my concern that whole baitfish may be made prohibitively difficult to import following the implementation of the

Proposed IHS amendment for Fish Food and Fish Bait from all Countries.

What evidence is there that they are a risk? Could you point me in the right direction please?

Regards,
Mark Mortimer
09 483 4655
021 256 4935

19. Jeremy Troup

From: Jeremy & Natashya [mailto:jerm-tash@xtra.co.nz]
Sent: Monday, 13 July 2009 2:24 p.m.
To: Richard Soons
Subject: Banning of Imported Baits

Hi Richard

It is with some dismay I have just read about the proposal to ban imported baits to New Zealand. A number of factors need to be considered re this proposal.

1/. When has there ever been **proven** a disease which has entered our shore /waters via imported baits?

2/. Fish has many **proven** health benefits. Banning overseas bait would simply push local sources through the roof in terms of price to the point where people could simply not afford to eat fish - at home or in restaurants. In this day an age pushing people away from eating healthy food is simply madness.

3/. What about other parties affected - retail (rely on bait sales for bread and butter) wholesalers (rely on retailers and punters) e.g. I happen to work at Black Magic Tackle. For 15 +years we have, been producing tackle designed to be used in conjunction with bait. If this ban goes through, bait will sky rocket and companies such as ours will suffer based on a threat to NZ waters which has only arisen recently in email form!!! i.e. no evidence of unhealthy fish due to eating offshore bait! Tourism - plenty of fisherman visit our waters every year to go fishing - your decision to ban imported baits will therefore impact on this source of income to NZ as well. The boating industry too would suffer badly - any more so than it is now is bordering on terminal.

4/. Its not often I stand up for commercial fisherman but yes, these guys too have to make a living. i.e. they rely on imported bait in many instances - long liners obviously.

I believe MAF to be generally an organisation that does some good for this country but every now and then they come up with very strange ideas - this one has not been thought through properly at all. In fact I'd go so far as to say its been put up by the soft baiting fraternity to cloud the other study which I believe is going on which relates to the impact of soft baits on our waters. Remember this, you ban natural bait and fisherman will substitute it for plastic baits and biodegradable types that we already know are bad for our oceans - one made from oil the other made from god knows what but does contain formalin - that can't be good for anything/one!

In summary - I happen to fish a lot (no doubt as many of your emailers do). Recreational fishing has many benefits for those that do it - over 1 million a year I'm told. In an age where many youngsters are preferring to sit around and play play stations and become 'car heads', why would MAF simply encourage apathy based on a threat which isn't even there. You are doing this with your proposal indirectly. You could argue that the punters will just have to catch there own bait - some would but most don't have the time to AND fishing is already expensive enough as it is. If they don't catch there bait, they simply come home with no fish which hardly helps their decision to go fishing again any time soon. Coupled with the fact that jobs will also be lost via this decision, (including potentially my own), I think that this proposal is nothing but a lemon.

Regards
Jeremy Troup

20. Lyford & Burkhart Exports (NZ) Ltd, Mark Lyford

From: Mark Lyford [mailto:MLyford@lbtaspac.co.nz]
Sent: Friday, 17 July 2009 2:58 p.m.
To: Richard Soons
Subject: Proposed IHS Amendment for Fish Food and Fish Bait from all countries

Dear Richard

As you are already aware our company (Lyford & Burkhart Exports (NZ) Ltd T/A L&B Taspac), is extremely concerned with the Proposed IHS Amendment for Fish Food and Fish Bait from all countries.

We import a large quantity of whole round fish into New Zealand primarily for the recreational and commercial fishing sectors. Our current imports are as follows:

Whole Round Loligo Squid (<i>Loligo opalescens</i>) fishermen)	ex USA (used by recreational
Whole Round Sardines (<i>Sardinops sagax</i>) commercial fishermen)	ex USA (used by recreational &
Whole Round Anchovies (<i>Engraulis mordax</i>)	ex USA (used by recreational fishermen)

Whole Mullet (*Mugilc ephalus*)
fishermen)
Whole Skip Jack Tuna
fishermen)
Whole Illex Squid
fishermen)

ex Australia (used by recreational
ex Vietnam (used by recreational
ex China (used by recreational

If these species were to be banned from import into New Zealand the flow on effects for both the commercial and recreational fisheries would be catastrophic. Both sectors are forced to rely heavily on imported bait as there is simply not sufficient catch of local species to satisfy their needs. All local catch of similar fish is predominantly exported as the financial returns are much greater for our own NZ species. Local fishermen would not be able afford to pay for bait based on export prices as there certainly would be no additional return to them for fish caught by locally sourced bait.

To suggest that imported whole fish could be irradiated is absolutely impractical and could not be justified both economically, particularly in such large volumes and in regards to quality - the effect on the fish could only be detrimental to the overall performance of the product. Bait fish quality is just as important as it is for fish caught for human consumption. It has to be frozen as quickly as possible to maintain firmness and freshness in order to attract the catch it is intended for.

Our company is also an exporter of fish and some of this is in a whole round form. If other countries implemented a similar ban on NZ whole fish then that would be the end of a significant sector of our exports.

I ask that you seriously rethink this amendment and take some time to consider the repercussions it will have on an entire industry that relies very heavily on imported whole round fish. If you require any further comments from me on this matter please feel free to call me anytime.

Thanks & kind regards

Mark Lyford
Director
L&B Taspac

Mark Lyford
L&B Taspac
mlyford@lbtaspac.co.nz
+64 9 573 2621 DDI
+64 9 573 2625
+64 9 573 2620
+64 21 423 727
www.lbtaspac.com
Skype: mlyford

21. Stuart Handley

From: Jan & Stuart Handley [mailto:stuartjanhandley@hotmail.com]
Sent: Sunday, 19 July 2009 7:48 p.m.
To: Richard Soons
Subject: submission to banning frozen bait

My question would be why? Is there fact behind the reasoning to do this or speculation? If there is a 'real' risk let us know, it may mean that we agree.

At the moment we could speculate that behind this proposal is some local person pushing to have the ban so they can financially benefit; that can be seen as some one in your office is 'on the take,' or has some other gain for pushing the barrow. Happens in local government a lot. (see local infighting in one of the northern councils at the moment, the mayor is a property developer and so is a councillor, they are both fighting each other for their own gain, they have been developing at both ends of the town up to now but that has changed!)

Regards
Stuart Handley

22. Robert Hilton, Countries Sports Fishing Club Inc.

From: bob hilton [mailto:bob.hilton@vodafone.co.nz]
Sent: Sunday, 19 July 2009 10:34 p.m.
To: Richard Soons
Subject: Submission on the Proposed IHS amendment for Fish Food and Fish Bait from all Countries

On behalf of the Counties Sport Fishing club, I Robert Hilton, (President) would like to present this submission against the current proposal.

As the proposal stands,

Whole round fish represent a significant risk of introducing pests or pathogens that are not managed by the current freezing requirement.

Where is the research available to back up these claims?

Another statement goes on to say.

This commodity is too broad to define appropriate risk management measures for. Subsequently this commodity has been deleted from this import health standard and is no longer eligible for import.

This is an important commodity to a large number of New Zealanders. We are of the opinion that more work should be done to define appropriate risk management measures if this is truly deemed as a serious threat.

For many years the Public have enjoyed the ability to use imported whole round fish, for use as bait in their chosen pastime.

There have been nil visual or reported cases of unwanted pests suspected of entering the country via this source.

Rather than a blanket ban of all species from all countries, there needs to be some defining proof that there is a real threat.

We believe there is a far greater risk of introducing pests via the Bilge water of ocean going vessels than from this source.

This is a very serious issue for a large number of New Zealanders, A lot more research and scientific data needs to be gathered and presented to the public of New Zealand before this proposal can go forward.

In closing

The C.S.F.C is against the current proposal for reasons outlined above.

Yours sincerely

Robert Hilton
(president)
C.S.F.C
P.O. Box 83
Waiuku

23. Geoff Campbell

-----Original Message-----

From: Geoff W Campbell [<mailto:gwilliamc@gmail.com>]
Sent: Monday, 20 July 2009 1:33 p.m.
To: Richard Soons
Subject: Proposed blocking of frozen fish bait imports

Hello Richard,

I have read of this proposal on a fishing website and wish to reinforce the concerns of those expressed in the website. Frozen fish bait is the type of bait mainly used by myself and the bulk of my colleagues for recreational fishing.

Yes, we can and do catch fresh bait whilst out fishing but do need to use purchased baits. Bait is currently around \$ 7.00 per kilo and I can well imagine those prices increasing due to supply and demand should locally caught frozen baits be the only option. I note other treatments other than freezing are permitted but these are more expensive processes. It seems frozen bait has been dragged into this change. Is it not possible to rework the draft to permit whole frozen fish imports and still ensure detail to the freezing process will protect our country?

Could you not specify countries of origin, fish types, fresh or salt-water species, size as a safeguard?

Regards, Geoff Campbell

24. Phil Maurice

From: Phil Maurice [<mailto:jagphil@actrix.co.nz>]
Sent: Wednesday, 22 July 2009 10:56 a.m.
To: Richard Soons
Subject: Fish Bait Import Ban

To:

Richard Soons
Border Standards Directorate
MAF Biosecurity New Zealand

Ministry of Agriculture and Forestry
PO Box 2526 Wellington
New Zealand

Re: Proposal to ban imports of Fish Bait i.e. Pilchards, Squid et al.

Where is the risk in these imports?
What evidence is there for actual or potential harm from them?

Yours etc
Philip Maurice
Warkworth

25. Derek Slatter, Penguin Wholesales Whangarei Ltd, submission 3

27th July 2009

To: MAF Biosecurity

This is the submission of Derek Slatter on behalf of Penguin Wholesalers Whangarei Ltd.

Contact details:

Penguin Wholesalers Whangarei Ltd
PO Box 1523
Whangarei 0172

Phone 09 4700268
Fax 09 4385456
Email: derek.slatter@penguinwholesalers.co.nz

RE: Submission on Draft Import Health Standard – Whole round fish import ban

We operate a fish bait import, manufacture, wholesale and distribution operation as well as a food importing, manufacture and distribution business. We have done so for over 20 years and believe that our Penguin Fish bait brand has a market share of around 30%. We employ 60+ people (FTE) in Whangarei.

We are strongly opposed to the proposed ban on whole round fish imports, and on any related controls or expenses placed on imports. Unless a genuine and significant risk is identified that outweighs the major cost and practical problems such a ban or cost imposition would create, we believe the status quo should prevail.

I have read a draft of SEAFIC's submission and wish to add our voice in support of that, as well as adding the following comments:

Our position is that – if a serious risk was present to our recreational fishery, then we would be foolish to object to a proposal that would mitigate this risk, as we are a stakeholder in the fishery. However on the other hand, if the risk is tenuous or miniscule in nature, or undefined – then the negative impacts of any ban or cost impost need to be carefully considered. There are risks inherent in all sorts of activities, from allowing visitors from foot and mouth

countries, to importing containers from China, to allowing ships to discharge bilge water or foreign boats to be water blasted. These things are not banned, presumably for reasons of cost and practicality being weighed up against benefits.

I am in receipt of information released under an OIA request that outlines the background and supporting science for this proposal. The information does not appear to include any specific formal risk assessment on whole round fish bait imports, but does refer to adopting Australian standards. Is this proposal a Trojan horse for justifying some sort of levy or “cost recovery” aimed at disadvantaging imports relative to local product? If so this is very short sighted. The longer term costs of the inevitable reciprocal controls from our export partners would outweigh any benefit accruing locally.

I am concerned at – and would like this to be addressed – that the starting point for MAFBNZ seems to be that a fish bait ban will be implemented, and the science will be done to “enable” it. I have appended a page from “Minutes of discussion on work to be done on ornamental fish and the review of aquatic animal products” dated 6 March 2009, attended by Mat Stone, Rachele Linwood etc. I quote from page 5, referring to work required for fish bait: “Needs risk analysis work to enable an import ban for fish bait.” My emphasis.

Further – Page 6 of the same document: 2. ban the import of fish bait. *The fisfoic.all standard is already in the process of being amended. But the fisberic.aus standard would need to be revoked. Changes that are going to be made need to be based on sufficient argument (international standards or scientific data) should be documented to support those changes. As the measures for marine fisheries products will become more restrictive and MAFBNZ might get challenged by the industry.*

Again – arse about face if you will excuse the expression.

Is this not the wrong way around? Is this departments job not to analyse risk and then decide whether action is taken? Here they clearly have decided an import ban will be the agenda and that some work will be done to “enable” it. Are there commercial forces at work here? Is someone with vested interest pushing this ban? This raises serious questions about the entire process used. These questions are not lessened as the documents are further reviewed.

The main species and tonnages we import (some being sporadic, i.e. some one year, none the next), that would be affected by the proposed ban are as follows (NB: commercially sensitive and I request these be excluded from any publicly available documents and under the OIA)¹:

1. Pilchards; 80 – 150MT p.a. ex California USA
2. Pilchards; 10 – 80MT p.a. ex Australia
3. Squid (Lolligo or Illex); 100 – 200MT p.a. ex USA
4. Mullet; 32 – 60 MT p.a. ex Australia
5. Bonito (SKJ); 30 – 80MT p.a. ex Japan and Pacific Islands.
6. Sanma; 5MT ex USA
7. Piper; 15 MT ex China

Of these, the biggest concern is around pilchards, mullet, and bonito in that order. Pilchards comprise the biggest part of bait for the recreational and commercial fishing industry. Squid is a close second. Note that for all of the above products, we use a mixture of imported and local product, depending on price, quality and availability.

¹ Note that the statistics for bait imports do not appear to accurately reflect the actual volumes, possibly because a significant proportion is imported as food grade.

As far as pilchards go – there has only been one month in the past 48 where we have received our requested supply in full from our local pilchard supplier. Generally the catch occurs in winter months, a problem when our sales occur mainly in summer months. In other words if the supply of local pilchards is not as required by end of November – imports are required to supplement supply until catching starts properly again in June.

Also – if summer weather is good and demand is higher than forecast – this gap cannot be made up using local catch generally. If imports were not an option, we would try to hold more local product if it was available, but the costs of funding and storing this product “just in case” would see overall costs go up significantly, probably by around 10%, or \$700k+ at retail level.

The local TACC for pilchards is I believe 1500MT of a total of 2500MT of quota. I don’t know what percentage of this has been caught in recent years but I suspect a fair amount has remained uncaught, possibly over 50%. To my knowledge there are only 2 boats fishing this quota, and a third boat now and then. A large part of this quota is controlled by Leigh Fisheries Ltd who are our supplier via their NZPP Ltd joint venture with Salty Dog Bait Ltd or Northland Bait Ltd.

The total recreational pilchard market is difficult to define but we believe it is probably around 800 – 1200MT. The commercial pilchard bait market is probably more than double this, although they also use squid, sanma and other species depending on cost and their target species. I am not qualified to speak on the commercial market and am not very familiar with it. But suffice to say that the local quota could not supply pilchard demand in New Zealand. Commercial pilchard bait is I believe, imported from a number of countries in addition to the relatively expensive USA and Australian product – including Indonesia, South Africa, India and North Africa.

It is also pertinent to note that any import ban would create a de facto monopoly in favour of the NZPP Ltd referred to above. Perhaps the massive increase in demand for local product that would follow the ban would see alternative suppliers open up – but this is not possible unless more quota was issued and is conjecture.

If more quota is issued and more people enter the catching/processing market, there will quite probably be a backlash from recreational anglers. They generally perceive that the pilchard boats catch the “easy” stocks that are within the normal fishing areas for recreational fishing. They also perceive that this in turn reduces snapper populations

Amongst the practical difficulties raised by this proposal - how is it envisaged that commercial boats fishing within our 200 mile zone will be controlled? I believe these often arrive into our waters with bait sourced overseas. MAFBNZ certainly have the powers under the Biosecurity Act but how would it be policed?

We normally import food grade products for bait. This is because bait grade product is often unsuitable for recreational bait. I understand that the proposed ban covers food grade and bait grade imports. It is not uncommon for fish, prawns, scallops etc imported as food to be sold as berley material due to issues with quality or date expiry.

The average whole round bait (including pilchards) purchase in the recreational market is probably around 3 - 5kg. This would include berley – generally manufactured from whole round fish as well, but including a significant quantity of NZ caught skipjack and mackerel.

This amount would generally be expended in the course of one fishing trip. I understand that MAF recognise that this is a very small quantity being put into the sea, and that at least a reasonable proportion of fish eating this bait will be of legal size, caught and thus removed from the sea.

In spite of MAF's reference to OIE Aquatic Animal Health codes, I am not aware of any of our trading partner countries referred to above having any significant controls over fish bait imports. I am not an expert on trade matters but have been referred to the case of Australia's attempt to ban w/r salmon imports, ultimately found to be a trade barrier at the WTO – despite salmon being an acknowledged disease problem. I have discussed the proposed ban with our suppliers in Australia and USA and they tell me they have their Trade and Industry people working on this – perhaps you will receive submissions from them.

The OIE code states that fish could be sourced only from stocks where there is no evidence of infection with any of the OIE listed diseases. As far as I can tell from reading the supplied information there is no information on which diseases are present in which stocks. So I cannot comment on this very important aspect, other than to say that obviously if our supplier markets were free of the disease of concern – and there was no cost involved – all of our issues would appear to go away.

Further cost increases and supply issues with whole round fish bait would probably further increase sales of soft bait. This is encouraging the introduction of an artificial plastic product into the environment that although claimed to be biodegradable, at least anecdotally – causes pollution and possibly fish health issues.

An email from Colin Johnson (BNZ) to Howard Pharo, Richard Soons (MAF) dated 8th Jan 09 refers to an OIE “*process underway*.” In context, I am interpreting this to mean that the OIE is attempting to produce some analysis and recommendations to guide these decisions around the world. If that is the case – is it not premature to be venturing off on our own without any real science – or duplicating the effort of the OIE at least?

I quote further from this email – “*I would like to clearly legitimise within MAFBNZ the premise that processed product (eviscerated etc) is inherently lower risk and recognise those arguments that take a highly risk averse approach (e.g. anything that crosses the border could be fed to fish) **should not be** the benchmark upon which risk mitigation measures are based. It will be **necessary** to write a risk based decision document on this point anyway.*” My emphasis. If this document has been written as recommended – I have not recognised it amongst those sent to me. There is also the small point that it would not have to “cross our border” as such if foreign based or provided ships bring bait with them into our EEZ.

It is also interesting to note (in this series of emails, 8th Jan 09 from Howard Pharo) the idea that although Australia regard crustaceans as high risk due to “*white spot syndrome virus*” we don't have to worry about this as there is no “*prawn industry lobby*” and thus “*we don't have the same political risk here*”. I'm intrigued by the concept that a clear biosecurity risk (white spot) is not an issue unless combined with political risk. Has this thinking been extended to recreational fishing? I hope it has as I imagine there will be quite a major “lobby” once the implications of the proposed ban become common knowledge.

But alas it seems this is the other way around – the major political risk has been ignored despite there being no solid science supporting or justifying the proposed ban – other than general and sketchy references to the OIE. The basic summary of these emails is that a “*big risk analysis document*” is needed and although “*it would require large resource the benefit*

justifies the costs.” But it seems there is no resource, so the proposed ban is having to be justified on very very shaky grounds indeed, the cart has been placed well in front of the horse. These documents specifically recognise that the data is most unlikely to be made available for resourcing reasons and thus MAFBNZ essentially has to wing it.

Frankly I’m astonished that such important decisions are made like this. On one hand you have an acknowledgement that this is a complicated and important issue with far-reaching consequences, and on the other a confession that a lack of resourcing means great leaps of faith and logic are required.

I note that Gillian Mylrea’s name appears on some earlier emails. Also that she now appears to work for the OIE. I am interested in the role she has played while at MAF and whether there is any ongoing role in this. In essence – who has been pushing this barrow?

My view is that this approach needlessly imposes costs and red tape onto recreational and commercial fishing and risks trade problems – and for what? Some very nebulous and distant concept of risk? Feeding large volumes of fishmeal food or whole fish to fish farms – perhaps a real risk can be shown here, but recreational and commercial fishing? It seems at least a part of the thinking behind the ban is a by-product of trying to simplify the distinction between freshwater and marine fish imports for border and customs staff. I’m all in favour of simplifying these things, but are the benefits of doing so in this case likely to be anywhere near the millions of dollars it will cost?

Will the actual unintended consequences of this proposal not be increased cost and complexity? I understand the complexity relates to small “consumer” sized packages imported as part of someone’s baggage. Surely a distinction can be made by quantity, or commercial/non-commercial use? For example if the amount imported is over 1MT then the current rules apply, but if there is any doubt around whether a species is estuarine, brackish etc – then apply the harsher rules if in doubt. Give the border security people some power to use discretion for the problem sized parcels. If in doubt – bin it.

I have read the Review document: Import standards for aquatic animal products. As far as I can tell, this document is undated. It refers on page 4 to OIE ad hoc standards being available within 2 years, and expresses some fuzzy reason why NZ should do something before that. Again, very dodgy logic is being used. OIE information is used to justify the proposed ban – in fact it is acknowledged as the only “science” supporting the proposal, but in the next breath MAFBNZ are telling us the OIE work will not be even partly finished for two years so we need to forge off blindly on our own. If in fact this review document is 2 years old and OIE standards are now complete – then I withdraw this comment.

On page 8 it confirms that NZ is a party to the OIE and that *where import measures are more stringent than OIE measures these should be justified by a scientific risk analysis*. Also that *import requirements should not be based on a zero risk perspective*. Pages 12 and 13 cover generally the Australian AQIS requirements. As a general comment – New Zealand products have a favoured status. The proposed ban does not single out Australia for similar favoured status, in fact no country is to be distinguished from any other. The implications for trade with our CER partner are significant.

Canada and USA basically have no or very limited control on whole round fish imports. Again we are risking accusations (which surely would be upheld) of acting outside OIE and WTO rules if the proposed ban proceeds in any form, let alone for bait. The EU is essentially the same, but does have some additional red tape, see page 14.

Page 19, **5.2.3 Confusion**. There are comments here about confusion and by implication that by banning fish bait imports, confusion will be eliminated. That is possibly correct although in that case confusion would be replaced by frustration. Is this saying that a significant reason for the proposed ban is to avoid “confusion?” It also raises the point about product classified under fishmeal, and that it should not be used for bait. It is important to reiterate that the majority of our bait product is imported as food grade, as the quality can be relied upon, unlike bait grade product. If end-use controls are anticipated to deal with this issue – practical issues will arise, as virtually anyone who uses or processes these products will dispose of waste in such a way that it could end up in the sea.

While we are on the topic of confusion, I refer to page 21 of this document where it states:

“The OIE...says... Higher risk products should be accompanied by a health certificate showing freedom from the relevant OIE diseases, or subject to zoosanitary requirements as determined by a scientific risk analysis”

My confusion is around the fact that the only science MAFBNZ have pointed to in respect of this proposal is that done by the OIE. How do they then reconcile the proposed ban with the fact that it follows neither option recommended by the OIE? Are there commercial forces at work here? Why is the OIE recommendation not followed? I can find no justification for going as far as a ban in any of these documents. On page 29 it says that health certification could be required, but that there may be diseases not listed with the EU or OIE that of interest to NZ. But we know that our OIE obligations require us to have a scientific basis to any barriers put up outside of OIE recommendations, so where is that science?

Page 33 – *“Abroad there have been a number of expensive attempts to research bait use and source, without any resultant alterations in import standards now or in the foreseeable future.”* Again – does this not conflict with the proposal?

Page 36, point 23, concerned with whitebait, seems to be saying that if trade volumes are at risk, then the approach should probably not be conservative, i.e. eviscerating of whitebait imports may not be necessary. Again I see inconsistency, as notwithstanding the likely low volumes of whitebait and the low risk inherent in them (their guts being considered as a delicacy) should not trade volumes be considered in respect of the proposed bait import ban? If it has been, I can see no record of it.

Pages 37 and 38 cover options for moving forward. In essence option 3 seems to have been adopted, but the phrase *“However this would only occur when specific data had been sourced to allow the identification of commodities of negligible risk no matter to what end use they are put”* seems in conflict with the acknowledgement referred to earlier where it was considered too costly or impractical to source this data in connection with fish bait.

The next document of interest is a MAFBNZ memo from Stephen Cobb to Howard Pharo dated 1st March 2007. It discusses generally how the existing HIS for fish bait was developed and whether it was based on scientific advice. It refers to work done by Mat Stone and stakeholder consultation done in 1995/96. I quote from the conclusions on page 3 – *“It was therefore incorrect to state that the current HIS is not risk based. If, despite the review of 1995/96 it is decided that an import risk analysis is necessary for fish bait, my previously circulated document describes the scope of such a piece of work and the extensive resource commitment this would require.”*

This begs the question – if the current HIS for fish bait is not broken, why are people trying to fix it – and further why are they “fixing” it without doing the scientific RA that is unanimously agreed within MAFBNZ as being necessary?

Again - who is pushing this barrow and why?

The AQIS import RA for fishbait published in 1999 noted that bait species generally have fewer pathogens reported than for salmonids. Also that dilution is a factor reducing the concentration of pathogens. It also pointed out that beta testing indicated that it was possible that no risk of disease existed – with the rider that conditions may change. AQIS require permits for bait importation from countries **other than** New Zealand because it was concluded that there were no significant differences in the health status of non-salmonid fish in the waters of NZ and Australia. I believe that bait fish import permits are considered as a formality in Australia, certainly for imports from the USA and Japan. This proposal risks creating an inequity between us and Australia, our major trading partner.

I have read P M Hines paper on disease risks. I am not qualified to comment on this other than to say that his conclusions appear to confirm generally expressed opinions elsewhere – that feeding bulk baitfish to marine farmed fish may be a risk (this is not done in NZ) but that otherwise known risks are negligible and can generally be dealt with by freezing². For example in respect of the herpes virus responsible for the epizootics in Australian and New Zealand pilchards in 1995 and 1998, he says “*therefore, it is highly unlikely that the herpesvirus infects salmonids, or New Zealands endemic fishes.*”

There is comment that non-pilchard diseases may be a factor, but I have seen no scientific analysis of this in any document and thus am unable to comment – other than to say that scientific analysis is required by common consent to justify the proposed ban.

I quote from an email from Colin Johnstone to Richard Soons dated 25th June 2009, headed “*fish bait / bait fish conundrum. When one considers fish bait however, the situation is complicated by the cascade of risk, where a small amount of bait would have to contain a fish that was infected, that contained an infectious dose, that was consumed by a susceptible species fish, that was not itself caught and removed from the water but developed clinical disease and could spread that to other fish, all in a situation of the relative lower densities of the wild. Thus I had hoped, in my review, to indicate that the use of baitfish for aquaculture feed was high risk and should be avoided, whereas the risks from bait... would only be managed through education..... Rather than as a defacto ban on fishbait.*”

This seems representative of the MAFBNZ internal comment. So why is a proposed ban being promoted in the face of the seemingly overwhelming internal scientific and other comment that it is not necessary?

The next document is an undated “Decision document, Import Risk analysis: Fish Food, by BNZ, MAF.” It states at 1.12.4 “*the freezing requirements for fish bait are not sufficient to manage the associated risks of whole round fish.* And at 1.12.7 “*It has been decided to remove frozen fish bait from this standard. Fish bait is still eligible for importation if it is either shelf stable or if it meets the irradiation requirement.*”

- How is 1.12.4 arrived at? Nothing in any document provided to me says this, other than in respect of bulk feeding of whole round fish to aquacultured species – which is

² Although he does not say if *hoferi* can be controlled by freezing.

not practised in New Zealand. So the ban is intended to manage the risks of a process not used in New Zealand, despite the massive cost, trade and practical problems this will cause to commercial and recreational fishing industries.

- Similarly – how can 1.12.7 be justified? How can this decision have been arrived at when it is largely contradictory to MAFBNZ’s own internal discussions and advice?
- Our view is that these conclusions and resultant decisions cannot be justified or sustained on any reasonable basis and go against the science available. In addition they will cause disproportionately high costs to recreational and commercial fishing industries, create difficulties for other fish processors in terms of waste disposal (berley) and there is a vary high chance that other countries will see the ban as being unjustifiable in terms of our WTO and OIE commitments and thus impose costs or trade sanctions on our marine export industries.
- Nothing scientific or coming out of the OIE seems to change the position arrived at following the review process of 1996 - 1998. It’s not broken, why is MAFBNZ trying to fix it?

Another apparent conflict can be found in an email from Richard Soons to Colin Johnstone and Stephen Cobb dated 17th December 2008. Richard Soons says as follows:

“Fish Bait – Colins draft review of aquatic animal products states that the feeding of whole round fish to other fish is a serious risk. I’ve taken fish bait out of this IHS because it is not covered by a risk analysis and because whole fish can be imported under fismaric.all. But importing fish for fishbait under fismaric.all doesn’t sound very appropriate because the only condition is it has to be dead. The review set me thinking...”

1. Firstly – “Colins draft review” does say that there are risks in feeding fish to other fish in an aquaculture setting but he also says that the risks in respect of recreational/commercial type fishing bait **are not** significant.
2. It would appear that Richard Soons has not understood the bait industry, or the science or perhaps both.
3. In addition it is difficult to accept that a proposal of such far-reaching magnitude has been developed on the back of Richards email above. This is a half-baked and also inaccurate summary of Colins draft review at best, and at worst a very careless way of dealing with the issue, as it cuts across the bulk of MAFBNZ’s own commentary and advice.

CONCLUSIONS

1. There is not enough science to support an import ban for fishbait. It is acknowledged by MAFBNZ that proper risk analysis must be done – and also that resourcing has not been prioritised for it.
2. And end-use control over the practise of feeding whole round fish as an aquaculture food would control the main risk – noting it is not present in New Zealand at present.
3. MAFBNZ’s own advice is that we risk trade issues and have practical difficulties in regulation and enforcement of any ban.
4. Generally Bait imports are frozen to colder than -18C and for longer than 18 hours. Usually products are blast frozen, stored and shipped frozen.
5. We appreciate the need for a tool for MAFBNZ to manage potential disease outbreaks in countries from which bait might be sourced, but believe the existing powers they have under statute already confer this ability.

6. If a permit based system was recommended as an alternative to a ban, then it should reflect as much commonality with Australia as possible, and be set up to minimise cost and red tape.

26. Kimberley Parker

From: Kimberley Parker [mailto:kim.parker0@gmail.com]
Sent: Monday, 27 July 2009 11:45 a.m.
To: Richard Soons
Subject: [Requires Classification] 'proposed IHS amendment for Fish Food and Fish Bait from all countries'.

Dear Mr Soons

I support the 'proposed IHS amendment for Fish Food and Fish Bait from all countries'.

Sincerely

Kim Parker

27. New Zealand Salmon Farmers Association, Mark Gillard, submission 1

NEW ZEALAND SALMON FARMERS ASSOCIATION

P.O. Box 1180

NELSON

Ph 0064 3 54 85714

Fax 0064 54 86993

Mark.Gillard@kingsalmon.co.nz

Submission to Biosecurity New Zealand on the Draft Import Health Standard for Fish Food and Fish Bait from all countries.

1. This submission is on behalf of the New Zealand Salmon Farmers Association Inc. (NZSFA).
2. NZSFA represents over 99% of all salmon produced in New Zealand and approximately 75% of all Chinook Salmon produced worldwide. To place the industry in perspective in world scale against all salmon produced, the NZ industry is less than 0.5% of all salmonids farmed. As well as salmon farmers and processors, association members include feed manufacturers and other service suppliers.
3. The NZSFA favours strict border control measures in order to protect the New Zealand environment, its people and its economy.
4. The New Zealand salmon industry is almost totally reliant on imported feed, importing approximately 20,000 tones each year and this is predicted to increase as the aquaculture industry heads towards its target of \$1 billion revenue by 2025. It

uses imported extruded pellets produced under very tightly controlled conditions. These diets fully comply with the proposed IHS.

5. Some farmers use pressed pellets produced in New Zealand essentially from the same ingredient list as that for extruded diets. Fresh or frozen whole or minced fish is not used and indeed the resource consents for feed discharge most recently granted by Marlborough District Council to The New Zealand King Salmon Co Ltd specifically state "Only extruded pellets or similar shall be fed at the marine farm.". The implied reference is to use of diets with the same or less environmental effect. Fresh or frozen whole or minced fish do not, have potential disease risk and higher level of environmental effect if fed to farmed fish.

6. NZSFA agrees that frozen baitfish should be removed from the proposed Import Health Standard (IHS) and further recommends that any reference to baitfish be removed from the document. We request that all relevance to bait or baitfish be removed from this IHS including most importantly from the title.

7. The IHS should solely focus on fish food. Bait products have no relevance to fish food and are more likely to warrant their own risk assessment given the reduced lack of end use direct control compared to carefully managed marine and freshwater fish farms.

8. The IHS as proposed is acceptable to the NZSFA, however could be improved to make it more user friendly.

9. Although it is the responsibility of the importer or agent to ensure compliance, MAF Border control could demonstrate some leniency and not hold up shipments if there are minor discrepancies with documentation that do not affect the biosecurity risk profile, and these minor discrepancies can be easily clarified and corrected. For example a processing plant number inadvertently left off the zoosanitary certificate, when other attached documents show clearly the origin of the consignment. This situation is very rare but when it happens it can have major implications for a fish farmer who is relying on the consignment to feed his/her fish. Documents arrive within a short time of the consignment, so there is limited opportunity to have a correction made. Due to the high cost of feed, large stocks are not usually held. There are generally no alternative feed sources, so feed held at the border until a new document can be sourced from the processor is a potentially serious concern for the fish and the farmer.

10. NZSFA recommends there be an addition to Part A. General information that clarifies where an omission on documents is obviously an error, that has no obvious biosecurity risk, and the document can be easily rectified, then MAF can demonstrate some leniency. This would ensure farmed fish will continue to be fed and thus animal welfare issues avoided. NZSFA requests MAF implement internal policy that would enable discretionary leniency to be considered in terms of documentation correctness. This request is not the same as for equivalence under this IHS. The decision on leniency could be delegated to the Inspector BA.

11. The IHS specifies documents must accompany the shipment and this is difficult sometimes when officials in the country of manufacture are slow at preparing the documents. Occasionally the documents arrive after the shipment through no fault of

the exporter or importer. The shipment is then held up and is not released until the courier pack with documents arrives. Again, it is critical fish continue to be fed. Electronic transfer of documents would significantly streamline the process and introduce efficiencies not currently there.

12. NZSFA requests import documentation including the zoosanitary certificate be acceptable to MAF for consignment clearance in electronic format. Electronic copies of documentation should be considered adequate for border clearance (subject to later receipt of originals if necessary) at least for imports that are regular and ongoing and have demonstrated low historical biosecurity risk. MAF needs to bring this certification process into the 21st century. The new system being proposed process is no different from the current cumbersome process which relies on large volumes of paper and rapid courier delivery for each transaction.

13. Another issue regarding implementing the IHS is that of new MAF Inspectors interpreting the IHS differently to previous personnel employed for that task, thus causing hold ups at the border where previously there was none. This is especially galling where similar consignments have routinely passed across the border over several years from the same origin and to the same destination. Consistency of interpretation and adequate training should be obligatory.

14. The NZSFA appreciates being consulted on this proposed IHS and welcomes an opportunity for further input.

Mark Gillard
Chair
29 July 2009

28. NZ Feed Manufacturers Association (Inc), Michael Brooks



**NZ FEED MANUFACTURERS
ASSOCIATION (Inc)**

1st Floor, 96D Carlton Gore Road,
AUCKLAND, New Zealand
Phone: + 64 9 520 4300
Fax: + 64 9 520 1553
Email: michael@pianz.org.nz

Richard Soons
Border Standards Directorate
MAF Biosecurity New Zealand
Ministry of Agriculture and Forestry
P.O. Box 2526
Wellington
6140

29 July, 2009

Dear Richard,

PIANZ / EPF submission on the Import Health Standard fish food and fish bait from all countries

The Poultry Industry Association of New Zealand (PIANZ), contactable at the above address, represents almost all of the poultry breeding and processing companies in New Zealand. Similarly, the Egg Producers Federation of New Zealand Feed (EPF) represents all commercial egg producers in New Zealand. The PIANZ and EPF Veterinary Technical Committee has reviewed the draft Import Health Standard for fish food and fish bait from all countries (subsequently referred to as the draft IHS) and notes the following points.

Section 2 Importers responsibilities

Paragraph 7 of *point 2.3* states "The Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM Act) requires certain oral nutritional compounds (such as stock feed) to be registered prior to their importation". This could be misinterpreted to mean that stock feeds require registration prior to importation, although it is our understanding that this is not usually the case. Industry suggests that this is reworded as follows "The Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM Act) requires certain oral nutritional compounds (an example of which is stock feed) to be registered prior to their importation".

Section 3 Definition of terms

Industry notes the removal of the definition of "hermetically sealed" from the import health standard although this term is still included in the draft IHS. Industry suggests that if the term is to be used in the draft IHS, the definition should be included in this section for the sake of clarity.

Section 5 Eligibility

Industry commends Biosecurity New Zealand for the inclusion of the flow diagram in this section and believes that such flow diagrams help to clarify the decision processes for importation of commodities into New Zealand.

Section 10 Model Zoosanitary Certification

Veterinary Certificate

Points 1.1 and 1.2 requires the Official Veterinarian to certify that either rendered poultry products or rendered ruminant products meet certain standards. Industry notes that in many cases, the poultry or ruminant products will have been purchased by the fish feed manufacturer (in some cases from a supplier in a third country). Therefore, in many, if not all cases, it will be impossible for the Official Veterinarian to provide the certification which MAF Biosecurity New Zealand is requiring. The New Zealand Poultry Industry request that further consideration is given to this section by Biosecurity New Zealand as the current structure of the draft IHS may subsequently devalue the provision of official certification.

Industry acknowledges the inclusion in the draft IHS of Part E, Appendix A. Industry is supportive of this inclusion as it increases the transparency of the draft IHS.

We look forward to working with MAF Biosecurity New Zealand on the development of a robust and appropriate IHS. Please do not hesitate to contact our offices should you have any questions.

Yours sincerely,



Michael Brooks
Executive Director

29. Pendarves Ltd and associated companies, Ross Powell

From: Ross Powell [mailto:]

Sent: Friday, 31 July 2009 3:42 p.m.

To: Richard Soons

Cc: Mark Caesar-Temuka; Ben Burney-Temuka; Tim Crick; Derek Slatter; Ben Burney

Subject: [Requires Classification] Submission

Please find below the submission from Pendarves ltd on the proposed HIS amendment for fish food and fish bait from all countries.

1. Pendarves has prepared this submission in response to the proposal by Maf biosecurity to amend the import health standard for fish food and bait from all countries into New Zealand.
2. Pendarves and associated companies trade bait and seafood internationally as well as importing bait into New Zealand for their own bait distribution companies (Southern Baits and Triple Your Catch) and Shops (Topcatch Bait and Tackle stores) also we are the main wholesaler of bait to the recreational and commercial market.
3. Products imported include, Pilchards, Squid, Sanma, Anchovies, Skipjack Tuna and various products for the making of fish burley.
4. The total tonnage of these products we import annually range between 1200 – 1600 mt.
5. Our company employs 70 staff and generates some US\$40 million in foreign exchange earnings as part of a total turnover of nz\$85 million.
6. Our total tonnage of pilchards traded is around 8000t. Although only around 400t is imported into New Zealand many thousands of tons passes through New Zealand on the way to the Pacific Islands.

The changes proposed by MAF Biosecurity would have a major impact on the viability of not only our business, but many others associated with recreational fishing.

I believe that the proposal would also have ramifications from our trading partners as this can only be seen as protection for New Zealand industries as there has been no research to validate the risk.

The risk to our business post our review (assuming some retaliation from our us customers /suppliers) we believe to be a loss in sales of around \$25 million and 52 staff positions. These positions would be all factory staff employed to repack our wholesale bait and shop managers and assistants as we would be forced to close some 7 of our 11 shops.

The reason for this is that without bait these shops are not viable as the amount of bait available in New Zealand accounts for only 35-40% of the total requirement .Also that available bait would at least triple in value and put fishing out of reach for the average Kiwi. This would also lead to downstream issues as the recreational fishing industry declines. Those affected would be the other bait and tackle shops. (some 300 +) as well as those trading Rods and Reels and associated tackle, right through to the boat suppliers.

I understand that recreational fishing is carried out by some 700 000 New Zealanders at least once a year.

The value of sales in the recreational fishing (excluding boats, chandlery etc) are as follows.

Bait Frozen \$13 million
Bait Soft \$10 million
Tackle \$15 million
Rods/Reels \$36 million
Fishing
Accessories \$4 million

Total \$78 million.

To put this into perspective total Dive is valued at \$20 million and camping at \$15 million.

While also not having accounted for boats etc as yet, we can see the value New Zealanders put on their recreational fishing pursuits. In turn we can then start to understand the economic cost of what you are proposing.

Although we are also the main supplier of imported commercial baits, I can not begin to assign a cost to this as it needs to be done by those companies affected. But affected they will be as they would not be asking for imported product if locally caught product was fit for purpose.

All I can say is the fishery most affected will be the Tuna industry. (Bluefin, Yellowfin, Bigeye and Albacore) As most imported bait is used on these long liners.

Now to the science of the proposal. I now understand there has been no risk assessment to support the changes being proposed, and for this reason we object in the strongest possible terms and ask that this proposal be deleted, ensuring whole round fish can continue to be imported.

I understand that the Australian study also resulted in whole round bait continuing to be allowed import status if frozen at -18 degrees Celsius for 18 hours prior to shipping.

Of major concern is the fact that when enquiring as to the science behind the proposal, I was told that the world health organization was starting to look at these issues.

As an interested party can you tell me if the lady who worked for MAF (Gillia Mylrea) and now works for the world animal health organization is the driving force behind this proposal? Is it true that she has been working on this since 2006 but when questioned in Parliament last year Jim Anderton, the then minister for fishing was told no such investigation was taking place and reported this back to Phil Heatley in question time?

Can you tell me if there exists, an email saying that importing of fish bait should be banned and then the science should be carried out to enable the ban?

Can you tell me that this is solely driven by the science and not a personal agenda of any present or past staff members?

My background is in research as stated in our telephone conversation.

Many issue's I have dealt with in the past often resulted in many hours of contemplation to find a workable solution given the complexities of the issue.

Quite often there is an easy solution.

Take Swine Flu as an example. Easily solved, with zero risk to the population. Shut the borders and allow no one to fly in or out. Problem solved!!!!

Unfortunately commercial reality often interferes with an ideal solution.

I worry that this is another of those solutions that now needs to be tempered with a dose of commercial reality.

The options of eviscerating or eradiating the whole fish is also outside the realms of commercial reality.

Can you please let me know how we proceed from here.

Thanks and Regards

Ross Powell

General Manager

Pendarves and associated companies

30. Matthew Simcox

Don Syme (MIN)

From: Hon. Phil Heatley (MIN)
Sent: Friday, 31 July 2009 8:24 am
To: Don Syme (MIN)
Subject: Fw: proposed amendment to the MAF Import Health Standard

Log and pass on to DC's office for reply

PHO380 for transfer to Biosecurity

From: Jacqui Kent & Matt Simcox <jacqui.kent@xtra.co.nz>
To: Hon. Phil Heatley (MIN)
Sent: Fri Jul 31 06:54:46 2009
Subject: proposed amendment to the MAF Import Health Standard

Hi Phil

I am concerned about the effect of the proposed amendment to the MAF Import Health Standard on recreational fishing in NZ due to the increase in the price of bait. As fishing is a sport enjoyed by many NZers increased costs will make it harder for people to enjoy it. Fishing has many benefits to NZ society, it provides income through tourism, quality family time for those who fish as a family, a chance for to get away from the hussle of daily life for those that live in the coastal cities, a cheap form of sport and exercise for those on lower incomes, a great way to teach sustainability and caring for the environment to those you fish with, the list goes on.

I'm all for protecting our borders from pests and diseases, we are after all protecting the things we all enjoy like fishing. But this must be matched by good scientific evidence and sound decision which look at all sides of the story.

Thank for your time.

Regards

Matthew Simcox
Auckland

No. <i>M1009-100</i>
Date received in the MGG
- 7 AUG 2009
Business Group B.I.O.S.E.C.U.R.I.T.Y
Date Due..... <i>26</i> ..AUG.....

31. Fat Snapper Fishing Charters, Mark Brown

From: Mark Brown [mailto:andfloor@xtra.co.nz]
Sent: Sunday, 2 August 2009 12:00 p.m.
To: Richard Soons
Subject: [Requires Classification] Bait

Good Morning Mr Soons

It was with surprise and shock I have learned of the biosecurity changes for whole round fish imports into nz. I operate a small charter fishing business on Waiheke Island, these changes will affect our business rather dramatically as we supply our clients with all there bait and if prices increase because of this it will reduce our meagre profits to a point where I would have to consider if it were sustainable to keep operating. As we rely on bait imports for several months of the year, owing to vessels being unable to get out through weather and other unforeseen reasons, these changes would really affect us. Having read several reports on this there does not seem to be any damming evidence to show these regulations need to be implemented. Let us hope common sense will prevail and this legislation is not passed.

Kind Regards

Mark Brown
Fat Snapper Fishing Charters
Waiheke Island

32. Lee Durham

From: Lee Durham [mailto:leedurham@xtra.co.nz]
Sent: Sunday, 2 August 2009 5:56 p.m.
To: Richard Soons
Subject: [Requires Classification] re draft document on importing fish bait

Dear sir

This email is to object to the draft on restricting the imports of frozen fish bait. surely maf would have to apply the same to imported fish for human consumption? the increased costs for this would affect both recreational and commercial fishers in turn increasing the export cost of exported fish. and the possible loss of export revenue. we currently have a lot of tourism associated with fishing this could be put at risk if it was found to be cheaper to travel to fiji or aussie to do the same thing. is it possible the same logic could be applied to frozen meat imports, fruit imports maybe even tinned foods ??
i hope that common sense will prevail in this matter

rgds lee durham

33. New Zealand Sea Food Industry Council, Alistair MacFarlane, submission 2



SeaFIC Submission on Proposed IHS Amendment for Fish Food and Fish Bait from all Countries 3 August 2009

1. The New Zealand Seafood Industry Council (SeaFIC) has prepared this submission in response to the proposal by MAF Biosecurity to amend the Import Health Standard for fish food and fish bait from all countries. Contact details are provided at the end of the submission
2. SeaFIC is a company owned by regional and national fishing and aquaculture rights owning organisations in New Zealand. It was established in 1997 to represent the generic or common interests of the seafood industry in general. The generic services provided by SeaFIC are funded through a Commodity Levy Order on all fish and seafood landed and produced in New Zealand.
3. SeaFIC is concerned about the proposal to remove eligibility for imports of whole frozen fish. On MAF Biosecurity's web page (<http://www.biosecurity.govt.nz/biosecc/consult/ihs-amendment-fish-food-bait>) relating to its proposals for fish food and fish bait, in regard to marine fish that has been frozen below -18 degrees Celsius for a minimum of 18 hours prior to importation, MAF Biosecurity states:

“Whole round fish represent a significant risk of introducing pests or pathogens that are not managed by the current freezing requirement. The risks of introducing a pathogen or pest are non-negligible if imported whole round fish are used as fish bait. This commodity is too broad to define appropriate risk management measures for. Subsequently this commodity has been deleted from this import health standard and is no longer eligible for import.”

4. There is no risk analysis offered to support the assertion and proposed action. It would appear that MAF Biosecurity has determined on the basis of undefined “risks” that the commodity whole frozen fish will no longer be permitted to be imported. SeaFIC objects to this proposal and requests in the strongest terms that it is rescinded, thus ensuring that whole frozen fish can continue to be imported.
5. In response to a request made by SeaFIC under the Official Information Act, MAF Biosecurity has made a number of comments in its covering letter including:

“The current requirements for fish bait are not specifically covered by risk analysis, which does not align with the risk management framework under the Biosecurity Act, which requires that risk goods are not imported unless there is an analysis of the biosecurity risks;

“The freezing requirements for fish bait are not sufficient to manage the associated risks of whole round fish, if the fish are of a susceptible species and sourced from areas where viral or pathogens are present;

“The review document: Import Standard for Aquatic Animal Products suggests that feeding of imported frozen, whole, round fish to aquaculture stock would, without doubt, represent a significant risk to New Zealand;

“The World Organisation for Animal Health (OIE) Aquatic Animal Code states: *“The practice of trading fresh or frozen whole marine fish represents a risk of introducing disease into populations. Risk mitigation measures include sourcing fish from stocks where there is no evidence of infection with any of the OIE listed diseases or treatments which inactivate aquatic animal pathogens”*.

6. Whole frozen fish is imported for sale for human consumption and as bait. The frozen whole fish imported for bait is generally imported as fit for human consumption, and is indistinguishable at the frontier from whole frozen fish imported for sale as food human use. Indeed, we have been informed by one of the largest importers of whole frozen fish that the company sells significant quantities of fish it imports for human consumption and for bait from the same stocks that it imports. The current import health standard for the import of marine fisheries products for human consumption from all countries³ permits the import of any dead marine fish for human consumption to enter without a permit to import and subject to inspection at the border.
7. Appendix 1 of this paper sets out the total New Zealand imports of whole frozen fish in 2008. Most of the imports are of small pelagic species – notably pilchards from Australia, sardines from the USA and a wide variety of imports from several other countries which could reasonably be expected to have been sold in New Zealand for bait. Included within the commodity category whole frozen fish however is whitebait and tuna which are more likely to have been sold for human consumption. In total 1,164 tonnes of whole frozen fish were imported in 2008 with a c.i.f. value of NZ\$1.89 million.
8. In the same calendar year, the New Zealand seafood industry exported 44,778 tonnes of whole frozen fish with a f.o.b. value of NZ\$99.7 million to more than 40 countries. Details can be found in Appendix 2.
9. We are concerned specifically for the following reasons:
 - g. That there is no risk assessment to justify the proposal to make whole frozen fish ineligible for import – simply assertions of potential risk. Without a risk assessment, we are forced to conclude that MAF Biosecurity is adopting a zero-risk policy. This is contrary to New Zealand’s international obligations under the WTO’s Sanitary and Phytosanitary Agreement to ensure that “any sanitary or phytosanitary measure is applied only to the extent necessary to protect human, animal or plant life or health, is based on scientific principles and is not maintained without sufficient scientific evidence”⁴;
 - h. We do not accept that the absence of a risk assessment requires the import of a product that may be imported now without restriction to be stopped. This is an opposite interpretation of New Zealand’s international obligation noted in the paragraph above;

³ FISMARIC.ALL, 6 October 2008: MAF Biosecurity

⁴ Article 2 (2), Sanitary and Phytosanitary Agreement, World Trade Organisation, 1994

- i. It is not clear if the proposal to remove import eligibility for whole frozen fish applies to the commodity in general, regardless of purpose. We fear that the intent of the sentence “Subsequently this commodity has been deleted from this import health standard and is no longer eligible for import” will mean a ban on all imports of whole frozen fish for any purpose.
 - j. There is no discussion as to how MAF Biosecurity could distinguish at the New Zealand border whole frozen fish fit for human consumption (and therefore able to be imported without a permit for that purpose) as being imported for the purpose of sale as bait.
 - k. We note that there is no reference to the ‘Import Health Standard for the import of liquid berley, berley straps, berley blocks and lure skirts into New Zealand from Australia’⁵. We would have expected that berley made of fish would pose a similar potential biosecurity risk as frozen whole fish for bait. It would appear that the import of berley from Australia will remain permissible without a permit to import.
10. The quote from OIE noted above would suggest that international trade in whole frozen fish would be commonly regarded as a risky activity and commonly subject to biosecurity controls in many markets. This is not the New Zealand seafood industry experience – we have noted above New Zealand’s exports in 2008 of 44,778 tonnes of whole frozen fish, detailed in Appendix 2. The Food and Agriculture Organisation (FAO) reports⁶ global exports of about 9 million tonnes of frozen marine fish either frozen or headed and gutted in 2006 – equivalent to 16% of the total global trade in all fish and fish products by volume. A large proportion of this trade is in small pelagic fish suitable for bait as well as human consumption. These fish are generally traded whole, as the costs of heading and gutting cannot be sustained commercially. We conclude that the OIE’s advice does not appear to be commonly heeded. This seems to be borne out in the assessment made of policies adopted by the “Quad” countries in MAF Biosecurity’s undated ‘Review Document: Import standards for aquatic animal products’ released to SeaFIC under the OIA. Only Australia appears to have taken action against imports of whole frozen marine fish, with Canada, USA and EU taking no action to limit imports of whole frozen marine fish.
11. A ban on imports of whole frozen fish without any published assessment of the risks to New Zealand’s biosecurity will be an invitation for retaliatory action from New Zealand’s seafood trading partners. As noted in paragraph 8 of this submission, the New Zealand seafood industry exported about NZ\$100 million of whole frozen fin fish in 2008. Of this, NZ\$9.5 million was to Australia. Australia is main market from which New Zealand imports frozen whole fish for bait – mainly pilchards.
12. New Zealand has limited fishing opportunities for, and even more limited availability of, small pelagic bait fish. The total allowable commercial catch limit for pilchards is 2,485 tonnes; sprats, 450 tonnes and anchovies 560 tonnes – a combined TACC of 3,495 tonnes⁷. There is very little directed commercial fishing for small pelagic fish for any purpose, including bait. The combined catch recorded for the three species in 2007/8 was 715 tonnes⁸. It is unlikely that bait fish could be supplied in the bulk and at internationally competitive prices demanded by the commercial and recreational fisheries sectors that currently buy imported whole frozen fish for bait. The commercial and recreational

⁵ FIDBERIC, 14 January 1998, MAF Biosecurity

⁶ Fisheries and Aquaculture Statistics Yearbook 2006, FAO, Rome 2008

⁷ The Atlas of Area Codes and TACCs 2008/2009, Clement and Associates, Nelson 2009

⁸ Clement and Associates, *ibid*.

fisheries that make use of imported whole frozen fish for bait would be unreasonably penalised if imports were banned for no clearly articulated biosecurity risk management reason.

13. We further understand that MAF Biosecurity may be concerned that importing whole frozen fish may be used for feeding fish in aquaculture and may, as a result, introduce exotic diseases to farmed fish. We note the following:
- l. There is little or no fin fish aquaculture underway in New Zealand at present that would require the feeding of bait fish.
 - m. The most established fin fish aquaculture system is for Pacific Salmon species, which are fed compounded feed using a mix of fish meal, fish oil and other ingredients.
 - n. The types of feed that can be fed to aquacultured fish are normally stipulated in each farm's resource consent. SeaFIC is unaware of any resource consent that permits the feeding of whole fish.
 - o. The likelihood of fin fish aquaculture that would require frozen fish as a feedstock is small in the short to medium term.
 - p. Should MAF Biosecurity have reasoned concerns that can be articulated, it may be possible to address those concerns by directed measures.
 - q. We see no grounds for a blanket ban on whole frozen fish imports for this purpose at the expense of other legitimate purposes for which the biosecurity risks are likely to be negligible.
14. SeaFIC thanks the MAF Biosecurity for the opportunity to submit on this important proposal and reiterates its request that the proposal to remove import eligibility for whole frozen fish be withdrawn.

15. Contact details are:

Alastair Macfarlane
General Manager – Trade and Information
New Zealand Seafood Industry Council
Private Bag 24-901, Wellington

Tel: 385-4005, Fax: 385-2727, Email: alastair.macfarlane@seafood.co.nz

Appendix 1: New Zealand Imports of Whole Frozen Fish – 2008

Overseas Trade Statistics
Prepared for NZ Seafood Industry Council
Ref No: 1544512A

HS10 Item by Country of Origin
for Final Calendar Year to Date Ending December 2008, Merchandise, Trade

Source: Statistics New Zealand

Hs10 Item Code	Description	Country of Origin	Unit	Final Calendar Year 2008		
				Quantity	VFD (\$NZ)	CIF (\$NZ)
0303.43.00.01	Fish; skipjack or stripe-bellied bonito, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Japan	KGM	27,997	\$27,997	\$77,479
0303.43.00.01	Fish; skipjack or stripe-bellied bonito, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Viet Nam	KGM	12,725	\$13,000	\$40,588
0303.44.00.10	Fish; bigeye tunas (Thunnus obesus), frozen, (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Samoa, American	KGM	27,368	\$27,368	\$39,097
0303.51.00.10	Fish; herrings (Clupea harengus, Clupea pallasii), frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Netherlands	KGM	18,706	\$18,706	\$30,955
0303.71.00.01	Fish; sardines (sardina pilchardus, sardinops spp.), sardinella (sardinella spp.), brisling or sprats (sprattus sprattus), frozen (excluding fillets, livers, roes and other fish meat of 0304), whole	Australia	KGM	751,574	\$854,813	\$699,152
0303.71.00.01	Fish; sardines (sardina pilchardus, sardinops spp.), sardinella (sardinella spp.), brisling or sprats (sprattus sprattus), frozen (excluding fillets, livers, roes and other fish meat of 0304), whole	India	KGM	3,250	\$3,250	\$4,005
0303.71.00.01	Fish; sardines (sardina pilchardus, sardinops spp.), sardinella (sardinella spp.), brisling or sprats (sprattus sprattus), frozen (excluding fillets, livers, roes and other fish meat of 0304), whole	Malaysia	KGM	60,820	\$66,902	\$57,693
0303.71.00.01	Fish; sardines (sardina pilchardus, sardinops spp.), sardinella (sardinella spp.), brisling or sprats (sprattus sprattus), frozen (excluding fillets, livers, roes and other fish meat of 0304), whole	Netherlands	KGM	6,162	\$6,170	\$15,655

0303.71.00.01	Fish; sardines (sardina pilchardus, sardinops spp.), sardinella (sardinella spp.), brisling or sprats (sprattus sprattus), frozen (excluding fillets, livers, roes and other fish meat of 0304), whole	Taiwan	KGM	2,944	\$2,944	\$6,938
0303.71.00.01	Fish; sardines (sardina pilchardus, sardinops spp.), sardinella (sardinella spp.), brisling or sprats (sprattus sprattus), frozen (excluding fillets, livers, roes and other fish meat of 0304), whole	United States of America	KGM	63,254	\$64,669	\$110,230
0303.73.00.01	Fish; coalfish (pollachius virens), frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Fiji	KGM	638	\$934	\$2,351
0303.74.00.02	Fish; mackerel, blue, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	India	KGM	2,120	\$2,480	\$4,149
0303.74.00.08	Fish; mackerel, other than blue and jack, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	India	KGM	3,060	\$3,258	\$5,944
0303.74.00.08	Fish; mackerel, other than blue and jack, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Japan	KGM	5,250	\$5,250	\$16,708
0303.74.00.08	Fish; mackerel, other than blue and jack, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Korea, Republic of	KGM	10,660	\$13,429	\$31,867
0303.74.00.08	Fish; mackerel, other than blue and jack, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Russia	KGM	1,600	\$2,175	\$3,711
0303.79.01.75	Fish; silver warehou, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Australia	KGM	3,366	\$3,442	\$8,544
0303.79.01.81	Fish, whitebait, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Fiji	KGM	12	\$26	\$181
0303.79.01.81	Fish, whitebait, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	India	KGM	6,560	\$7,216	\$36,987
0303.79.01.81	Fish, whitebait, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Indonesia	KGM	24,545	\$26,791	\$149,433
0303.79.01.81	Fish, whitebait, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Korea, Republic of	KGM	108	\$234	\$1,149

0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Argentina	KGM	2,489	\$3,155	\$8,554
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Australia	KGM	5,960	\$6,476	\$51,140
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	China, People's Republic of	KGM	7,155	\$10,365	\$44,625
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Fiji	KGM	2,298	\$12,524	\$24,511
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	India	KGM	7,920	\$8,348	\$45,199
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Indonesia	KGM	19,348	\$21,896	\$106,102
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Japan	KGM	12,323	\$12,676	\$40,659
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Korea, Republic of	KGM	13,373	\$14,124	\$43,680
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Philippines	KGM	8,069	\$18,257	\$44,538
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Taiwan	KGM	36,710	\$41,736	\$92,751
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Thailand	KGM	7,560	\$14,680	\$29,836
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	Tonga	KGM	835	\$999	\$3,875
0303.79.01.97	Fish; n.e.c. in heading no. 0303, frozen (excluding fillets, livers, roes and other fish meat of heading no. 0304), whole	United States of America	KGM	6,985	\$7,194	\$14,436

TOTAL of
Imports

KGM

1,163,744

\$1,892,722

Appendix 2: New Zealand Exports of Whole Frozen Fish – 2008

Source: Statistics New Zealand and Seafood Industry Council Export Data Base

	Kgs		NZ\$ f.o.b.	
Alfonsino				
Australia	4,240		\$3,624	
China, Peoples Republic Of	30		\$42	
French Polynesia	2,207		\$20,930	
Japan	37,670		\$239,312	
Korea, Republic Of	8,616		\$9,676	
United States	10		\$210	
	Sum Of		Sum Of	
	YTDWeight1:	52,773	YTDValue1:	\$273,794
Barracouta				
Australia	39,544		\$35,588	
Japan	3		\$2	
Korea, Republic Of	56,762		\$64,465	
Papua New Guinea	104,040		\$258,681	
Singapore	40		\$135	
South Africa	180,668		\$199,902	
	Sum Of		Sum Of	
	YTDWeight1:	381,057	YTDValue1:	\$558,773
Bluenose				
Australia	16		\$132	
	Sum Of		Sum Of	
	YTDWeight1:	16	YTDValue1:	\$132
Cod, Red				
Korea, Republic Of	72		\$94	
Russia	16,960		\$53,962	
	Sum Of		Sum Of	
	YTDWeight1:	17,032	YTDValue1:	\$54,056
Eels				
Belgium	5,104		\$54,378	
Brunei Darussalam	105		\$2,368	
Korea, Republic Of	78,508		\$156,306	
United Kingdom	104,932		\$705,930	
	Sum Of		Sum Of	
	YTDWeight1:	188,649	YTDValue1:	\$918,982
Flounder				
American Samoa	14,000		\$66,144	
Australia	360,292		\$2,644,479	
Cook Islands	38		\$332	
French Polynesia	500		\$3,750	
Hong Kong	50		\$487	
Papua New Guinea	1,730		\$4,206	
Samoa	3,460		\$23,835	
Spain	2,910		\$21,541	
Tonga	300		\$1,499	
United States	3,670		\$31,678	
Vanuatu	2,000		\$5,410	
	Sum Of		Sum Of	
	YTDWeight1:	388,950	YTDValue1:	\$2,803,361
Gemfish				
Japan	5,880		\$41,652	
Korea, Republic Of	15		\$4	
	Sum Of		Sum Of	
	YTDWeight1:	5,895	YTDValue1:	\$41,656

Ghostshark					
	Japan	6,480		\$20,349	
	Korea, Republic Of	2,796		\$1,779	
	Russia	7,667		\$16,145	
	Sum Of			Sum Of	
	YTDWeight1:		16,943	YTDValue1:	\$38,273
Gurnard					
	China, Peoples Republic Of	34,384		\$86,532	
	Korea, Republic Of	28,396		\$46,007	
	Sum Of			Sum Of	
	YTDWeight1:		62,780	YTDValue1:	\$132,539
Hake					
	Japan	4		\$48	
	Korea, Republic Of	40,365		\$105,483	
	Sum Of			Sum Of	
	YTDWeight1:		40,369	YTDValue1:	\$105,531
Hoki					
	Australia	4,880		\$4,917	
	China, Peoples Republic Of	774,157		\$3,120,199	
	Cook Islands	510		\$5,571	
	French Polynesia	400		\$3,120	
	Japan	33		\$53	
	Korea, Republic Of	85,049		\$35,785	
	Niue	100		\$670	
	Samoa	831		\$2,884	
	Thailand	152,000		\$664,725	
	Sum Of			Sum Of	
	YTDWeight1:		1,017,960	YTDValue1:	\$3,837,924
John Dory					
	Australia	2,412		\$27,483	
	Singapore	35		\$576	
	Sum Of			Sum Of	
	YTDWeight1:		2,447	YTDValue1:	\$28,059
Kahawai					
	Australia	402,715		\$517,387	
	Benin	21,600		\$35,390	
	Congo	10,000		\$11,548	
	Cote D'Ivoire	12,025		\$13,619	
	Equatorial Guinea	27,000		\$41,105	
	France	25		\$6	
	Ghana	21,600		\$28,903	
	Iran, Islamic Republic Of	142,300		\$200,311	
	Nigeria	162,000		\$243,437	
	Papua New Guinea	700		\$1,411	
	Russia	32,750		\$46,320	
	United Kingdom	25		\$124	
	Sum Of			Sum Of	
	YTDWeight1:		832,740	YTDValue1:	\$1,139,561
Ling					
	Australia	11,737		\$115,765	
	Sum Of			Sum Of	
	YTDWeight1:		11,737	YTDValue1:	\$115,765
Livers and Roe					
	Australia	7,101		\$116,474	
	China, Peoples	87,080		\$494,252	

	Republic Of Cook Islands	10		\$285	
	Denmark	18,800		\$69,306	
	Japan	308,946		\$1,860,812	
	Korea, Republic Of	777,394		\$3,977,014	
	Netherlands	45		\$450	
	Spain	113,784		\$983,487	
	Taiwan, Prv. Of				
	China	364,395		\$2,396,261	
	Sum Of			Sum Of	
	YTDWeight1:	1,677,555		YTDValue1:	\$9,898,341
Livers, Roe (Salmonidae)					
	Australia	334		\$12,624	
	China, Peoples Republic Of	11		\$331	
	Sum Of			Sum Of	
	YTDWeight1:	345		YTDValue1:	\$12,955
Mackerel, Blue					
	Australia	3,190,185		\$3,554,111	
	Canada	25		\$11	
	Cote D'Ivoire	657,175		\$600,738	
	Fiji	304,676		\$325,042	
	Georgia	31,825		\$37,145	
	Ghana	54,000		\$47,178	
	Iran, Islamic Republic Of	1,288,425		\$1,271,449	
	Liberia	108,000		\$87,377	
	Lithuania	98,250		\$112,111	
	Namibia	48,100		\$46,701	
	Philippines	17,300		\$18,435	
	Romania	19,300		\$20,462	
	Russia	33,480		\$109,201	
	Saudi Arabia	33,350		\$32,421	
	South Africa	6,620		\$7,319	
	Thailand	222,400		\$209,730	
	Ukraine	32,600		\$45,396	
	United Kingdom	25		\$151	
	Sum Of			Sum Of	
	YTDWeight1:	6,145,736		YTDValue1:	\$6,524,978
Mackerel, Jack					
	Angola	810,000		\$922,462	
	Australia	539,835		\$502,890	
	Benin	27,000		\$39,124	
	Cameroon	810,000		\$1,225,847	
	China, Peoples Republic Of	106,172		\$302,872	
	Congo	395,000		\$437,227	
	Cote D'Ivoire	399,960		\$381,591	
	Fiji	682,530		\$988,276	
	France	580		\$624	
	Georgia	187,660		\$323,523	
	Iran, Islamic Republic Of	162,000		\$154,338	
	Japan	672		\$1,439	
	Korea, Republic Of	130,839		\$133,631	
	Mozambique	3,539,248		\$5,064,555	
	Namibia	113,900		\$85,567	

	Netherlands	31,880		\$33,661	
	Nigeria	3,902,440		\$5,963,361	
	Reunion	33,600		\$40,725	
	Solomon Islands	16,800		\$23,220	
	South Africa	457,330		\$379,389	
	Tanzania, United Republic Of	38,000		\$32,411	
	Togo	27,000		\$39,124	
	Ukraine	78,000		\$127,579	
	United Kingdom	18,005		\$11,804	
	United States	18,160		\$16,579	
	Sum Of			Sum Of	
	YTDWeight1:	12,526,611		YTDValue1:	\$17,231,819
Mackerel, Other(exl Jack)					
	Fiji	80		\$184	
	Korea, Republic Of	3,600		\$8,608	
	Sum Of			Sum Of	
	YTDWeight1:	3,680		YTDValue1:	\$8,792
Monkfish					
	Hong Kong	470		\$6,799	
	Netherlands	12,180		\$119,751	
	United Kingdom	2,525		\$30,747	
	Sum Of			Sum Of	
	YTDWeight1:	15,175		YTDValue1:	\$157,297
Orange Roughy					
	Australia	2,028		\$16,422	
	China, Peoples Republic Of	4,325		\$15,945	
	Japan	5,500		\$30,195	
	United States	190		\$1,961	
	Sum Of			Sum Of	
	YTDWeight1:	12,043		YTDValue1:	\$64,523
Oreo Dory, Black					
	China, Peoples Republic Of	9,257		\$10,273	
	Sum Of			Sum Of	
	YTDWeight1:	9,257		YTDValue1:	\$10,273
Oreo Dory, Other					
	Australia	7,000		\$72,226	
	China, Peoples Republic Of	68,510		\$76,221	
	Japan	576		\$954	
	Netherlands	8,000		\$104,046	
	Russia	200,180		\$291,197	
	Ukraine	278,520		\$483,073	
	Sum Of			Sum Of	
	YTDWeight1:	562,786		YTDValue1:	\$1,027,717
Other Dogfish/Sharks					
	Bulgaria	13		\$31	
	Sum Of			Sum Of	
	YTDWeight1:	13		YTDValue1:	\$31
Other Flatfish					
	Australia	800		\$3,974	
	Bulgaria	3,140		\$5,002	
	China, Peoples Republic Of	30,548		\$146,178	

	Netherlands	10		\$24	
	United Kingdom	20		\$38	
		Sum Of		Sum Of	
		YTDWeight1:	34,518	YTDValue1:	\$155,216
Other frozen finfish					
	Australia	45,401		\$83,003	
	Brunei Darussalam	4,200		\$15,142	
	Bulgaria	29,620		\$63,656	
	Canada	4,000		\$14,844	
	China, Peoples Republic Of	217,847		\$658,850	
	Cook Islands	14,310		\$28,385	
	Fiji	90,552		\$86,616	
	Georgia	201,046		\$476,963	
	Japan	551,431		\$755,946	
	Jordan	62,040		\$208,794	
	Korea, Republic Of	284,469		\$398,176	
	Lithuania	52,528		\$66,313	
	Malaysia	3,060		\$3,934	
	Russia	337,688		\$594,830	
	Singapore	53,180		\$160,426	
	Thailand	4,440		\$10,148	
	Tonga	8,326		\$17,569	
	Ukraine	154,718		\$354,191	
	United Kingdom	640		\$1,507	
	Vietnam	52,100		\$150,220	
		Sum Of		Sum Of	
		YTDWeight1:	2,171,596	YTDValue1:	\$4,149,513
Salmon, Other					
	Australia	41		\$500	
	Fiji	399		\$4,104	
	French Polynesia	45		\$673	
	Japan	53,436		\$654,706	
	Tonga	100		\$977	
		Sum Of		Sum Of	
		YTDWeight1:	54,021	YTDValue1:	\$660,960
Sardines					
	Australia	134,415		\$89,684	
	Samoa	15,000		\$21,730	
	Vanuatu	250		\$712	
		Sum Of		Sum Of	
		YTDWeight1:	149,665	YTDValue1:	\$112,126
School shark					
	Australia	1,452		\$13,790	
	Korea, Republic Of	240		\$176	
		Sum Of		Sum Of	
		YTDWeight1:	1,692	YTDValue1:	\$13,966
Sea Bass					
	Australia	179		\$1,870	
		Sum Of		Sum Of	
		YTDWeight1:	179	YTDValue1:	\$1,870
Sea Perch					
	Australia	1,140		\$1,605	
	China, Peoples Republic Of	155,906		\$324,661	
	Korea, Republic Of	503,267		\$638,216	
		Sum Of		Sum Of	
		YTDWeight1:	660,313	YTDValue1:	\$964,482

Snapper			
American Samoa	300		\$1,517
Australia	163		\$3,903
China, Peoples Republic Of	1,000		\$9,122
Cook Islands	90		\$1,074
Croatia	11,470		\$72,386
Egypt	400		\$1,948
Fiji	1,440		\$1,690
Italy	247,208		\$2,936,203
Japan	143,562		\$1,458,531
Korea, Republic Of	146,280		\$1,047,667
Malta	3,000		\$24,680
United Kingdom	46,630		\$294,045
United States	51,678		\$319,343
	Sum Of		Sum Of
	YTDWeight1:	653,221	YTDValue1: \$6,172,109
Sole			
American Samoa	150		\$635
China, Peoples Republic Of	1,910		\$1,764
French Polynesia	3,173		\$12,964
Hong Kong	13,680		\$52,490
New Caledonia	370		\$2,060
Portugal	15,000		\$63,450
Thailand	500		\$1,918
Vanuatu	1,898		\$5,200
	Sum Of		Sum Of
	YTDWeight1:	36,681	YTDValue1: \$140,481
Sole, Lemon			
Australia	148,231		\$1,015,834
Cyprus	500		\$4,415
French Polynesia	650		\$4,365
Hong Kong	19,150		\$101,491
Malaysia	100		\$653
Portugal	27,330		\$114,673
Singapore	160		\$1,909
Spain	206,500		\$1,270,688
United Kingdom	30		\$123
	Sum Of		Sum Of
	YTDWeight1:	402,651	YTDValue1: \$2,514,151
Sole, New Zealand			
Australia	93,400		\$442,212
China, Peoples Republic Of	88,740		\$421,156
French Polynesia	4,410		\$21,137
Hong Kong	70,970		\$329,486
Japan	2,660		\$11,491
Malaysia	600		\$3,165
New Caledonia	4,510		\$24,369
Papua New Guinea	400		\$1,178
Portugal	124,680		\$528,638
United States	930		\$6,985
Vanuatu	250		\$1,200
	Sum Of		Sum Of
	YTDWeight1:	391,550	YTDValue1: \$1,791,017
Southern Blue Whiting			

	China, Peoples Republic Of	228,069		\$645,710	
	Korea, Republic Of	17,488		\$12,586	
	Sum Of			Sum Of	
Spiny Dogfish	YTDWeight1:	245,557	YTDValue1:	\$658,296	
	China, Peoples Republic Of	6,233		\$2,382	
	France	71,370		\$234,451	
	Korea, Republic Of	637,279		\$576,705	
	Sum Of			Sum Of	
Spotted Dogfish (Rig)	YTDWeight1:	714,882	YTDValue1:	\$813,538	
	Australia	6,086		\$57,617	
	Sum Of			Sum Of	
Swordfish	YTDWeight1:	6,086	YTDValue1:	\$57,617	
	Georgia	1,000		\$1,683	
	Japan	1,212		\$5,989	
	Singapore	113,815		\$222,114	
	Ukraine	28,450		\$59,654	
	Sum Of			Sum Of	
Tarakihi	YTDWeight1:	144,477	YTDValue1:	\$289,440	
	China, Peoples Republic Of	45,480		\$89,663	
	Sum Of			Sum Of	
Trevally	YTDWeight1:	45,480	YTDValue1:	\$89,663	
	American Samoa	500		\$1,826	
	Australia	1,600		\$3,378	
	Brunei Darussalam	114,260		\$272,024	
	China, Peoples Republic Of	200		\$216	
	France	273,610		\$655,690	
	Jordan	12,200		\$26,204	
	Malaysia	27,500		\$62,139	
	Netherlands	82,240		\$192,149	
	Saudi Arabia	289,310		\$722,177	
	United Kingdom	449,850		\$958,993	
	United States	1,200		\$2,984	
	Sum Of			Sum Of	
Tuna, Albacore/Longfinned	YTDWeight1:	1,252,470	YTDValue1:	\$2,897,780	
	American Samoa	118,249		\$440,475	
	Australia	19,125		\$110,648	
	France	406,910		\$1,310,279	
	Japan	4,803		\$13,060	
	Spain	2,535,214		\$7,362,286	
	Thailand	295,981		\$763,761	
	Uruguay	1,196		\$4,157	
	Vietnam	48,420		\$88,407	
	Sum Of			Sum Of	
Tuna, Bluefin	YTDWeight1:	3,429,898	YTDValue1:	\$10,093,073	
	Japan	162		\$5,011	

		Sum Of YTDWeight1:	162	Sum Of YTDValue1:	\$5,011
Tuna, Other					
	China, Peoples Republic Of	13,170		\$23,017	
	Fiji	2,780		\$3,701	
		Sum Of YTDWeight1:	15,950	Sum Of YTDValue1:	\$26,718
Tuna, Skipjack					
	Australia	13,230		\$9,254	
	Iran, Islamic Republic Of	1,302,520		\$2,070,166	
	Mauritius	53,643		\$81,981	
	Mexico	246,080		\$412,252	
	Reunion	187,831		\$291,794	
	Spain	1,179,141		\$2,060,326	
	Thailand	4,577,136		\$7,379,190	
	Tunisia	852,460		\$1,452,263	
	Turkey	1,689,632		\$3,153,367	
	Vietnam	74,599		\$145,121	
		Sum Of YTDWeight1:	10,176,272	Sum Of YTDValue1:	\$17,055,714
Tuna, Southern Bluefin					
	Japan	173,720		\$5,795,301	
		Sum Of YTDWeight1:	173,720	Sum Of YTDValue1:	\$5,795,301
Warehou, Blue					
	Korea, Republic Of	24		\$38	
		Sum Of YTDWeight1:	24	Sum Of YTDValue1:	\$38
Warehou, Other					
	Australia	4,510		\$26,839	
	Japan	16,797		\$136,735	
		Sum Of YTDWeight1:	21,307	Sum Of YTDValue1:	\$163,574
Warehou, Silver					
	Japan	20,436		\$77,986	
	Korea, Republic Of	2,323		\$5,228	
		Sum Of YTDWeight1:	22,759	Sum Of YTDValue1:	\$83,214
Whitebait					
	Australia	150		\$8,752	
	Norfolk Island	40		\$474	
	Samoa	135		\$1,652	
		Sum Of YTDWeight1:	325	Sum Of YTDValue1:	\$10,878
		Sum Of All Exports:	44,778,005	Sum Of all exports:	\$99,700,878

34. Aotearoa Fisheries Limited, Mark Soboil,



30 July 2009

Tēnā Koe Richard Soons

SUBMISSION ON PROPOSED IHS AMENDMENT FOR FISH FOOD AND FISH BAIT FROM ALL COUNTRIES

Thank you for the opportunity to provide written comment on whether to issue or amend the import health standard for fish food and fish bait from all countries.

AFL is the largest Maori-owned fisheries company in Aotearoa/New Zealand. The Maori Fisheries Act 2004 established AFL to manage the commercial arm of certain settlement assets into the future for those Maori interests in the marine environment. It consists of a 50% shareholding in Sealord (Nelson); and 100% ownership of Moana Pacific Fisheries (Auckland), Chatham Processing (Chatham Islands), Pacific Marine Farms (Coromandel), Prepared Foods Processing (Palmerston North), Prepared Foods Ltd (Palmerston North), Ocean Ranch and OPC Fish and Lobster.

AFL is concerned about the deletion of marine fish that has been frozen to below -18°C for a minimum of 18 hours prior to importation from the Biosecurity Act (1993). Given the results of the import risk analysis for fish food (ISBN 978-0-478-32102-9) it would appear that there is little reason to support the proposed action. AFL currently imports whole frozen fish to be used as bait in its longliner fleet. Without a justified approach to the effective management of the supposed risks AFL cannot support this proposal. It requests that it not be deleted from the import health standard, and that it continue to be eligible for import.

In addition to the proposed amendment having no justification, the impact on AFL and its operating divisions also has potentially serious implications on the economics of fishing. Currently many of our tuna longliners, SNA longliners as well as the bottom longliners that target hapuka and blue nose will be affected by the ban. As much as 40mt of bait can be imported in any one year to service this fleet. The price of imported bait is approximately \$3 per kg NZD. If our domestic fleet were forced to use local product the price of bait in NZ could go as high as \$8.

There are very few local operators targeting bait fish. Most of New Zealand's anchovy and pilchard stocks are undeveloped, mostly as a result of the cost of fishing and the price received for these species. If the ban was imposed and these fisheries were developed as a result of the increased demand, the cost of bait would be at least what many recreational fishers currently pay - whether it's domestic or imported.

AFL thanks MAF Biosecurity for the opportunity to submit on this proposed amendment. However we reiterate that without a justified approach to the effective management of the supposed risks AFL cannot support the amendment for fish food and fish bait from all countries.

If you have any questions please contact Mark Soboil at: (09) 302-3732
Nāku noa, nā

Mark Soboil
Manager of Fisheries Development

35. Temuka SeaFoods International, Benjamin Burney

-----Original Message-----

From: Ben Burney-Temuka

Sent: Mon 8/3/2009 1:33 PM

To: richard.soons@maf.govt.nz

Cc: Stephanie McDowall-Temuka; Mark Caesar-Temuka; Ali Hazrat-Temuka

Subject: SUBMISSION: Proposed IHS Amendment for Fish Food and Fish Bait from All Countries

Hello Richard,

I am writing to object to the potential banning of all whole fish for fish bait into New Zealand.

If New Zealand imposes this ban the countries that are selling whole fish to New Zealand have every reason to ban the importation of New Zealand Whole fish,

It would be seen as protectionism and a potential trade barrier.

We sell whole frozen NZ fish to USA and Thailand, Spain.

I have spoken at length with my buyers and each has expressed their concern that a quid pro quo could arise if we ban whole fish imports. - That would leave our fishing industry without markets for its whole fish.

Another issue I have is that the fish I am selling is caught in NZ waters using imported whole fish for bait.

We do not have the ability to catch the required amount of bait fish in New Zealand that is used by the commercial and recreational fisherman.

Banning the import of whole fish for bait - This would also reduce the effort of fishing that is allowed under the quota system as the vessels could not source the bait they need to catch the exported fish, ultimately reducing New Zealand's seafood exports. - reducing jobs.

The imported species that are used for bait by the commercial and recreational fishermen - sardine/pilchard, Squid, Skipjack, Mullet, Sanma are processed in food grade facilities and are sold to other countries as food, the product imported to New Zealand is the same fish, it is just that we use it is bait, some is also sold in the food market in New Zealand also as it is imported as food grade.

Fish are fish, it is only the end user who determines if it is for bait or food.

Where is the science behind your plans to ban whole fish imports?

A similar issue was raised in Australia and it was decided that it was not necessary.

I request that this potential ban is not made law.

It is not justifiable

The aquaculture industry in New Zealand has resource consents to feed the Salmon & Kingfish and Snapper. It is my understanding that they do not feed whole fish to these farmed species.

Review of Submissions Draft IHS for Fish Food and Fish Bait from All Countries.

I totally disagree with the proposed ban.

Benjamin Burney

Temuka Seafoods International

Tel: +64 9 299 1050

Fax: +64 9 296 1034

Mob: +64 21 733 210

36. Roy Gould

From: royze@hotmail.com

To: animalimports@maf.govt.nz

Subject: Proposed IHS for food fish and Bait

Date: Mon, 3 Aug 2009 04:10:02 +0000

To whom it may concern,

I have read the amendment that are being proposed and I think it is totally preposterous for this to be implemented because for decades now, we have been importing bait fish and as yet we have had no of any harmful viruses or bacteria in our local waters that can be attributed to the imported bait and our Australian cousins have been looking into this matter for some time now and they have not rushed into banning bait imports because they feel the risk is not there,

This proposal must not go ahead as it will affect a great many people, for all walks of life, so you must stop and listen too the public about this issue and give a bit more thought to what the actual risks maybe, and follow what the Australians are doing and not ram these rules into place,

Yours sincerely,

Roy Gould.

37. Solander, Peter Ballantyne

From: Charles Hufflett

Sent: Monday, 3 August 2009 04:24 p.m.

To: 'mailto:Richard.soons@maf.govt.nz'

Subject: FW: Draft Submission on MAF Biosecurity Proposal to Ban import of Frozen Whole Round Fish for Bait

Richard,

Please find attached our submission on the MAF biosecurity proposal. Although addressed to SeaFIC we wish it to be treated as a direct submission to MAF.

Thank you

Charles Hufflett



PO Box 5041, Port Nelson 7043
New Zealand
Phone +64 3 545 9650
nelson@solander.com
www.solander.com

30th July 2009,

Alistair Macfarlane,
General Manager – Trade and Information,
New Zealand Seafood Industry Council,
Private Bag 24-901,
Wellington

Dear Alistair,

Subject : Submission on MAF Biosecurity Proposal to Ban import of Frozen
Whole Round Fish Food and Fish Bait from all Countries.

Solander wish to support the Submission made by the New Zealand Seafood Industry
Council (SeaFIC) on the MAF Biosecurity Proposal to Ban import of Frozen Whole
Round Fish Food and Fish Bait from all Countries.

Should the proposal by MAF Biosecurity be adopted it would have a very serious affect
on Solander and associated company longline operations.

Solander presently imports whole squid, mackerel (scad), pilchard and anchovy from
Taiwan, Japan and USA.
Bait imported by Solander is used in longline operations at sea outside the territorial sea
and in general 50 to 180 miles offshore.

While it is possible to purchase small quantities of suitable bait in some seasons New
Zealand caught bait is not available in sufficient quantities or quality to support Solander
longline fishing operations.

Thank you for the opportunity to comment.

Yours sincerely,

A handwritten signature in blue ink that reads "Peter Ballantyne".

Peter Ballantyne
Manager

38. Sanford Limited, Vaughan Wilkinson,



SANFORD LIMITED
SUSTAINABLE SEAFOOD

03 July 2009

Richard Soons (richard.soons@maf.govt.nz)
Border Standards Directorate
MAF Biosecurity New Zealand
Ministry of Agriculture and Forestry
PO Box 2526
WELLINGTON

**Submission to the Ministry of Agriculture and Forestry on the
Import Health Standard for fish food and fish bait from all countries**

Sanford Limited (Sanford) welcomes the opportunity to submit on the Import Health Standard for imported freshwater species. We wish to advise the Ministry that we do not support the adoption of the Import Health Standard as it is drafted.

Sanford Overview

Sanford is the oldest seafood company in New Zealand having its first beginnings in 1881, through to its formation as a limited liability company in 1904, and then its listing as a public company on the New Zealand Stock Exchange in 1924 making it the oldest remaining company listed today.

Our most recent annual and sustainable development report containing some excerpts from our history is available from our website www.sanford.co.nz

Sanford has extensive interests in aquaculture and is the only company in New Zealand that is involved in all three main aquaculture species; oysters, salmon and greenshell™ mussels. We are involved in pacific oyster farming in Northland, through both contract supply and farming of our own water space. This includes operations in Parengarenga, Rangaunu, Houhora, Whangaroa and Whangarei harbours and in the Kerikeri Inlet. The company also owns and operates an oyster processing facility in Kaeo.

Sanford greenshell™ mussel operations are located in Coromandel, Firth of Thames, Marlborough and Stewart Island. We own three processing plants in Tauranga, Havelock and Bluff. The Tauranga processing plant being a joint venture with two other major aquaculture companies and the first of its kind in New Zealand. Sanford is also the second largest salmon farmer and processor in New Zealand. It owns farms located in Big Glory Bay, Stewart Island and a processing plant in Bluff. The Sanford aquaculture business is located in regional New Zealand employing over 500 personnel on the water and in our processing plants.

Sanford also has extensive interests in fishing and has a large fishing quota portfolio of both inshore and deepwater species. We currently employ over 1,400 people (including the 500 aquaculture personnel above), owning and operating a fleet within New Zealand, outside New Zealand in the Southwest Pacific region, and Australia with over 50 vessels in our fleet.

We have large cold storage facilities in Tauranga and Timaru, and have interests overseas in China and Australia. The company exports to countries throughout the world including North & South America, Europe, Japan, Asia, the Middle East, and Australia with last years annual sales revenue for 12 months to 30 September 2008, NZ\$436 million.

22 JELICOE ST, AUCKLAND 1010, NEW ZEALAND.
PO BOX 443, AUCKLAND 1140. EMAIL info@sanford.co.nz
TEL +64 (9) 379 4720. FAX +64 (9) 309 1190.
www.sanford.co.nz



As demonstrated by the details provided above, Sanford has had a long-standing and major commitment to and involvement in the New Zealand seafood industry. The company has been an active participant in the development of New Zealand's fisheries resources being involved in numerous fisheries management forums as well as being a major supporter of the quota management system (QMS) since its introduction in 1986.

Comments on the Import Health Standard

Sanford strongly support the submission made by the New Zealand Seafood Industry Council dated 3rd August 2009.

Sanford relies from time to time on imported bait for use on its long line fishing vessels, including squid and jack mackerel imported into New Zealand which are wild caught species. The imported bait is used in fishing operations operating both within and outside of New Zealand EEZ. A New Zealand supply of such bait products in the form of frozen fish is not always possible and imported frozen bait products are relied upon.

Sanford is of the opinion that access to imported bait for commercial wild-catch fishing purposes should not be compromised.

Sanford believe that unless specific robust scientific information is available regarding the risk posed by a particular imported bait species (used for our long line commercial fishing operation) then importation of frozen fish should continue to be allowed and additional requirements should not be imposed.

Please contact the undersigned if you require further information.

Kind Regards
Sanford Limited

Vaughan Wilkinson
Business Development Manager
vwilkinson@sanford.co.nz

22 JELLCOE ST, AUCKLAND 1010, NEW ZEALAND.
PO BOX 443, AUCKLAND 1140. EMAIL info@sanford.co.nz
TEL +64 (9) 379 4720. FAX +64 (9) 309 1190.
www.sanford.co.nz

39. Geoff Hedley

From: b.daniel [mailto:b.daniel@slingshot.co.nz]
Sent: Monday, 3 August 2009 5:47 a.m.
To: Richard Soons
Subject: [Requires Classification] Imported Frozen Whole Bait Ban Submission

I refer to the above proposal. I am against this proposal as there no scientific evidence and it would cost jobs in the fishing tackle industry as well as pushing up the cost of local bait. It would also increase fishing pressure on local bait fish populations.

Geoff Hedley

40. Top Catch Online, Mike Anda, submission 2

From: Mike Anda [mailto:mike@topcatch.co.nz]
Sent: Tuesday, 4 August 2009 12:38 p.m.
To: Richard Soons
Subject: RE: Bait Importation ban

Richard sorry to have taken this time to respond but I have been on leave overseas so it looks like I have missed the cut off date. No doubt the concerns I have will have been raised by many others.

I have read your response and have the following concerns/comments.

- 1) In your second paragraph you state that the use of whole frozen fish as fish bait “constitutes a risk of introducing exotic pathogens”. Upon what research is this based? Do you deep six an industry on the basis of concerns or document facts?
- 2) Have you considered the practicalities of irradiating whole fish some of which comes in 500kg sacks? Where were you proposing the irradiation takes place. What I have read of the NZ based facilities is that they can handle boxes of 8kg in weight and limited dimensions.

regards

Mike Anda
Top Catch Online
www.topcatch.co.nz
021428768

41. New Zealand Salmon Farmers Association, Mark Gillard, submission 2

From: Mark Gillard [mailto:Mark.Gillard@kingsalmon.co.nz]
Sent: Thursday, 6 August 2009 8:21 a.m.
To: Richard Soons
Cc: Duncan Bates
Subject: [Requires Classification] FW: Microsoft Word - Submission on IHS for fish food 0709.pdf - Adobe Reader

Richard
You might be interested in the email dialogue between Alastair McFarlane of SeaFIC and myself over the IHS for fish feed. It helps clarify our submission
Regards
Mark

From: MACFARLANE, Alastair [mailto:Alastair.Macfarlane@seafood.co.nz]
Sent: Tuesday, 4 August 2009 4:05 p.m.
To: Mark Gillard
Cc: SYMMANS, Owen; MANDENO, Mike; Mike Burrell; Duncan Bates
Subject: RE: Microsoft Word - Submission on IHS for fish food 0709.pdf - Adobe Reader

Thanks Mike for your clarifications

I can well understand why you have limited the scope of your submission to that which is directly relevant to salmon farming.

I can confirm that NZ does indeed export whole, head on, gut in, gills intact frozen marine fish (and also chilled fish). This is particularly so for small pelagic species. The iki chilled fish trade also entails export of whole, entire fish. Thanks for the clarification for salmon.

I agree that MAF Biosecurity has created a problem that it has failed to clarify. It seems to me that there is no conflict for as long as whole frozen fish for human consumption can be imported without a health certificate and whole fish frozen for at least 18 hours before landing can be imported for bait – also without further certification. The question of the end use of the fish does not come into question from a biosecurity perspective.

MAF Biosecurity has now determined, without providing any discussion, that freezing is not an adequate control step for ensuring the risks from fish that may be used to feed other fish, whether as bait or as feed for aquaculture. MAF wants to prevent the import of whole fish for those uses. In my view, it will need to institute controls on imports of whole fish for human consumption as well as for bait, given the way the bait and human consumption market inter-relate. MAF's simplest control would be to ban the import of whole frozen marine fish for any purpose, and indeed it has only proposed that as a course of action.

Your submission, and SeaFIC's, both confirm that feeding whole fish to aquacultured fish is not done in NZ. That should address the key MAF Biosecurity concern. It could have dispelled them much more readily if MAF had simply made some enquiries to find out what is done in the industry and not leapt to assumptions.

The more difficult question is whether bait (and burley) are vectors for disease transfer to wild stocks. There is no evidence, that I'm aware of, that this has occurred elsewhere and is not a risk that other states seek to control, with the possible exception of Australia. Therefore for NZ to suddenly adopt a zero risk policy and interrupt imports in circumstances that other states do not, will be seen as unnecessarily impeding trade. Consequences may follow that impact seafood exports in addition to the impact on the domestic market from MAF's proposed action.

Regards,

Alastair

Alastair Macfarlane
General Manager - Trade and Information
NZ Seafood Industry Council

From: Mark Gillard [mailto:Mark.Gillard@kingsalmon.co.nz]
Sent: Tuesday, 4 August 2009 2:32 p.m.
To: MACFARLANE, Alastair
Cc: SYMMANS, Owen; MANDENO, Mike; Mike Burrell; Duncan Bates
Subject: RE: Microsoft Word - Submission on IHS for fish food 0709.pdf - Adobe Reader

Alastair
See below
Cheers
Mark

From: MACFARLANE, Alastair [mailto:Alastair.Macfarlane@seafood.co.nz]
Sent: Monday, 3 August 2009 4:54 p.m.
To: Mark Gillard
Cc: SYMMANS, Owen
Subject: RE: Microsoft Word - Submission on IHS for fish food 0709.pdf - Adobe Reader

Dear Mark

Thanks for a copy of your submission. I'm not sure I fully understand it. Can you check the following understanding:

1. NZSFA supports an Import Health Standard for fish food that makes no mention of fish for bait. **Yes**
2. The last sentence of your paragraph 5 says "Fresh or frozen whole or minced fish do not, have potential disease risk and higher level of environmental effect if fed to farmed fish." Can you clarify this please? I am confused by the comma after "do not." **The comma is intentional and points out that if fed to farmed fish there is potential disease risk and proven higher level of environmental effect.**
3. You have confined your submission to the import of fish food and your suggestion for fish for bait is set out in paragraph 7 – a separate IHS for bait fish. **I have purposely been light on comment re import of fish for bait or other purpose; limiting my comment to the use of whole frozen fish as fish feed. If imported for fish feed an assessment of risk would be a prudent measure.**

I take it you have no current view therefore on the concerns in SeaFIC's submission focussed on the treatment of imports of whole frozen fish for human consumption that are also traded in the NZ market for bait. Does the NZSFA have any concerns over potential retaliation to that trade in whole fish (chilled and frozen) should MAF Biosecurity remove "import eligibility for the commodity" as proposed? I note that among the exports of whole frozen fish from New Zealand in 2008 was NZ\$660,000 of whole frozen salmon. More importantly there was also NZ\$22.5 million of whole chilled salmon exported in 2008. **NZ does not export whole salmon (it has gills and gut removed) and in most markets is prohibited from doing so. You will probably find the "whole" fish is in fact G&G. To maintain quality it is important the gut is removed as soon as possible. Risk assessments done on salmon for our exports to Aussie and their product to NZ demonstrated the biosecurity risk from ungutted fish to be significantly higher than for G&G. You will probably find the OIE agrees with this. Does New Zealand export whole i.e. intact fish for human consumption?**

If fish can be freely imported as fit for human and subsequently sold for bait – as is the situation now – then removing import eligibility for whole frozen fish would appear to put all the import trade in whole frozen fish at jeopardy. **You need to clarify what is the meaning of whole frozen fish and to find a more suitable home in terms of import management.**

My problem in trying to submit on this issue has been the lack of clarity on MAF's intentions and the potential threat that could arise to the import trade in the first instance and potentially to the export trade in the event of retaliation as a secondary concern from a ban on whole frozen fish imports. The current IHS that includes bait fish suggests irradiation as a control step in addition to freezing. However, because the fish that is actually imported is fit for human consumption, it comes in without

any requirement for import health control. I think the battle you are fronting is a case of MAF not thinking the whole issue through and therefore creating unintended problems elsewhere. My immediate concern is for fish feed, it is the life blood of our industry. Irradiation does not seem a practical solution given the small quantities able to be treated - and cost.

Why include bait under the same import health standard as fish feed? I can see no logical reason. Unless I have missed something it seems to be that whole frozen fish specifically imported for feed or bait is no longer permitted, at least under the proposed IHS, not fish fit for human consumption then used as bait. I am not debating the bait fish use that is bigger than Ben Hur and not relevant to the proposed IHS, only the use of whole frozen as feed.

Hope this all makes sense. If not give me a call.

Cheers

Mark

Regards,

Alastair

Alastair Macfarlane
General Manager - Trade and Information
NZ Seafood Industry Council

42. Talley's Group, Andrew Talley



TO: Richard Soons
Biosecurity NZ

FROM: Andrew Talley

DATE: 6th August, 2009

REF: Submission on Whole Frozen Fish

We have read the "proposed HIS amendments for fish food and fish bait from all countries".

We support fully the proposals of Biosecurity NZ and agree that whole round fish represents a significant risk of introducing pest, pathogens and diseases not controllable by the frozen process. Your measures have strong Industry support and is clearly in the interest of New Zealand producers.

New Zealand has adequate 'internal' resources to provide for domestic customers that can be made available without the attendant biosecurity risk or concern.

There is one area of concern. It is essential that the standard does not inadvertently capture (fresh or frozen) whole seafood caught by a New Zealand vessel outside New Zealand returning to a New Zealand port to unload.

I can think of 2 examples:

- Fishing in international waters – each year New Zealand vessels fish outside New Zealand 200 mile EEZ and steam back to New Zealand with whole fresh and frozen seafood including Orange Roughy, Oreo Dory, Bluenose etc.
- New Zealand Tuna vessels often catch Tuna in the mid Pacific and will bring the fish to New Zealand to unload. Usually the product is frozen whole round in salt brine.

The standard should provide that such products are exempt and suitably accommodated for in the standard.

We are happy to assist further.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Andrew Talley", written over a horizontal line.

Andrew Talley

HEAD OFFICE
Phone: 64-3-528 2800
Email: inquiries@talleys.co.nz



TALLEY'S GROUP LTD PO Box 5, Motueka, Nelson, NEW ZEALAND

Fax Numbers:
Head Office 64-3-528 2802
Export 64-3-528 9298
N.Z. Sales 64-3-528 2805

Page 1 of 1

AT - Richard Soons 06.08.09.doc

43. Australian Renderers Association, Graeme Banks

From: Nelson, Shane - AQISACT [mailto:Shane.Nelson@aqis.gov.au]

Sent: Thursday, 6 August 2009 11:31 a.m.

To: Richard Soons

Subject: [Requires Classification] FW: Comments on Import Health Standard for Fish Food and Fish Bait from All Countries [SEC=UNCLASSIFIED]

Importance: High

Dear Richard

Would you please accept this response from us regarding the “Import Health Standard for Fish Food and Fish Bait from All Countries” (FISFOOIC.ALL). I realise that it is late but we have had problems with our email system here. Please accept my deepest apologies. Will you still consider this response?

These attached comments relate to the “Import Health Standard for Fish Food and Fish Bait from All Countries” (FISFOOIC.ALL) and “Import risk analysis: fish food” that refer to rendered poultry products and rendered ruminant products used as fish food. I am forwarding these comments to you for your consideration on behalf of the Australian Renderers Association (ARA). The ARA is the national body within Australia which represents the interests of producers and traders of rendered products at the State and Federal Government levels.

The contact officer for the ARA regarding the attached comments is Graeme Banks. His contact details are below:

Mr Graeme Banks
Executive Officer
Australian Renderers Association
PO Box 390
Baulkham Hills NSW 1755
Australia
Tel: (612) 9686 3119
Fax: (612) 9686 3303
Mobile: 0427 201 541
gsbanks@ozemail.com.au

Thank you for your consideration.

Regards

Shane Nelson

Veterinary Officer
Exports Standards Branch
Food Division - Biosecurity Services Group
ph + 61 2 6272 3176 or fax + 61 2 6272 4389

Comments on Biosecurity New Zealand documents “Import Health Standard for Fish Food and Fish Bait from All Countries” and “Import risk analysis: Fish food”

Introduction

These comments relate to sections of the “Import Health Standard for Fish Food and Fish Bait from All Countries” and “Import risk analysis: Fish food” that refer to rendered poultry products and rendered ruminant products used as fish food.

There is little or no trade in rendered products as such from Australia to New Zealand for use in fish food. However about 12,000 to 14,000 tonnes per year of extruded complete aquaculture feeds that contain rendered products are exported from Australia to New Zealand. The comments below principally refer to production of rendered products in Australia that are used as ingredients in compound extruded aquaculture feeds but are equally applicable rendered products that may be exported direct to New Zealand for use in fish food.

Summary of Comments

The significant hazards that are controlled by heat treatments and are identified in the “Import risk analysis: Fish food” are all controlled in rendered products that are produced according to the Australian Standard for Hygienic Production of Rendered Animal Products. Rendered products produced in accordance with this Standard should be recognised as acceptable for use in fish foods in New Zealand.

The main comments on the “Import Health Standard for Fish Food and Fish Bait from All Countries” and “Import risk analysis: Fish food” are:

1. The Import Health Standard for Fish Food and Fish Bait from All Countries specifies eligibility requirements for rendered poultry products and rendered ruminant products; it does not allow for other rendered mammalian products such as rendered porcine products. This comment is not expanded on below but the Import Health Standard should clarify whether rendered products containing non-ruminant mammalian material are considered eligible products.
2. It is not clear whether blood meal and feather meal can be considered to be eligible products and are included in the undefined categories of rendered poultry products and rendered ruminant products. Blood meal and feather meal appear to be included as rendered products in the Import risk analysis but are not clearly included as rendered products in the Import Health Standard.
3. If blood meal is eligible, it assumed that the processing conditions specified for poultry and ruminant rendered products also apply to poultry and ruminant blood. The processing conditions are clearly designed to apply to conventional rendering systems. Processes for the production of blood meal operate on different principles from rendering process and the processing parameters are quite different. Some blood processes do not comply with the specified time/temperature requirements for rendered products (particularly ruminant rendered products). Nevertheless these processes produce safe product due to the small particle size and rapid heat transfer into blood particles and the very high temperatures that blood particles are exposed to.
4. The specified time/temperature requirement for poultry and ruminant rendered products are limited and only suit a limited type of rendering systems. Other rendering systems produce safe product using different processing conditions. For example NZ MAF has previously accepted that under specified conditions, continuous

wet rendering systems that use a cascading rotary dryer provide equivalent sterilising effect to heating in steam at 115°C for 60 minutes. This is far in excess of the time/temperature requirements for required for poultry rendered products and could be considered to be equivalent to some of the conditions specified for ruminant rendered products. However, it is doubtful that this type of rendering system could be shown to comply with the specified requirements for poultry and ruminant rendered products. There should be an allowance for alternative rendering systems that provide equivalent heat treatments to those specified.

5. The heat treatments specified involve time/temperature conditions that are notoriously difficult to measure and verify in continuous systems. Some of the time/temperature conditions specified for ruminant rendered products are complex and cannot be verified in a practical way with any accuracy.
6. Six alternative time/temperature conditions are specified for ruminant rendered product. These conditions are extracted from EC Regulation 1774/2002. EC regulation 1774/2002 allows a seventh heat treatments in which other time/temperature combinations are permitted provided that the effectiveness of the conditions is validated by testing. This seventh processing condition should be allowed for production of rendered products for use in fish food.
7. In view of points 5 and 6 above, heat treatments that achieve a satisfactory outcome based on meeting a performance standard provide better biosecurity than specifying times and temperature which cannot be verified accurately. The Australian Standard for Hygienic Rendering requires that all heat treatments in Australian rendering plants (including blood meal processes) are validated on an annual basis. It should be accepted that rendered products produced in validated heat treatments are safe to use in fish food.

Comment on the Import risk assessment

In section 3.1 under COMMODITY DEFINITION it is stated that “All rendering processes involve the application of heat, the extraction of moisture and separation of fat. Raw material is ground to a consistent particle size before cooking.” This definition of a rendering process does not include production of feather meal or blood meal since no fat extraction or grinding is involved in production of feather meal and blood meal. The definition therefore introduces confusion about whether these products are rendered products eligible for use in fish food. In addition, the assertion that raw material is ground is probably not correct for most poultry rendering systems.

The Import Health Standard should define what products are eligible as poultry rendered products and ruminant rendered products.

Table 1 of section 3.1 of the Import risk analysis lists the “Cooking conditions specified under EC 1774/2002”. Methods 1 to 5 from the EC regulation are listed but method 7 is omitted (method 6 is for fish material only). Method 7 allows for unspecified rendering conditions to be approved provided that the conditions are specified in terms of critical control points and are validated by testing cooked product for the presence of *Clostridium perfringens*.

Control of hazards by heat treatments

In the risk assessment of poultry rendered products several organisms; particularly infectious bursal disease virus and *Bacillus* spp. are subjected to further risk analysis. It is concluded from these analyses that:

1. “Exotic viral agents are not considered to be potential hazards in rendered poultry products that have been processed under the conditions described above (i.e. the conditions extracted from EC regulation 1774/2002 and listed in Table 1) or using the equivalent conditions described in Appendix 3.”

and

2. “Exotic bacterial agents should therefore not be considered to be potential hazards in rendered poultry products as defined here.”

As a result of this risk analysis, the heat treatment conditions in Appendix 3 of the risk assessment have been adopted in the “Import Health Standard for Fish Food and Fish Bait from All Countries” as heat treatments to be applied to rendered poultry products.

In the risk assessment of ruminant rendered products, hazards in the classes of prions, viral agents and bacterial and other agents are subjected to further risk analysis. The comments and conclusion about bacterial and other agents in ruminant rendered products are the same as for poultry rendered products.

The risk assessment for viral agents identifies bovine parvovirus as a potential hazard that could survive rendering condition. In the further assessment it is concluded that the virus has little or no pathogenic significance and “This virus is therefore not considered to be a hazard in this risk analysis.”

Prions that cause BSE and scrapie are identified as potential hazards in ruminant rendered products and require risk management. The risk management options state that thermal treatment cannot be used reliably to ensure that the agents of BSE and scrapie are inactivated in imported rendered meals. In view of this the proposed risk management strategy is that only material that has originated from animals in flocks and herds in countries known to be free of scrapie and recognised as having negligible BSE risk could be considered acceptable for importation.

In relation to significant hazards that are controlled by heat treatment, it appears that the risk assessments do not identify any hazards in ruminant rendered products that require control by more severe heat treatments than are specified for poultry rendered products. Based on the risk assessments, the heat treatments specified for ruminant rendered products in the “Import Health Standard for Fish Food and Fish Bait from All Countries” should be the same as heat treatments specified for poultry products.

Application and verification of heat treatments

The heat treatments specified for poultry rendered products and ruminant rendered products involve time and temperature combinations. The time/temperature relationships specified for ruminant rendered products have been derived from the work conducted in the EU.

In this work, time/temperature relationships in typical rendering operations were measured by inserting several temperature sensors along the length of continuous rendering vessels of different designs. Cement pellets containing manganese oxide were introduced at the in-feed end of rendering vessels and samples collected from the discharge to determine when manganese could be detected. In this way the minimum residence time in the rendering vessel was estimated. The minimum residence time was apportioned between the temperature zones derived from the temperature sensors along the length of the rendering vessel to determine time/temperature relationships within the continuous rendering vessel. This method of measuring time/temperature has since been modified by using radioactive isotopes to measure residence time in cookers and by attaching temperature loggers on heating shafts in the rendering vessel.

These methods of measuring time/temperatures in cookers are expensive and difficult to implement. In addition they have serious deficiencies in terms of accuracy. For example, if radioactive isotopes are used, they are added in a liquid and pass through the rendering vessel

as part of the liquid phase, or possibly in the steam in the head space. The resulting measurement of residence time does represent the passage of rendered particles through the rendering vessel. Temperature measurements along the length of some types of continuous rendering vessels are subject to errors. Temperature probes have to be inserted through the steam jacket or attached to steam shafts inside the rendering vessel. In both cases there are likely to be errors in temperature measurements due conduction from the steam in the jacket of shaft which is at about 170°C.

Validation of heat treatments by compliance with performance standards

The measurement of time/temperature relationships is feasible for batch systems but is not practical for continuous rendering systems. A more practical approach to ensuring that rendering heat treatments eliminate identified hazards is to define rendering systems in terms of parameters that can be measured consistently e.g. end-point temperatures, feed rates and particle size. The rendering systems as defined by these parameters can then be validated by sampling and testing heat treated product for *Clostridium perfringens*.

Clostridium perfringens is common in raw materials for rendering. In the USA 71.4% of samples of raw material were found to contain *Clostridium perfringens* (Troutt et.al., 2003). Levels of contamination in raw materials have been reported to be 300 to 600,000 CFU per gram (Lowry, 1983). If *Clostridium perfringens* is not detected in 1 gram of heat treated product in a series of samples, it can be assumed that that rendering process is capable of up to a 6D reduction of *Clostridium perfringens*.

The risk assessment for poultry rendered product and ruminant rendered products notes that *Bacillus anthracis* is the most heat resistant of the significant biological hazards expected to be controlled by heat treatment. The risk assessment indicates that conditions for the thermal destruction conditions of *Bacillus anthracis* are 100°C for 10 minutes. Some additional data in the thermal destruction of *Bacillus anthracis* are presented in Table 1.

Clostridium perfringens has a D-value of 1 to 13 minutes at 100°C (ICMSF 1996). In view of the reported thermal destruction conditions for *Bacillus anthracis* and the D-values of *Clostridium perfringens* it can be assumed that if a defined rendering system is capable of eliminating *Clostridium perfringens*, it will probably also eliminate *Bacillus anthracis*. It should be accepted that rendering processes that eliminate *Clostridium perfringens* also eliminate the other significant biological hazards expected to be controlled by heat treatments and listed in the risk assessment.

Table 1 Thermal destruction of *Bacillus anthracis*

Temperature (°C)	Initial concentration	Death time (minutes)	Assumed D-value (minutes)	Reference
90	10 ⁶ per ml	15-45	2.5-7.5	Murray 1931
95	10 ⁶ per ml	10-25	1.6-4.2	
100 and 105	10 ⁶ per ml	<5-10	<0.8-1.6	
100	Not specified	2-15		Perkins 1954
80 in saturated steam	Not specified	60		Rubner 1922
90 in saturated steam	Not specified	12		

100 in saturated steam	Not specified	1		
------------------------	---------------	---	--	--

Use of a *Clostridium perfringens*-based performance standard is a satisfactory method of validating the effective performance of rendering systems. Method 7 of the heat treatments that can be used to process animal materials according to EC regulation 1774/2002 requires that daily samples of heat treated material are tested for *Clostridium perfringens* for one month. The Australian Standard for Hygienic Rendering of Animal Products requires that rendering systems are validated by testing daily samples of heat treated materials for *Clostridium perfringens* for ten days but this procedure must be repeated on an annual basis. This method of validating heat treatments should be accepted as satisfactory means of establishing the continuing effectiveness of rendering heat treatments to eliminate significant potential biological hazards.

Implications for the use different heat transfer systems

The specified rendering systems derived from EC regulation 1774/2002 area based on rendering systems in which material are heated initially in an aqueous medium followed by a period of heating in a liquid medium predominately of fat. The exception is method 5 which is based on heating defatted solids in contact with steam heated surfaces but without liquid to aid heat transfer. These rendering systems are quite different to the systems used to produce blood meal and feather meal. The same comment applies to heat treatments specified in Appendix 3 of the Import risk assessment which presumably refer to heating in an aqueous medium.

Blood meal is generally produced by heating liquid blood to about 95°C for about 20 seconds and separating the heat-coagulated solids from free liquid by centrifugation. The dewatered solids may may held at about 80-90°C and then dried. The common drying systems are:

- In contact with steam heated discs;
- In a cascading rotary dryer
- In a ring dryer

The blood processing systems are different from conventional rendering systems in that:

1. About half the water is removed from blood by mechanical means and the amount of moisture to be evaporated from dewatered blood solids is considerably less than the amount of water that has to be removed from raw materials in conventional rendering systems. Therefore less heat is applied to the blood during drying.
2. The particle size of dewatered coagulated blood is much smaller than particles of conventionally rendered raw material. Thus heat transfer into blood particles is much faster than into rendered particles and inactivation of micro-organisms can be achieved more rapidly.
3. In the case of blood particles dried in cascading rotary driers and ring driers, blood particles are introduced into the drier in air streams of about 450 to 650°C. The effect of this on micro-organisms is difficult to assess, but New Zealand MAF has previous accepted that these types of drying systems operated under a range of specified conditions (e.g. input gas temperature >640°C, particle size <30x20x10 mm, input meal moisture content < 57.4% and input meal temperature >50°C) are equivalent to treatments at 115°C for 60 minutes.

The “Import Health Standard for Fish Food and Fish Bait from All Countries” should clarify that it is intended that blood meal is an eligible rendered product to be used in fish food. It should take into account the different mechanisms of heat treatment of blood compared with conventional rendering and should not apply heat treatments designed for rendering in liquid systems to drying blood meal in air streams.

Time temperature conditions in blood drying equipment are even more difficult to measure than in liquid systems used in rendering.

Since time temperature relationships cannot be measured in blood drying systems, the effectiveness of blood drying systems to eliminate biological hazards should be assessed from the ability of defined heat treatments to eliminate *Clostridium perfringens*.

Conclusion

From the conclusion of the “Import risk assessment”, a rendering heat treatment of 100°C for 25 minutes is sufficient to produce rendered products from poultry and ruminants that are safe to import from Australia into New Zealand for use in fish foods.

The use of a performance standard such as elimination of *Clostridium perfringens* should be accepted a satisfactory means of demonstrating that a defined heat treatment is effective in eliminating biological hazards of concern listed in the import risk assessment

References

ICMSF (1996) Microorganisms in Foods 5: Characteristics of microbial pathogens Blackie Academic and Professional

Lowry P.D. (1983) A microbiological evaluation of the MIRINZ low temperature rendering system. MIRINZ Technical Report No 823

Murray, T.J. (1931) Journal of Infectious Diseases 48: 457-467

Perkins, T.J. (1954) Bacteriological and Surgical sterilization by heat. In: Reddish, G.F. (1954) Antiseptics, disinfectants, fungicide and chemical and physical sterilization, Henry Kimpton, London. Pp665-719

44. PVL Proteins limited, Alan von Tunzelman, submission 2

-----Original Message-----

From: Alan von Tunzelman [<mailto:alan@auckmeat.co.nz>]

Sent: Wednesday, 12 August 2009 4:50 p.m.

To: Stuart MacDiarmid; Richard Soons

Cc: bill.s@bigpond.net.au

Subject: FW:Bisecurity Document re Import Health Standard

Stuart and Richard,

Please find attached a document prepared by Bill Spoonser for the Australian Renderers Association.

Stuart, this is the document I spoke of when recently in Wellington.
Richard, You were on holiday at this time.

I am sure you will find that this is a very sensible document, and coming from Australia a fellow BSE negligible risk country, one that should be taken quite seriously.

Please view this as it is intended, a helpful input into a complex issue and one that will likely become more important as the months unfold.

Kindest regards,

Alan von Tunzelman

-----Original Message-----

From: administrator@auckmeat.co.nz [<mailto:administrator@auckmeat.co.nz>]

Sent: Wednesday, 12 August 2009 4:26 p.m.

To: Alan von Tunzelman

Subject:

This E-mail was sent from "RNPC2040A" (Aficio MP C4500).

Scan Date: 12.08.2009 16:26:13 (+1200)

Queries to: administrator@auckmeat.co.nz

This e-mail message has been scanned for Viruses and Content and cleared by MailMarshal

45. United States Agricultural Attaché, Laura Scandurra

From: Scandurra, Laura
Sent: Tuesday, October 27, 2009 11:59 AM
To: 'sps@maf.govt.nz'
Cc: Sharma, Vinita
Subject: USG Comments on G/SPS/N/NZL/425
Importance: High

Hi Sally. Can you please advise the appropriate person to deliver USG comments on the import health standard for fish bait? Regards, Laura

BEGIN COMMENTS:

The United States appreciates the opportunity to comment on the proposed import health standard notified by New Zealand to the World Trade Organization in G/SPS/N/ZL/425: "Import Health Standard for Fish Food and Fish Bait from All Countries."

Comments on Part D, Zoosanitary Certification

In section I, "Origin of the Consignment", the model certificate asks for the "processing premises registration number." The manufacturing facilities producing products eligible for export under this import health standard (IHS) are regulated for domestic purposes by the competent U.S. authorities; however, registration or approval numbers may not be assigned. Although the Animal and Plant Health Inspection Service (APHIS) Veterinary Services (VS) would also inspect the manufacturing facilities prior to certifying products for export under this IHS, APHIS/VS would not assign registration or approval numbers. Would New Zealand consider waiving the requirement for a premises registration number provided the facility was adequately identified (for traceability), and the product properly certified?

In Section IV, 1, 1.1 – "Rendered poultry products", an official veterinarian is required to certify that "The rendered poultry products are derived from poultry that were not slaughtered as an official disease control measure" and "The rendered poultry products are derived from

poultry that at the time of slaughter did not show any clinical signs of disease.” In the United States, poultry flocks that are depopulated for disease control purposes are composted or otherwise disposed of on-site and are not used to produce rendered meals. U.S. origin poultry meals, including feather meals, are derived from poultry presented for slaughter at approved FSIS establishments under official veterinary supervision. Although only healthy flocks are transported to slaughter, a few birds may die during transit. These birds are excluded from the edible channel, but may be used domestically for inedible rendering. The industry standards for rendering in the United States (i.e., minimum temperature of 118⁰C for a minimum of 40 minutes; or alternatively for some feather meals, minimum temperature of 122⁰C for a minimum of 15 minutes with a minimum pressure of 55 lbs/sq inch) would effectively mitigate any disease risk. Therefore we respectfully request that New Zealand waive the requirement for the exclusion of the very small percentage of birds which may die in transit. The United States could certify, in general, that the rendered poultry products were derived from poultry which passed ante mortem inspection and were subjected to post mortem inspection.

The United States notes that required certification statements for all eligible products are numbered except in this section on rendered poultry products. Will these statements be numbered (e.g., 1.1.1, 1.1.2) in the final published IHS?

In Section IV, 1, 1.3, “Fishmeal and fish oil”, an official veterinarian is required to certify in statement 1.3.3 that “The product is derived from animals that at the time of slaughter did not show any clinical signs of disease.” Fish, especially marine caught fish, cannot be subjected to the same ante mortem inspection procedures that are used for livestock and poultry. Although the raw materials used to produce fishmeal and fish oil are often byproducts resulting from fish processed for human consumption, no competent authority can unequivocally state that all the fish used to produce the end product had no clinical signs of disease. Therefore, the United States respectfully requests that New Zealand remove this requirement or provide clarification on what is expected.

In Section IV, 1, 1.3, “Fishmeal and fish oil”, an official veterinarian is required to certify in statement 1.3.4 that “The fishmeal and fish oil has been heat treated at a minimum core temperature of 80⁰C for a period of no less than 20 minutes.” In the United States, minimally acceptable processing standards for fishmeal and fish oil require these products to be heat treated at a minimum core temperature of 80⁰C for no less than 10 minutes. Studies done by the National Marine Fisheries Services have demonstrated that this time/temperature combination reduces Salmonella (a major pathogen of concern) to non-detectable levels in fishmeal. The United States therefore, respectfully requests that New Zealand consider accepting a minimum processing time of 10 minutes in lieu of 20 minutes. Alternatively, the United States would like to know what the diseases of concern are that require the longer processing times.

Thank you again for the opportunity to comment and we ask that New Zealand take our comments favorably into consideration.

END U.S. COMMENTS

Laura Scandurra
Agricultural Attaché, U.S. Embassy
29 Fitzherbert Terrace

Thorndon, Wellington
New Zealand
Tel: 64-4-462-6012
Fax: 64-4-462-6016
Mobile: +027-205-4299
Email: laura.scandurra@usda.gov