

REVIEW OF SUBMISSIONS ON:

**DRAFT IMPORT HEALTH STANDARD FOR PROCESSED TILAPIA AND
CATFISH FOR HUMAN CONSUMPTION FROM SPECIFIED COUNTRIES**

Ministry of Agriculture and Forestry
Biosecurity New Zealand
Wellington
New Zealand

March 2009

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REVIEW OF SUBMISSIONS ON:

**DRAFT IMPORT HEALTH STANDARD FOR PROCESSED TILAPIA AND
CATFISH FOR HUMAN CONSUMPTION FROM SPECIFIED COUNTRIES**

February 2009

Approved for general release

Mat Stone
Animal Imports & Exports Group Manager
MAF Biosecurity New Zealand

INTRODUCTION

The draft import health standard for processed tilapia and catfish for human consumption from specified countries was notified for consultation on 31 October 2008.

MAF received submissions from the following:

Vaughan Wilkinson	Sanford Limited	11 December 2008
Ronald Dougherty	New Zealand Salmon Anglers Association (Inc)	12 December 2008
David Bayliss	Sealord New Zealand	12 December 2008

This document summarises the issues raised in the submissions, and presents MAF Biosecurity New Zealand's response to each.

SUBMISSIONS

1. Vaughan Wilkinson, Sanford Limited

- 1.1 In their submission Sanford advise the Ministry that they support the development of the Import Health Standard and the application of appropriate procedures and standards for the management of the risks involved in the importation of seafood products.

MAF Biosecurity New Zealand's response:

Comments noted.

- 1.2 Sanford supports the specific control measures listed in the risk analysis for *Pangasius spp* fish from Vietnam (dated March 2008) and the inclusion of *Pangasius spp* from Vietnam in the Import Health Standard.

“The importation of species such as *Pangasius spp* provides the New Zealand Seafood Industry with an ability to supply a range of fresh water fish products that would otherwise be unavailable on the NZ market.”

MAF Biosecurity New Zealand's response:

Comments noted.

- 1.3 Sanford recommends an amendment to allow for the importation of various product forms derived from skinless fish fillets, including but not limited to; crumbed fillets, crumbed fillet portions, battered fillets and portions, individually quick frozen (IQF) fillets, shatter pack fillets, fillet block, coated and uncoated mince products. Sanford sees no additional biosecurity risks with the inclusion of these products.

MAF Biosecurity New Zealand's response:

Under the draft import health standard for processed tilapia and catfish for human consumption from specified countries the following products are eligible for importation:

- i. frozen, skinless, boneless fish fillets (or mince derived from fillets) of tilapia (*Oreochromis spp.*) for human consumption from the People's Republic of China and Brazil.
- ii. frozen, skinless, boneless fish fillets (or mince derived from fillets) of non-CITES listed spp. of catfish (*Pangasius spp.*) for human consumption from Vietnam.

Packaging is not prescribed. Therefore individually quick frozen (IQF) fillets, shatter pack fillets, fillet blocks and uncoated mince products, as mentioned by Sanford, if the fish fillets comply with the requirements of the import health standard for processed tilapia and catfish for human consumption from specified countries, are eligible for import under this standard.

With regard to crumbed fillets, crumbed fillet portions, battered fillets and portions, and coated mince products. The fish fillets or mince derived from fillets will need to meet the conditions of the import health standard for processed tilapia and catfish for human consumption from specified countries (or another import health standard for fish

products). In addition the crumb, batter or coating containing plant (e.g. bread crumbs or flour) or animal products (e.g. egg or dairy) will need to meet the relevant requirements for those products.

For products containing bread crumbs or flour the requirements are listed in clause 8.2 and 9.3 of the import health standard for importation into New Zealand of stored plant products intended for human consumption. This standard is available from our website: <http://www.biosecurity.govt.nz/imports/plants/standards/bnz-npp-human.htm>

For products containing egg or dairy the requirements are listed clause 7.22 of the import health standard for specified foods for human consumption containing animal products. This standard is available from our website: <http://www.biosecurity.govt.nz/imports/animals/standards/ediproic.all.htm>

- 1.4 Sanford request that the Ministry consider allowing, in the Import Health Standard, “for the importation of said species where the country of origin of the fish species is different to the country exporting the product to New Zealand. For example, where the product is further processed in a third country, before being imported into New Zealand.”

MAF Biosecurity New Zealand’s response:

The health status of third countries has not been assessed. Allowing products to be processed in third countries with unknown health status would mean that the risks associated with the commodity are unknown. Therefore the import health standard for processed tilapia and catfish for human consumption from specified countries currently does not allow fish to be processed in a third country.

2 Ron Dougherty, New Zealand Salmon Anglers Association (NZSAA)

- 2.1 NZSAA acknowledges that the importation of overseas “fish-farmed” catfish/Tilapia and other species into New Zealand is outside the scope of the New Zealand Salmon Anglers Association (hereinafter “NZSAA”) but states its opposition to such imports due to the possibility of introducing a new aquatic pest or a new disease into “our fragile environment” .

MAF Biosecurity New Zealand’s response:

MAF Biosecurity New Zealand (MAFBNZ) appreciates the concerns raised. However based on the *Import risk analysis: Freshwater Frozen, skinless and boneless fillet meat of Pangasius spp. from Vietnam for human consumption* dated July 2008 and the *Import risk analysis: Frozen Skinless and boneless fillet meat of Oreochromis spp. from Brazil and China* dated January 2008, MAFBNZ concludes that the biosecurity risks associated with these commodities are managed by the requirements listed in the draft import health standard.

- 2.2 Mr Dougherty (NZSAA) states that “with a far higher vigilance and enforcement at the entry points we may not have varroa mites, illegal releases of RCD rabbit virus, sea squirts, sea fans, didymo, new insect pests, and whatever can fall off offshore drilling rigs, etc. or has fallen.”

MAFBNZ’s response:

The risk analysis used to draft this import health standard examined the biosecurity risks associated with the importation into New Zealand of frozen, skinless and boneless fillet meat of pangasid catfish (*Pangasius* spp.) from Vietnam. None of the potential hazards were identified as requiring specific risk management measures. The separation of the fillets from the rest of the carcass effectively removes the majority of organisms that might be present in the live animal. Titres of pathogenic organisms in muscle are usually many times lower than those found in the viscera. Quantities of waste in New Zealand are likely to be small and the likelihood of product entering the aquatic environment in sufficient quantities to represent an infectious dose is negligible. In addition, the freezing requirement effectively reduces any parasitic burdens to levels where the likelihood of entry to New Zealand is negligible. To mitigate any residual risk to human health, water quality standards were specified to prevent entry of foodborne hazards.

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.

- 2.3 Mr Dougherty expressed concerns regarding certain frozen fish on sale at a local supermarket (Alaskan Pollock and Silver Pomfret), their use by dates and what happens to unsold stock once the product is past the “use by” date.

“The Silver Pomfret fish are barely hand-sized and are being sold entire (ungutted, head-on, all fins, etc). There is also a bulk bin of loose fish so I guess that they are sold in units or by the kilogram as well. The packaging has no Latin name.

The Alaskan Pollock are almost wafer thin fillets of fish individually packed, some visibly freezer burned. No time of expiry was visible. From what I have read of Alaskan Pollock, it is a nice-eating fish but the flesh is prone to being infested with parasitic flesh worms (like NZ barracouta and red cod some places, some years). This fact can be masked by bleaching the fillets.”

MAF Biosecurity New Zealand’s response:

Alaskan pollock (*Theragra chalcogramma*) and the silver pomfret fish (*Pampus argenteus*) are considered by MAFBNZ to be marine fish and marine fisheries products can be imported under the import health standard for marine fisheries products for human consumption from all countries. This standard requires the product to be dead and identifiable as marine fish. This identification does not have to be on the packaging but can be supplied in the accompanying documentation. Evisceration is not a requirement of this standard.

A link to the import health standard for marine fisheries products for human consumption from all countries is included for your reference:

<http://www.biosecurity.govt.nz/imports/animals/standards/fismaric.all.htm>

MAFBNZ is currently working on a review of the import standards for aquatic animal products. On the basis of that review MAFBNZ may decide that amendments to the import conditions for aquatic animal products are required.

- 2.4 Mr Dougherty’s submission raises a number of issues including the management of New Zealand fisheries, discontent with the quality of imported fish fillets and suggestions regarding labelling

MAF Biosecurity New Zealand’s response:

Comments noted. MAFBNZ is focused on managing risk organisms in imported product. Concerns regarding marketable fish size and labelling would be more effectively raised with either the Ministry of Fisheries or the New Zealand Food Safety Authority (NZFSA).

- 2.5 Mr Dougherty expresses concern regarding the Proposal to Import Catfish Fillets ex China or Vietnam. His particular concern is with what the catfish have been fed: “Catfish are omnivorous. They eat anything, dead or alive, rotten is good. They maybe being fed animal offal, minced or in pieces, which will not have Omega 3. They maybe are being fed processed dead/diseased livestock. If the animal food source had been treated during its life, there is likelihood that the residues will concentrate in the offal. Feeding this to Catfish would concentrate residues, in the same manner that large predator fish concentrate mercury in a marine environment.” Mr Dougherty then asks “Could there be an equivalent Mad Cow disease of the aquaculture world to come?”

MAF Biosecurity New Zealand’s response:

MAFBNZ must comply with the Biosecurity Act 1993 when implementing requirements for the importation of a product. The Biosecurity Act 1993 restricts our consideration to “organisms” that may be present in the “risk good”. The definition of “organism” in the Act does not include chemical contamination, thus the IHS cannot formally address the issue of chemical residues in an imported commodity. Chemical residues would fall under the responsibility of the NZFSA

It should be noted that the draft IHS lists the following clause:

“Commercial consignments of products imported into New Zealand for human consumption in New Zealand must comply with the Food Act 1981. These requirements are independent of the import health standard requirements and are managed by the New Zealand Food Safety Authority (NZFSA). Importers are advised to contact the NZFSA or consult the NZFSA website at: www.nzfsa.govt.nz/imported-food/index”

NZFSA was consulted during the drafting of this IHS and NZFSA did not raise any concerns around this standard.

- 2.6 Mr Dougherty raises concern regarding the levels of chemicals/antibiotic treatments used in Vietnam. He then adopts a wider focus:

“For antibiotics you should also read about “quinilones” and the use of them in aquaculture, and the spiralling use of them. Has the world found out how they work, and what happens to the residues yet? Will growth enhancing hormones be included in the food?”

MAF Biosecurity New Zealand’s response:

Please refer to MAFBNZ’s response to the issues raised under 2.5.

- 2.7 Mr Dougherty comments on his lack of confidence in food manufactured in China and cites the melamine poisoning as an example of a country “with a shocking record of “misadventures””.

MAF Biosecurity New Zealand’s response:

Please refer to MAFBNZ’s response to the issues raised under 2.5.

- 2.8 Recycling practices are also mentioned by Mr Dougherty and potential toxic waste “flowing down stormwater gratesand ...on downstream to the fish farms.”

MAF Biosecurity New Zealand’s response:

Please refer to MAFBNZ’s response to the issues raised under 2.5.

- 2.9 Mr Dougherty concludes “If imports such as Catfish fillets are to be touted as one of the successes of the Free Trade Agreement, God help us. Does Biosecurity NZ know that overseas visitors are having great difficulty in finding a decent fish dinner in New Zealand? Why?”

MAF Biosecurity New Zealand’s response:

MAFBNZ must comply with the Biosecurity Act 1993 when implementing requirements for the importation of a product. The Biosecurity Act 1993 restricts our consideration to “organisms” that may be present in the “risk good”.

3 David Bayliss, Sealord New Zealand

- 3.1 In their submission Sealord expresses its support for the proposed Import Health Standard for Processed Tilapia and Catfish for Human Consumption from Specified Countries (Dated 30 October 2008).

MAF Biosecurity New Zealand's response:
Comments noted.

APPENDIX ONE: COPIES OF SUBMISSIONS



SANFORD LIMITED

SUSTAINABLE SEAFOOD

11 December 2008

Alice Ormond (Alice.Ormond@maf.govt.nz)
Ministry of Agriculture and Forestry
PO Box 2526
WELLINGTON

Submission to the Ministry of Agriculture and Forestry on the Import Health Standard for specified processed freshwater fish for human consumption

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 support the development of the Import Health Standard, and the inclusion of *Pangasius spp* fish from Vietnam.

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.

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 supports the application of appropriate procedures and standards for the management of the risks involved in the importation of seafood products. Sanford supports the specific control measures listed in the risk analysis for *Pangasius spp* fish from Vietnam (dated March 2008).

Sanford supports the inclusion of *Pangasius spp* from Vietnam in the Import Health Standard.

The importation of species such as *Pangasius spp* provides the New Zealand Seafood Industry with an ability to supply a range of fresh water fish products that would otherwise be unavailable on the NZ market.

Sanford recommend an amendment to allow for the importation of various product forms derived from skinless fish fillets, including but not limited to; crumbed fillets, crumbed fillet portions, battered fillets and portions, individually quick frozen (IQF) fillets, shatterpack fillets, fillet block, coated and uncoated mince products. We see no additional biosecurity risks with the inclusion of these products.

The Ministry should also consider allowing, in the Import Health Standard, for the importation of said species where the country of origin of the fish species is different to the country exporting the product to New Zealand. For example, where the product is further processed in a third country, before being imported into New Zealand.



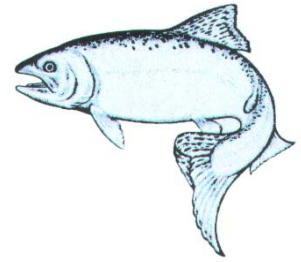
Please contact the undersigned if you require further information.

Kind Regards
Sanford Limited

PP


Vaughan Wilkinson
Business Development Manager
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New Zealand Salmon Anglers



Association Incorporated

P O Box 1113, Christchurch 8140

11 December 2008

MAF Biosecurity NZ
Ministry of Agriculture & Forestry
P O Box 2526

WELLINGTON

Attention: Alice Ormond

Dear Alice

I.H.S FOR IMPORTATION OF PROCESSED FISH FILLETS FROM SPECIFIED COUNTRIES

The importation of overseas “fish-farmed” catfish/Tilapia and other species into New Zealand is really outside the scope of the New Zealand Salmon Anglers Association (hereinafter “NZSAA”) but the possibility of introducing a new aquatic pest or a new disease into our fragile environment requires that the NZSAA continues to oppose such imports.

With a far higher vigilance and enforcement at the entry points we may not have varoa mites, illegal releases of RCD rabbit virus, sea squirts, sea fans, didymo, new insect pests, and whatever can fall off offshore drilling rigs, etc. or has fallen.

However while we are writing about proposed imports, I suspect other stuff is sneaking in. On Sunday 9 November, my wife came back from shopping at the Pak N Save Supermarket at Westfield Mall, Riccarton, Christchurch. She looked at the fish display cabinets and found:

1. Undated clear plastic bags of Alaskan Pollock \$9.99 kg frozen individual fillets in a welded strip pack.
2. Clear plastic bags of 4 Silver Pomfret fish \$14.99 bag, frozen, labelled “NISHINDL - INDIA - Packed 18.12.06, Use By 18.12.08.

So we can deduce that these fish have spent nearly two years in a freezer somewhere and have come to New Zealand to be sold just before the stamped date shows that it is expired. What is to happen after this date to the unsold stock? And the heads and guts of the sold product?

There is a label inside the lid of our domestic deep freeze with storage times: Fish = 6 months.

On the following Monday, I went into the supermarket, had a look and took photos. The Silver Pomfret fish are barely hand-sized and are being sold entire (ungutted, head-on, all fins, etc). There is also a bulk bin of loose fish so I guess that they are sold in units or by the kilogram as well. The packaging has no Latin name.

The Alaskan Pollock are almost wafer thin fillets of fish individually packed, some visibly freezer burned. No time of expiry was visible. From what I have read of Alaskan Pollock, it is a nice-eating fish but the flesh is prone to being infested with parasitic flesh worms (like NZ barracouta and red cod some places, some years). This fact can be masked by bleaching the fillets.

As an additional information item attached to the proposed importation of Chilean Salmon I wrote of a trip in an inshore trawler to North Canterbury and return. The dead/discarded fish too small to be marketable were:

- Tarakihi: They would have been bigger and meatier as whole fish than the Silver Pomfrets.
- The small red cod fillets would have been meatier than the Alaskan Pollock.
- The small gurnard would still be a good meal (maybe two or three fish per person).

and none of them would have been in a deep freeze for 22+ months.

We have the recent TV News article of Tarakihi being sent to China, filleted and sent back - they left white, came back yellow.

Incidentally, none of the imported fish had any labelling of the identification of the NZ importer. Is this not a legal requirement?

As to the Proposal to Import Catfish Fillets ex China or Vietnam: Catfish are omnivorous. They eat anything, dead or alive, rotten is good. They maybe being fed animal offal, minced or in pieces, which will not have Omega 3. They maybe are being fed processed dead/diseased livestock. If the animal food source had been treated during its life, there is likelihood that the residues will concentrate in the offal. Feeding this to Catfish would concentrate residues, in the same manner that large predator fish concentrate mercury in a marine environment.

Could there be an equivalent Mad Cow disease of the aquaculture world to come?

As to Vietnam, there has been an almost total lack of any information coming out of Vietnam. Recently, during the proposal to import salmon from Chile into NZ, you must have seen the review from Dr Terry Bradley of Mt Cook Salmon about the levels of chemicals/antibiotic treatments there.

For antibiotics you should also read about “quinilones” and the use of them in aquaculture, and the spiralling use of them. Has the world found out how they work, and what happens to the residues yet? Will growth enhancing hormones be included in the food?

You are asking people to consume fish fillets from a country with a shocking record of “misadventures”. The datings of the letters requesting submissions comes right behind the Melamine poisoning of baby milk formulae with deaths (and further deaths reported on TV1 news Sunday 16 November 2008). Any confidence that I had of manufactured food coming out of China went with this revelation. If they are capable of doing this to their own children, what would they/could they do with a product raised solely for export?

Recently there was a Sunday TV1 programme about the recycling of the world’s plastic containers - workers chopping the caps and labels (toxic) off containers and adding the salvaged plastic to the safe bottles for recycling to pellets. All the rinse water was flowing down stormwater grates. Comment from the TV1 news reporter: “And the water flows on downstream to the fish farms.” Apparently their rivers have the ability to run any colour that is available but you cannot see the toxins, virus or diseases in the water.

If imports such as Catfish fillets are to be touted as one of the successes of the Free Trade Agreement, God help us. Does Biosecurity NZ know that overseas visitors are having great difficulty in finding a decent fish dinner in New Zealand? Why?

I met an American visitor last year and he had recently eaten a superb fish dinner in Montana USA at a roadside diner - and the menu had the fact that the fish came from New Zealand printed proudly on it.

Yours faithfully

Ron Dougherty

VICE PRESIDENT



12 December 2008

Alice Ormond
MAF Biosecurity New Zealand
Ministry of Agriculture and Forestry
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Wellington

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Sealord New Zealand

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Dear Madam

Re: Draft IHS for Consultation – Processed Tilapia and Catfish for Human Consumption from Vietnam

In this submission, Sealord expresses its **support** for the proposed Import Health Standard for Processed Tilapia and Catfish for Human Consumption from Specified Countries (Dated 30 October 2008).

The reasons for our support are as follows:

- **The current IHS is too restrictive** – as it only allows for tilapia to be imported from China and Brazil.
- **The current IHS has the potential to be used as a trade barrier.** New Zealand governments work towards reducing trade barriers and hence should be open to the relaxation of any unjustifiable import regulation.
- **The bio-security risk is not increased** by allowing the import of catfish from Vietnam, as highlighted in the risk analysis reports provided by MAF Biosecurity New Zealand.
- **Reduced local supply of fish** has occurred over recent years due to cut backs in the Hoki quota.
- **Acceptance of this proposed IHS will provide greater variety of fish products** for consumers. Currently fish products are limited to marine finfish, Tilapia and Nile Perch. The availability of Catfish will allow for more consumer choice at an affordable price.
- **Increased variety of fish products typically** will result in increased consumption and enjoyment.

- **Consumers' health will benefit from increased consumption of fish products** due to all fish being a good source of Omega-3 content as well as being rich in protein and low in carbohydrates.

So, in summary, the availability of **catfish products** from Vietnam will give the consumer greater choice and will encourage higher levels of consumption which will result in health and enjoyment benefits. Widening the current import regulation will only help to grow the fish market segment, to the benefit of the whole industry sector.

Yours faithfully



David Bayliss
Food Technology & Development Manager
Sealord NZ Marketing Ltd