

IMPORT HEALTH STANDARD FOR MARINE FISHERIES PRODUCTS FOR HUMAN CONSUMPTION FROM ALL COUNTRIES

Issued pursuant to Section 22 of the Biosecurity Act 1993

Dated: 19 November 2007

USER GUIDE

The information in MAFBNZ animal and animal product import health standards is presented in numerically ordered sections with descriptive titles. Sections are grouped into one of four parts, designated alphabetically.

Part A. GENERAL INFORMATION contains sections of general interest, including those relating to the legal basis for MAFBNZ import health standards and the general responsibilities of every importer of animals and animal products.

Part B. IMPORTATION PROCEDURE contains sections which outline the requirements to be met prior to and during importation. Whether a permit to import is required to be obtained prior to importation is noted, as are conditions of eligibility, transport and general conditions relating to documentation accompanying the consignment.

Part C. CLEARANCE PROCEDURE contains sections describing the requirements to be met at the New Zealand border and, if necessary, in a transitional facility in New Zealand prior to any consignment being given biosecurity clearance.

PART A. GENERAL INFORMATION

1 Import Health Standard

- 1.1 Pursuant to section 22 of the Biosecurity Act 1993, this document is the import health standard for the importation into New Zealand of marine fisheries products for human consumption from all countries.
- 1.2 Obtaining biosecurity clearance for each consignment of marine fisheries products for human consumption imported into New Zealand from all countries is dependent upon the consignment meeting the requirements of this import health standard.
- 1.3 This import health standard may be reviewed, amended or revoked if there are changes in New Zealand's import policy or the animal health status of the originating country, or for any other lawful reason, at the discretion of the Imports Standards Manager.

2 Importer's Responsibilities

- 2.1 The costs of MAFBNZ in performing functions relating to the importation of marine fisheries products for human consumption shall be recovered in accordance with the Biosecurity Act and any regulations made under that Act.
- 2.2 All costs involved with documentation, transport, storage and obtaining a biosecurity direction and/or biosecurity clearance shall be borne by the importer or agent.
- 2.3 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.htm.
- 2.4 Please note that commercial consignments of products imported into New Zealand for human consumption must comply with the Food Regulations (1984) of New Zealand. Importers are advised to contact the New Zealand Ministry of Health if in doubt whether or not imported foods are eligible for sale within New Zealand.
- 2.5 It is the importer or agent's responsibility to ensure that they are compliant with the current version of the relevant import health standard at the time of importation into New Zealand. Current versions of import health standards are available online at <http://www.biosecurity.govt.nz/commercial-imports/import-health-standards/search>

3 Definition of Terms

Biosecurity clearance

A clearance under section 26 of the Biosecurity Act (1993) for the entry of goods into New Zealand. (Explanatory Note: Goods given a Biosecurity Clearance by an Inspector are released to the importer without restriction).

Fresh water fish

Means any fish which spends a part of its life cycle in fresh water, including anadromous fish which spawn in fresh water such as salmon.

Inspector BA

Means a person who is appointed an inspector under section 103 of the Biosecurity Act (1993). (Explanatory Note: An Inspector is appointed to undertake administering and enforcing the provisions of the Biosecurity Act and controls imposed under HSNO).

MAFBNZ

Ministry of Agriculture and Forestry Biosecurity New Zealand

Marine fisheries products for human consumption

For the purposes of this import health standard, includes marine finfish, *Mollusca* (oysters, mussels), *Crustacea* (crabs, lobsters, prawns, shrimps) and *Echinodermata* (sea urchins, sea cucumbers) for human consumption.

4 EQUIVALENCE

The import health standard has been agreed as being suitable for trade between the exporting and the importing countries. It is expected that the animal product will meet the conditions in every respect.

Occasionally it is found that, due to circumstances beyond the importer's control, the animal products do not comply completely with the requirements. In such cases an application for equivalence will be considered and issued at the discretion of MAF Biosecurity New Zealand, but only if the following information is forwarded by the certifying government's veterinary authorities:

- 4.1 which clause/s of the import health standard cannot be met and how this has occurred;
- 4.2 the reason the animal/s are considered to be of an "equivalent health status" and/or what proposal is made to return the animal/s to an equivalent health status as set-out in the health conditions; and
- 4.3 the reasons why it is believed that this proposal should be acceptable to MAF Biosecurity New Zealand and the recommendation for its acceptance.

PART B. IMPORTATION PROCEDURE

5 Permit to Import

- 5.1 Importations of marine fisheries products for human consumption into New Zealand from all countries which meet the requirements of this import health standard may, subject to sections 27 and 28 of the Biosecurity Act, be given biosecurity clearance and do not require a biosecurity direction to a transitional facility. As such, they do not require a permit to import.

6 Eligibility

- 6.1 Marine fisheries products for human consumption must be dead.
- 6.2 Marine finfish originating from the following countries may be considered to be of marine origin unless there is evidence to the contrary:

American Samoa, Cook Islands, Federated States of Micronesia (Mariana Islands, Caroline Islands, Marshall Islands, Kiribati and Nauru), Fiji, French Polynesia, Niue, Norfolk Island, Pitcairn Island, Republic of Belau (Palau Islands), Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu, Wallis & Fortuna, Western Samoa.

- 6.3 Marine finfish originating from countries other than those listed under 6.2 above shall be identifiable as being of marine origin. For example, fish may be commercially packaged and labelled with the species of origin or accompanied by a declaration from the exporter identifying the consignment and listing the species of origin.

Notes:

1. If any doubt exists as to the origin of the finfish, then it can be imported under the Import Health Standard for the Importation into New Zealand of Cooked Fish for Human Consumption from All Countries FISCOOIC.ALL.)
 2. Dried anchovies and dried anchovy-like fish may be imported without being identifiable as being of marine origin.
- 6.4 *Mollusca* (oysters, mussels and other shellfish excluding abalone) must have been shelled and either cooked, dried or frozen. *Mollusca* may be imported whether of marine or freshwater origin.
- 6.5 *Haliotis* (abalone) must be shelled and cooked.
- 6.6 *Crustacea* (crabs, lobsters, prawns, shrimps) may be imported whether of marine or freshwater origin.

PART C. CLEARANCE PROCEDURE

7 Biosecurity Clearance

- 7.1 Upon arrival in New Zealand the documentation accompanying the consignment shall be inspected by an Inspector at the port of arrival. The Inspector may also inspect the consignment, or a sample of the consignment.
- 7.2 Providing that the documentation meets all requirements noted under PART D. ZOOSANITARY CERTIFICATION and the consignment meets the conditions of ELIGIBILITY, the consignment may, subject to sections 27 and 28 of the Biosecurity Act 1993, be given a biosecurity clearance pursuant to section 26 of the Biosecurity Act 1993.