

# **IMPORT HEALTH STANDARD FOR MILK AND MILK PRODUCTS FOR HUMAN CONSUMPTION FROM THE EUROPEAN UNION AND SWITZERLAND**

**Issued pursuant to Section 22 of the Biosecurity Act 1993**

**Dated: 05 February 2010**

## **USER GUIDE**

The information in this import health standard is in four parts:

Part A. GENERAL INFORMATION describes the legal basis for this import health standard and the general responsibilities of the importer.

Part B. IMPORTATION PROCEDURE outlines whether a permit is required, the conditions of eligibility, and documentation that may need to accompany the consignment.

Part C. CLEARANCE PROCEDURE describes the clearance requirements at the New Zealand border and, if necessary, whether the consignment must go to a transitional facility or containment facility.

Part D. ZOOSANITARY CERTIFICATION contains model health certification which must be completed fully and accompany the consignment to New Zealand.

## **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 milk and milk products for human consumption from the European Union and Swiss Confederation.
- 1.2 To obtain biosecurity clearance the consignment must meet 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 Group Manager Animal Imports and Exports.

### **2 IMPORTER'S RESPONSIBILITIES**

- 2.1 It is the importers responsibility to ensure that they are compliant with the current relevant import health standard at the time of importation. Current versions of import health standards are available [online](#). A register of import health standards is also publicly available for inspection at the office of the Director-General of the Ministry of Agriculture and Forestry, Pastoral House, 25 The Terrace, Wellington, New Zealand.

- 2.2 The costs to [MAF Biosecurity New Zealand](#) in performing functions relating to the importation of milk and milk products must be recovered in accordance with the Biosecurity Act and any regulations made under that Act. All costs involved with documentation, transport, storage and obtaining a biosecurity clearance must be covered by the importer or agent.
- 2.3 Commercial consignments of products imported into New Zealand for human consumption must in addition 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: [www.nzfsa.govt.nz/imported-food/index.htm](http://www.nzfsa.govt.nz/imported-food/index.htm).

### **3 DEFINITION OF TERMS**

#### **Biosecurity clearance**

A clearance under section 26 of the Biosecurity Act 1993 for the entry of goods into New Zealand.

#### **European Community**

Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, The Netherlands and United Kingdom.

#### **European Union Legislation**

##### **64/432/EEC**

Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine.

##### **97/132/EC**

Council Decision 97/132/EC of 17 December 1996 on the conclusion of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products.

##### **2002/99/EC**

Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption.

##### **Regulation (EC) No 2073/2005**

Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs.

##### **Regulation (EC) No 852/2004**

Regulation (EC) No 852/2004 of the European Parliament of 29 April 2004 on the hygiene of foodstuffs and all relevant implementing legislation.

**Regulation (EC) No 853/2004**

Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin and all relevant implementing legislation.

**Regulation (EC) No 854/2004**

Regulation (EC) No 854/2004 of the European Parliament and of the Council Of 29 April 2004 laying down specific rules for the organization of official controls on products of animal origin intended for human consumption and all relevant implementing legislation

**Hard raw milk cheeses (unpasteurised)**

Cheeses made from raw unpasteurised milk that has undergone a curd heat treatment of no less than 48°C and has a moisture content of less than 36%, and has been stored at no less than 10°C for at least 6 months (including transit time).

**Heat treatment**

Any treatment involving heating that causes, immediately after it has been applied, a negative reaction to the phosphatase test. Examples of heat treatments are high temperature short time (HTST) pasteurisation, ultra high temperature (UHT) treatment and sterilisation.

**Inspector**

Means a person who is appointed an inspector under section 103 of the Biosecurity Act (1993).

**MAFBNZ**

Ministry of Agriculture and Forestry Biosecurity New Zealand.

**Milk**

As defined in Regulation (EC) No 853/2004. Refers to secretions of the mammary glands of one or more cows, ewes, goats or buffaloes.

**NZFSA**

New Zealand Food Safety Authority of New Zealand.

**Official Veterinarian**

A veterinarian authorised by the Veterinary Administration of the country to perform animal health and/or public health inspections of commodities and, when appropriate, perform certification in conformity with the provisions of the chapter of the OIE Code pertaining to principles of certification.

**Raw milk**

As defined in Regulation (EC) No 853/2004. This refers to milk produced by the secretion of the mammary gland of farmed animals that has not been heated to more than 40 °C or undergone any treatment that has an equivalent effect.

**Raw milk cheese**

Means a cheese that does not meet the definition of pasteurised or thermised cheese.

**Raw milk product** – as defined by New Zealand Food Safety Authority (Animal Products Act 1999 (Raw Milk Products Specifications) Notice 2009

Means a processed dairy product,—

- (a) that has not received a pathogen elimination step; and
- (b) in which as a result of its nature and the manner in which it is processed, may allow the survival of pathogens, but in the case of pathogens specified in the food safety criteria, will not support their growth or allow their survival, to levels that exceed those specified in the food safety criteria; and
- (c) that is not raw drinking milk; and
- (d) that is not made from colostrum

### **Sealed packaging**

The packaging is impervious and sealed at the point of manufacture. The original packaging must be intact i.e. has not been opened. Providing that the packaging is sealed, impervious, tamper-proof and shows no sign of having been opened, then any material is suitable for packing. Examples are blocks of cheese fully enclosed with wax and identification stamped on (or further outer packaging), screw-top glass or plastic containers with tamper-proof seals, sealed foil or plastic bags, vacuum packed and heat-sealed plastic containers, cans and sewn multi-wall bags.

### **Swiss Ordinances**

#### **Ordinance of 27 June 1995 (RS916.401)**

Ordinance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS916.401), and in particular Articles 47, 61, 65, 101, 155, 163, 169, 173, 177, 224 and 295 thereof

#### **Ordinance of 7 December 1998 (RS916.351.0)**

Ordinance of 7 December 1998 on ensuring quality in the dairy sector (Ordinance on milk quality, OQL) as last amended on 8 March 2002 (RS916.351.0)

#### **Ordinance of 13 April 1999 (RS 916.351.021.1)**

Ordinance of 13 April 1999 on ensuring quality in milk production, as last amended on 20 December 2002 (RS 916.351.021.1)

#### **Ordinance of 13 April 1999 (RS 916.351.021.2)**

Ordinance of 13 April 1999 on ensuring quality in industrial milk processing, as last amended on 20 December 2002 (RS 916.351.021.2)

#### **Ordinance of 13 April 1999 (RS 916.351.021.3)**

Ordinance of 13 April 1999 on ensuring quality in artisanal processing of milk, as last amended on 20 December 2002 (RS 916.351.021.3)

#### **Ordinance of 13 April 1999 (RS 916.351.021.4)**

Ordinance of 13 April 1999 on ensuring quality during maturing and pre-packaging of cheese, as last amended on 20 December 2002 (RS 916.351.021.4).

### **Thermised cheese**

Thermised cheese must have a moisture content of less than 39% and pH less than 5.6; and the milk used to produce the cheese must have been rapidly heated to at least 64.5°Celsius for 16 seconds; and the cheese must have been stored at not less than (greater than) 7°Celsius for 90 days.

## **4 EQUIVALENCE**

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

Occasionally it may be found that, due to circumstances beyond the control of the importer or exporter, a consignment does not comply with the specific requirements in this import health standard, but may meet the outcomes sought. In such cases, a permit to import application may be made, an equivalence granted and import permit issued at the discretion of MAF Biosecurity New Zealand. The following information must be forwarded by the certifying government's veterinary authority for an equivalence to be considered:

- which clause/s of the import health standard cannot be met and how this has occurred;
- the reason the consignment is considered to be of an "equivalent health" status;
- the reasons why the veterinary authority of the country of origin believe this proposal should be acceptable to the New Zealand Ministry of Agriculture and Forestry and their recommendation for its acceptance.

## **PART B. IMPORTATION PROCEDURE**

### **5 PERMIT TO IMPORT**

5.1 A permit to import is not required for consignments that meet the requirements of this import health standard.

### **6 ELIGIBILITY**

6.1 Products for human consumption eligible for importation under this import health standard include:

- 6.1.1 pasteurised milk and milk products of buffalo, cattle, goat or sheep origin
- 6.1.2 thermised cheeses of buffalo, cattle, goat or sheep origin
- 6.1.3 raw milk cheeses (unpasteurised) of buffalo, cattle, goat or sheep origin

- 6.1.4 other raw milk products (unpasteurised) of buffalo, cattle, goat or sheep excluding raw drinking milk and products made from colostrum.
- 6.2 The products must be commercially packed, sealed within the original packaging on arrival and identifiable as milk and milk products originating from the European Union or Switzerland.
- 6.3 For heat treated milk and milk products (pasteurised and thermised) that have been imported into the European Union or Swiss Confederation from a third country and are subsequently destined for export to New Zealand, the following requirements must be met:
- 6.3.1 In each case, the product must originate from a third country eligible to export heat treated milk and milk products directly to New Zealand  
<http://www.biosecurity.govt.nz/ihs/search>
- 6.3.2 The following additional declaration must be included on the model health certificate (see PART D. ZOOSANITARY CERTIFICATION):
- “The product described was derived/partly derived from product which:
- i. was imported into the European Union, or Swiss Confederation from: .....  
 (Country/Countries of origin)
  - ii. was further stored, handled, processed, wrapped, and/or packaged in an establishment which is eligible to process product for intra-Community trade,
  - iii. is the subject of an existing import health standard between New Zealand and the third country/countries where the product originated (see clause 6.3.1),
  - iv. originated in a third country/countries and establishment(s) listed by the European Community/Swiss Confederation and is eligible for export to the European Community/Swiss Confederation.”
- 6.3.3 A copy of the original “import” certificate (i.e. certificate/s used to import the product into the European Community) is to be attached to the model health certificate (see PART D. ZOOSANITARY CERTIFICATE). This copy is to be endorsed “certified copy of original” and be signed by the certifying officer.
- 6.4 Raw milk products imported into the European Union or Swiss Confederation from a third country are not permitted under this Import Health Standard unless New Zealand has specifically recognised direct exports from the same third country.
- 6.4.1 In each case, the product must originate from a third country eligible to export raw milk and milk products directly to New Zealand as published by Biosecurity New Zealand <http://www.biosecurity.govt.nz/ihs/search> and New Zealand. Food Safety Authority <http://www.nzfsa.govt.nz/importing/import-requirements-for->

specific-foods/

6.4.2 The following additional declaration must be included on the model health certificate (see PART D. ZOOSANITARY CERTIFICATION):

“The product described was derived/partly derived from product which:

- i. was imported into the European Union, or Swiss Confederation from: .....  
(Country/Countries of origin)
- ii. was further stored, handled, processed, wrapped, and/or packaged in an establishment which is eligible to process product for intra-Community trade,
- iii. is the subject of an existing import health standard between New Zealand and the third country/countries where the product originated (see clause 6.3.1),
- iv. originated in a third country/countries and establishment(s) listed by the European Community/Swiss Confederation and is eligible for export to the European Community/Swiss Confederation.”

6.4.3 A copy of the original “import” certificate (i.e. certificate/s used to import the product into the European Community) is to be attached to the model health certificate (see PART D. ZOOSANITARY CERTIFICATE). This copy is to be endorsed “certified copy of original” and be signed by the certifying officer.

## **7 DOCUMENTATION ACCOMPANYING THE CONSIGNMENT**

7.1 The consignment must be accompanied by an appropriately completed original health certificate and at least one copy. The copy does not need to be presented for clearance purposes, but must be held by the importer and made available on request to NZFSA for verification / audit purposes) that meets the requirements of PART D. ZOOSANITARY CERTIFICATION.

7.2 Documentation must be in English, but may be bilingual (language of exporting country/English).

7.3 It is the importer’s responsibility to ensure that any documentation presented in accordance with the requirements of this import health standard is original (unless otherwise specified) and clearly legible. Failure to do so may result in delays in obtaining biosecurity direction and/or clearance or rejection of consignments.

## **PART C. CLEARANCE PROCEDURE**

### **8 BIOSECURITY CLEARANCE**

- 8.1 On arrival in New Zealand the documentation accompanying the consignment must be inspected by an Inspector at the port of arrival.
- 8.2 Providing that the documentation meets all requirements noted under PART D. ZOOSANITARY CERTIFICATION and the consignment meets the conditions of ELIGIBILITY, the consignment may, as appropriate, be given a biosecurity clearance pursuant to section 26 of the Biosecurity Act 1993 or biosecurity direction pursuant to section 25 of the Biosecurity Act 1993.

## **PART D. ZOOSANITARY CERTIFICATION**

### **9 RECOGNISED EXPORT CERTIFICATION**

- 9.1 The following Model Zoosanitary Certificate contains the information required by MAFBNZ to accompany imports of milk and milk products into New Zealand from the European Union and Swiss Confederation:
- 9.2 Clearance notes for Inspector:
  - 9.2.1 Each consignment of raw milk product (excluding hard raw milk cheese) must have the words “raw milk” entered into Quancargo (and any replacement) for data capture and analysis purposes and prior permitting release.
  - 9.2.2 Imports accompanied by Certification that does not meet the requirements of the Import Health Standard are to be advised to MAF Biosecurity New Zealand and NZFSA [import.systems@nzfsa.govt.nz](mailto:import.systems@nzfsa.govt.nz)

## **10 ANIMAL AND PUBLIC HEALTH MODEL CERTIFICATE FOR MILK AND MILK PRODUCTS FOR HUMAN CONSUMPTION**

**Name of Milk or Milk Product:**.....

Insert either;

- pasteurised, UHT, or sterilised milk products, or
- thermised cheeses, or
- raw milk (unpasteurised) cheeses, or
- other raw milk (unpasteurised) products excluding raw fresh drinking milk and products made from colostrum.

**Certificate Number:**.....

**Exporting Country/ Member State:**.....

**Competent Ministry of the Exporting Country / Member State:** .....

**I. Identification of Product**

Number of packages: .....

Nature of packaging:.....

Nature of the goods:.....

Species product derived from: .....

Net weight in kilograms (kg): .....

Number of the container(s) and container seal number(s): .....

Production date(s): .....

**II. Origin of Product**

Name and official approval number(s) of establishment(s):.....

Product derived from animals born and reared:.....

(Does not apply to milk products produced within the EC or Swiss Confederation)

(List applicable countries or delete as appropriate)

**III. Consignment Information**

Place of loading: .....

Name and address of consignor: .....

Name and address of consignee:.....

.....  
**Port of Disembarkation:** .....

**Country of Final Destination:** NEW ZEALAND

**IV. Health Attestation**

I, the undersigned, hereby certify that:

The animal products herein described, comply with the relevant European Community animal health/public health standards and requirements which have been recognised as equivalent to New Zealand standards and requirements, specifically, in accordance with;

- Council Directive 64/432/EEC
- Council Directive 2002/99/EC
- Regulation (EC) No 852/2004
- Regulation (EC) No 853/2004
- Regulation (EC) No 854/2004
- Regulation (EC) No 2073/2005

**OR**

The animal products herein described, comply with the relevant Swiss animal health/public health standards and requirements which have been recognised as equivalent to New Zealand's standards and requirements, specifically, in accordance with;

- Ordinance of 27 June 1995 (RS916.401)
- Ordinance of 7 December 1998 (RS916.351.0)
- Ordinance of 13 April 1999 (RS 916.351.021.1)
- Ordinance of 13 April 1999 (RS 916.351.021.2)
- Ordinance of 13 April 1999 (RS 916.351.021.3)
- Ordinance of 13 April 1999 (RS 916.351.021.4).

**OR**

For products manufactured by one party and exported from the other party to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products 2002/309/EC:

The animal products herein described are commercially packaged, eligible for unrestricted intra-Community trade and comply specifically with the relevant animal health and public health standards and requirements recognised equivalent by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products 2002/309/EC and which meet the equivalent animal health/public health standards and requirements of New Zealand.

**V. Additional Declaration(s)/Guarantee(s)**

I, the undersigned, hereby certify that:

- a. The animal product is pasteurised.

(Delete as appropriate)

**OR**

- b. The thermised cheese has a moisture content of less than 39% and pH less than 5.6. The milk used to produce this cheese was rapidly heated to at least 64.5°Celsius for 16 seconds. The cheese was stored at not less than (greater than) 7°Celsius for 90 days.

(Delete as appropriate)

**OR**

- c. The hard raw milk cheese has undergone a curd heat treatment of no less than 48°Celsius and has a moisture content of less than 36%, and has been stored at no less than 10°Celsius for at least 6 months (including transit time).

(Delete as appropriate)

**OR**

- d. The milk products listed below (excluding hard raw milk cheese) are raw milk (unpasteurised) products.

Product name:  
(list products)

(Delete as appropriate)

**AND**

- e. The animal product is eligible for intra-Community trade without restriction.

**VI. This certificate is valid for 4 months from the date of issue (unless revoked)**

Done at..... on:.....

Signature and Seal of Official Veterinarian.....

(Note: The signature and official seal must be in a colour different to that of the printing.)

Ref: AI-EU01O

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