



Animal Products (Recognised Agencies and Persons Specifications) Notice 2011

Pursuant to section 167(1)(m), (p) and (g) of the Animal Products Act 1999, I, Tim Knox, Director Import and Export Standards, issue the following notice for the purpose of specifying —

- (a) which functions and activities must be performed by recognised agencies and recognised persons; and
- (b) the requirements to be met by persons or bodies wishing to become recognised agencies; and
- (c) the competencies or other requirements to be met by persons wishing to become recognised persons; and
- (d) the procedures for the recognition of agencies and persons under section 102 and 103; and
- (e) the performance standards and other matters for the performance of functions and activities by recognised agencies and recognised persons.

Signed at Wellington this 23rd day of November 2011

Signed: Tim Knox
Director Import and Export Standards
Ministry of Agriculture and Forestry
(Acting under delegated authority)

Certified in order for signature

Solicitor

Legal Services

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Contents

Notice

- 1 Title
- 2 Commencement

Part 1 Preliminary Provisions

- 3 Application
- 4 Interpretation

Part 2 Recognition of Agencies

- 5 Application of this Part

Verification

- 6 Accreditation requirements for recognition of verifying agencies

Supplementary criteria for performing verification

- 7 Systems and processes
- 8 Management of applications for recognised persons
- 9 Records management
- 10 Performance

Laboratories

- 11 Accreditation requirements for recognition of laboratories

Sampling for Sulphonamide-On-Site

- 12 Assessment requirements for sampling for sulphonamide-on-site

Part 3 Operation of Recognised Agencies

- 13 Application of this Part
- 14 General requirements for recognised agencies
- 15 Maintaining recognition

Part 4 Recognition of Persons

- 16 Application of this Part
- 17 General competencies for all verifiers and evaluators
- 18 Activity endorsements for evaluators
- 19 Additional competencies for evaluators and verifiers of low-acid canned products
- 20 Additional competencies for verifiers of ante-mortem and post-mortem examinations
- 21 Additional competencies for verifiers of official assurances
- 22 Additional competencies for evaluators and verifiers of the depuration of bivalve molluscan shellfish
- 23 Competencies for samplers

Part 5 Operational Requirements for Recognised Persons

- 24 Application of this Part

- 25 General requirements for recognised persons
- 26 Requirements of recognised persons when non-compliance is detected
- 27 Requirements for recognised persons to perform evaluation
- 28 Additional requirements for recognised persons not subject to the management of a recognised agency

Part 6 Evaluation Reports

- 29 Application of this Part
- 30 On-site assessment
- 31 Contents of an evaluation report
- 32 Contents of evaluation reports following completion of confirmation of validity
- 33 Evaluator confirmations, endorsements and statements etc

Part 7 Transitional Provisions and Revocations

- 34 Transitional provisions
 - 35 Revocations
-

Notice

1 Title

This notice is the Animal Products (Recognised Agencies and Persons Specifications) Notice 2011.

2 Commencement

This notice comes into force on 28 November 2011.

Part 1 Preliminary Provisions

3 Application

This notice specifies the requirements that apply to recognised agencies and persons responsible for providing verification and other specified functions and activities to animal product businesses regulated under the Act except for—

- (a) dairy processors.

4 Interpretation

- (1) In this notice, unless the context otherwise requires—

accreditation refers to the accreditation provided by IANZ or JAS-ANZ in accordance with the appropriate ISO standard

accreditation body refers to both IANZ and JAS-ANZ as independent organisations of international standing that accredit agencies to international and national standards

Act means the Animal Products Act 1999 unless otherwise stated

business identifier means the unique identification code of a registered risk management programme

evaluation means the process of independent external assessment of the validity of a risk management programme for the purposes of providing an independent report under section 20(2)(b) of the Act

fisheries registration number means the fishing vessel number registered under section 103 of the Fisheries Act 1996

HACCP means Hazard Analysis and Critical Control Point

IANZ means the accreditation body, International Accreditation New Zealand

incompletely confirmed risk management programme means a risk management programme that lacks the evidence necessary to confirm the validity of the programme

ISO 17020 refers to the standard AS/NZS ISO/IEC 17020:2000 which is the current edition of the Australian/New Zealand Standard on "General criteria for the operation of various types of bodies performing inspection"; this refers to the latest edition of that standard, together with any additions, amendments, and deletions made to or from that standard up to that time

ISO 17025 refers to the standard NZS/ISO/IEC 17025:2005 which is the current edition of the New Zealand Standard on "General requirements for the competence of testing and calibration laboratories"; this refers to the latest edition of that standard, together with any additions, amendments, and deletions made to or from that standard up to that time

JAS-ANZ means the accreditation body, Joint Accreditation Systems of Australia and New Zealand

Laboratory Approval Scheme means the Laboratory Approval Scheme issued by the Director-General

MAF means the Ministry of Agriculture and Forestry

multi-business risk management programme means a risk management programme where approval is given under section 17A of the Act for that programme to apply to more than one business

NZQA means the New Zealand Qualifications Authority

official assessor means a person appointed under section 79 of the Act

poultry includes chicken, turkeys, ducks, pheasants, quail, guinea fowl, geese, partridges, pigeons and other game birds; but does not include ostriches and emus

recognised evaluator means a person recognised under section 103 of the Act to perform evaluation functions and activities

recognised verifier means a person recognised under section 103 of the Act to verify operations that are subject to a risk management programme, regulated control scheme, standards and specifications, or export requirements

Type A inspection body refers to an agency providing 'third party' functions and activities, as described in ISO 17020, independent of the operator

- (2) For the avoidance of doubt, references to a 'risk management programme' include a 'multi-business risk management programme'.
- (3) Any term or expression that is defined in the Act or regulations made under that Act and used, but not defined, in this notice has the same meaning as in that Act or regulations.

Part 2 Recognition of Agencies

5 Application of this Part

- (1) This Part contains specifications that apply to any person or body seeking recognition, as an agency responsible for verification or any other specialist functions and activities under Part 8 of the Act.
- (2) Agencies responsible for managing or supplying the following functions and activities to businesses described in clause 3, must be a recognised agency under section 103 of the Act—
 - (a) verification of animal product businesses operating under a registered risk management programme; or
 - (b) verification of animal product businesses operating under a regulated control scheme where verification is specifically required under that scheme; or
 - (c) verification of animal product businesses operating under standards and specifications made in accordance with Part 4 of the Act; or
 - (d) verification of export requirements; or
 - (e) the performance of official tests on animal material and product by testing and calibration laboratories; or
 - (f) sampling for the purposes of Sulphonamide-On-Site monitoring and surveillance; or
 - (g) any other function or activity specified by the Director-General.

Verification

6 Accreditation requirements for recognition of verifying agencies

- (1) This clause applies to every person or body seeking to be a recognised agency for the purpose of performing verification services.
- (2) To become a recognised agency, an agency or person must provide evidence to the Director-General—
 - (a) of accreditation as a Type A inspection body issued in accordance with ISO 17020; and
 - (b) that the supplementary criteria specified in clauses 7, 8, 9, and 10 of this notice relevant to the functions and activities of the accreditation have been considered; and
 - (c) that the Technical Manager required by ISO 17020 holds a qualification to at least NZQA Level 4, relevant to the activities and functions for which the manager is responsible.
- (3) Despite sub-clause (2), a body or person applying to be a recognised agency may obtain ISO 17020 accreditation within 6 months of becoming recognised, provided the relevant supplementary criteria specified in clauses 7, 8, 9 and 10 of this notice are met, along with any identified parts of ISO 17020 the Director-General may specify, prior to granting recognition.
- (4) Where a recognised agency is comprised of several persons, the Director-General may determine which persons need to have their competency assessed by the accreditation body for the purposes of gaining recognition under the Act.

Supplementary criteria for performing verification

7 Systems and processes

Every person or body seeking to be a recognised agency performing verification must have documented systems and procedures to ensure—

- (a) any relevant directions given by the Director-General will be implemented by the agency; and
- (b) any recognised persons under its management will comply with the requirements of the Act including any associated regulations, notices, directions, and conditions relevant to their functions and activities; and
- (c) for those functions and activities required to be performed by recognised persons, only persons that are competent and recognised to perform the specific function or activity do so; and
- (d) all functions and activities it has responsibility for are able to be completed as required under the Act; and
- (e) the results, including reports, arising from the performance of functions and activities, and the dispute and appeal procedures are able to be communicated to animal product businesses subject to verification by that agency.

8 Management of applications for recognised persons

Every person or body seeking to be a recognised agency performing verification, must have documented procedures to ensure—

- (a) the agency applicants for recognition are assessed against the competencies relevant to the proposed functions and activities; and
- (b) the agency is able to manage the application process.

9 Records management

Every person or body seeking to be a recognised agency performing verification must have documented procedures to ensure that records relating to its verification functions and activities are—

- (a) retained for 4 years; and
- (b) retrievable within 24 hours upon request by the Director-General or an Animal Product Officer.

10 Performance

Every person or body seeking to be a recognised agency performing verification must have documented systems and procedures to ensure that key technical personnel are competent and able to—

- (a) perform or direct internal reviews of the technical competency and performance of recognised persons engaged by the recognised agency; and
- (b) perform or direct effective and timely actions when non-compliance is identified within the agency or animal product business being verified; and
- (c) co-ordinate the activities of recognised persons or other technical persons engaged by the recognised agency; and
- (d) ensure that recognised persons engaged by the recognised agency receive all relevant legal and technical requirements of the Act in a timely manner; and
- (e) adjudicate in disputes between the recognised agency employees and other affected parties.

Laboratories

11 Accreditation requirements for recognition of laboratories

Every testing and calibration laboratory (including laboratories operating under the Laboratory Approval Scheme) seeking to be a recognised agency under the Act must be—

- (a) accredited by IANZ in accordance with ISO 17025 and any additional requirements specified by the Director General; or
- (b) otherwise approved by the Director-General.

Sampling for Sulphonamide-On-Site

12 Assessment requirements for sampling for sulphonamide-on-site

- (1) Any agency performing sampling for the purposes of the Animal Products (Sulphonamide-on-Site Monitoring and Surveillance and Non-Sulphonamide Antibiotic Monitoring (Bobby Calves) Specifications) Notice 2005, or any notice that replaces or amends that notice, must be a recognised agency.
- (2) To be recognised under the Act to perform these sampling activities, agencies must be assessed by the Director-General in respect of their documented systems and processes, to ensure that the requirements specified in the Notice referred to in sub-clause (1) will be met.

Part 3 Operation of Recognised Agencies

13 Application of this Part

This Part contains specifications that apply to all recognised agencies.

14 General requirements for recognised agencies

- (1) Where there is a change in the directorship, management, or control of a recognised agency, the agency must notify the MAF in a manner acceptable to the Director-General as soon as practicable.
- (2) When a person is seeking to be recognised to perform specified functions or activities, every recognised agency must—
 - (a) assess the person against the competencies relevant to the proposed functions and activities in accordance with documented procedures; and
 - (b) forward the completed application for recognition to the Director-General on the applicant's behalf; and
 - (c) confirm to the Director-General that the person meets all the specified competencies required.
- (3) Despite sub-clause (2)(a), an agency need not repeat the person competency assessments if the applicant's competencies have been assessed within 12 months of the recognised agency being assessed by an accreditation body. The agency must provide proof of the accreditation body assessments.
- (4) Despite sub-clause (3), where a person applying for recognition is subject to the management of more than one agency, each agency must comply with sub-clause (2).
- (5) Every recognised agency, other than recognised testing and calibration laboratories, must where applicable—

- (a) ensure that where two or more recognised persons perform the same functions and activities for the same animal products business at the same premises or place, that one person is given overall accountability for the agency's functions and activities at that premises or place; and
- (b) inform MAF of the name of any new recognised person that joins the agency and the date of their joining; and
- (c) inform MAF of the name and date when any recognised person ceases to be employed, or engaged, or used by the agency, or a recognised person is disciplined or dismissed for failing to comply with the duties under section 107 of the Act.

15 Maintaining recognition

To maintain recognition, each agency recognised to perform the function of verification or the function of a testing and calibration laboratory—

- (a) must ensure that it is fully assessed by an accreditation body in accordance with the frequency required by that accreditation body's standards and procedures from the date recognition was granted, to confirm that it still meets the requirements of the applicable ISO standard and supplementary criteria; and
- (b) may, if required by the Director-General, be subject to annual surveillance assessments in the intervening years to confirm that it continues to meet the requirements of the applicable ISO standard and supplementary criteria; and
- (c) must forward a copy of the assessment report from the accreditation body to MAF, as soon as practicable.

Part 4 Recognition of Persons

16 Application of this Part

- (1) This Part contains specifications that apply to any person who is, or is seeking to be, a recognised person under Part 8 of the Act to carry out verification or other specialist functions and activities.
- (2) Any person that will be performing the following functions and activities must be a recognised person under section 103 of the Act—
 - (a) evaluating risk management programmes; or
 - (b) evaluating or verifying shellfish depuration activity; or
 - (c) verifying animal product businesses operating under a risk management programme; or
 - (d) evaluating or verifying thermal processing of low-acid canned products operations; or
 - (e) verifying animal product businesses operating under a regulated control scheme; or
 - (f) verifying animal product businesses operating under standards and specifications made in accordance with Part 4 of the Act, or any export requirements made in accordance with Part 5 of the Act; or
 - (g) verifying animal product businesses for the purposes of safeguarding official assurances; or
 - (h) verifying ante-mortem or post-mortem examinations of mammals, poultry, and ostriches and emus for the purposes of official assurances; or
 - (i) verifying export requirements and official assurances; or
 - (j) sampling, when required to be performed by a recognised person by any regulated control scheme (whether in regulations, specifications or associated programmes) made under Part 3 of the Act; or

- (k) any other function or activity required, by a regulated control scheme or regulations or notice issued under section 167 of the Act, to be performed only by a recognised person; or
- (l) any other function or activity determined by the Director-General.

17 General competencies for all verifiers and evaluators

- (1) Any person applying to be recognised for verification or evaluation must—
 - (a) achieve a quality system audit qualification that is certified by a JAS-ANZ accredited personnel certification body or have attended a NZQA recognised audit course, or obtain a NZQA unit standard in auditing at level 6 or above; and
 - (b) if the quality system audit qualification was completed more than three years previously, be able to demonstrate a meaningful involvement in performing verification or evaluation over the intervening years or must complete re-qualification; and
 - (c) be competent in performing audits; and
 - (d) to the extent relevant to the person's evaluation or verification activities and the industry sector in which those functions are to be performed, demonstrate an understanding of the Act, including—
 - (i) the object of the Act and the relationship between risk management programmes and other provisions for managing risks under the Act, including regulated control schemes, standards and specifications, and export requirements; and
 - (ii) the relationship between risk management programmes and food safety programmes under the Food Act 1981; and
 - (iii) contents of, and requirements for, risk management programmes including the risk factors to be considered and the matters specified in section 17 of the Act; and
 - (iv) the confirmation process and assessment of the quality of evidence for a risk management programme; and
 - (v) the role, responsibilities and duties of operators, exporters, recognised agencies, and recognised persons; and
 - (vi) the role and duties of the Director-General, official assessors, animal product officers, and authorised persons; and
 - (vii) the relevant regulations, export requirements, notices and specifications made under the Act; and
 - (viii) the relationship between the Act and other associated legislation, including the Food Act 1981; and
 - (e) hold at least a NZQA Level 4 qualification in animal health, public health, seafood technology, food engineering, food technology or other qualification or experience that will enable the Director-General to determine that the person is able to adequately and competently perform verification or evaluation; and
 - (f) have general knowledge of the infrastructure and operational norms of the industry for which the evaluation or verification is going to be performed that will enable the Director-General to determine that the person is able to adequately and competently perform verification or evaluation in that industry.
- (2) Despite sub-clause (1)(a), a person may obtain their qualification in quality system auditing within 6 months (or such other period of time as agreed in writing by the Director-General) of becoming a recognised person, providing they meet the other requirements set out in sub clause (1)(c) to (f) as appropriate and any other requirements specified by the Director-General.

18 Activity endorsements for evaluators

If a person is seeking to be recognised as an evaluator with endorsements for specific evaluation activities, then their application for recognition must include a clear statement of the endorsements being sought and evidence of:

- (a) relevant qualifications, training and experience; and
- (b) current knowledge of the infrastructure and operational norms of the relevant industry; and
- (c) current knowledge of the operational norms relevant for the endorsement being sought.

19 Additional competencies for evaluators and verifiers of low-acid canned products

- (1) In addition to clause 18 any person applying to be recognised to perform verification of thermal processing of low-acid canned products intended for human or animal consumption, must hold at least one of the following qualifications—
 - (a) Principles of Thermal Process Control, Acidification and Container Closure Evaluation, Massey University – New Zealand; or
 - (b) Retort Supervisors Certification course, DWC Pty Ltd, Australia.
- (2) In addition to clauses 18 and 19, any person applying to be recognised to perform evaluation of thermal processing of low-acid canned products must hold at least one of the following qualifications—
 - (a) Qualified Cannery Person (Thermal Processing) Course, University of Western Sydney (Hawkesbury) Australia; or
 - (b) Approved Persons Course for Thermal Processing of Low-Acid Foods, Food Science Australia, Werribee, Australia; or
 - (c) Introduction to the Fundamentals of Thermal Process Evaluation, Massey University, Palmerston North, New Zealand; or
- (3) The Director-General may accept alternative qualifications to those detailed in sub-clauses (1) and (2).

20 Additional competencies for verifiers of ante-mortem and post-mortem examinations

In addition to clause 18, any person applying to be recognised to perform verification of ante-mortem and post-mortem examinations must provide evidence that they are familiar with all the tasks associated with ante-mortem and post-mortem examination of the species to which the verification relates.

21 Additional competencies for verifiers of official assurances

- (1) In addition to clause 18, any person applying to be recognised to verify that the requirements for official assurances are met, must be familiar with the relevant requirements for exports and associated specifications.
- (2) If export requirements determine that a veterinarian must perform official assurance verification, then the official assurance verifier must hold a current Annual Retention Certificate issued by the Veterinary Council of New Zealand.

22 Additional competencies for evaluators and verifiers of the depuration of bivalve molluscan shellfish

In addition to clause 18, any person applying to be recognised to evaluate or verify bivalve molluscan shellfish depuration must be able to demonstrate technical knowledge of depuration requirements through successfully completing the Depuration Training Course conducted by the New South Wales Food Authority, or an alternative qualification agreed to by the Director-General.

23 Competencies for samplers

Any person applying to be recognised as a sampler under the Act, as required by a regulated control scheme, must meet the particular competencies required for that sampling role as detailed in that regulated control scheme.

Part 5 Operational Requirements for Recognised Persons

24 Application of this Part

This Part contains specifications that apply to recognised persons.

25 General requirements for recognised persons

- (1) A recognised person must only perform those functions and activities listed in clause 17(2) that they have been recognised to perform.
- (2) To maintain recognition, the person must—
 - (a) renew their recognition annually or at a frequency determined by the Director-General; and
 - (b) diligently carry out their functions and activities in accordance with the requirements of their recognition, including following any conditions imposed as part of the recognition; and
 - (c) maintain their level of competency; and
 - (d) if they are recognised to perform verification have performed such activities within the previous 3 year period or the recognition will expire.
- (3) When a recognised person is prevented from performing their functions and activities or exercising their duties and rights, that recognised person must,—
 - (a) where subject to the management of a recognised agency, inform the management of the agency and they must seek a workable solution; and
 - (b) whether subject to the management of a recognised agency or not, advise MAF as soon as practicable recommending any actions to be taken as appropriate.

26 Requirements of recognised persons when non-compliance is detected

If in the course of performing their functions and activities, any recognised person detects any uncorrected deficiency or non-compliance with any relevant requirements under the Act, which the person considers may —

- (a) result in exposure of humans or animals to an unacceptable level of hazard; or
- (b) have the potential to jeopardise overseas market access; or
- (c) threaten the integrity of the official assurance system;

the person must report the uncorrected deficiency or non-compliance as soon as practicable, to either the appropriate manager in the recognised agency, or MAF in the event that the person is not managed by a recognised agency, and recommend any actions to be taken.

27 Requirements for recognised persons to perform evaluation

- (1) The recognised evaluator must obtain supporting reports from a technical expert with appropriate expertise, or another recognised evaluator with the appropriate activity endorsement, for any aspect of the risk management programme evaluation that is outside their expertise.
- (2) Any person recognised to perform evaluation, whether subject to the management of a recognised agency or not, must have documented procedures for assessing

the required competencies, training and experience of any technical expert from whom a supporting report is obtained to ensure that only technical experts that are competent to provide the analysis and report required are used.

28 Additional requirements for recognised persons not subject to the management of a recognised agency

- (1) A recognised person that is not subject to the management of a recognised agency must, in relation to the performance of their functions and activities under the Act,—
 - (a) establish and maintain an effective quality system, and document all relevant parts of that system; and
 - (b) have documented procedures for storing and tracking all relevant records; and
 - (c) have documented procedures for storing and tracking any correspondence with the MAF, operators, technical experts, and other businesses associated with those functions and activities.
- (2) A recognised person that is not subject to the management of a recognised agency must retain records and correspondence for at least 4 years from the date of signing the particular evaluation report concerned, and records and correspondence must be auditable and be made available to the Director-General, an animal product officer or person authorised by the Director-General, upon request within 24 hours.
- (3) In addition to sub-clauses (1) and (2), if a person is recognised to perform evaluation and is not subject to the management of a recognised agency, then that person must—
 - (a) have documented procedures for maintaining appropriate confidentiality and protecting the proprietary rights of operators in accordance with section 107(d) of the Act; and
 - (b) not have any commercial, financial or management relationship with those to whom he or she is providing evaluation services (other than for the purpose of providing those services) unless specifically disclosed and agreed to by the Director-General; and
 - (c) have documented procedures to ensure that impartiality and independence is not compromised while carrying out their functions and activities.
- (4) A recognised evaluator that is not subject to the management of a recognised agency must, prior to moving from or joining a recognised agency or organisation that performs evaluation functions, notify the Director-General of—
 - (a) the name of the recognised agency or organisation that the evaluator is joining; and
 - (b) the dates of cessation and commencement of engagement, as appropriate.

Part 6 Evaluation Reports

29 Application of this Part

This Part contains specifications that apply to all recognised persons performing evaluation of risk management programmes.

30 On-site assessment

- (1) In order to undertake an evaluation and prepare the evaluation report, the recognised evaluator must conduct an on-site assessment that must include assessing the appropriateness of the risk management programme against the physical boundaries, design and construction of the premises or place and the operations described in the programme.

- (2) The on-site assessment must be performed when the premises and equipment are ready to operate in accordance with the risk management programme and legislative requirements.
- (3) The on-site assessment may be performed by a technical expert when agreed in writing by the Director-General.
- (4) Despite sub-clause (1), when undertaking an evaluation of an amendment to a risk management programme, the recognised evaluator may decide that an on-site assessment is not necessary and must give the reasons for that decision in the evaluation report.
- (5) Despite sub-clause (1), the Director-General may by notice in writing exempt a business or part of any business, or any type or class of business, from the requirement that an on-site assessment be conducted, where the premises, place, activity or class of activity is —
 - (a) covered by a multi-business risk management programme approved under s 17A of the Act; or
 - (b) based on a template, model or code of practice issued under section 12(3A) of the Act; or
 - (c) the level of risk to human or animal health is such that an on-site assessment is not considered necessary.
- (6) Any exemption granted to a business or part of any business, or any type or class of business may be subject to conditions that the Director-General considers relevant and the business must comply with the conditions.

31 Contents of an evaluation report

- (1) Every evaluation report must include—
 - (a) the name of the recognised evaluator and his or her recognition identifier, and
 - (b) the business identifier; and
 - (c) the name and address of the operator of the risk management programme; and
 - (d) in the case of a risk management programme relating to the following places—
 - (i) a premises, the physical address of the premises; and
 - (ii) a mobile premises, any vehicle registration numbers, and the location at which the mobile premises is principally based; and
 - (iii) a fishing vessel, the physical address of the operator, the name of the fishing vessel, and the fisheries registration number; and
 - (e) the types of animal material and animal product to which the risk management programme applies; and
 - (f) the principal categories of processing carried out under the risk management programme; and
 - (g) a brief description of the processing activities and other operations and activities covered by the risk management programme; and
 - (h) in regard to the on-site assessment:
 - (i) the date and brief description of the on-site assessments conducted in accordance with clause 33; or
 - (ii) in the case of an exemption granted to a business or part of a business, a copy of the Director-General exemption; or
 - (iii) in the case of an evaluation of an amendment where the evaluator decided that an on-site assessment was not necessary, the reason for that decision; and
 - (i) a list of all documents (including the document name, version and date or other unique identifier, that will allow the relevant version to be identified on any date) that comprise the risk management programme, and were reviewed during the evaluation; and

- (j) the basic resources used in the development of the risk management programme, including the use of codes of practice, models or templates, the degree of application of the codes, models or templates, and whether any new and innovative processing methods are involved; and
 - (k) the identification of any food safety programme within the meaning of the Food Act 1981 that is to be recognised as part of the risk management programme; and
 - (l) the name and identifier of any other recognised evaluators and the name of any technical experts used to provide supporting reports during the evaluation of the risk management programme; and
 - (m) all supporting reports prepared by any technical expert or other recognised evaluator during the evaluation of the risk management programme; and
 - (n) a copy of the competency assessment of any technical experts used, including the supporting information obtained; and
 - (o) confirmation that the evaluator has viewed evidence that a specified verifying agency will be responsible for the verification functions and activities in relation to the risk management programme; and
 - (p) a statement in the case of an incompletely confirmed risk management programme, that the protocol that has been documented to complete the confirmation of validity of the risk management programme, and the disposition of any animal material or animal product produced during that process, is acceptable.
- (2) In the case of a multi-business risk management programme, the evaluation report must detail the requirements of sub-clauses (1)(d) to (1)(p) for each business, as appropriate.

32 Contents of evaluation reports following completion of confirmation of validity

- (1) An evaluation report confirming the validity of a registered risk management programme, must contain:
- (a) the name of the recognised evaluator and their recognition identifier; and
 - (b) the business identifier; and
 - (c) the name and address of the operator of the risk management programme; and
 - (d) in the case of risk management programme relating to the following places—
 - (i) a premises, the physical address of the premises; and
 - (ii) a mobile premises, any vehicle registration numbers, and the location at which the mobile premises is principally based; and
 - (iii) a fishing vessel, the physical address of the operator, the name of the fishing vessel, and the fisheries registration number; and
 - (e) any changes to the list of documents made in accordance with clause 34 which were reviewed during the evaluation of the completion of confirmation work; and
 - (f) the name and identifier of any other recognised evaluators and the name of any technical experts used to provide supporting reports during the evaluation of the completion of confirmation work; and
 - (g) all supporting reports prepared by any technical expert or other recognised evaluator during the evaluation of the completion of confirmation work; and
 - (h) a copy of the competency assessment of any technical experts used; and
 - (i) a description of the confirmation work undertaken and an assessment of the quality of the operator's conclusions; and
 - (j) in the event that the confirmation work has not been completed, a description of any work still to be completed in accordance with the protocol.

- (2) In the case of a multi-business risk management programme, the evaluation report must detail the requirements of sub-clauses (1)(d) to (1)(j) for each business, as appropriate.

33 Evaluator confirmations, endorsements and statements etc

- (1) The recognised evaluator must include in the evaluation report—
- (a) a statement that the outcome of the evaluation assessment is satisfactory and that the risk management programme as written is appropriate to the operation; and
 - (b) the conditions, if any, that the evaluator recommends that the Director-General impose on the registration of the incompletely confirmed or confirmed risk management programme, including conditions relating to the commencement of operations; and
 - (c) recommendation of the removal, if appropriate, of any conditions imposed on a registered risk management programme.
- (2) The recognised evaluator who signs the evaluation report must endorse the risk management programme or the outline of the contents of the programme, or the amended pages of the risk management programme, to confirm that it accurately represents the programme evaluated, by—
- (a) using electronic means acceptable to the Director-General; or
 - (b) initialling or signing each page of the hard copy of the risk management programme; or
 - (c) any other means acceptable to the Director-General.
- (3) All evaluation reports must contain one of the following statements, as appropriate—
- (a) Statement for the purposes of complete confirmation of validity

I confirm that a full assessment of the risk management programme or amendment to the risk management programme {title, date and identified by version} has been undertaken.

I am satisfied that this programme or amendment to this programme complies with the requirements imposed by or under the Animal Products Act 1999.

Name

Signed

Date

- (b) Statement for the purposes of incomplete confirmation of validity

I confirm that an evaluation of the incompletely confirmed risk management programme or amendment {title, date and identified by version} has been undertaken.

I also confirm that the operator has a satisfactory documented protocol to complete the confirmation process including any requirements for the disposition of any animal material or animal product produced during the confirmation process.

Name

Signed

Date

- (c) Statement for the purposes of completion of confirmation of validity

I confirm that the risk management programme or amendment {title, date and registration identifier}, which was incompletely confirmed has now been confirmed in accordance with the documented protocol, and that an evaluation has now been undertaken.

I am satisfied that this programme or amendment complies with the requirements imposed by or under the Animal Products Act 1999.

Name

Signed

Date

- (4) The recognised evaluator, who will be held responsible for the accuracy of the information contained in the evaluation report, must sign the appropriate statement specified in sub-clause (3), and endorse the report by—
- (a) using electronic means acceptable to the Director-General; or
 - (b) initialling or signing each page of the hard copy of the report; or
 - (c) any other means acceptable to the Director-General.

Part 7 Transitional Provisions and Revocations

34 Transitional provisions

Agencies managing official assessors at the time of commencement of this notice must be recognised by the Director-General within 6 months from the date of commencement of this notice.

35 Revocations

- (1) The following Notices are revoked by the commencement of this Notice:—
- (a) Animal Products (Recognised Agencies and Persons Specifications) Notice 2007 issued on the 3rd April 2007;
 - (b) Animal Products (Recognised Agencies and Persons Specifications) Amendment Notice 2009 issued on the 1st day of May 2009;
 - (c) Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2011 issued on the 28th June 2011.
- (2) For the avoidance of doubt the Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2010 issued on 20 May 2010 is also revoked.

Issued under section 167 of the Animal Products Act 1999.

Date of notification in Gazette:

This notice is administered in the Ministry of Agriculture and Forestry
