



Animal Products
(Export Requirements – Dairy Products) Notice 2005

Pursuant to section 60 of the Animal Products Act 1999, I, Carol Barnao, Director (Dairy & Plant Products), issue the following Notice for the purpose of specifying requirements that must be met in relation to dairy products intended for export.

Signed at Wellington this 1st day of June 2005

Carol Barnao

Director (Dairy & Plant Products)

(Acting under delegated authority from the Director General of the Ministry of Agriculture and Forestry)

Certified in order for signature

Solicitor

Legal Services

27 / May / 2005

Published by the Ministry of Agriculture and Forestry (New Zealand Food Safety Authority)

PO Box 2835, Wellington

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Notice

1 Title

This Notice is the Animal Products (Export Requirements – Dairy Products) Notice 2005.

2 Commencement

This Notice comes into force on 1 June 2005.

Part 1 Preliminary Provisions

3 Application

This Notice, issued under section 60 of the Act, contains specifications that apply to dairy material and dairy products intended for export, including Australia unless any clause specifically provides otherwise.

4 Purpose Statement

The purpose of this Notice is to facilitate the access of New Zealand dairy products into overseas markets.

5 Interpretation

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

Act means Animal Products Act 1999 unless otherwise stated

Codex means the Codex Alimentarius Commission joint Food and Agriculture Organisation (FAO)/ World Health Organisation (WHO) Food Standards Programme

date of manufacture means the date on which the product becomes the product as described

date of packaging means the date on which the product is placed in the outer container in which it is intended to be exported

Food Standards Code is the Australia New Zealand Food Standards Code

label in relation to any dairy product, means any tag, brand, mark, or pictorial or other descriptive matter, written, printed, stencilled, marked, embossed, or impressed on, attached to, or forming part of, the product's container. Container includes crate, can, box, case, wrapper, tin, and every other receptacle or covering used for the packing of dairy produce

lot means a quantity of dairy produce manufactured during a discrete period of time, typically not exceeding 24 hours, in one continuous process

non-conforming dairy material has the same meaning as that given to it by the Animal Products Dairy Processing Specification

NZFSA refers to New Zealand Food Safety Authority within the Ministry of Agriculture and Forestry

RMP means risk management programme

Standard of identity means a standard that defines the meaning of a term or designation used to describe a product (such a standard typically includes the name of the product, its definition, and essential composition and quality factors)

Part 2

General requirements and responsibilities

6 Non-conforming dairy material and dairy product

Non-conforming dairy material and product intended for export is to be managed and labelled in accordance with the relevant section of the Animal Products Dairy Processing Specification and the RMP.

7 Responsibilities of RMP operators, dairy processors and exporters of dairy products

- (1) It is the responsibility of all exporters of dairy products to be aware of their duties under section 51 of the Act.
- (2) All dairy processors or RMP operators who process dairy material or dairy product intended for export are required to:
- Identify within the scope of their RMP or documented system the export markets for which their dairy material is intended to be eligible;
 - Be aware of, have access to, and meet export requirements issued by notice under section 60 of the Act that are within the scope of their risk management programme or in a separate document or documented systems;
 - Maintain an RMP or documented system demonstrating compliance with relevant export requirements; and

- (d) Have their RMP or documented system evaluated and verified against the relevant export requirements by their Recognised Agency/Person.

8 Significant amendment to the RMP

The extension of the scope of an RMP to cover the processing of dairy material intended for export is a significant amendment requiring registration in accordance with section 25 of the Act.

9 Responsibilities of Recognised Agencies and Recognised Persons

Recognised Agencies and Recognised Persons are responsible for evaluating and verifying that RMPs and documented systems comply with this Notice, and any other relevant export requirements issued by notice under section 60 of the Act.

Part 3 Labelling requirements

10 Exclusion of goods intended for export to Australia

All goods intended for direct export to Australia from New Zealand are excluded from the ambit of Part 3 of this Notice.

11 General labelling requirements

- (1) All labelling information required by this Notice must be clearly presented and must not be removed, defaced or obliterated.
- (2) No dairy product or dairy material intended for export may be labelled or marked in any way that is likely to be misleading or deceptive as to its nature, origin or composition.
- (3) In addition to complying with the labelling requirements expressly prescribed by this Notice, all dairy products intended for export must also comply with any further labelling requirements prescribed by the importing country.

12 Product designation

The outer packaging of all dairy products intended for export must be labelled with:

- (a) A product designation that complies with a standard of identity prescribed by the importing country (including both words and pictures); or
- (b) Where the importing country does not prescribe a standard of identity for the dairy product, the outer packaging of all dairy products intended for export must:
 - (i) Be labelled in such a way as to comply with the Food Standards Code:
or
 - (ii) Be labelled and identified as a dairy product in such a way as to comply with the relevant definition in the Act, interpreted as necessary using the Codex General Standard for the Use of Dairy Terms.

13 Information concerning net contents

The net contents (by weight or volume) of any dairy material or dairy product intended for export must be stated on:

- (a) A label affixed to its outer packaging; or in
- (b) The documentation accompanying the dairy product or dairy material.

14 Information to enable traceability

Sufficient information is to be provided on a label affixed to the outer packaging of any dairy material or product intended for export to ensure traceability. This includes:

- (a) A unique identifier or the name and address of the final premises of manufacture; and either

- (b) Lot identification, such as a bag number, box number or quality unit number of the product; or
 - (c) The date of manufacture or the date of packaging in code or in plain text.
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Issued under section 60 of the Animal Products Act 1999.

Date of notification in Gazette:

This notice is administered in the Ministry of Agriculture and Forestry in the New Zealand Food Safety Authority.
