



Food Standard

Food (Tutin in Honey) Standard 2015

TITLE

Food Standard: Food (Tutin in Honey) Standard 2015

COMMENCEMENT

This Food Standard comes into force on 1 January 2016.

REVOCATION

This Food Standard revokes and replaces the Food (Tutin in Honey) Standard 2010 and Food (Tutin in Honey) Amendment Standard 2011.

SAVINGS

Despite the revocation of the Food (Tutin in Honey) Standard 2010 and the Food (Tutin in Honey) Amendment Standard 2011, these Standards continue to apply in respect of honey produced, harvested or packed before or on 1 January 2016

ISSUING AUTHORITY

This Food Standard is issued pursuant to Section 11C of the Food Act 1981 and relates to tutin in honey.

Dated at Wellington this ... day of 2015

Draft for Consultation

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Introduction

This introduction is not part of the Food Standard, but is intended to indicate its general effect.

Purpose

To provide compliance options for persons keeping bees, extracting, packing or blending honey to ensure that the maximum level of tutin permitted in honey is not exceeded.

Background

This standard has been issued following review of the previous standards regulating tutin in honey and following the setting of a new limit for tutin in honey in the Australia New Zealand Food Standards Code.

Who should read this Food Standard?

This standard applies to all persons producing and packing honey for sale.

Why is this important?

Operating other than in accordance with this standard may result in honey being sold that breaches the maximum level for tutin in honey risking serious illness or death to the consumer.

It is an offence under the Food Act 1981 to sell food that is unsound or unfit for human consumption or contaminated.

Document history

This standard updates and replaces the Food (Tutin in Honey) Standard 2010 and Food (Tutin in Honey) Amendment Standard 2011.

Other information

This standard provides a number of options for demonstrating compliance with the maximum level for tutin in honey.

The maximum level for tutin in honey and comb honey is set in the Australia New Zealand Food Standards Code. For the avoidance of any doubt this is replicated in this Food Standard.

The Ministry for Primary Industries has developed a compliance guide that provides information on the matters that may need to be considered in complying with this standard. This compliance guide is found on the MPI website www.mpi.govt.nz.

Date of notification in the Gazette XX/XX/2015

Part 1: Requirements

1.1 Application

- (1) This standard applies to all honey that is produced or harvested or packed after 1 January 2016.

1.2 Definitions

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

batch means a lot of homogeneous product (usually, but not necessarily, the contents of one tank)

box section comb honey means comb honey sold in the same frame in which it was produced in the beehive

bulk container means a container that is capable of holding more than 200 kg of honey

comb honey means honey sold still in the wax honeycomb

cut comb honey means comb honey cut from the frames in which it was produced in the beehive

honey supers are the portion of a beehive where honey is stored

ISO/IEC 17025 means the current edition of ISO/IEC 17025 "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. This is a standard work of reference incorporated under Section 11F of the Food Act 1981.

MPI means the department of State known as the Ministry for Primary Industries

maximum level in relation to honey and comb honey means 0.7 milligrams per kilogram

tutin is a defined chemical compound (CAS No 2571-22-4) that causes toxicity in honey that results from honey bees gathering honeydew exudates from passion vine hoppers that have been feeding on the sap of tutu

tutu means *Coriaria arborea* and *Coriaria sarmentosa*.

- (2) Words used but not defined in this standard have the same meaning as words defined in the Food Act 1981.

Part 2: Compliance with requirements

2.1 Who must demonstrate compliance

- (1) This Part applies to—
 - a) the last person to pack honey that is intended for sale for human consumption in a package that comes into immediate contact with the honey; and
 - b) any person who is exporting honey (other than a person who is exporting the honey to a country in which a lower maximum level has been specified in a overseas market access requirement issued under section 60 of the Animal Products Act 1999).
- (2) A person must undertake at least one of the options contained in any of clauses 2.3 to 2.7, but undertaking an option contained in any of clauses 2.3 to 2.7 does not abrogate the possibility of a prosecution under the Food Act 1981 or Food Act 2014.

2.2 Beekeeper Requirements

- (1) A beekeeper who supplies honey to a person described in clause 2.1 (1) a) or b) must—
 - a) maintain the records necessary to enable the person that he or she is supplying to demonstrate compliance with this standard; and
 - b) provide a written statement when requested to do so in accordance with clauses 2.3 to 2.7.
- (2) Where the beekeeper is also the person described in clause 2.1 (1) a) or b) equivalent records must be kept to demonstrate compliance with this standard.

2.3 Option one: Holding test results

- (1) Option one is for the person to hold test results of samples taken and tested in accordance with the relevant requirements described in Part 3 of this Standard demonstrating that the maximum level has not been exceeded.
- (2) A person must not sell honey for human consumption or export until the person has received the results of the analysis samples taken and tested in accordance with subclause (1).
- (3) The results must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.
- (4) This option is not available for production of box section comb honey.

2.4 Option two: Holding harvest records that demonstrate low risk harvest date

- (1) Option two is for the person to hold a written statement from the beekeeper supplying honey that confirms that the beekeeper holds records that demonstrate that the honey has been taken from honey supers placed onto hives after 1 July in any year and removed from those hives by 31 December in the same year.
- (2) The records must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

2.5 Option three: Holding records that demonstrate absence of tutu

- (1) Option three is for the person to request and hold a written statement from the beekeeper supplying the honey that confirms that the beekeeper holds records that—
 - a) identify the geographical location of all of the hives from which the honey has been harvested (either on a topographical map at the standard scale of 1:50,000 or by global positioning system); and
 - b) demonstrate that tutu is not significantly present within the predictable range of bee foraging from those geographical locations.
- (2) The statement must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

2.6 Option four: Holding records that demonstrate honey was harvested from apiaries below latitude 42 degrees south.

- (1) Option four is for the person to request and hold a written statement from the beekeeper supplying honey that confirms that the beekeeper has records that –
 - a) identify the geographical location of all of the hives from which the honey has been harvested (either on a topographical map at the standard scale of 1:50,000 or by global positioning system); and
 - b) confirm that each of those locations is situated below latitude 42 degrees south.
- (2) The statement must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

2.7 Option five: Holding records that demonstrate low risk in areas by targeted testing of honey

- (1) Option five is for the person to request and hold a written statement from the beekeeper supplying honey that confirms that the beekeeper has records that—
 - a) specify the location of all apiaries from which the honey is harvested for sale for human consumption or export; and
 - b) confirm that for each apiary this option applies to that **targeted honey samples** have been tested for the presence of tutin each year for three consecutive years; and
 - c) confirm that for each apiary this option applies to **targeted honey samples** have been tested for the presence of tutin one year in every ten year period after the three year period specified in subclause b); and
 - d) where the apiaries are used for the production of extracted honey no individual result has ever exceeded 0.035 mg/kg for honey; and
 - e) where the apiaries are used for the production of comb honey no individual result has ever exceeded 0.01 mg/kg.
- (2) For the purposes of subclause 1 b) **targeted honey samples** means a representative sample of honey from an apiary or apiaries with a common foraging area—
 - a) from the last harvest of each season; and
 - b) harvested between 1 January and 30 June of that year.
- (3) Box section comb honey may not be produced from apiaries using this option except in years when **targeted honey samples** are not required to be taken.
- (4) The records must be kept for four years from the date on which honey is packed for sale for human consumption or exported.

- (5) This option is not available where honey is harvested later in the season than the last tested harvest date.

Draft for Consultation

Part 3: Sampling and Testing Requirements

3.1 Application of this Part

- (1) This Part applies to persons involved in sampling and testing of honey as part of complying with option one (clause 2.3) and option five (clause 2.7).

3.2 Requirements relating to sampling and testing honey (other than comb honey) to comply with Option One and Option five

- (1) For honey (other than comb honey), a representative sample must be taken from each batch of honey before it is put into containers for sale for human consumption or export.
- (2) A representative sample for the purposes of subclause (1) may be taken when filling a bulk container before the honey is mixed into a homogenous batch or by core sampling honey from a drum.
- (3) The sample must be submitted for testing to a laboratory that is—
 - a) accredited to ISO/IEC 17025; and
 - b) using a validated tutin testing method.
- (4) The laboratory may combine samples from multiple batches for analysis if—
 - a) asked to do so by the person seeking the test; and
 - b) doing so will not compromise the test result.

3.3 Requirements relating to sampling and testing of cut comb honey to comply with Option One and Option Five

- (1) Cut comb honey may only be tested for compliance with option one or option five if it is representative of the harvest date and apiary from which it was taken.
- (2) All the drip and leftover comb from a comb honey harvest from a single apiary site used for cut comb production must be homogenised and sub-sampled.
- (3) Cut comb honey will only be deemed to comply with the maximum level for comb honey if the individual samples contain less than 0.01 mg/kg tutin.
- (4) Cut comb honey samples from separate apiaries may not be combined for analysis.
- (5) The sample must be submitted for testing to a laboratory that is—
 - a) accredited to ISO/IEC 17025; and
 - b) using a validated tutin testing method.

Part 4: Requirements relating to management of honey that exceeds the maximum level

4.1 Application of this Part

- (1) This Part applies to persons who have received results of testing that indicate that honey has exceeded the maximum level when tested for compliance with option one (clause 2.3) and option five (clause 2.7).

4.2 Honey (Other than Comb Honey)

- (1) Where honey is found to exceed the maximum level, it must be disposed of by—
 - a) diluting the honey with uncontaminated honey and homogenising and testing the honey to prove compliance with the maximum level prior to packing and retail sale; or
 - b) feeding the honey back to bees when honey supers are not present on hives; or
 - c) disposing of the honey in a way approved, in writing, by the Director-General or authorised representative.
- (2) Any honey diluted in accordance with subclause (1) a) must be subsequently tested before sale in compliance with Clause 3.2 of this standard.
- (3) Where honey is fed back to bees in accordance with subclause (1) b), any subsequent comb honey crops harvested from those hives may only be produced as cut comb and must be tested to prove compliance with the maximum level prior to packing and retail sale in accordance with the testing provisions in clause 3.3 of this Standard.
- (4) Records of disposal of contaminated honey must be kept for four years from the date on which the honey is disposed of.

4.3 Comb Honey

- (1) Where comb honey (either cut comb or box section comb) is found to exceed the maximum level, the comb honey may be disposed of by —
 - a) Extracting the comb honey, where necessary diluting the extracted honey with uncontaminated honey, and homogenising and testing the honey to prove compliance with the maximum level prior to packing and retail sale; or
 - b) feeding the comb honey back to bees when honey supers are not present on hives.
 - c) disposing of the comb honey in a way approved, in writing, by the Director-General or authorised representative.
- (2) Any honey diluted in accordance with subclause (1) a) must be subsequently tested before sale in compliance with clause 3.2 of this standard.
- (3) Where comb honey is fed back to bees in accordance with subclause (1) b), any subsequent comb honey crops harvested from those hives may only be produced as cut comb and must be tested to prove compliance with the maximum level prior to packing and retail sale in accordance with the testing provisions in clause 3.3 of this Standard.
- (4) Records of disposal of contaminated comb honey must be kept for four years from the date on which the comb honey is disposed of.