



Animal Products (Export Requirement: Inspection Agencies Ante-Mortem and Post-Mortem Inspection) Notice 2009

Pursuant to section 60 of the Animal Products Act 1999, I, Tony Zohrab, Director (Market Access) issue the following notice to facilitate access to overseas markets and safeguard assurances provided by New Zealand.

Signed at Wellington this 1st day of May 2009

Tony Zohrab
Director (Market Access)
New Zealand Food Safety Authority
(Acting under delegated authority)

Certified in order for signature

Solicitor
Legal Services

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Notice

1 Title

This notice is the Animal Products (Export Requirement: Inspection Agencies for Ante-Mortem and Post-Mortem Inspection) Notice 2009.

2 Commencement

This notice comes into force on 1 August 2009.

Part 1 Preliminary Provisions

3 Application

- (1) This notice applies to inspection agencies carrying out ante-mortem and post-mortem inspection of animal material and animal products intended for export to countries that require official inspections.
- (2) The countries requiring official inspections are listed in schedule 1.
- (3) To avoid doubt, this notice does not affect—
 - (a) ante-mortem or post-mortem inspection of animal material or animal products carried out by any person working for NZFSA; or
 - (b) the functions and activities of any animal products officer.

4 Interpretation

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

Act means the Animal Products Act 1999

agency technical manager means the person appointed by an inspection agency to—

- (a) have overall technical accountability for the delivery in meeting NZFSA requirements relating to ante-mortem and post-mortem inspection; and
- (b) be responsible for ensuring compliance with the provisions of this notice

animal product has the same meaning as in the Act, but excludes—

- (a) live animals exported other than as food; and
- (b) germplasm

animal product business means an animal product meat export business that has contracted a particular inspection agency to provide ante-mortem or post-mortem inspection functions and associated tasks

ante-mortem inspector means an official assessor who is—

- (a) appointed under section 79 of the Act to perform ante-mortem inspection of animal material for export to countries requiring an official inspection; and
- (b) employed by an inspection agency

associated tasks means those tasks associated with ante-mortem or post mortem inspection that are listed in schedule 2

Director General means the Chief Executive of NZFSA

inspection agency means a State enterprise approved by NZFSA to undertake ante-mortem and post-mortem inspection of animal products and animal material for export to countries requiring an official inspection

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

nominated person means an ante-mortem or post-mortem inspector who has—

- (a) been allocated one or more of the associated tasks for nominated persons; and
- (b) satisfied the NZFSA competency standards appropriate to those tasks

NZFSA means the New Zealand Food Safety Authority

official inspection means inspection for compliance with a set of procedures and judgements specified by NZFSA to determine whether product or by-product is fit for its intended purpose

post-mortem inspector means an official assessor who is—

- (a) appointed under section 79 of the Act to perform post-mortem inspection of animal material for export to countries requiring an official inspection; and
- (b) employed by an inspection agency

State enterprise has the meaning given to it in the State-owned Enterprises Act 1986.

- (2) Any words or expressions used but not defined in this notice that are defined in the Act, have the meaning given to them in the Act.

Part 2

Approval of Inspection Agencies

5 Application of this Part

This Part applies to bodies seeking approval as inspection agencies.

6 Matters relevant to approval of inspection agency

A State enterprise applying to be an inspection agency must demonstrate how the documented systems and procedures it has in place will ensure that the following requirements will be met—

- (a) the relevant requirements of the Animal Products (Specifications for the Ante-mortem and Post-mortem Examination of Mammals, Ostriches and Emu Intended for Human Consumption) Notice 2006, or any notice that replaces or amends that notice; and
- (b) the relevant requirements of the Animal Products (Ante-mortem and Post-mortem Examination of Poultry Intended for Human or Animal Consumption) Notice 2005, or any notice that replaces or amends that notice; and
- (c) the requirements of any relevant notice or requirement issued under Part 5 of the Act.

7 Agency technical manager

- (1) An inspection agency must appoint an agency technical manager who holds, at the time of appointment, or within 12 months of appointment, an NZQA Level 4 qualification relevant to the activities and functions for which the manager is responsible.

- (2) A State enterprise's application for approval as an inspection agency must specify the name and qualifications of the agency technical manager including any proposed training course the person will take to obtain the Level 4 qualification if this is not already held.

Part 3

Requirements on inspection agencies

8 Systems and processes

- (1) An inspection agency must have documented systems and procedures in place to ensure—
 - (a) any relevant directions given by the Director-General (in accordance with the Act) will be implemented by the inspection agency; and
 - (b) any ante-mortem and post-mortem inspectors under its management will comply with the requirements of the Act including any regulations, notices, directions, and conditions issued under it that are relevant to his or her functions and activities; and
 - (c) that functions and activities required to be performed by ante-mortem and post-mortem inspectors are carried out by inspectors assessed as competent to perform the specific function or activity; and
 - (d) all functions and activities it has responsibility for are able to be completed as required under the Act.
- (2) The documented systems and procedures should, to the extent practicable, be consistent with ISO 17020.

9 Procedure relating to management of ante-mortem and post-mortem inspectors

- (1) An inspection agency must not let a person carry out ante-mortem or post-mortem inspection for the inspection agency unless he or she is an ante-mortem or post-mortem examiner.
- (2) An inspection agency must have documented procedures to ensure that—
 - (a) all staff who will be seeking appointment as ante-mortem and post-mortem inspectors are assessed against the competencies relevant to the proposed functions and activities; and
 - (b) it manages the application process.
- (3) An inspection agency must ensure that—
 - (a) ante-mortem or post-mortem inspectors conducting activities other than ante-mortem and post mortem inspection and associated functions on behalf of an animal product business operator, for a period of greater than 3 months must surrender their warrants to the onsite NZFSA representative for the duration of the activity; and
 - (b) activities other than ante-mortem and post mortem inspection and associated functions undertaken by ante-mortem or post-mortem inspectors must be pre approved by NZFSA.
- (4) An inspection agency must not repetitively terminate and re-employ ante-mortem or post-mortem inspectors in order to undertake activities other than ante-mortem and post mortem inspection and associated functions for the animal products business operator at the same site.
- (5) Further requirements relating to activities other than ante-mortem and post mortem inspection and associated functions and secondary employment of ante-mortem

and post-mortem inspectors are set out in clause 9 of the Animal Products (Official Assessors: Ante-Mortem and Post-Mortem Inspectors) Notice 2009.

10 Procedure relating to records management

An inspection agency must have documented procedures to ensure that records relating to its ante-mortem and post-mortem inspection and associated functions are—

- (a) retained for 4 years; and
- (b) retrievable within 24 hours on request by the Director-General or an animal products officer.

11 Internal audit of inspection agency

- (1) An inspection agency must perform internal audits to assess compliance with its agency quality manual and the technical competency and performance of ante-mortem and post mortem inspectors engaged by the agency.
- (2) An internal audit must assess the documented systems and procedures that ensure the agency and its employees are observing the relevant requirements and that the agency is able to—
 - (a) receive and disseminate relevant NZFSA technical requirements; and
 - (b) co-ordinate the activities of ante-mortem and post-mortem inspectors or other technical persons engaged by the inspection agency; and
 - (c) ensure that persons engaged by the inspection agency receive all relevant NZFSA technical requirements in a timely manner; and
 - (d) ensure that ante-mortem and post mortem inspectors are competent to perform the duties that have been assigned to them; and
 - (e) ensure that procedures for obtaining appointments and the suspension or removal of those appointments are being satisfactorily administered; and
 - (f) ensure that ante-mortem and post mortem inspectors performance assessment procedures and corrective actions are being satisfactorily administered; and
 - (g) ensure that appropriate corrective actions are being applied by the agency; and
 - (h) ensure that re-qualification training is undertaken where appropriate.
- (3) The inspection agency must ensure that all ante-mortem and post-mortem inspectors are made aware of their obligation to inform NZFSA of any actions of the inspection agency that may adversely affect the ante-mortem and post-mortem inspector's ability to perform his or her duties and must have records to demonstrate that each ante-mortem and post mortem inspector has acknowledged this obligation.

Part 4 Operation of inspection agencies

12 General requirements

- (1) An inspection agency must carry out the associated tasks allocated to inspection agencies in schedule 2.
- (2) When an inspection agency is named as the organisation responsible for a task in schedule 2, then the inspection agency must ensure that only individuals of the type named in schedule 2 (for example, ante-mortem and post-mortem inspectors or nominated persons) carry out the relevant associated tasks.

- (3) If there is a change in the directorship, management, or control of an inspection agency, the agency must notify the NZFSA of this in writing as soon as is practicable.
- (4) Any inspection agency that is obstructed or prevented from performing its functions and activities must inform the Director, Market Access at NZFSA of this as soon as is practicable.
- (5) If a person is seeking appointment as an ante-mortem or post-mortem inspector in an inspection agency, the inspection 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.
- (6) Despite subclause (5)(a), an inspection agency does not need to repeat the person's competency assessments if the applicant's competencies have been assessed within the previous 12 months by another inspection agency under this notice or by an agency recognised under the Animal Products (Recognised Agencies and Persons Specifications) Notice 2007 (or any later notice that deals with the same matters) to undertake routine examination of animal material or animal products. The inspection agency must provide proof to the Director-General of the previous assessments.
- (7) Every inspection agency must, if applicable,—
 - (a) ensure that where two or more ante-mortem or post-mortem inspectors 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 NZFSA of the name of any new ante-mortem or post-mortem inspector that joins the agency and the date of their joining; and
 - (c) inform NZFSA of the name and date when any ante-mortem or post-mortem inspector ceases to be employed, or engaged, or used by the agency, or an ante-mortem or post-mortem inspector is disciplined or dismissed for failing to perform in the manner expected by the office.

13 Animal product businesses

- (1) An inspection agency must ensure that—
 - (a) ante-mortem and post-mortem inspection services that are provided to animal product businesses for the purposes of export are detailed in a contract; and
 - (b) revenue derived from the services is received centrally by the agency; and
 - (c) the agency only enters into a contract with an animal product business that holds a currently registered risk management programme.
- (2) An inspection agency must ensure that ante-mortem or post-mortem inspector staffing levels and corresponding production rates are agreed and documented with the animal product business at which inspection services are delivered.

14 Provision of disease and defect information

- (1) An inspection agency must ensure that the results of post-mortem inspection are recorded and made available in a manner approved by NZFSA. The details must include—
 - (a) the type of disease or defect identified at inspection; and

- (b) the prevalence of each disease or defect type; and
 - (c) the number of carcasses condemned for each disease or defect type; and
 - (d) the volume of kill to which the information relates.
- (2) The inspection agency must ensure that disease and defect identification and reporting are provided according to the requirements defined in the relevant export standards.

15 Performance assessment for post-mortem inspection

- (1) An inspection agency must have a documented system that provides a statistically accurate check of the procedural accuracy of the post-mortem decision making by post mortem inspectors in its employ.
- (2) The confidence interval of the decisions check referred to in subclause (1), after 600 samples, must be equal to or greater than 95%.
- (3) The accuracy of the system must be initially checked at fortnightly intervals and then may be performance based with the minimum check frequency being twelve monthly.
- (4) An inspection agency must ensure that a post-mortem inspector who has not inspected a species for 6 months or more undergoes a procedures check on that species before resuming inspections on that species.
- (5) The minimum performance targets for the system are—
 - (a) procedural inspection accuracy -- >95%; and
 - (b) decision making (identification of diseases and defects) accuracy for—
 - (i) faecal and ingesta contamination -- >98% accuracy; and
 - (ii) pathological diseases and contamination other than faecal/ingesta -- >96% accuracy.
- (6) The system must—
 - (a) include carcase, viscera, and head procedural and decision making checks; and
 - (b) identify those defects that are critical for certification to certain markets; and
 - (c) ensure that only fully competent post-mortem inspectors undertake the checks; and
 - (d) provide routine reports on post-mortem inspectors' performance; and
 - (e) identify appropriate and timely corrective action in the event of non-compliance including re-inspection of non-conforming product and corrective procedures where the procedural accuracy check demonstrates less than 100% accuracy; and
 - (f) ensure that conflicts of interest are appropriately managed.
- (7) The documented system must have defined performance criteria and specify the nature and frequency of checks.

16 Performance assessment for ante-mortem inspection

- (1) The performance of ante-mortem inspection may be assessed under the inspection agency's internal audit procedures.
- (2) A documented system for ante-mortem inspection is not required where the inspection agency does not perform this activity.

17 Maintaining inspection agency approval

An inspection agency may, if required by NZFSA, be subject to compliance assessments to confirm that it continues to satisfy the requirements of this notice.

Schedule 1

Countries or Regions requiring official inspections

Argentina
Brazil
Canada
Chile
China
Commonwealth of Independent States
Cooperation Council of the Arab States of the Gulf
European Union
Egypt
Iran
Lebanon
Mexico
Russia
USA

Schedule 2

Tasks associated with ante-mortem and post-mortem inspection

Mandatory Market Access Activity ¹	Specified Task	Organisation responsible for performing this task	Individual who may perform the task	Accountable for verification activities ²	Additional comments.
Mandatory market access AM and PM inspection and associated activities					
	AM inspection (including animal welfare in lairages)	Inspection Agency	Official assessors	Veterinary Technical Supervisor	Inspection Agency may perform this task for the EU market if a veterinarian is utilised
	PM inspection	Inspection Agency	Official assessors	Veterinary Technical Supervisor	
	Tb detection	Inspection Agency	Official assessors	Veterinary Technical Supervisor	

¹ NZFSA may, with the exception of the Inspection Agency Quality System, elect to undertake any activity specified in this table on the basis of cost effectiveness. In such cases an APO must, unless otherwise specified, be used to perform the task(s) of the Nominated Person.

² NZFSA Compliance and Investigation Group are accountable for systems audits of inspection agencies and NZFSA VA.

Mandatory Market Access Activity ¹	Specified Task	Organisation responsible for performing this task	Individual who may perform the task	Accountable for verification activities ²	Additional comments.
	Tb sampling, security, packaging, submission, and boning under supervision notification	Inspection Agency	Nominated person ³	Veterinary Technical Supervisor	
	Tb disposition	NZFSA VA	Veterinary Technical Supervisor	NZFSA Regional Technical Manager	
Official assessor performance assessment	Statistically based performance measurement of official assessor AM & PM activities	Inspection Agency	Nominated person	Veterinary Technical Supervisor	
Official Programmes					
Residues; Monitoring Surveillance Survey ISL	Collection, correlation to carcass, pre-dispatch storage, security, product	Inspection Agency	Nominated person	Veterinary Technical Supervisor	

³ A Nominated person shall be assessed as suitable and competent, by the inspection agency, to undertake some of the tasks specified in this Schedule. The determination of suitability and competency shall rest with the inspection agency. A person may act as a nominated person at his/her "home" premises. Details of task allocation to Nominated Persons is to be documented at each premises.

Mandatory Market Access Activity ¹	Specified Task	Organisation responsible for performing this task	Individual who may perform the task	Accountable for verification activities ²	Additional comments.
	detention, packaging, and submission				
	Notification of sampling programme and sample plan	NZFSA VA	Veterinary Technical Supervisor	NZFSA Regional Technical Manager	
Residues; Monitoring Surveillance Survey ISL	Traceback and product disposition	NZFSA VA	Veterinary Technical Supervisor	NZFSA Regional Technical Manager	
SOS testing	Sample collection and testing and if appropriate; product detention, packaging and submission	Inspection Agency	Nominated person	Veterinary Technical Supervisor	
SOS testing	Traceback and product dispositions.	NZFSA VA	Veterinary Technical Supervisor	NZFSA Regional Technical Manager	
Trichinella	Sample collection and testing and product detention, packaging,	Inspection Agency	Nominated person	Veterinary Technical Supervisor	

Mandatory Market Access Activity ¹	Specified Task	Organisation responsible for performing this task	Individual who may perform the task	Accountable for verification activities ²	Additional comments.
	submission				
Trichinella	Traceback and disposition	NZFSA VA	Veterinary Technical Supervisor	NZFSA Regional Technical Manager	
Water sampling	Supervision of sample taking and official sealing	Inspection Agency	Nominated Person	Veterinary Technical Supervisor	
Designated product for detention	Resulting from the post-mortem inspection process and judgement standards specified by NZFSA	NZFSA VA	Veterinary Technical Supervisor or Official Assessor	Veterinary Technical Supervisor	
Control of product after official sampling , including boning of suspect product under supervision	Supervision to a secure site, security, inventories	Inspection Agency	Nominated person	Veterinary Technical Supervisor	
RMP and OMAR Verification	Monthly verification scope in VA online	NZFSA VA	Veterinary Technical Supervisor	NZFSA Regional Technical Manager	

Mandatory Market Access Activity ¹	Specified Task	Organisation responsible for performing this task	Individual who may perform the task	Accountable for verification activities ²	Additional comments.
ASD's and Lists, eg, C bovis and residue surveillance lists, ISL, New Zealand origin lists, Russia Tb.	Confirmation that the operator has correctly identified animals and product in accordance with the various lists	Inspection Agency	Nominated person or person designated by the nominated person	Veterinary Technical Supervisor	
Species Verification	In accordance with NZFSA export standards	Inspection Agency	Nominated person	Veterinary Technical Supervisor	
Disease and defect information and provision of information to NZFSA	Correlation of disease and defect information, kill tallies. Provision of information to NZFSA	Inspection Agency	Official Assessor	Veterinary Technical Supervisor	Inspection Agency must provide access to information in a national database.
Brands and inventory control (slaughterhouse)	In accordance with NZFSA export standards	Inspection Agency	Nominated person	Veterinary Technical Supervisor	
Inspection Agency Quality system	Verification to determine that procedures are being followed	NZFSA VA	Veterinary Technical Supervisor	NZFSA Regional Technical Manager	

Mandatory Market Access Activity ¹	Specified Task	Organisation responsible for performing this task	Individual who may perform the task	Accountable for verification activities ²	Additional comments.
Nominated Person Inspector In-Charge (IIC)⁴					
Inspector in charge during Veterinary Technical Supervisor absence	Inspector in charge	Inspection Agency	Nominated person (IIC)	Veterinary Technical Supervisor	
Animal welfare at slaughter	as per IAS5 AW Codes of Practice Guidelines and EU OMAR	NZFSA VA	Nominated person (IIC)/ Veterinary Technical Supervisor	Veterinary Technical Supervisor/ NZFSA Regional Technical Manager	
Pre operative hygiene assurance	Pre operative hygiene inspection	Inspection Agency	Nominated Person (IIC)	Veterinary Technical Supervisor	
Regulatory Overview, Hygienic slaughter and dressing	Daily walk through edible departments and completion of other mandated tasks or tasks specified by the VTS. Assessment and corrective action.	NZFSA VA	Nominated person (IIC) / Veterinary Technical Supervisor	Veterinary Technical Supervisor/NZFSA Regional Technical Manager	This off chain task is required per shift for establishments with a PBV rating of 1 to 4 inclusive. Nominated Person (IIC) performs this task when the VTS is absent from premises conducting approved off site verification programmes

⁴ A Nominated person (IIC) shall be assessed as suitable and competent, by NZFSA VA, to undertake the tasks specified in the schedule. The determination of suitability and competency shall rest with NZFSA VA and the person may act as a Nominated Person (IIC) at his/her “home” premises or at other premises provided that mandatory market access activities are not compromised.

Mandatory Market Access Activity ¹	Specified Task	Organisation responsible for performing this task	Individual who may perform the task	Accountable for verification activities ²	Additional comments.
Non-conformance	Supervision of processing that fails to comply with the documented requirements for the process	NZFSA VA	Nominated Person (IIC) or Veterinary Technical Supervisor	Veterinary Technical Supervisor / NZFSA Regional Technical Manager	
	Tb product detention	NZFSA VA	Nominated Person (IIC) or Veterinary Technical Supervisor	Veterinary Technical Supervisor / NZFSA Regional Technical Manager	Nominated Person performs this task when the VTS is absent from premises conducting approved off site verification programmes
Security Devices (Carton seals and container seals)	Issuing of security devices and maintenance of inventory control in accordance with NZFSA Export Standards	NZFSA VA	Nominated Person (IIC) or Veterinary Technical Supervisor	Veterinary Technical Supervisor / NZFSA Regional Technical Manager	

Issued under section 60 of the Animal Products Act 1999.

Date of notification in *Gazette*:

This notice is administered in the New Zealand Food Safety Authority
