



Animal Products Act 1999

APPROVAL OF TEMPLATES, MODELS, CODES OF PRACTICE STATEMENT OF POLICY

This statement specifies the policy NZFSA will apply in regard to formally approving risk management programme templates, models, codes of practice under the Animal Products Act. This statement contains:

- (a) clarification of section 12 (3A) of the Animal Products Act 1999 regarding the Director-General forming the "view that the template, model or code of practice is valid and appropriate for businesses of that kind"; and
- (b) the procedural arrangements to assess and approve templates, models, codes of practice.

Signed at Wellington this *15* day of *July* 2004.

Signed

Judy Barker
Acting Director (Animal Products)
New Zealand Food Safety Authority

1. Application

This statement of policy applies to the NZFSA approval of templates, models or codes of practice for use by businesses for the purposes of developing and implementing a risk management programme in accordance with section 12 (3A) of the Animal Products Act 1999.

2. Commencement

This statement of policy applies from the date of signing.

3. Interpretation

- (1) In this Statement of Policy, unless the context otherwise requires—

Act means the Animal Products Act 1999

business means an animal product business as described in section 4(1) of the Act

Code of Practice means a document reflecting acceptable industry Good Operating Practice and the application of HACCP principles, and other RMP components. A code of practice may incorporate a template and/or model

Good Operating Practice covers all aspects of good practice relevant to animal material and products for both any on-line process and for the surrounding environment. Good Operating Practice is therefore intended to cover Good Agricultural Practice, Good Hygienic Practice and Good Manufacturing Practice

model means a completed risk management programme, or completed components of a risk management programme, for a particular type of operation that businesses in that industry can use as an example

NZFSA means the New Zealand Food Safety Authority

template means a 'form' risk management programme that contains the necessary Good Operating Practice, application of HACCP principles and regulatory requirements in a standardized construct

- (2) Any term or expression that is defined in the Animal Products Act 1999, Animal Products (Ancillary and Transitional Provisions) Act 1999, or regulations made under those Acts and used, but not defined, in this Statement of Policy has the same meaning as in those Acts or regulations.

4. Background

- (1) Section 12 (3A) of the Act was inserted via the Animal Products Amendment Act 2002. This section provides for a risk management programme for a particular business, or part of a business, to be based on a template, a model, or a code of practice, if in the view of the Director-General the template, model, or code of practice is valid and appropriate for businesses of that kind.
- (2) This provision requires the establishment of a procedure to manage the way in which the Director-General is to form the view that the template, model, or code of practice is valid and appropriate for businesses of that kind.

- (3) A template, a model, or a code of practice may include recommended ways of operating to ensure that the regulatory requirements are met and guidance material. A code of practice may also include commercial quality type requirements, or other aspects such as animal welfare, OSH, resource management.
- (4) A template, model, or code of practice may be produced by:
 - (a) The NZFSA
 - (b) The NZFSA in conjunction with industry
 - (c) An industry group or group of operators for a specific sector or process
 - (d) Other organisations (eg research institutes, universities).

5. Policy on approval regarding validity and appropriateness

- (1) The Director-General will approve only those components of each template, model, or code of practice that relate to hazards, wholesomeness and false or misleading labelling for the purpose of animal product safety and suitability. This may result in approval of the entire template, model, or code of practice or parts thereof.
- (2) The Director-General approval is to be in writing, and clearly:
 - (a) indicate that the whole template, model or code of practice is approved; or
 - (b) specify the components of the template, model or code of practice that are approved; and
 - (c) state the application of the template, model, or code of practice to the kind of businesses it covers.
- (3) It should also be made clear in the written approval via an appropriate disclaimer that the NZFSA is not liable for any shortcomings or operational deficiencies or non-compliances that may occur as a result of implementing an approved template, model, or code of practice.

Valid

- (4) All regulatory requirements regarding hazards, wholesomeness and false or misleading labelling for the purpose of animal product safety and suitability that are incorporated in each template, model, or code of practice, will be considered to be valid in terms of meeting the requirements set out in sections 12 and 17 of the Act.

Note 1: Where a code of practice includes a template and/or model, then the code of practice is assessed as one document.

Appropriateness for business

- (5) The approval must be limited to businesses of a particular kind by a 'statement of application'.
- (6) The 'statement of application' must be described in a way that minimises any misapplication and may include clarification of the business kinds that are not covered.
- (7) The 'statement of application' should include reference to the key operational processes that the NZFSA considers are defining for the kinds of businesses covered.
- (8) Without limiting the 'statement of application', it may include references to animal materials, animal

products, process flows, and the products intended use as appropriate.

Note 2: Within a business kind, the NZFSA wants to allow for reasonable variation, thus enabling a code of practice to have a broader rather than narrower application if suitable.

6. General procedure for approval

- (1) NZFSA is to ensure that the template, model, or code of practice meets the following criteria as appropriate to its scope:
 - (a) incorporation of regulatory requirements that are applicable for the kind of businesses concerned;
 - (b) incorporation of Good Operating Practice, the application of HACCP principles and other RMP components that are appropriate for the kind of businesses concerned;
 - (c) appropriate identification of regulatory requirements distinct from strongly recommended practice distinct from helpful information, and as relevant, an indication of what this distinction means in terms of application to a business;
 - (d) practical and achievable for the kind of businesses concerned; and
 - (e) the form and structure of the template, model, or code of practice should readily enable NZFSA to prepare appropriate statements in accordance with clause 5(2) of this Statement of Policy.
- (2) The Director-General (or his delegate) should sign and date the approval statements.
- (3) Where inadequacies in the template, model, or code of practice mean that the approval criteria are not met, the NZFSA should take appropriate action to communicate its concerns, but the approval process does not place a responsibility on the NZFSA to provide remedial solutions.

Contact for Queries

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