



# Summary of submissions

## Proposals for changes to food safety notices

This document provides a summary of submissions for a consultation from October-December 2016 about changing the Food Notice: Food Control Plans and National Programmes and the Food Notice: Regonised Agencies and Persons. This was part of a wider consultation that included proposals for template Food Control Plans. Submissions for both were made by email and by an online survey. This summary document includes:

- the number of submissions received, how submissions were made and who submitters were,
- graphs conveying the results from questions asked about the proposed changes to the food safety notices,
- quotes about the proposals,
- submissions and outcomes,
- future work.

The summary of submissions made on the templates can be found at: <http://www.mpi.govt.nz/document-vault/16702>

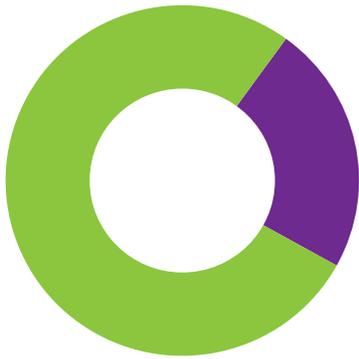
### The main changes proposed by MPI were:

- adding detailed requirements for national programme businesses that make food safe through:
  - pasteurisation,
  - acidification,
  - fermentation,
  - concentration and drying,
  - bottling or canning acidic or acidified foods;
- providing a pathway for national programme businesses who make food safe using high pressure processing, cold plasma, ultrasonification, hydrodynamic, electromagnetic processing, or who want to introduce new technical processes to make food safe (termed other processes), to operate under a food control plan,
- setting the processing and competency requirements for low-acid food canning that are currently in the *Food (Safety) Regulations 2002*, because these regulations are being revoked,
- requiring verification reports to include details of technical experts used.

### Changes to Food Notices

Formal consultation period: 25 October to 5 December 2016	Submissions: <ul style="list-style-type: none"> <li>• 158 from survey</li> <li>• 38 from email</li> </ul>	Submissions: <ul style="list-style-type: none"> <li>• Businesses</li> <li>• Local councils and EHOs</li> <li>• Industry bodies</li> <li>• other</li> </ul>
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## Online survey results



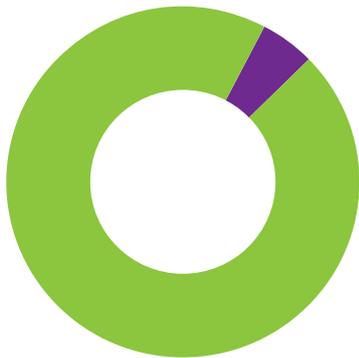
**77%** (123)

online survey responses supported proposals for putting specified food processing criteria in a notice.



**70%** (110)

online survey responses supported proposals for requiring the listed other processes to operate under a food control plan.



**95%**

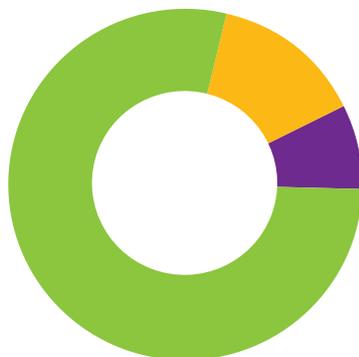
Where e-mail submitters expressed an opinion, 95% supported the proposed processing criteria.



**55%** (71)

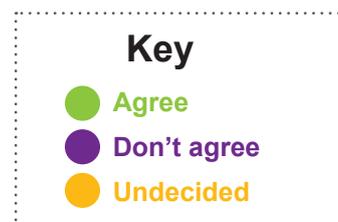
online survey responses supported low-acid canning requirements be set by notice

**38%** of responses had no opinion either way.



**78%**

online survey responses supported verifiers giving details about the technical experts they use.



## Submissions and outcomes

**“There are unlikely to be experts employed by councils to assess alternative processing criteria.”**

MPI recognises that local councils may not have detailed knowledge of specialist processes. We have provided more processing criteria in the notice and can approve others.

**“Will the pasteurising criteria be applied to alcoholic beverages and non-alcoholic fruit drinks?”**

Alcoholic beverage or non-alcoholic fruit drinks that are already safe to drink, could be pasteurised under a national programme using alternative processing criteria.

**“If a business has to prove equivalence of process control this requires some degree of evaluation.”**

An operator may submit evidence about processing criteria to MPI. All evidence will be assessed by us, and we will decide if including the criteria in the notice is acceptable.

**“The Notice should clarify that where a food control plan is needed it is a custom plan.”**

MPI has clarified that when an operator chooses to operate with a food control plan they will need to register a custom plan with MPI.



**“If products fall into a lower risk category, then penalising innovation processes that deliver the same or better food safety outcomes penalises innovation and commits New Zealand manufacturing to a ‘one size fits all’ approach that the Food Act was intended to address.”**

- MPI has since identified further processes that can operate under a national programme.
- MPI asked submitters to identify any processing criteria that should be included in the Notice, but there weren't any suggested. Operators will be able to submit processing criteria to MPI to be considered for inclusion in the Notice.
- Provide a wider range of processing criteria so businesses can operate under a nation programme.

**“The requirements are very prescriptive and do not accommodate product and process.”**

The processing criteria MPI has set in the notice are broad enough to cover the range of foods that can be manufactured or processed under national programmes.

**“The notice is not very easy to use.”**

MPI has changed the Food Notice so it is easier to use. There is a single index and greater clarity around who the clauses apply to.

## Submissions and comments that were outside the scope of the consultation

**“A provision should be available for applying for an exemption.”**

This provision is available under the Food Act 2014. Information is on the MPI website.

**“Very small-scale businesses should not be registered.”**

The Food Act provides a graduated approach. Some small, low-risk food businesses do not need to do as much as higher risk businesses. A small business that makes high-risk food can still make people sick.

**“The new rules are cumbersome and businesses face high costs for upgrading kitchens.”**

The Food Act is risk-based. It takes into account that food safety can be managed through the ways people behave with or around food; that doesn't need a state-of-the-art kitchen.

**“Costs for small businesses is stifling innovation, particularly at our market.”**

MPI will follow-up concerns with submitter.

### What's coming next

There were a few themes raised by submitters that we are continuing to work on as part of the Food Act implementation work programme. These include:

- implementing a mapping system to enable businesses to find a verifier,
- providing guidance and other tools to help make the new approach smoother for operators.