

Proposals to strengthen food recalls and risk-based plans and programmes: regulations enabled by the Food Safety Law Reform Act 2018

MPI is consulting on proposals for new food recall and risk-based plans and programmes requirements for food businesses under the Food Act 2014, the Animal Products Act 1999, and the Wine Act 2003.

These proposals have their origins in the recommendations made from the independent Government Inquiry into the Whey Protein Concentrate (WPC) Contamination Incident (WPC Inquiry). The WPC Inquiry found that New Zealand has a world class regulatory system but that some improvements can be made. The WPC Inquiry recommended both regulatory and non-regulatory improvements, most of which have been made.

The proposals MPI is consulting on have been refined through previous consultations, for example public consultation on the Food Safety Law Reform Bill. The refined proposals aim to give effect to the WPC Inquiry recommendations and achieve the food safety outcomes, while balancing this with the impact on businesses.

What are the objectives of the proposals?

The overarching objective of these proposals is to help protect New Zealand’s reputation as a supplier of safe and suitable food that is fit for its intended purpose and implement the recommendations of the WPC Inquiry. The specific objectives are:

- harmonising food recall and risk-based plans and programmes requirements across all food sectors where appropriate (consistency);
- making requirements more visible, explicit and consolidating them into regulations under each food safety Act (clarity);
- promoting effective and efficient food recalls (efficiency and effectiveness); and
- minimising compliance costs imposed on the food sector and reducing the potential future costs of recalls, while being consistent with the need for food to be safe and suitable (cost minimisation).

What are the food recall proposals?	
Identifying who must maintain food recall processes	Make the current requirements explicit and ensure that all relevant businesses, including exporters of food, are covered.
Clarifying what traceability procedures should cover and achieve	Businesses must keep accurate records of the foods and products they have brought or sold, and from whom or to whom they have bought or sold them (excluding sale to final consumer). These records must allow them to effectively trace and recall food products. Additional options are presented around tracing ingredients to final products and the tracing of packaging.
Adjusting how long traceability records should be kept for	Same time as currently required, or one year past the shelf life of the food product, whichever is longer.
Adjusting how quickly information must be shared during a food safety incident	Traceability information is to be provided to MPI within the time specified by a food safety officer, or within 24 hours, whichever is shorter.
Requiring mock recalls to be held	Mock recalls are to be held each year unless a genuine recall has occurred over the last 12 months
Format of traceability information	Explicit requirement for information provided to MPI to be in a format that is easily usable.



What are the risk-based plans and programmes proposals?	
Requiring hazard management information	Hazard analysis information will be required to be sent in when registering an outline of a risk management programme. This will align with the Food Act and Wine Act.
Differentiating food safety matters and related regulatory requirements from non-food safety matters	Operators will be required to differentiate their food Safety legal requirements from their non-food safety material if they have incorporated both into their risk-based plan or programme. A number of options are presented as to how this may be achieved.
Improving operator access to legal requirements	The main requirements for the contents of a risk management programme will be moved into one set of regulations (currently they are in a number of notices).

How to find out more and make a submission:

Visit our website to make a submission

<https://www.mpi.govt.nz/news-and-resources/consultations/proposals-to-strengthen-food-recalls-and-risk-based-plans-and-programmes>

Email us at: food.policy@mpi.govt.nz

Write to us at: Food and Regulatory Policy
Ministry for Primary Industries
PO Box 2526, Wellington 6104

Consultation closes at 5pm on 7 December 2018

Submissions are public information