Guidance Document

Can I include non-animal product foods in a Risk Management Programme?

3 April 2019

1 Purpose

This guidance document has been prepared by the Ministry for Primary Industries (MPI) to provide the options for RMP businesses who want to manage food safety of non-animal product foods within a Risk Management Programme (RMP). Food businesses can include appropriate components of a Food Control Plan (FCP) or National Programme (NP) that manages the food safety under a RMP. Under certain circumstances this may include non-animal product foods.

The guide is most applicable to food businesses who use similar processing methods (e.g. transporting, canning, cold storage, etc.) to manufacture animal product foods regulated under the Animal Products Act 1999 (APA) and non-animal product foods regulated under the Food Act 2014 (Food Act).

Food businesses who are interested should check first with their RMP verifying agency and RMP evaluator to determine whether they have the appropriate technical expertise to verify and evaluate these foods.

In determining which option is most appropriate for your business, you should consider:

- if your current RMP verifying agency and RMP evaluator have, or have access to, the technical expertise to provide verification and evaluation services of the RMP (including components of a FCP or NP);
- that any changes to a RMP (e.g. component of a FCP or NP) that may require evaluation;
- the FCP or NP components, will be verified at the frequency required by your RMP under the APA and by your RMP verifying agency.

Combining both animal products and non-animal products under one RMP may result in increased costs due to the levies and verification costs involved. Food businesses should undertake their own due diligence. Section 2 What Are Your Registration Options? of this guide provides further details.

A separate guide for RMP verifiers and RMP evaluators is being developed.

Are you registered under a Regulated Control Scheme under the APA?

Processing of non-animal product foods cannot be added to a Regulated Control Scheme (RCS). Please see Section 9 Will This Apply to RCSs under the APA? of this guide for more details.

2 What are your registration options?

There are several registration options available if you process both animal products and non-animal product foods (outlined in Table 1 Registration Options for Processing of Both Animal and Non Animal Product Foods below). You will need to decide which option is most appropriate for your business. Your decision may be affected by factors such as:

- the frequency and costs associated with registration and renewal of the plan/programme;
- the frequency and costs associated with verification;
- if the plan/programme needs to be evaluated;
- whether the product is intended for export;
- whether official assurances for the exported animal products are required; and
- if there are any animal product levies.

Table 1: Registration options for processing of both animal and non-animal product foods

What you will need to consider	Registration Options		
	1 registered RMP including components of a FCP or NP	**1 registered FCP or NP**	**2 registrations: 1 registered RMP and 1 registered FCP or NP**
What the plan / programme covers	Primary and secondary processing of animal and non-animal product foods.	Secondary processing of animal and non-animal product foods. Domestic only dairy processors (excluding farm dairies).	RMP covers primary or secondary processing of animal product foods. FCP or NP covers processing of non-animal product foods.
Evaluation (if needed)	1 evaluator with the appropriate technical expertise for the RMP and FCP or NP components.	1 evaluator with the appropriate technical expertise for the FCP.	1 evaluator with the appropriate technical expertise for the RMP and FCP or NP components recognised under both Acts.
Registrations and plans to maintain	1 registered RMP (no renewal required).	FCPs need to be renewed annually. NPs need to be renewed biennially.	1 documented plan with 2 registrations; OR 1 documented plan for each registration.
Verifier and verification frequency	1 verifier, depending on: • verifier with appropriate technical expertise; and • RMP scope. RMP verification frequency depending on: • performance at verification; • animal products you process; and • if you export.	1 verifier, depending on: • verifier with appropriate technical expertise; and • FCP/NP scope. FCP/NP verification frequency depending on: • your risk-based measure; and • performance at verification.	Each registration may have different verification frequencies and costs. You may be able to use the same verifier for the RMP and the FCP/NP (subject to the recognitions and technical expertise of the verifier).
Animal products eligible for	Yes, subject to relevant general export requirements (GREXs) and overseas	No. Animal products can only be exported to countries that do not require official assurance.	Animal products processed under the RMP are eligible for export with official assurances. Subject to

What you will need to consider	Registration Options		
	1 registered RMP including components of a FCP or NP	**1 registered FCP or NP**	**2 registrations: 1 registered RMP and 1 registered FCP or NP**
Official Assurances?	market access requirements (OMARs).	Dairy and beef products can be exported to Australia under a FCP without official assurances.	relevant general export requirements (GREXs) and overseas market access requirements (OMARs).
Animal product levies	May be subject to animal product levies.	No.	May be subject to animal product levies for the RMP.

3 What do I need to write down?

Your RMP will need to include the appropriate components of a FCP or NP that manages the food safety of the non-animal product foods you want to include. When components of a FCP or NP must be valid (i.e. meet the requirements of the Food Act) before they can be included into a RMP. Once the components of the FCP or NP are added into a RMP, they must meet relevant RMP requirements under the APA. As a starting point you should write down or consider:

- the appropriate components of a FCP or NP that you propose to be add to the RMP;
- any regulatory and/or operator-defined limits for the proposed non-animal product foods;
- any additional pre-requisite programmes that may be required to apply good operating practices;
- hazards introduced and how they are managed (e.g. revised HACCP plan to include processing of non-animal product foods);
- validating any added products or operating parameters (if needed);
- any negative effects on existing operating parameters and how they are rectified;
- how cross-contamination is managed if the same equipment is used;
- ensuring prerequisite programmes are updated (e.g. allergen management, cleaning and sanitising procedures, traceability, etc. is effective to manage all hazards);
- how non-compliant non-animal product foods will be dealt with (e.g. corrective and preventative actions and recall procedures);
- what written records are to be kept for the non-animal product foods;
- how the Official Assurances for animal products to be exported will not be compromised;
- written confirmation from your RMP verifying agency or RMP evaluator supporting the additions to your RMP do not require an evaluation, or an evaluation report endorsing the RMP amendment; and
- any other relevant information as requested by MPI, RMP verifying agency or RMP evaluator.

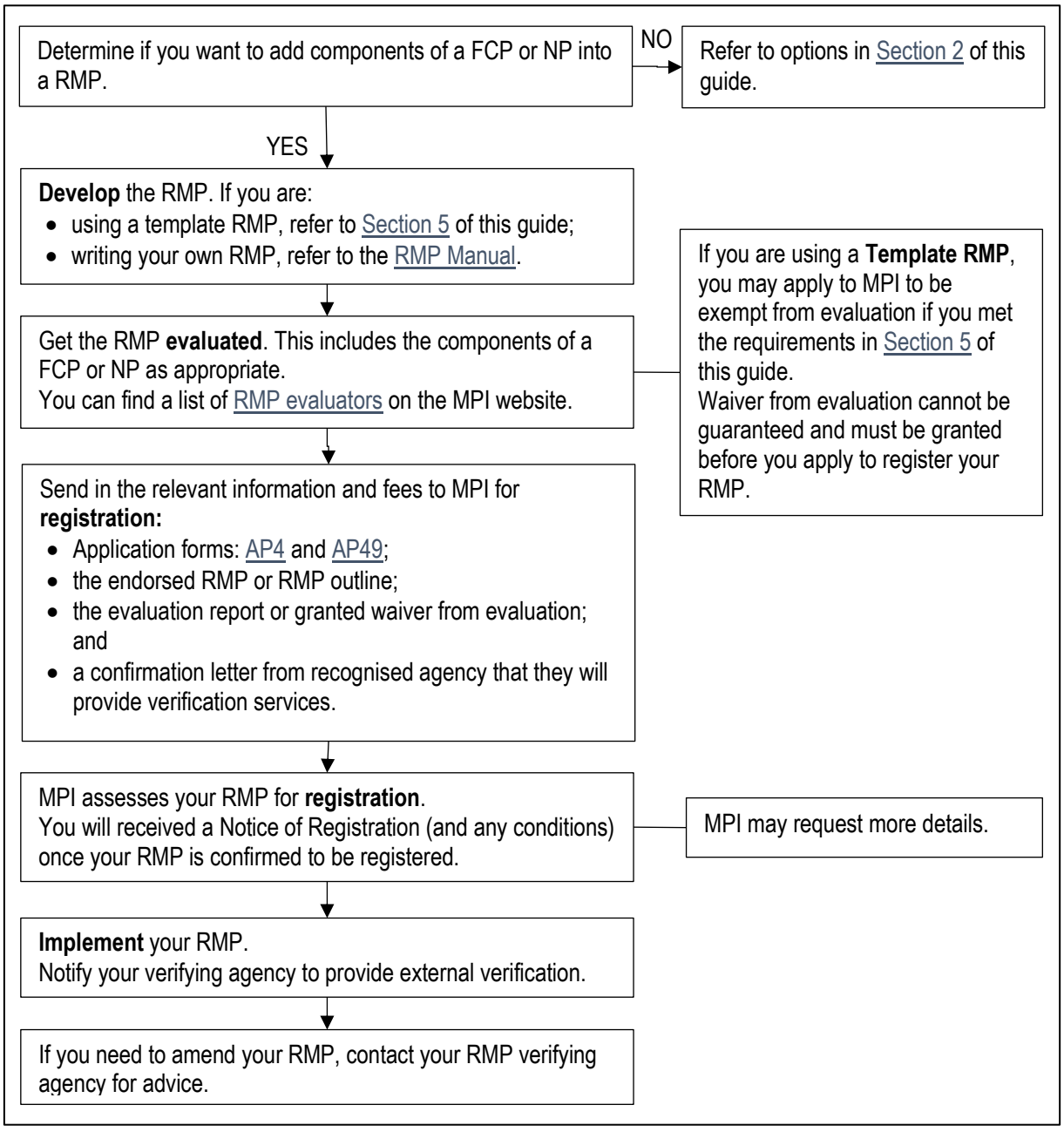
If you are an existing operator with a registered RMP and FCP, it is expected that almost all of this information will already be addressed. If you contacted your RMP verifying agency, RMP evaluator or MPI, keep a record of their opinion.

4 I'm a new business, what do I do?

New food businesses who want to process both animal and non-animal product foods under a RMP can follow the flow chart in Figure 1 Flow Chart for New Businesses to Set Up a RMP below.

Food businesses should check first with their proposed RMP verifying agency and RMP evaluator to determine whether they have the appropriate technical expertise to verify these products.

Figure 1: Flow chart for new businesses to set up a RMP



5 What if I'm using a template RMP?

Template RMPs have been developed and approved by MPI for some animal product sectors and processes. The template RMPs don't need to be evaluated as they have already been assessed by MPI as meeting the APA requirements. If you modify a template RMP (e.g. you add processing of non-animal product foods into the scope of your RMP), the waiver from evaluation no longer applies. See Figure 2 Additions to the Template RMP below for what you will need to do.

Figure 2: Additions to the template RMP

Template RMP	**+**	Appropriate components of a FCP or NP.	**=**	**The RMP will need to be evaluated by an RMP evaluator unless evaluation is waived**. **You will need to apply for an evaluation exemption from MPI and be granted a waiver from evaluation before you apply to MPI to register your RMP.**

When you are seeking to be exempt from evaluation you will need to justify how the additions to the template RMP do not introduce new risk factors, or adversely impact on existing risk factors or control measures. You will need to provide supporting information with your application to MPI (e.g. the list of information to document in Section 3 What Do I Need to Write Down? of this guide). If the waiver from evaluation is granted, you can apply to MPI to register the RMP.

If an evaluation is required, the level of evaluation required will depend on the products and/or processes added to the template RMP e.g. complex processes may require both desk-top and on-site assessments. The RMP evaluator will need to justify if an on-site assessment is not needed.

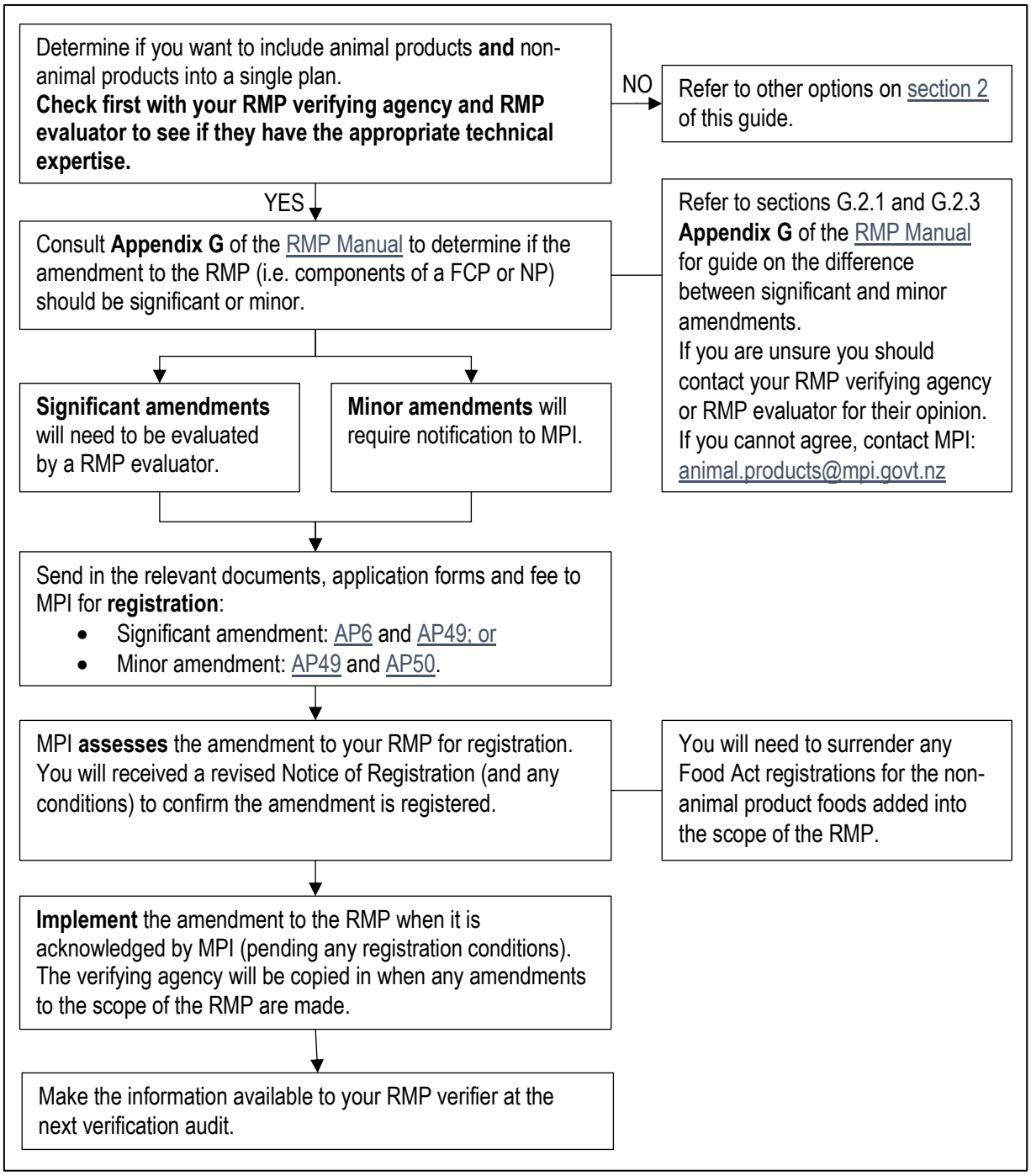
Examples of components of a FCP or NP that may added to a RMP can be found in Section 7 Do You Have Any Examples of When Components of a FCP or NP are Added to a RMP? of the guide.

Notwithstanding these examples MPI will assess each application to amend the RMP on a case-by-case basis.

6 I've already got a RMP, how do I do this?

If you have an existing RMP, follow the steps in the flow chart Figure 3 Flow Chart for Existing Businesses to Follow for Amending a RMP below to determine how to include components of a FCP or NP into your RMP.

Figure 3: Flow chart for existing businesses to follow for amending a RMP



7 Do you have any examples of when components of a FCP or NP are added to a RMP?

Table 2 Examples of Components of a FCP or NP to Add into a RMP below provides examples of components of a FCP or NP (i.e. non-animal product foods) that may be appropriate to add into the scope of a RMP. You should consider the scope of your RMP and the components of the FCP or NP you want to add into the RMP as this will influence:

a) whether it is appropriate to incorporate these; and
b) the level of evaluation you may need.

Notwithstanding the examples provided here, MPI will assess each application to include FCP/NP components to a RMP on a case-by-case basis.

If your processes are not similar (e.g. meat processing and horticulture), it may not appropriate to incorporate the processing of non-animal product foods under the RMP and be more suitable to maintain 2 registrations. Check first with your RMP verifying agency and RMP evaluator to determine if they have the appropriate technical expertise to verify these products.

Table 2: Examples of components of a FCP or NP to add into a RMP

Examples of components of a FCP or NP to add into a RMP	**What you will need to do (in addition to the points under Sections 4, 5 and 6):**
Retail of shelf-stable, pre-packaged non-animal product foods (e.g. jams, chutneys, etc.).	• Write down appropriate procedures in Section 3 of this guide. • If you are amending an existing RMP, it may be considered a minor amendment to the RMP requiring notification to MPI.
Dual Operator Butcher using the RMP template would like to use the sous vide section of the Simple Safe and Suitable template to make sous vide cuts of meat.	• Write down appropriate procedures in Section 3 of this guide. • A desk-top evaluation of the components of the FCP or NP will be required (unless waived).
Honey extractor using an RMP template would like to start making non-animal product foods (e.g. jellies, sauces and jams).	• Write down appropriate procedures in Section 3 of this guide. • Evaluation will be required.
Processing of non-animal product foods using the existing processes under the RMP, provided no new risks are introduced and no adverse impacts on existing risk factors and control measures. E.g. RMP operator making sauces containing animal products want to add making vegetarian sauces into the RMP.	• Write down appropriate procedures in Section 3 of this guide. • Evaluation may be required (unless waived), and specialist evaluation may be required e.g. dairy heat treatment.
Processing non-animal product foods for vulnerable populations (e.g. young, old, pregnant or immunocompromised populations).	• Write down appropriate procedures in Section 3 of this guide. • Evaluation will be required. • Conditions may be imposed on your registrations for a verification audit before the non-animal product foods may be traded.
Processing of non-animal product foods where process parameters may need to be validated for each food product.	• Write down appropriate procedures in Section 3 of this guide. • Evaluation will be required.

Examples of components of a FCP or NP to add into a RMP	What you will need to do (in addition to the points under Sections 4, 5 and 6):
This can include: pasteurising, UHT processing, freeze drying, high pressure processing, canning, acidification, evaporation, drying or thermal processing.	• There may be conditions imposed on your registrations for a verification audit before the non-animal products may be traded.
Processing of ready-to-eat and ready-to-heat non-animal product foods. E.g. Frozen meals which contain animal products (meat) and non-animal product foods (vegetables and bread).	• Write down appropriate procedures in Section 3 of this guide. • Evaluation will be required. • There may be conditions imposed on your registrations for a verification audit before the non-animal products may be traded.
Dry Store/ cool store/ transporter of non-animal product foods and animal products. E.g. Cool store operator storing animal products and non-animal product foods (e.g. fruit and vegetables)	• Write down appropriate procedures in Section 3 of this guide. • Evaluation may be waivered. • There may be conditions imposed on your registrations for a verification audit before the non-animal products may be traded.

8 Issuing export certificates under the APA

Issue of export certificates under the APA remains the same regardless of inclusion of non-animal products in the RMP. Animal products produced under the APA remain eligible for official assurances provided all OMARs are met. Non-animal products produced under the APA are eligible for free sale certificates and free sale statements.

For more information on official assurances, please visit the MPI website or contact your verifier.

For more information on free sale certificate and free sale statements, please visit the MPI website or contact your verifier.

9 Will this apply to RCSs under the APA?

Non-animal products can only be added into a Risk Management Programme (RMP), not into Regulated Control Schemes (RCSs). Section 17(5) of the APA allows non-animal products to be only added to 'risk management programmes'.

If you are producing raw milk for sale to consumers or shellfish you are likely to be operating under a RCS.

If you have any questions, please contact: animal.products@mpi.govt.nz.

Disclaimer

This guidance does not constitute, and should not be regarded as, legal advice. While every effort has been made to ensure the information in this guidance is accurate, the Ministry for Primary Industries does not accept any responsibility or liability whatsoever for any error of fact, omission, interpretation or opinion that may be present, however it may have occurred.

Version History

No.	Version Date	Section Changed	Change(s) Description
1.	27 February 2019	Section 3	Clarification of what the operator should consider.