

Summary of amendments to the new draft Animal Consumption Specifications Notice May 2014

General amendments to the principle Notice			
2006 Refs	Clause	Proposed Amendment	Reason
		A new Notice will be issued.	The current Notice and its amendments will be revoked and reissued as one new consolidated Notice.
	Formatting	References, cross references, logos, and general formatting have been updated. For example all references to NZFSA and MAF are replaced with MPI.	The New Zealand Food Safety Authority and the Ministry of Agriculture and Forestry (MAF) are now merged into the Ministry for Primary Industries (MPI). This new draft Notice has been created in the new MPI format for legal notices and has altered the numbering, look and style from the current notice. It is anticipated that the new MPI format for legal notices will change slightly in the interim to some degree prior to gazetting, as MPI further develops the format, however this is expected to be administrative rather than affecting the technical content of the main body of the new notice.
	Forms	The current forms have been removed from the new draft Notice.	The forms have been removed from the Notice to make them easier to amend without having to amend the Notice. The newly formatted forms with the MPI logo are attached for your consideration with the proposed changes made. Any future amendments to the forms will need to be consistent with requirements specified in this Notice.
	Petfood	All references to 'pet food' are replaced with 'petfood'.	This ensures consistency of use of the noun throughout the Notice and aligns with the Act.
Clause 4	1.7 Amendments to Definitions		
		Approved Supplier of wild rabbits, hares, wallabies, or possums	The definition has been amended to include goats (incl chamois) and deer (incl thar).

		Reword the Department of Conservation Pesticide Summary description.	The description has been made more generic to future proof for updates.
	Deer	Add new definition	To clarify that “deer” includes thar
	Goats	Add new definition	To clarify that “goat” includes “chamois”
	MPL and MRL	Add new definitions.	The definitions for maximum permissible level (MPL) and maximum residue limit (MRL) have been clarified. This aligns with the Human Consumption Specifications.
Part 1	Part 2 Amendments to Categorisation of Raw Material		
5(1)	2.1(1)(a),(c)	(a) Reword subclause (a) for clarification. (c) Add a new clause that specifies categorising of imported livestock as “High Risk Raw Material”.	(a) To better clarify when a product is high risk and remove requirement for DG to declare when animal material or product contains infectious agents or substances under the Act. (c) In 2013 MPI consulted on proposed changes to the Hydatids Controlled Area Notice to include the prohibition of imported livestock and materials derived from imported livestock from being processed for inclusion in petfood by categorising them as “High Risk Raw Material”. As a result of this consultation, MPI is consequentially including this new requirement for categorising imported livestock. This consultation has now been concluded, however the documents are still available at: http://www.biosecurity.govt.nz/biosec/consult/control-of-hydatids
5(1)	2.1(2) & (3)	Add a new clause to include further clarification.	This would keep the provision for allowing processing of high risk material should there ever be a need and provides a structure to manage any such event.
6(g)	2.2(g)	Para (g) deleted	No declarations have been made. This power would be better exercised under section 81 of the Act.
Part 2	Part 3 Amendments to Operator Requirements		
10(4)	3.3(4)	Deleted power for D.G. to approve	This would be better dealt with under powers of direction in the Act or

		premises/equipment to be used for purpose other than provided in RMP	amendment of RMP.
23	3.7(1)(3)	Add a new clause to include approved supplier qualifications.	This new clause has been inserted to link with Schedule 2 and removed from 7.7.2.
Part 3	Part 4 Amendments to Operator Identification and Labelling Requirements		
28(1)	4.2(2)	Additional subclause to include further clarification.	The amendment clarifies that approval for non-compliance with the requirement for English labelling should be able to apply only in relation to one-off situations.
32A(2)(a) & 3(b)	4.7(2)(a) & (3)(b)	Reword this clause to include further clarification.	To better clarify requirements. It is important that either tamper evident leak-proof bins <u>or</u> tamper evident containers are used.
Part 5	Part 6 Amendments to Product Eligibility for Animal Consumption		
37(4)(c)	6.2(4)	Delete ability for DG to issue instructions notifying animals that must not be processed for animal consumption.	This power is already contained in section 81 of the Animal Products Act.
Part 6	Part 7 Amendments to Supply of Animal Material for Animal Consumption as Petfood		
40(2)	7.3.1(2) & (3)	Delete ability of DG to specify other substances that animal material must not be treated or exposed to.	This power is already contained in section 81 of the Animal Products Act.
41(2)	7.3.2(2)	Revoke this subclause.	This subclause does not provide a structure for managing such events and so other legislative tools such as Orders can be used instead.
42	7.3.3	Amendments to better align with Forms	To ensure that information required in Forms in consistent with empowering clause.
43		Remove this clause.	This clause required Poison Use Statement to be provided for farmed animals if they had, or may have, wandered onto neighbouring properties prior to their supply to a processor. The information was intended to be used to determine whether any poisons had been laid on land that the animals may have been exposed to.

			<p>It is proposed that this clause be deleted.</p> <p>MPI is using other methods (such as guidance and suspect listing) to deal with occasions where animals may have been exposed to poisons on farmed land.</p> <p>There have also been difficulties in the application of clause 43 such as:</p> <ul style="list-style-type: none"> • level of farmer knowledge that animals have wandered onto • neighbouring properties at some stage in the past 60 days; • defining the areas of land that the animals may have accessed and • which may not necessarily be on an adjacent property; • defining the area of land that would require a Poison Use Statement • the likelihood that the farmed animals have accessed and consumed • those poisons over an unknown period and have residues within their systems. <p>It is also noted that the equivalent clause has been removed from the Human Consumption Specifications.</p>
47(1)	7.6(1)	Amend this clause.	The reference to the Human Consumptions Specifications has been updated to 2013.
49(2)(a)	7.7.2(2)	Amend this subclause.	The “Harvesting Wild Animals for Pet Food” training booklet issued by the New Zealand Petfood Manufacturers Association and MPI will no longer be an incorporated reference rather the supplier will be expressly required to pass the examination in that booklet
50-58	7.7.3 – 7.8.4	Add in the species (goats, deer) as appropriate to these clauses by definition.	To increase the number of wild animals suitable for petfood and align with the requirements applicable for other species. The forms will be amended accordingly.
50(b)	7.7.3(c)	Deletion	To delete warfarin, to align with the Human Consumption

			Specifications.
	7.7.4	A new clause has been added to describe the caution periods and buffer zones using a table.	To better clarify requirements and align with the Human Consumption Specifications for consistency.
51(4)	7.7.5(4)	Amend this clause.	To change the validation period for the land/owner poison use statement for 30 days to 3 months. This aligns with the Human Consumption Specifications.
53	7.7.7	Amend this clause.	To remove an unlawful DG power quoted here. Where an approval is given to an equivalent system then these specifications will be amended.
56(1)(c)	7.8.2(1)	Removed the word 'head'.	Feedback that MPI received from the NZPFMA was that this requirement hindered the transport of possums. Provided the possums are sourced from accredited Tb – free areas, and with the approved supplier system, there would be a very small increase in risk if any to the consumer should the head be examined visually and discarded in the field.
56(2)	7.8.2(2)	Reword this clause that clarifies this includes gastrointestinal organs with minimal excising cuts	To better clarify requirements.
56(4)(c)	7.8.2(4)	Removed this subclause.	This is a duplication of 7.20.
58(b)	7.8.4(1)(b)	Inserted 'kept frozen'.	To better clarify requirements.
Part 7	Part 8 Control of petfood processing operations		
61(5)	8.3(5)	Amend this clause.	The wording has been amended to reflect the text of the ante-mortem declaration form.
62(2)	8.4(2)	Revoke this subclause.	Duplication of 7.3.
Part 7A	Part 9 Further processing of pet food		
69A-E	9.1-9.9	Reword these clauses to include relisting, renewal, and delisting requirements.	A recent 'slice of life' audit by MPI showed that operators have not notified MPI of a change in circumstances that impacted their listing as further Petfood processors. Others simply ceased trading or sold the

			<p>business, so the list gradually became out of date. It became clear during the review that a renewal listing system was required to ensure information was kept current. Maintaining a current list would provide the necessary information to rapidly trace and locate processors should an adverse event occur. The list is also used for 'slice of life' audits intended to assess the performance of the sector.</p> <p>As part of the review process the Approvals and Appointments Team in MPI will take over the responsibility for managing the listing process from the Animal Products Team. This has provided the opportunity to also instigate the provision of charging for listing. The requirement for only procuring animal material from regulated sources and maintaining a Tracking System is still in place.</p> <p>Further Petfood processors have previously received a listing from MPI without being charged any fees, and without any assessment costs associated with that listing to be recovered.</p> <p>The listing changes that will be introduced include:</p> <ul style="list-style-type: none"> • re-applying for listing every two years; and • the introduction of cost recovery fees. <p>Any fees will not apply until at least after the Fees, Charges and Levies Regulations are reviewed and gazetted, which is anticipated to be 1 July 2015. When this draft notice commences mid-year 2014, the re-applying for listing every two years will not come into force until mid-year 2016 and hence any fees.</p> <p>The charges are likely to be:</p> <ul style="list-style-type: none"> • an application fee of \$210.45; • 2-yearly renewal fee of \$140.30; • an hourly charged assessment fee of \$140.30; and • per quarter hour (\$35.70) where a full hour is not needed. <p>The listing form AP61 shows how this would be amended.</p>
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Part 8	Part 10 Rendering of animal material		
	10.2(2)	Add a new clause to include further clarification.	This would keep the provision for allowing processing of high risk material should there ever be a need and provides a structure to manage any such event.
72(2)	10.3(2)	Reword this clause.	Deleted the 'suitably competent' and inserted 'specified in Schedule 2' to ensure the link to Schedule 2 Competency specifications.
Schedule 2	Schedule 2 Competency specifications		
	Approved suppliers		
		A new clause has been added for the approved suppliers.	This new clause recognises that to be approved suppliers are now required to pass the "Harvesting Wild Animals for Pet Food" examination.
Schedule 3	This schedule of forms has been removed.		

Schedule 4	This schedule has now become Schedule 3.
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