



# Animal Products Notice

## Official Assurances Specifications for Animal Material and Animal Products

29 March 2017

## **TITLE**

Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products

## **COMMENCEMENT**

This Animal Products Notice comes into force on 7 April 2017.

## **REVOCATION**

On 7 April 2017, this Animal Products Notice revokes and replaces the Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products, which was issued on 24 February 2016.

## **ISSUING AUTHORITY**

This Animal Products Notice is issued pursuant to sections 60, 62(4), 63(1), 64(2), and 167(1)(k) and (l) of the Animal Products Act 1999

Dated at Wellington this \_\_\_\_\_ day of March 2017

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## Introduction

This introduction is not part of the Notice but is intended to indicate its general effect.

## Purpose

This Animal Products Notice is issued under the Animal Products Act 1999 for the purposes of:

- (a) setting specifications in relation to the issue and control of official assurances for animal material and animal products under section 62 of that Act; and
- (b) setting specifications in relation to the obtaining of official assurances for animal material and animal products under section 63 of that Act, including the approved manner for applying for official assurances; and
- (c) providing the approved application procedure for the reissue of official assurances for animal material and animal products under section 64 of that Act.

## Background

This Notice specifies the requirements that must be followed in order to receive an official assurance to accompany exported animal material or animal products within the scope of the Animal Products Act 1999 (the Act).

The Ministry for Primary Industries (MPI) policy and the Act aim to facilitate trade in animal material and animal products. For any trade, nationally or internationally, the animal material or animal product must have first met all applicable New Zealand requirements.

Some importing governments require official assurances for animal materials or products, to provide confidence that certain requirements have been met (e.g. country of origin). These assurances are provided by MPI.

The claims made on official assurances must be substantiated in order to maintain the integrity of New Zealand as a trading partner and MPI's reputation as a competent authority. This is achieved through systems allowing information relating to the assurances to be independently verified and for the product status and country eligibility to be transferred between establishments.

Therefore where animal material or animal product is exported with an official assurance, the animal material or animal product business involved must be a part of this system. For the majority of these businesses, a risk management programme is required to be a part of this system. This enables the resulting animal material or animal product to be eligible for an official assurance.

Where establishments are not part of this system, MPI is unlikely to be in a position to issue an official assurance.

The exporter must be aware that an official assurance is not a guarantee of entry for those goods to that market. Section 61 (3) of the Act states:

“An official assurance is not a guarantee that the contents of all or any particular consignment of animal material or products to which it relates –

- a) necessarily meet the commercial requirements of the importer; or
- b) are fit for consumption or use no matter what the status or description of the consumer or user, or what has happened to the consignment or what has been its treatment since it left New Zealand; or
- c) are fit for consumption or use for a purpose other than that for which they were intended.”

The official assurance may be interpreted or applied differently at different entry points of the country concerned or even by different officials at the same entry point. This is largely due to the level of knowledge of

the legislation and interpretation of import requirements between border inspectors. This is outside of MPI's control, though MPI will intervene in an attempt to have consignments cleared, where this is appropriate.

## **Who should read this Notice?**

This Notice should be read by persons to whom this Notice applies in accordance with clause 1.1.

## **Why is this important?**

Operating other than in accordance with this Notice will result in an animal material or animal products not being eligible for export with an official assurance. MPI will not issue an export certificate for an animal material or animal products that fail to comply with any provision of this Notice.

For the purposes of section 135(1)(c) of the Act, a failure to comply with this Notice, without reasonable excuse, is an offence.

## **Other information**

RMP operators who process bee products for export should be aware that the requirements of the Australia New Zealand Food Standards Code applies to animal products intended for domestic sale or for export.

## Part 1: Preliminary provisions

### 1.1 Application

- (1) This Notice applies to:
- animal material and animal products intended for export to countries for which official assurances are required; and
  - authorised persons; and
  - authorised users; and
  - beekeepers who supply honey for export to countries for which official assurances are required; and
  - exporters who export or intend to export animal material or animal products requiring an official assurance; and
  - operators of RMP premises which process animal material and animal products for export to countries for which official assurances are required; and
  - official assurance verifiers; and
  - recognised agencies which provide official assurance verification services; and
  - recognised persons who provide official assurance verification services; and
  - suppliers of security papers approved under Part 13 of this Notice.
- (2) This Notice does not apply to dairy material or dairy products.

#### Guidance

For official assurances specifications in relation to dairy material and dairy products, please refer to the Animal Products Notice: Official Assurances Specifications – Dairy Material and Dairy Products, which is published on the MPI website.

### 1.2 Incorporation of material by reference

Pursuant to section 168 of the Act, the [E-Cert Help File](#) is incorporated into, and forms part of this Notice.

### 1.3 Definitions

- (1) In this Notice, unless the context otherwise requires,:

**Act** means the Animal Products Act 1999;

**AP E-cert** means the Animal Products Electronic Certification System, which is the electronic programme provided by the Director-General for the raising and issuing of eligibility declarations, eligibility documents and export certificates in respect of all animal material and animal products requiring official assurances; and **E-cert** has a corresponding meaning;

**approved supplier** means a person approved under section 158 of the Act to print and supply pre-printed export certificate forms and includes Blue Star Group (previously Techniche);

**authorised person** means a person designated by the Director-General under section 65 of the Act as an authorised person for the purpose of issuing official assurances and for withdrawing and reissuing official assurances under section 64 of the Act;

**authorised user** means a person designated by a dairy operator or exporter as their E-cert user, and is a person who has met the relevant competency criteria and has been given authority by MPI to



access E-cert for the purpose of raising eligibility documentation and export certificate requests as the case may be;

**beekeeper** means the owner or other person in control of a beekeeping business;

**compliance database** means a system that is provided by a recognised agency for the recording of the ongoing compliance status of RMP premises that undertake processing of animal material and animal products;

**consignor**, in respect of transfer documents, means:

- (a) the RMP operator who is transferring animal material or animal products to another premises or to an exporter; and
- (b) the exporter who is transferring animal material or animal products to another exporter;

**consignee** in respect of transfer documents, means the RMP operator of the premises, or an exporter to which animal material or animal products are being transferred;

**country eligibility** when applied to an identified lot of animal material or animal products means that all export requirements appropriate to the intended importing country(ies), have been met; and **eligibility status** has a corresponding meaning;

**E-cert** means the electronic programme provided by the Director-General for the processing of eligibility declarations, eligibility documents and electronic export certificates, and includes the E-cert help file in that electronic programme;

**eligibility declaration (EDec)** means a document raised by an operator that confirms the eligibility for export of any fish material, fish product, honey and apicultural products, live poultry, or germplasm that requires an official assurance;

**eligibility document (ED)** means a document issued by an official assurance verifier, or raised by an operator and issued by an official assurance verifier, which confirms the eligibility for export of any animal material or product that requires an official assurance;

**exhaust** means an action taken by an authorised person, official assurance verifier or operator, on a transfer document, to indicate that the product or product item is no longer represented by that transfer document;

**export approved premises** means those premises not covered by Parts 2, 3 and 4 of the Act, which have, at their request, been specifically approved and listed by the Director-General for the purpose of producing animal material and animal products eligible for official assurances subject to the relevant export requirements;

**export certificate** in relation to animal material and animal products, is the form of an official assurance for animal material and animal products determined by the Director-General pursuant to section 62 of the Act;

**export certificate set** means the original export certificate form plus the appropriate number of copies; and **certificate set** has a corresponding meaning;

**export requirement** means a requirement specified under section 60 of the Act and notified or made available under section 60A and where appropriate, any exemption issued in accordance with section 60B. Export requirements include overseas market access requirements;

**first-hand knowledge** in relation to an authorised user or official assurance verifier means knowledge obtained through direct observation of processing undertaken within the relevant premises and includes an understanding of the relevant requirements within and made under the Act, including specifications, export requirements, and verification requirements as the case may be;

**form identifier** is the identifier that differentiates one certificate type from other certificate types;

**germplasm** means embryos, semen and ova;

**in-clear** in relation to any date, means the day is stated in numbers (unless the requirement allows for the day to be omitted), the month is stated as a word either in full or abbreviation, and the year is

stated in numbers, e.g. 23 Sept 00; except where only the month and year is required, in which case numbers may be used;

**inventory control system** is a system whereby the operator is able to satisfactorily demonstrate the identity, traceability and eligibility of animal material or animal products through their records;

**import certificate** means the official sanitary certificate associated with the animal material or animal products and issued by the government of the country from which the animal material or animal products have been imported;

**imported animal material or animal product** means animal material or animal product imported into New Zealand and includes New Zealand animal material or animal product that is mixed with animal material or animal product imported into New Zealand;

**issued** in relation to paper documents, means signed by an authorised person, official assurance verifier or in the case of documentation generated in E-cert means, system-approved, approved by an official assurance verifier or authorised person; and **issue** has a corresponding meaning;

**letterhead certificate** means an export certificate that is printed on to MPI letterhead paper with the New Zealand coat of arms;

**listed premises** means a premises listed with MPI, for the purpose of identifying that establishment as an operation that stores, processes or handles specified animal material or animal products (e.g. hides or skins), with the intent to export with an official assurance;

**mobile operation** means a land based premises that is able to be transported to another physical location;

**MPI** means the Ministry for Primary Industries;

**MPI website** refers to <http://www.mpi.govt.nz> ;

**official assurance verifier (OA verifier)** means a person recognised under section 103 of the Act to undertake official assurance verification and includes an animal product officer employed by the MPI Verification Services; and **verifier** has a corresponding meaning;

**official assurance verification** means the functions and activities of confirming compliance with any New Zealand standard and export requirements issued under the Act which apply to the animal material or animal products concerned;

**operator** in addition to the definitions in the Act, includes the person in charge of an export approved premises, or his or her manager or agent;

**overseas market access requirements (OMAR)** means an export requirement specific to an identified overseas market or markets;

**poultry (live)** means day-old chicks and hatching eggs from an export approved premises;

**premises** means the place where animal material and animal products are processed;

**premises of final control** means the final premises where the animal material or animal products are physically located before being transferred to the exporter or to a port for export;

**pre-printed export certificate form** means a paper export certificate that is pre-printed and obtained from a supplier approved under Part 9 of this Notice, as opposed to being printed on to security paper from the E-cert electronic database;

**print-run number** means the number printed in the bottom left hand corner of each pre-printed export certificate form;

**processing aid** has the same meaning as in standard 1.3.3 of the Food Standards Code and any standard that replaces that standard;

**raise** in relation to the E-cert system, means to complete and submit an eligibility document, eligibility declaration or an export certificate in accordance with the [E-Cert Help File](#);

**recognised agency** in relation to any function or activity, means a person or body recognised by the Director-General under section 103 of the Act for the purpose of performing that function or activity;

**recognised person** means a person recognised or accredited by the Director-General under section 103 of the Act to perform specialist functions and activities;

**RMP** means a Risk Management Programme that is required by and registered under the Act;

**ruminant** means an animal of the Order Artiodactyla that chews the cud regurgitated from its rumen, for example, cattle, sheep, deer, alpacas and goats;

**ruminant protein** means protein derived from the tissue of a ruminant, except dairy material and dairy products; and for this purpose, 'tissue' includes blood;

**security paper** means a sensodised watermark security paper fully sensitised to Clearance Banks Specification 1 (CBS1) requirements and includes covert and overt ultraviolet (UV) flecks. The true watermark, owned by the maker, is applied during manufacture. The front side of each sheet has a disruptive wavy background with the words 'New Zealand SPS Certificate';

**shoulder number** means the unique number of the eligibility document, eligibility declaration or export certificate allocated by E-cert when a document is raised, or applied at or before signature of a paper document;

**signatory seal** means the unique stamp issued by MPI Verification Services to authorised persons and official assurance verifiers employed by MPI;

**signing office** or **signing location** means the place at which an authorised person issues export certificates;

**specifications** means any specification issued by Notice by the Director-General under the Act, including export requirements;

**transfer document** means any form of document under this Notice that is able to support the issuing of an export certificate, or the preparation and, where applicable, issuing of another transfer document and includes an eligibility document, eligibility declaration, and exporter and operator declarations;

**unprocessed** means not having been subject to any form of primary processing, as defined in the Act and the Animal Products (Definition of Primary Processor) Notice 2000;

**vessel** means a fishing vessel including those registered as limited processing fishing vessels under the Animal Products (Regulated Control Scheme-Limited Processing Fishing Vessels) Regulations 2001, vessels operating a registered risk management programme under the Act, and other fishing vessels registered under the Fisheries Act 1996; and

**voided** in relation to a box in an export certificate, means ruled off after the last entry and a diagonal line added, or the box otherwise filled so as to prevent the unauthorised addition of information after signing.

- (2) Any term or expression that is defined in the Act or regulations made under the Act and used, but not defined in this Notice, has the same meaning as in the Act or regulations.

## Part 2: General requirements

### 2.1 Requirements on operators

- (1) An operator intending to process or present animal material or product for export and for which an official assurance is required must:
  - a) give adequate notice to the appropriate official assurance verifier so that any necessary verifications can be carried out; and
  - b) document and implement procedures necessary to ensure compliance with:
    - i) any export requirements and
    - ii) any attestations provided in an official assurance; and
  - c) take all reasonable steps to ensure that animal material and product eligible for official assurances is not mixed with animal material or product that is ineligible.
- (2) An operator intending to process or present animal material or product for export, for which an official assurance is required, must:
  - a) check the received animal material or product against the export requirements of the intended markets, including transport conditions, product item marks, labels and any other identifying features; and
  - b) have a system of clear separation, and where required identification, of animal material and product lines during receipt, processing and subsequent storage; and
  - c) keep records of these matters to enable the usage and movement of the animal material and product to be traced; and
  - d) have a written programme(s), which describes how these requirements will be met.
- (3) An operator intending to process or present animal material or product for export must clearly identify and record in inventory records and any transfer documents:
  - a) all consignments of imported animal material or product received; and
  - b) products that contain imported animal material or product.
- (4) All operators must ensure that transfer documents are not sent to foreign governments, or overseas agents or importers except where authorised by the Director-General.

### 2.2 Requirements on exporters

- (1) All exporters must ensure:
  - a) that before any animal material or product is exported, it is eligible for an official assurance for the intended destination country;
  - b) that where export requirements stipulate the official sealing of containers or cargo holds of a craft carrying animal material or product, the exporter ensures that the sealing is completed before requesting the issue of an export certificate;
- (2) that transfer documents are not sent to foreign governments, or overseas agents or importers except where authorised by the Director-General.

### 2.3 Export certificates

Export certificates remain the property of the Director-General until received by a foreign government.

## 2.4 Signatory seals

- (1) The use of the signatory seal by an authorised person or official assurance verifier is restricted to authorising things, required by regulations, specifications, notices, or directed by the Director-General.
- (2) MPI Verification Services must have a documented procedure for the issue and control of signatory seals, and maintain a register of signatory seals identifying the person to whom a particular signatory seal is issued.
- (3) An up to date copy of the register of signatory seals, as specified in sub clause (2), must be available at all times to the Director-General on the MPI Verification Services password secure part of the MPI website.
- (4) The MPI Verification Services must ensure that signatory seals are withdrawn from any person ceasing to be an authorised person or official assurance verifier and the signatory seal destroyed or kept secure and not issued or reissued to another person until an interval of at least two years has elapsed.
- (5) Destroyed signatory seals must be recorded on the register of signatory seals as having been destroyed.

## 2.5 Communications with foreign authorities

The following persons must not directly communicate with foreign governments or with New Zealand overseas diplomatic or trade posts on matters relating to official assurances, without prior Director-General authorisation:

- (a) recognised agencies and recognised persons; and
- (b) official assurance verifiers; and
- (c) animal product officers; and
- (d) official assessors.

## Part 3: Transfer documentation – General

### 3.1 Application of this part

- (1) This part sets out the requirements that apply to all forms of transfer documentation approved for use by this Notice.
- (2) Despite sub clause (1), Part 8 of this Notice specify Director-General approved alternative documentation to transfer documentation for live animals and germplasm.

### 3.2 Preparation of transfer documents

- (1) Transfer documents must be prepared by an operator in accordance with this Notice and other relevant export requirements.
- (2) Operators must ensure that the transfer document is correctly prepared.
- (3) Transfer documents must be prepared by an operator in the following manner:
  - a) all information on paper transfer documents must be legible, consistently formatted, starting as close as practicable to the top left of the space provided, keeping the information even, closely spaced and within the boundaries of the allocated space.
  - b) the minimum entry for the consignor and consignee is the operator identifier.
  - c) any production dates must be in-clear or in-clear and code if the animal material or product is marked in code. Official assurance verifiers must regularly audit the code used, to ensure that the explanation used remains correct.
  - d) animal material and product must be accurately described and phrases such as "no more than" or "said to contain" are not permitted, except in the case of bulk loads (such as bulk tallow, rendered materials and green runners) where it is not reasonable for the consignor to weigh the consignment, prior to departure. For bulk loads that fit this criterion, an estimate of the weight, based upon experience may be recorded.
- (4) Subject to clause 3.7, the inclusion of country eligibility in any transfer document means that all export requirements appropriate to that country have been met. Where the export requirements of the eligible country or countries specify a range of options, the operator must endorse the transfer document with the option complied with.

### 3.3 Requirements of paper transfer documents

The original signed paper transfer document must be sent by the consignor operator to:

- a) the operator of the animal product business receiving the transferred animal material or product or
- b) the exporter of the product; or
- c) the authorised person issuing the export certificate.

### 3.4 Corrections to paper transfer documents

- (1) Errors in paper transfer documents must be struck out so that the previous wording remains legible and may be corrected by hand.
- (2) Corrections must be endorsed by a signatory with the appropriate signing authority and made as close as possible, on the paper transfer document to the erroneous entry.

### 3.5 Alteration to eligibility document or eligibility declaration forms

Any alteration to the wording of any eligibility document or eligibility declaration by an operator is prohibited unless the prior approval of the Director-General has been obtained.

### 3.6 Imported animal material or product

- (1) In addition to the requirements of Part 17 of this Notice, all transfer documentation that is prepared to accompany the transfer of imported animal material or product, must:
  - a) identify the country or countries of origin of the animal material or product concerned; and
  - b) refer to the relevant documentation issued by the foreign government; and
  - c) where paper transfer documentation is used, identify if the imported animal material or product has been further processed in New Zealand.
- (2) Consignor operators transferring imported animal material or product must, where applicable, ensure that a copy of all relevant import certificates are available to the consignee operator to support the issuing of official assurances in accordance with sub clauses 18.3(1), (6) and (7).

### 3.7 Control declarations

- (1) Notwithstanding clause 3.5, where the outgoing transfer documentation lists eligible countries, an operator must include on that documentation a declaration stating precisely and succinctly additional controls and procedures if:
  - a) controls additional to those in specifications are necessary to achieve or maintain country eligibility; or
  - b) country eligibility requires additional controls which are covered by specifications,and the controls do not undermine existing specifications in any way.
- (2) The operator must keep a copy of all control declarations and a record of the circumstances in which each was required, for a period of 4 years.
- (3) In the case of eligibility documents:
  - a) all control declarations must additionally be approved by the official assurance verifier responsible for verifying the premises, prior to their use; and
  - b) the official assurance verifier must keep a copy of all control declarations and a record of the circumstances in which each was required, for a period of 7 years after the last use of the declaration.

### 3.8 Changes to country eligibility

- (1) Where the incoming transfer documentation lists eligible countries and an operator of a receiving premises wishes to extend the eligibility of animal material or product to a country or countries other than those already shown on that documentation, the following procedure applies:
  - a) the operator of the receiving premises must identify any differences between requirements for the additional country or countries and the countries on the incoming transfer document;
  - b) the operator must keep auditable records to support the extended eligibility. These records must clearly demonstrate the resolution and verification of any differences through examination of the animal material or product, and the processes or procedures that have been applied at the consigning animal product business;

- c) the outgoing transfer documentation must include the declaration “eligibility extended”, when extending eligibility to a market with additional requirements to those countries listed in the incoming transfer documentation.
- (2) Where it is not possible to follow the procedure in sub clause (1)(b) the operator of the receiving premises must require the operator of the consigning premises to amend, or produce a replacement of the incoming transfer document.
- (3) Where eligibility documents are used, the official assurance verifier must identify any differences between the requirements for the additional country(ies) on the outgoing eligibility document and the countries on the incoming eligibility document.
- (4) The official assurance verifier can issue the eligibility document with extended eligibility where this is supported by:
  - a) official assurance verification of the receiving premises, or
  - b) subject to this Notice providing for its use, the compliance database.

### **3.9 Records and storage of transfer documents**

- (1) An operator must keep a record of all their transfer documents for a period of four years.
- (2) Any file copy of a transfer document must be a faithful replica.

### **3.10 Airline holding facilities**

- (1) This clause relates to facilities that have no risk management programme, handle only consignments fully prepared and packaged for final export, and are situated within the security confines of the airport.
- (2) An inter-premises transfer document is not required for animal material or product sent to an airline holding facility that is within the airport confines, and adjacent to the tarmac.
- (3) The animal material or product intended for consignment in an airline holding facility in sub clause (2) must be clearly identifiable so that verification can be carried out before export.
- (4) Airline holding facilities must not hold product for more than 24 hours after receipt and all product must be loaded directly onto an aircraft.



## Part 4: Transfer documentation – Eligibility documents

### 4.1 Application of this part

Subject to clause 4.2, this part sets out the transfer documentation requirements that must be met, in addition to the requirements in Part 3 of this Notice, in order to receive an official assurance for all animal material and product.

### 4.2 Alternative supporting documentation

- (1) The official assurance verifier of the animal product business receiving animal material or product, or the authorised person issuing an export certificate, may accept alternative documentation, as specified by the Director-General.
- (2) Parts 5, 6, 7 and 8 of this Notice specify Director-General approved alternative documentation to eligibility documents raised on E-cert, for certain classes of animal materials and products.

### 4.3 Eligibility documents

- (1) Where it is intended to export animal material or product with an official assurance; and
  - a) the animal material or product is transferred between premises, or
  - b) the animal material or product is transferred to the exporter, or between exporters, or
  - c) the authorised person issuing the export certificate is not involved in direct official assurance verification of the product or material;then the operator of the consigning premises must raise an eligibility document electronically on E-cert.
- (2) Notwithstanding sub clause (1), eligibility documents are not required for the transfer of animal material and animal product:
  - a) to or from vehicle docking facilities (VDFs);
  - b) to or from animal material depots;
  - c) to the exporter, where the operator is preparing the official assurance, and the official assurance is being issued by an authorised person who is also an official assurance verifier for that premises, with current first-hand knowledge of that premises;
  - d) between premises with multiple RMPs, owned or occupied by the same operator and situated within the same boundary fence, with an inventory control system in place that provides for adequate traceability equivalent to that provided for by eligibility documents; and that the transfer is under the direct control of the operator;
  - e) between operators under the Act, that are directly adjoining and managed by a common managerial structure; with an inventory control system in place that provides for adequate traceability equivalent to that provided for by eligibility documents; and that the transfer is under the direct control of the operator.
- (3) The exemption in sub clause (2)(e) does not apply to mobile operations.

### 4.4 Preparation of electronic eligibility documents

Electronic eligibility documents must be raised in accordance with the E-cert Help File.

## 4.5 Issuing eligibility documents

### 4.5.1 Authority to issue eligibility documents

- (1) Eligibility documents may only be issued by an official assurance verifier.
- (2) Any official assurance verifier issuing eligibility documents must:
  - a) have a thorough knowledge and understanding of this Notice and any export requirements applicable to the operator's business; and
  - b) have current first-hand knowledge of the operator's business so as to confirm that the details provided in the eligibility document are complete and accurate; or
  - c) in the case of fish and fish products and hides and skins only, have access to the contributing premises compliance status, product restrictions and other relevant information on the compliance database.
- (3) The eligibility documents are completed once an official assurance verifier:
  - a) who has current first-hand knowledge of the operation and has access to the operator's records (including any supporting eligibility documents), has issued the documents; or
  - b) in the case of fish and fish products and hides and skins only, has checked the eligibility document against the compliance database and has issued the documents.

### 4.5.2 Procedure for official assurance verifiers

- (1) All official assurance verifiers must follow the principles of certification in the Veterinary Council of New Zealand's "Code of Professional Conduct for Veterinarians".
- (2) Official assurance verifiers must only issue:
  - a) E-cert eligibility documents raised by an operator in accordance with the E-cert Help File on the MPI web site; or
  - b) paper eligibility documents completed by the operator in accordance with the specifications provided in this Notice.
- (3) Eligibility documents must not be issued if the details on the documents are incomplete, inaccurate or not in accordance with the requirements of this Notice, or any relevant export requirements.

## 4.6 Requirements on transfer of animal material and product

### 4.6.1 Management of eligibility documents

- (1) Operators must ensure that an eligibility document for the animal material or product being transferred to another premises, or being exported from that premises, is raised before that animal material or product leaves those premises.
- (2) The operator must have a system to show any movement of animal material or product from the incoming eligibility document to the outgoing eligibility document.
- (3) Where an export certificate is issued based on an electronic eligibility document, the authorised person must exhaust the electronic eligibility document at the time the export certificate is issued.
- (4) Where product is covered by incoming inter-premises eligibility documents, and that product is subsequently transferred:
  - a) to the local market; or
  - b) to export without an export certificate, or
  - c) to export with an export certificate issued by an authorised person based on current first-hand knowledge;then the operator must exhaust, on the incoming eligibility document, the relevant product item, when all product within the relevant product item has left that premises.

#### 4.6.2 Transfer of animal material or product

- (1) This clause does not apply to: hides, skins, game trophies, scientific / biotechnology material, and animal fibre not for human or animal consumption.
- (2) Every operator must provide the official assurance verifier with notice of intent to load out or receive any consignment of animal material or product intended for export.
- (3) Official assurance verifiers must, at not less than three-monthly intervals, check loading in and loading out of consignments at export premises. Frequency of checks must be varied and determined in accordance with performance based verification requirements in the [Animal Products Notice: Export Verification Requirements](#).
- (4) The official assurance verifier may carry out additional checks on export premises to confirm compliance with export requirements.
- (5) Animal material or product diverted to premises that are not its intended destination, as recorded in the eligibility document, cannot leave those premises until the eligibility document is either replaced or amended, and issued by the official assurance verifier. The amended or replacement eligibility document that has been issued must be available to the operator and official assurance verifier of the premises to which the animal material or product was diverted.

#### 4.7 Receipt of eligibility documents on transfer

- (1) The issued eligibility document must be accessible to the operator and official assurance verifier of the receiving premises before the animal material or product concerned is:
  - a) processed at the receiving premises in the case of animal material or product intended for human consumption; or
  - b) despatched from the receiving premises in the case of animal material or product intended for human consumption, but not processed at those premises; or
  - c) despatched from the receiving premises, in the case of animal material or product not intended for human consumption.
- (2) For the purposes of sub clause (1), the word “processed” does not include refrigeration or other means of preservation and storage necessary to ensure that the animal material or product can be held without deterioration.
- (3) An operator that receives a consignment of animal material or product without an issued eligibility document, must identify and segregate that consignment from all other animal material or product at the premises.
- (4) Animal material or product intended for human consumption that is processed without the issued eligibility document being available to the operator and official assurance verifier, in accordance with sub clause (1)(a), is ineligible for export with an official assurance.

#### 4.8 Amendment of eligibility documents

The amendment of eligibility documents in E-cert must follow the procedure provided on the E-cert help file on E-cert.

## Part 5: Transfer documentation – Fish material and fish products

### 5.1 Application of this part

- (1) In addition to the requirements contained in Part 3 of this Notice, this Part sets out an alternative to the eligibility document requirements in Part 4 of this Notice for the transfer documentation requirements that must be met to receive an official assurance for fish material and fish products.
- (2) In this Part, where an eligibility document is raised in place of an eligibility declaration, references to the use and availability of eligibility declarations applies to eligibility documents. In the case of clause 5.10, eligibility documents must be in an approved state.

### 5.2 Eligibility declarations

- (1) Where it is intended that fish material or fish product be exported with an official assurance; and
  - a) the fish material or fish product is transferred between land based premises; or
  - b) the fish material or fish product is transferred directly from a vessel to export; or
  - c) the fish material or fish product is transferred to the exporter, or between exporters; or
  - d) the authorised person issuing the export certificate is not involved in the final direct official assurance verification of the product or material;then the consigning premises operator must raise an eligibility declaration electronically on E-cert.
- (2) Eligibility declarations are not required for the transfer of:
  - a) fish and fish product to and from vehicle docking facilities (VDFs); or
  - b) fish and fish product to or from premises located at the same physical location as another premises; or
  - c) fish and fish product from a vessel into a land based premises; or
  - d) unprocessed fish from a listed fish depot to a land based premises; or
  - e) unprocessed chilled fish on ice between land based premises operating under common management control; or
  - f) fish or fish product to the exporter, where the operator is preparing the official assurance, and the official assurance is being issued by an authorised person who is also an official assurance verifier for that premises, with current first-hand knowledge.
- (3) Where transfers between premises are permitted under this clause without eligibility declarations, the operator must be able to satisfactorily demonstrate that:
  - a) transferred product can be accurately and comprehensively identified by inventory records; and
  - b) assurances for certification can be met.

### 5.3 Chilled airfreight, fish consignments transiting freight forwarders - (12 hour rule)

- (1) Notwithstanding sub clause 5.2(1)(a), this clause applies where chilled fish or fish product consignments are packed for export at the final processing premises, and sent directly to freight forwarding cold stores for dispatch on a flight within 12 hours of arrival at that coldstore.
- (2) Where this clause applies:
  - a) eligibility declarations must be raised from the final processing premises to the exporter.

- b) the freight forwarding cold store must be given third party access to the eligibility declaration, and the following declaration must be included in the eligibility declaration product items comments field "Transiting [premises identifier]".
- c) the operator of the freight forwarding coldstore must notify the MPI Verification Services Technical Supervisor, of any consignment where inspection at loadin or loadout reveals that the consignment is no longer fit for its intended purpose and such a consignment must be detained to prevent export.
- d) the operator of the freight forwarding coldstore must keep records of shoulder numbers of eligibility declarations for product that transits the coldstore.

## 5.4 Preparation of eligibility declarations

- (1) Eligibility declarations must only be raised by authorised users.
- (2) Eligibility declarations must not be raised for consignments containing animal material and product other than fish material and fish product.
- (3) Eligibility documents for fish material and fish product, may be raised in place of eligibility declarations at any time.
- (4) Where a premises does not have an authorised user with current first-hand knowledge of the operation, the operator must in place of eligibility declarations, raise an eligibility document.

## 5.5 Authorised users

Any person requesting authorised user status must:

- a) have gained at least the NZQA unit standard 20831 "Describe and operate the New Zealand Food Safety Authority's electronic certification system"; and
- b) understand and operate to certification principles in the Veterinary Council of New Zealand's "Code of Professional Conduct for Veterinarians", the Official Assurances Programme, and this Notice; and
- c) have a current first-hand knowledge of the animal product business for which they are raising an eligibility declaration. This knowledge must include an understanding of the relevant requirements within and made under the Act, including specifications and export requirements.

## 5.6 Official assurance verifiers

- (1) The official assurance verifier of the premises where eligibility declarations are raised must, on an ongoing basis, check at least 10% of eligibility declarations to ensure that they have been raised correctly.
- (2) In addition to sub clause (1), as part of the normal verification programme for that premises, an official assurance verifier must check all supporting documentation in relation to a selection of eligibility declarations, which have been raised to support export certificates, for premises for which they have direct responsibility. This check must ensure that supporting documentation:
  - a) identifies lots;
  - b) has traceability via the inventory control system;
  - c) has traceability to incoming eligibility declarations;
  - d) includes examination of transfer documents to verify that there is sufficient information to support export certification.
- (3) In addition to the requirements of clause (1) an official assurance verifier may at any time, where they have reasonable grounds for doing so, audit official assurance supporting documentation.

## 5.7 Non-compliance

- (1) Where the Director-General believes on reasonable grounds that an operator or their employee, agent or contractor has misused, or has failed, or is failing, to comply with clauses 5.4 and 5.5, the Director-General may notify the operator of this belief.
- (2) Notice under sub clause (1) must:
  - a) be in writing; and
  - b) clearly document the grounds of alleged non-compliance; and
  - c) specify a reasonable period within which the operator must remedy any non-compliance and/or make submissions to the Director-General regarding the non-compliance.
- (3) Notwithstanding sub clause (2)(c) the Director-General may immediately require that an operator raise eligibility documents, in place of eligibility declarations, in accordance with Part 4 where non-compliance or misuse threatens the integrity of official assurances issued under the Act.
- (4) If, following the expiry of the reasonable period specified under sub clause (2)(c), the Director-General is satisfied that the operator has failed to comply with clauses 5.4 and 5.5, the Director-General may require that eligibility documents are raised electronically in E-cert, in place of eligibility declarations.

## 5.8 Compliance database

- (1) The recognised agency providing the official assurance verification service must provide official assurance verifiers with access, at all times, to a compliance database.
- (2) The compliance database must record product restrictions (if any), verification results, including audit results from the MPI Compliance Directorate, and those conducted by overseas authorities. Any other information relevant to the issuing of eligibility documents and issuing of official assurances must also be recorded.
- (3) The official assurance verifier, with direct responsibility for premises, must ensure that they maintain the compliance database so that information for that premises is current.

## 5.9 Management of eligibility declarations

### 5.9.1 Management of eligibility declarations

- (1) Operators must ensure that the eligibility declaration for fish material or fish products transferred from one premises to another premises is completed and accessible in the E-cert system within 24 hours of the fish material or fish product leaving the consigning premises.
- (2) If during weekends or public holidays extenuating circumstances can be demonstrated, the time period described in sub clause (1) can be extended to 36 hours.
- (3) The operator must have a system to show any movement of animal material or product from the incoming eligibility declaration to the outgoing eligibility declaration.
- (4) Where an export certificate is issued based on an electronic eligibility declaration, the authorised person must exhaust the electronic eligibility declaration at the time of issuing the export certificate.
- (5) The operator must exhaust, on the incoming inter-premises eligibility declaration, the relevant product item, when all product within that product item has left that premises (see E-cert Help File for further details).

### 5.9.2 Transfers of fish material or product

- (1) Every operator must, when requested, provide the official assurance verifier with notice of intent to load out or receive any consignment of fish material or fish product intended for export.

- (2) Official assurance verifiers must, at not less than three-monthly intervals, check loading in and loading out of consignments at export premises. Frequency of checks is to be varied and determined in accordance with performance based verification requirements in the Animal Products Notice: Export Verification Requirements Notice 2015.
- (3) The official assurance verifier may carry out additional checks on export premises to confirm compliance with export requirements.
- (4) Fish material or product diverted to premises that are not its intended destination, as recorded in the eligibility declaration, cannot leave those premises until the eligibility declaration is either replaced or amended. The amended/replacement eligibility declaration must be available to the operator and official assurance verifier of the premises to which the animal material or product was diverted.

## 5.10 Receipt of eligibility declarations on transfer

- (1) The eligibility declaration must be accessible to the operator and official assurance verifier of the receiving premises before the fish material or product concerned is:
  - a) processed at the receiving premises, in the case of fish material or product intended for human consumption; or
  - b) despatched from the receiving premises, in the case of fish material or product intended for human consumption, but not processed at those premises; or
  - c) despatched from the receiving premises, in the case of fish material or product not intended for human consumption. Fish material or product not intended for human consumption may be processed prior to the eligibility declaration being available.
- (2) For the purposes of sub clause (1) the word “processed” does not include refrigeration or other means of preservation and storage necessary to ensure that the fish material or product can be held without deterioration.
- (3) An operator that receives a consignment of fish material or product without an eligibility declaration, must identify and segregate that consignment from all other fish material or product at the premises.
- (4) Fish material or fish product intended for human consumption that is processed without the eligibility declaration being available to the operator and official assurance verifier, in accordance with sub clause (1), is ineligible for export with an official assurance.

## 5.11 Amendment of eligibility declarations

The amendment of E-cert eligibility declarations must follow the procedure provided on the E-cert Help File in E-cert.

## **Part 6: Transfer documentation – Hides and skins not for human or animal consumption**

### **6.1 Application of this part**

In addition to the requirements of Part 3 of this Notice, this Part sets out an alternative to the eligibility document requirements in Part 4 of this Notice for the transfer documentation requirements that must be met to receive an official assurance for hides and skins that are not for human or animal consumption.

### **6.2 Operator declarations**

- (1) Where it is intended that the hides or skins are to be exported with an official assurance, a completed and signed operator declaration or an eligibility document raised on E-cert must accompany all transfers between listed premises.
- (2) Operator declarations must include:
  - a) consignor (place name and identifier);
  - b) consignee (place name and identifier);
  - c) description of goods;
  - d) number and kind of packages;
  - e) net weight;
  - f) declarations required to support the issuing of the required official assurance;
  - g) date of signature;
  - h) signature of operator;
  - i) name of signatory in capital letters.

### **6.3 Additional declarations**

- (1) The operator of each listed premises must ensure that where any additional declarations are:
  - a) required to support the issue of an official assurance for a market; and/or
  - b) notified by way of OMAR for a market;for which a consignment of hides or skins is intended to be eligible, such declarations must be added to the operator declaration as required by sub clause 6.2(2)(f).
- (2) Where additional declarations are added they must be supported by operator procedures and supplier operator declarations or eligibility documents, where appropriate.

### **6.4 Eligibility documents**

- (1) Where it is intended to export hides or skins with an official assurance, an eligibility document raised on E-cert, must accompany the transfer of hides or skins from listed hides and skins premises to exporters.
- (2) The eligibility documents are completed once:
  - a) an official assurance verifier has checked the eligibility document against the compliance database and has issued the eligibility document; or
  - b) an official assurance verifier who has current first-hand knowledge of the operation and who has access to the operator's records (including any supporting documents), has issued the eligibility document.



## 6.5 Compliance database

- (1) The recognised agency providing the official assurance verification service must provide official assurance verifiers with access, at all times, to a compliance database.
- (2) The compliance database must record product restrictions (if any), verification results, including audit results from the MPI Compliance Directorate, and those conducted by overseas authorities. Any other information relevant to operator declarations and signing of official assurances must also be held.
- (3) The official assurance verifier, with direct responsibility for premises, must ensure that they maintain the compliance database so that information for that premises is current.
- (4) Official assurance verifiers may at any time, where they have reasonable grounds for doing so, audit official assurance supporting documentation.

## **Part 7: Transfer documentation and listing of beekeepers – Bee products**

### **7.1 Object of this part**

- (1) This Part:
  - a) imposes additional requirements to those in Part 3 of this Notice by setting out an alternative to the transfer documents requirements (eligibility documents) in Part 4 of this Notice that must be met to receive an official assurance for bee products; and
  - b) seeks to safeguard the assurances issued by MPI for bee products by requiring that beekeepers who wish to supply honey to RMP premises for the purposes of export are listed with MPI.
- (2) In this Part, where an eligibility document is raised in place of an eligibility declaration, references to the use and availability of eligibility declarations apply in like manner to eligibility documents.

### **7.2 Transfer Documentation - Eligibility declarations**

#### **7.2.1 Eligibility declarations required for inter-premises transfers**

- (1) Subject to sub clauses (2) and (3), the consignor must raise an eligibility declaration electronically in E-cert to the consignee where:
  - a) the bee products are transferred between RMP premises; or
  - b) the bee products are transferred between exporters.
- (2) Where the operator of an RMP premises of final control is transferring a consignment of bee products to an exporter, the operator must raise an eligibility document instead of an eligibility declaration.
- (3) Eligibility declarations are not required for the transfer of bee products:
  - a) from the apiary to the extracting RMP premises;
  - b) to or from vehicle docking facilities (VDFs);
  - c) between premises with multiple RMPs, owned or occupied by the same operator and situated within the same boundary fence, with an inventory control system in place that provides for adequate traceability equivalent to that provided for by eligibility documents; and the transfer is under the direct control of the operator;
  - d) between operators (excluding mobile operators) if the operators:
    - i) are directly adjoining and managed by a common managerial structure; and
    - ii) have an inventory control system in place that provides for adequate traceability equivalent to that provided for by eligibility declarations; and
    - iii) are directly in control of the transfer.

#### **7.2.2 Eligibility declarations to be raised only by authorised users with current first-hand knowledge**

- (1) Eligibility declarations must only be raised by authorised users who have current first-hand knowledge of the premises at which the bee products for which they are raising an eligibility declaration has been processed.
- (2) Where a premises does not have an authorised user with current first-hand knowledge, the person designated by the operator to be their E-cert user must only raise eligibility documents.

### 7.2.3 Operators to demonstrate connection between incoming and outgoing eligibility declarations

- (1) The operator must have a system to show any movement of bee products from the incoming eligibility declaration to the outgoing eligibility declaration.

**Guidance:**

- E-cert is not intended for, or regarded as, a replacement of the operator's inventory system. It is not always possible to maintain a precise inventory in situations where incoming product is further processed into mixed items. In this case a comparison over time is necessary. It should be possible to show that bulk material from an eligibility declaration is now incorporated into a packed lot, and that unused bulk material from the same eligibility declaration can be found intact in the store.
- E-cert users have the ability to raise eligibility declarations to themselves. For example 10 incoming eligibility declarations for 1000 drums of honey can be converted into one or more eligibility declarations for packed product. This process greatly speeds up the reconciliation verification activities when further processed product is sent from the premises.

### 7.2.4 Eligibility declaration requirements where bee products are diverted to premises that are not the intended destination

- (1) The consignor must ensure that bee products diverted to premises that are not its intended destination, as recorded in the eligibility declaration, do not leave those premises until the eligibility declaration is either replaced or amended recording the actual destination.
- (2) The consignor must ensure that the amended or replacement eligibility declaration is available to the operator or official assurance verifier (as the case may be) of the premises to which the bee products were diverted before the products can be further processed at or dispatched from that premises.
- (3) The operator of the premises to which the bee products were diverted must raise an eligibility declaration to the next destination premises.

### 7.2.5 Bee products not to be processed at or dispatched from the receiving premises before eligibility declaration is approved

- (1) The consignee must not process or dispatch any bee products from their premises until the associated eligibility declaration has been approved and accessible in E-cert to that consignee, or the official assurance verifier (where applicable) of that consignee's premises.
- (2) A consignee who further processes bee products in contravention of sub clause (1) or further dispatch bee products in contravention of sub clause (1) must identify and clearly distinguish any such products and all other consignments at their premises.
- (3) Bee products that were further processed in contravention of sub clause (1) or further dispatched in contravention of sub clause (1) are ineligible for export with an official assurance.
- (4) For the purposes of clauses 7.2.4 and 7.2.5, the word "process" does not include refrigeration or other means of preservation and storage necessary to ensure that the bee products can be held without deterioration.
- (5) The operator must exhaust the relevant product item on the incoming inter-premises eligibility declaration, when all product within that product item has left that premises.

### 7.2.6 Extending country eligibility

- (1) Where the incoming eligibility declaration lists the countries to which the bee products are eligible for export and the consignee wishes to extend the eligibility of the bee products to an additional country or countries, the following procedure applies:

- a) the consignee must identify any difference(s) between the requirements of the additional country or countries and the country or countries on the incoming eligibility declaration; and
  - b) the consignee must keep auditable records to support the extended eligibility; these records must clearly demonstrate the resolution and verification of any differences identified under paragraph (a) through examination of the bee products, and the process or procedures that have been applied at the consignee's premises; and
  - c) the outgoing eligibility declaration must contain the declaration "eligibility extended", when extending eligibility to a market with additional requirements to those countries listed in the incoming eligibility declaration.
- (2) Where it is not possible to follow the procedure in sub clause (1), the consignee must require the consignor to amend, or produce a replacement of the incoming eligibility declaration.
  - (3) Where eligibility documents are used, the official assurance verifier must identify any differences between the requirements for the additional country or countries on the outgoing eligibility document and the countries on the incoming eligibility document.

### 7.2.7 Eligibility declarations and eligibility documents relating to imported bee products

- (1) All eligibility declarations relating to imported bee products must:
  - a) identify the country or countries of origin of the bee products concerned; and
  - b) refer to the relevant documentation issued by the foreign government.

#### Guidance

Honey can only be imported from a specific countries that are approved under the Biosecurity Act 1993. Please refer to the relevant Import Health Standards on the MPI website for eligible countries of importation: <http://www.mpi.govt.nz/importing/overview/import-health-standards/>

- (2) Consignors transferring imported bee products must, where applicable, ensure that copies of all relevant import certificates are available to consignees to support the issuing of official assurances.
- (3) All exporters seeking an official assurance for bee products that has been processed or mixed with imported bee products must supply to the authorised person the original export certificate issued by the competent authority of the exporting country for the imported bee products or a certified copy of the certificate.
- (4) For the purpose of sub clause (3), the following categories of officials may certify a copy of the certificate as a true copy of the original:
  - a) animal product officers;
  - b) Biosecurity inspectors;
  - c) Customs officers; and
  - d) official assurance verifiers with current first-hand knowledge of the premises that first receives the imported bee products.
- (5) Exporters must ensure that any specific requirements from the importing country notified under section 60 of the Act regarding imported bee products and its certification are complied with.

### 7.2.8 Official assurance verifiers to verify eligibility declarations

- (1) The official assurance verifier of the premises where eligibility declarations are raised must, on an ongoing basis, check at least 5% of eligibility declarations to ensure that they have been raised correctly.
- (2) In addition to sub clause (1), as part of the normal verification programme for premises for which they have direct responsibility, official assurance verifiers must check all supporting documentation in relation to a selection of eligibility declarations, which have been raised to support export certificates.
- (3) Verification checks must include examination of:

- a) eligibility declarations to verify that there is sufficient information to support export certification; and
  - b) supporting documentation to ensure that it:
    - i) identifies lots; and
    - ii) has traceability via the inventory control system; and
    - iii) has traceability to incoming eligibility declarations.
- (4) In addition to the requirements of sub clause (1), an official assurance verifier may audit official assurance supporting documentation at any time where there are reasonable grounds for suspecting non-compliance with the requirements of this Notice.

### 7.2.9 Non-compliance

- (1) Where the Director-General believes, on reasonable grounds, that an authorised user has misused their authorisation, or has failed, or is failing, to comply with the requirements in this Notice in relation to raising eligibility declaration, the Director-General may notify the operator of this belief.
- (2) Notification under sub clause (1) must:
- a) be in writing; and
  - b) clearly document the alleged non-compliance; and
  - c) specify a reasonable period within which the operator must remedy any non-compliance or make submissions to the Director-General regarding the non-compliance.
- (3) Notwithstanding sub clause (1), where non-compliance or misuse threatens the integrity of official assurances issued under the Act, the Director-General may immediately direct the operator:
- a) that the responsible authorised user must cease raising eligibility declarations and may only raise eligibility documents; and
  - b) of any corrective actions that the operator or the responsible authorised user must undertake before the authorised user can start raising eligibility declarations again.
- (4) If, following the expiry of the reasonable period specified under sub clause (2)(c), the Director-General is satisfied that the operator has failed to address the misuse or non-compliance, the Director-General may notify the operator:
- a) that the responsible authorised user must cease raising eligibility declarations and may only raise eligibility documents; and
  - b) of any corrective actions that the operator or the responsible authorised user must undertake before the authorised user can start raising eligibility declarations again.
- (5) If the operator is notified under sub clause (3) or (4), the operator must ensure that the notification is complied with.

### 7.2.10 Compliance database

- (1) The recognised agency providing the official assurance verification service must provide official assurance verifiers with access, at all times, to a compliance database.
- (2) Official assurance verifiers must use the compliance database to record:
- a) product restrictions (if any); and
  - b) verification results, including audit results from the MPI Compliance Directorate and those conducted by overseas authorities; and
  - c) any other information relevant to the issuing of eligibility documentation and official assurances.
- (3) The official assurance verifier, with direct responsibility for premises, must ensure that they maintain the compliance database so that information for that premises is current.

## 7.3 Eligibility requirements – Unlabelled retail packs and bulk honey

In order to be eligible for export with an official assurance, unlabelled retail packs and bulk honey must be indelibly marked with the following information:

- a) the RMP number of the premises where the honey was packed; and
- b) product description (i.e. the word “honey”); and
- c) country of origin; and
- d) the product’s batch code.

### Guidance

In addition to all other applicable requirements specified in this Notice, bee products intended for export with an official assurance must also comply with the [Animal Products \(Harvest Statement and Tutin Requirements for Export Bee Products\) Notice 2010](#).

## 7.4 Eligibility requirements – Listing of beekeepers

### 7.4.1 Application

- (1) Clause 7.4 applies to all beekeepers who wish to supply honey to an RMP premises for the purpose of export to countries for which official assurances are required.
- (2) Clause 7.4 does not apply to beekeepers who:
  - a) operate their own RMP premises; or
  - b) are already listed with MPI as a result of an OMAR; or
  - c) only supply honey for the purposes of sale in the domestic market or for export to countries for which official assurances are not required.

### 7.4.2 Honey to be from listed beekeepers

- (1) Operators of RMP premises which process honey for export to countries for which official assurances are required must:
  - a) not claim eligibility to countries for which official assurances are required unless the bee products are sourced from a listed beekeeper; and
  - b) at all times, have a system which clearly identifies and distinguishes between honey supplied by listed beekeepers and honey supplied by non-listed beekeepers.

### 7.4.3 Listing of beekeepers

- (1) A beekeeper may apply to the Director-General for listing by:
  - a) applying at any time in the manner and form approved by the Director-General; and
  - b) paying the applicable fee (if any is prescribed by regulations).
- (2) An application for listing must contain the following information, which must be current at the time of application:
  - a) the beekeeper’s name and, if different, trading name; and
  - b) the beekeeper’s address and, if different, his or her business address; and
  - c) the beekeeper’s contact details, as specified by the Director-General.
- (3) The Director-General must add a beekeeper to the list unless:
  - a) the beekeeper has been delisted in the past; and
  - b) the reason for the delisting is such that, in the opinion of the Director-General, the person should not, at the time of application, be permitted to be listed.

#### **7.4.4 Information on the beekeeper list**

- (1) Information on the list must:
  - a) be available publicly on the MPI website; and
  - b) include all of the information in clause 7.4.3(2).
- (2) Beekeepers must update their listing, in the manner and form required by the Director-General, whenever any of the information in sub clause 7.4.3 (2) changes.
- (3) The beekeeper list may be maintained by the Director-General in whatever form the Director-General considers appropriate.

#### **7.4.5 Delisting of beekeepers**

- (1) The Director-General may remove a beekeeper from the beekeeper list in any of the following circumstances:
  - a) the Director-General believes on reasonable grounds that any of the information on the list is incorrect or no longer current; or
  - b) the beekeeper has failed to update the information on the list when asked to do so, or has at any time provided incorrect information; or
  - c) the beekeeper, or any person engaged by the beekeeper in an activity associated with the beekeeping business, has been convicted of an offence involving fraud or dishonesty in connection with beekeeping, hive management, or any business involving bee product; or
  - d) the Director-General believes on reasonable grounds that the beekeeper, or any person engaged by the beekeeper in an activity associated with the beekeeping business, is or has been involved in illegal activity in connection with beekeeping, hive management, or any business involving bee product; or
  - e) the Director-General believes on reasonable grounds that the person is no longer engaged in business as a beekeeper; or
  - f) the beekeeper asks to be delisted.
- (2) Before delisting a beekeeper, the Director-General must:
  - a) give the beekeeper written notice (unless the beekeeper cannot reasonably be found) of the intention to delist; and
  - b) give the beekeeper a reasonable opportunity, within the time specified in the notice, to provide reasons why the Director-General should not delist the beekeeper.
- (3) A person who has been delisted may apply for listing again at any time.

## **Part 8: Transfer documentation – Live animals and germplasm**

### **8.1 Application of this part**

- (1) This Part sets out an alternative to the transfer documentation requirements in Part 3 and Part 4 of this Notice for live animals and germplasm.
- (2) In this Part, where an eligibility document is raised in place of an eligibility declaration, references to the use and availability of eligibility declarations applies to eligibility documents.

### **8.2 Eligibility documents for live animals and germplasm**

- (1) Where it is intended that live animals or germplasm, excluding live poultry, be exported with an official assurance, then the exporter or official assurance verifier must raise an eligibility document.
- (2) Notwithstanding sub-clause (1) paper eligibility documents may be used for live animals and germplasm.

### **8.3 Preparation of electronic eligibility documents**

Eligibility documents must be raised in accordance with the E-cert Help File.

### **8.4 Preparation of paper eligibility documents**

- (1) When paper eligibility documents or eligibility declarations are issued, they must use the relevant live animal export certificate template(s) and be identified with a unique shoulder number including the identifier and the unique document serial number.
- (2) The same shoulder number must be used on all documents in the same eligibility document.
- (3) Where an attached schedule is used, the schedule must be similar in format to the relevant parts of the live animal export certificate template, and identified with the same shoulder number as the eligibility document.
- (4) Where any export requirement states that an additional associated eligibility document is required for the same consignment, the same shoulder number must be entered on both eligibility document sets.
- (5) In applying shoulder numbers to eligibility documents the following directions apply:
  - a) the entire number must be in the same style or font;
  - b) spaces are not permitted;
  - c) eligibility numbers must be issued sequentially unless the eligibility documents are generated electronically using E-cert;
  - d) shoulder numbers must not be repeated within any two-year period;
  - e) all numbers in a sequence must be accounted for in the records kept by official assurance verifiers or authorised users, whether they have been used for issued eligibility documents, or not.

### **8.5 Issuing eligibility documents**

#### **8.5.1 Authority to issue eligibility documents for live animals and germplasm**

- (1) Eligibility documents may only be issued by an official assurance verifier.



- (2) Any official assurance verifier issuing eligibility documents must:
  - a) have a thorough knowledge and understanding of this Notice and any export requirements applicable to the industry; and
  - b) have current first-hand knowledge of the commodity so as to confirm that the details provided in the eligibility document are complete and accurate; or
  - c) in the case of poultry hatcheries and germplasm operators only, have access to the contributing premises compliance status, product restrictions and other relevant information on the compliance database.
- (3) The eligibility documents are completed once an official assurance verifier:
  - a) who has current first-hand knowledge of the commodity and has access to the supporting records (including any supporting eligibility documents), has issued the documents; or
  - b) in the case of poultry hatcheries and germplasm operators only, has checked the eligibility document against the compliance database and has issued the documents.

### **8.5.2 Procedure for official assurance verifiers**

- (1) All official assurance verifiers must follow the certification principles in the Veterinary Council of New Zealand's "Code of Professional Conduct for Veterinarians".
- (2) Official assurance verifiers must only issue
  - a) E-cert eligibility documents raised by an operator in accordance with the E-cert help file on the MPI web site; or
  - b) paper eligibility documents completed in accordance with the specifications provided in this Notice.
- (3) Eligibility documents must not be issued if the details on the documents are incomplete, inaccurate or not in accordance with the requirements of this Notice, or any relevant export requirements.
- (4) Every signed paper eligibility document must have:
  - a) the official assurance verifier's name and qualifications (where applicable) shown legibly below their signature; and
  - b) the date of signature.

## **8.6 Issuing eligibility declarations**

### **8.6.1 Eligibility declarations**

Where it is intended that live poultry or germplasm be exported with an official assurance; and

- c) the live poultry or germplasm is transferred directly from an export approved premises to export; or
  - d) the authorised person issuing the export certificate is not involved in the final direct official assurance verification of the product or material;
- then the authorised user must raise an eligibility declaration.

### **8.6.2 Preparation of eligibility declarations**

- (1) Eligibility declarations must only be raised by authorised users.
- (2) Eligibility declarations must not be raised for consignments containing animal material and product other than live poultry and germplasm.
- (3) Authorised users must only issue:
  - a) E-cert eligibility declarations raised by an operator in accordance with the E-cert help file on the MPI web site; or

- b) paper eligibility declarations completed in accordance with the specifications provided in this Notice.
- (4) Eligibility declarations must not be issued if the details on the documents are incomplete, inaccurate or not in accordance with the requirements of this Notice, or any relevant export requirements.
- (5) Every signed paper eligibility declaration must have:
  - a) the authorised user's name and qualifications (where applicable) shown legibly below their signature; and
  - b) the date of signature.
- (6) Despite 59 (1) above, eligibility documents for live poultry and germplasm, may be raised by an official assurance verifier in place of eligibility declarations at any time.

### 8.6.3 Authorised users

Any person requesting authorised user status must:

- a) understand and operate to certification principles in the Veterinary Council of New Zealand's "Code of Professional Conduct for Veterinarians", the Official Assurances Programme, and this Notice; and
- b) have a current first-hand knowledge of the animal product business for which they are raising an eligibility declaration. This knowledge must include an understanding of the relevant requirements within and made under the Act, including specifications and export requirements.

### 8.6.4 Official assurance verifiers

- (1) The official assurance verifier of the premises where eligibility declarations are raised must, on an ongoing basis, check live poultry or germplasm at least 5% of eligibility declarations to ensure that they have been raised correctly.
- (2) In addition to sub clause (1), as part of the normal verification programme for that premises, an official assurance verifier must check all supporting documentation in relation to a selection of eligibility declarations, which have been raised to support export certificates, for premises for which they have direct responsibility. This check must ensure that supporting documentation:
  - a) has traceability via the inventory control system; and
  - b) has traceability to incoming transfer documents.
- (3) In addition to the requirements of sub clause (1) an official assurance verifier may at any time, where they have reasonable grounds for doing so, audit official assurance supporting documentation.

### 8.6.5 Non-compliance

- (1) Where the Director-General believes on reasonable grounds that an operator or their employee, agent or contractor has misused, or has failed, or is failing, to comply with sub clauses 8.6.2 and 8.6.3, the Director-General may notify the operator of this belief.
- (2) Notice under sub clause (1) must:
  - a) be in writing; and
  - b) clearly document the grounds of alleged non-compliance; and
  - c) specify a reasonable period within which the operator must remedy any non-compliance and/or make submissions to the Director-General regarding the non-compliance.
- (3) Notwithstanding sub clause (2)(c) the Director-General may immediately require that an official assurance verifier to raise eligibility documents, in place of eligibility declarations, in accordance with Part 4 where non-compliance or misuse threatens the integrity of official assurances issued under the Act.

### **8.6.6 Compliance database**

- (1) The recognised agency providing the official assurance verification service must provide official assurance verifiers with access, at all times, to a compliance database.
- (2) The compliance database must record product restrictions (if any), verification results, including audit results from the MPI Compliance Directorate, and those conducted by overseas authorities. Any other information relevant to the issuing of eligibility documents and issuing of official assurances must also be recorded.
- (3) The official assurance verifier, with direct responsibility for a premises, must ensure that they maintain the compliance database so that information for that premises is current.

### **8.6.7 Management of E-cert eligibility declarations**

- (1) Operators must ensure that the eligibility declaration for live poultry or germplasm transferred from one premises to another premises is completed and accessible in the E-cert system within 2 working days of the live poultry or germplasm leaving the consigning premises.
- (2) If extenuating circumstances can be demonstrated, the time period described in sub clause (1) can be extended to 3 working days.
- (3) The operator must have a system to show any movement of animal material or product from the incoming eligibility declaration to the outgoing eligibility declaration.
- (4) Where an export certificate is issued based on an electronic eligibility declaration, the authorised person must exhaust the electronic eligibility declaration at the time of issuing the export certificate.
- (5) The operator must exhaust, on the incoming inter-premises eligibility declaration, the relevant product item, when all product within that product item has left that premises (see E-cert help file for further details).

## **8.7 Amendment of eligibility declarations in E-Cert**

The amendment of E-cert eligibility declarations must follow the procedure provided on the E-cert Help File in E-cert.

## Part 9: Obtaining an Official Assurance

### 9.1 Obtaining an official assurance

- (1) Only a registered exporter or an exporter exempt from registration under Part 5 of the Act may apply for an official assurance. Registered exporters may apply for official assurances on behalf of exporters not required to be registered under Part 5 of the Act.
- (2) An exporter applying for an official assurance has all the duties of exporters, as stated in section 51 of the Act, for that consignment. That exporter must maintain procedures and processes to demonstrate that those duties are met.
- (3) To obtain an official assurance, in the form of an export certificate for animal material or product, an exporter must apply to an authorised person in the following manner and provide the following information:
  - a) The exporter must raise the relevant electronic export certificate or prepare the relevant paper export certificate set and provide it to an authorised person for issue;
  - b) The exporter of a consignment containing;
    - i) animal material and product produced in premises from which it will be exported; and
    - ii) animal material and product produced in other premises;must provide the appropriate transfer documentation for the products produced in each premises, except where sub clause (4) applies.
- (4) Transfer documentation is not required for operations carried out by the final premises, where the official assurance is being issued by an authorised person who is an official assurance verifier for that premises with current first-hand knowledge of that premises.

### 9.2 Preparation of the export certificate

- (1) It is the exporter's responsibility to raise export certificates.
- (2) Only export certificates produced on E-cert, on a pre-printed export certificate form or a MPI letterhead certificate may be used.
- (3) Electronic export certificates must be raised by the exporter in accordance with the E-cert help-file.
- (4) Exporters must ensure that the raised export certificate is correct prior to it being submitted to an authorised person for issuing.
- (5) The consignor must be a registered exporter unless exempted from registration under Part 5 of the Act, and, where a New Zealand Customs export entry is submitted, the registered exporter must be identified in that entry as the exporter. The consignor must either be a New Zealand exporter or the New Zealand agent for a foreign exporter and their full name and physical address and identifier as appears in the exporter register must be included in the export certificate.
- (6) Where the port of discharge is in a different country from the final destination, the consignor must comply with any notified export requirements for transit from the country of discharge to the final country.
- (7) Subject to sub clause (8), dates must be stated in clear and not code.
- (8) Where dates are attested to on an export certificate and the corresponding dates are coded on labels (including bar coding); a full explanation of the code must be entered on the export certificate, in addition to the dates in clear.
- (9) If paper export certificates sets are used they must be prepared by the exporter in accordance with the following requirements:

- a) the form of the export certificate is specified in the overseas market access requirements for the final destination country of the consignment, and must bear the current print-run number for that form as advised to all registered exporters by the Director-General; and
  - b) forms bearing out of date or obsolete print-run numbers must not be used; and
  - c) all information entered on the export certificate must be in the same typeface style (whether typed, computer generated or otherwise produced), including authorised additional declarations. Handwriting is not permitted; and
  - d) all information must be entered as close to the top left of each box as is practicable, spacing lines closely and evenly and not leaving obvious gaps. Information entered must not overlap the boxes allocated; and
  - e) the main panel below the last entry must be voided; and
  - f) all boxes that remain empty must be voided. The words 'not applicable' in full may be used but not abbreviations such as "NA"; and
  - g) unless specific headings for this information are provided on the export certificate form, the container and MPI seal numbers (if applicable) must be entered such that they are clearly linked with the relevant consignment information, in the main panel; and
  - h) information may be placed on the reverse of the export certificate form if there is no room on the front. The layout of information placed on the reverse side must match the headings and layout of the front. The words 'continued overleaf' must be applied to the front, in the appropriate box, to indicate that the reverse has been used; and
  - i) as an alternative to paragraph (h), where there is insufficient space in the boxes provided for species, slaughter, processing or storage information, the words "see above" may be placed in the respective box and the information placed in the main panel, above the delimiter line.
- (10) Where overseas market access requirements state that a foreign government requires further hand-signed certificates, the exporter must prepare an official copy certificate.
  - (11) Where overseas market access requirements state that the foreign government concerned requires an additional associated certificate, the exporter must prepare and provide both sets of certificates to the authorised person.
  - (12) Exporters must also comply with any additional instructions on preparing export certificates contained in export requirements relevant to the intended market(s).

### **9.3 Additional exporter declarations, endorsements, etc**

- (1) An export certificate must not be modified by any person with any alterations, deletions, additional declarations, endorsements, or other wording, unless the Director-General has given prior written authorisation, or where specified by an export requirement.
- (2) For paper export certificates prepared manually, additional declarations (if authorised) must be entered by the exporter on the export certificate:
  - a) in the main panel immediately under the consignment, container or MPI seal information; or
  - b) if the main panels are full, the declaration must be entered on the reverse of the export certificate form; and
  - c) each declaration must span the full width of the certificate, or the blank area alongside the declaration must be voided.
- (3) If practicable, commercial information such as contract numbers and bank arrangements must not be entered on an export certificate. If it is not practicable, commercial information may only be added to the main panel and must be placed in a bordered area. The information must be placed under the heading 'Unofficial commercial information'. This information is not officially verified.
- (4) Commercial inventory references, including product item numbers, are valid product identifications. The references may be placed with the product description on the export certificate, and are verifiable.

- (5) Information about New Zealand's animal health, sanitary controls, animal welfare or any other information required by or under the Act (including any export requirement) must not be entered by the exporter under the heading of "Unofficial commercial information".

## Part 10: Procedure for the issue of export certificates

### 10.1 Issue of export certificates

- (1) Export certificates may be issued by an authorised person provided the requirements of the Act, or in the case of export approved premises the conditions of approval, have been met, including any relevant export requirements.
- (2) An authorised person must not issue an export certificate unless:
  - a) the certificate is covered by the appropriate transfer documentation provided for in this Notice; and / or
  - b) the person is also an official assurance verifier, and has current first-hand knowledge of the on-site operation to state that the information on the export certificate set is complete and accurate.
- (3) Authorised persons are not required to reconcile the consignor on the export certificate with the related customs entry, in accordance with clause 9.2(5) of this Notice.
- (4) Where an eligibility declaration is used to support the issuing of an official assurance, the authorised person, prior to issuing the export certificate, must check the contributing premises compliance status, product restrictions and other relevant information on the compliance database.
- (5) An export certificate must not be issued by an authorised person if the information provided by the exporter is known by the authorised person to be incomplete, inaccurate, or, otherwise not in accordance with any requirement of the Act.
- (6) An authorised person must not issue an export certificate that has been altered or modified in any way other than in accordance with an export requirement, or an authorisation given by the Director-General under clause 9.3 of this Notice.

### 10.2 Dispensations by the Director-General

- (1) This clause applies where all of the following conditions are present:
  - a) an exporter, operator, animal material or animal product has failed to comply with any of the following requirements in this Notice:
    - i) clause 4.6.1(1); or
    - ii) clause 4.6.2(5); or
    - iii) sub clauses 4.7(1), (2) and (4); or
    - iv) clause 5.9.1; or
    - v) clause 5.9.2(4); or
    - vi) sub clauses 5.10(1), (2) and (4); or
    - vii) clause 7.2.4; or
    - viii) clause 7.2.5; or
    - ix) clause 7.4.2(1)(a); and
  - b) the animal material or animal product would lose its eligibility for official assurance because of the non-compliance; and
  - c) the non-compliance was due to circumstances not reasonably foreseeable by the exporter or operator.
- (2) Where sub clause (1) applies, the Director-General may issue a dispensation from any of the provisions listed in sub clause (1)(a)(i) – (ix) and allow the animal material or animal product to be eligible for an official assurance if the Director-General is satisfied that:
  - a) the animal material or animal product remains fit for purpose despite the non-compliance; and
  - b) the non-compliance does not breach any relevant overseas market access requirements.

- (3) Any exporter or operator seeking a dispensation must:
- do so in writing to the Director-General; and
  - outline the nature and reason(s) for the non-compliance; and
  - outline the corrective action(s) that would be carried out to minimise any chance of future non-compliance.

**Guidance**

- To be satisfied about the fitness for purpose of product subject to a dispensation request, confirmation by the relevant official assurance verifier is likely to be required in most cases.
- Dispensations are highly unlikely to be issued where there are repeated non-compliances.

### 10.3 Faxed or scanned copies of paper transfer documents

- When the use of paper transfer documents is provided for within this Notice, a copy of the transfer document may be used to support the issuing of an export certificate. The original must be provided to the authorised person who signed the export certificate within 5 working days.
- For eligibility documents, the official assurance verifier must add a signed statement on the face of an eligibility document, before it is sent, confirming that he or she has approved the sending of the document to the named signing office.
- For eligibility declarations, the authorised user must add a signed statement on the face of the eligibility declaration, before it is sent, confirming that he or she has approved the sending of the document to the named signing office.
- The authorised person must compare all copies of transfer documents with the original hand-signed version of the same document when received. If any discrepancies are found, the authorised person must commence an investigation into possible offences under to the Act. Investigation findings must be sent to the Director-General.

### 10.4 Multiple certification not permitted

- Authorised persons may issue only one export certificate set per consignment except where export requirements provide otherwise.
- Additional sets of export certificates to cover alternative destinations for the same consignment must not be issued.

### 10.5 Requirements for paper export certificates

- Every hand-signed export certificate must have:
  - the authorised person's name and qualifications (where applicable) shown legibly below the signature;
  - the authorised person's signatory seal; and
  - the date of signature.
- Handwriting, other than the authorised person's signature, is not permitted.
- The signature and signatory seal of an authorised person must be in a colour different from that of the text of the export certificate, except where automatically applied by E-cert during the printing process.
- Only one hand-signed original export certificate may be issued by an authorised person as a single certificate or in a set. The original certificate must be stamped in red with the word 'ORIGINAL' unless it is pre-printed on the certificate by the approved supplier of the certificate form. A hand-signed copy,



marked as “copy”, must be issued for those countries specified in overseas market access requirements as requiring two hand-signed certificates.

- (5) Any unsigned copies of preprinted export certificate forms must have the signature space voided.
- (6) Where any information is entered on the reverse side of an export certificate, the reverse side of the export certificate must have the authorised person’s name and qualifications, be signed, signatory sealed and dated in the same manner as on the front of the certificate, as required by sub clause (1).
- (7) Authorised persons must keep file copies of all paper export certificates they sign for 7 years. The file copies must be exact replicas of the original completed certificate. The file copy must be an official B copy of the certificate when available, otherwise a photocopy of the stamped signed original is to be used.
- (8) Where paper export certificates are prepared manually, the file copy of the export certificate must have a file copy of any supporting paper transfer documents attached, or alternatively a reference to the electronic document.

## 10.6 Numbering of export certificates

- (1) Authorised persons must ensure all export certificates are issued with a unique shoulder number.
- (2) For electronic export certificates, any E-cert style shoulder number provided as part of the computer programme may be used.
- (3) For paper export certificates at MPI Verification Services signing offices, an eight-digit shoulder number format, unique to the signing location, must be used with the first three digits as shown below:
  - a) Head Office 099
  - b) Auckland 098
  - c) Hastings 097
  - d) Hamilton Circuit 081
  - e) Wanganui 096
  - f) Wellington District 095
  - g) Christchurch 094
  - h) Dunedin 093
  - i) Invercargill 092
  - j) Auckland Airport 091
  - k) Tauranga 090
  - l) Nelson 089
  - m) Christchurch Circuit 048
  - n) Christchurch Circuit 049
  - o) Auckland Airport (MQS) 190
  - p) Wellington Airport (MQS) 191
  - q) Christchurch Airport (MQS) 192
- (4) For paper export certificates issued at other signing locations, an E-cert style numbering format unique to the signing location must be used, with the first part the New Zealand identifier and the year, the middle part the premises identifier, and the last part the unique document serial number, e.g. NZL2000/PH654/342.
- (5) The shoulder numbers must be entered by an authorised person or exporter with the authorised person’s consent, below the export certificate title unless a reserved space is pre-printed on the certificate form.
- (6) The same shoulder number must be used on the original and all copies in the same export certificate set.
- (7) Where any export requirement states that an additional associated certificate is required for the same consignment, the same shoulder number must be entered on both export certificate sets.

- (8) In applying shoulder numbers to export certificates the following directions apply:
- a) the entire number must be in the same style or font;
  - b) spaces are not permitted;
  - c) certificate numbers must be issued sequentially unless export certificates are generated electronically using E-cert;
  - d) shoulder numbers must not be repeated within any two-year period;
  - e) all numbers in a sequence must be accounted for in the records kept by authorised persons, whether they have been used for issued export certificates, or not.

## 10.7 Date stamping of export certificates

- (1) Authorised persons issuing export certificates must enter the actual date the export certificate is issued in the designated box in clear.
- (2) The date entered must be the actual date of issue of the export certificate and no other.

## 10.8 Allocation of signatory seals

Each authorised person employed by MPI is issued with a signatory seal by the MPI Verification Services. Each signatory seal has a unique four-digit individual number, which must be used only by the person to whom it is issued.

## 10.9 Use of signatory seals

- (1) The signatory seal must be affixed, at the time of issue to:
  - a) each original paper export certificate and
  - b) any B copies of that original.
- (2) Where a person is both an official assurance verifier and an authorised person, the same signatory seal is used in both capacities.

## Part 11: Lost Paper Export Certificates

### 11.1 Application of this part

This Part sets out the procedures for the replacement of an export certificate where a paper export certificate is lost.

### 11.2 Procedure for lost export certificates

- (1) Where an original paper export certificate has been lost in New Zealand after issue, the exporter may;
  - a) in the case of manually prepared and issued paper export certificates only, request the issue of a certified copy of the export certificate, except where an overseas market access requirement states the destination country will not accept a certified copy; or
  - b) request the issue of a replacement export certificate.
- (2) The Director-General may approve on a case by case basis other procedures for the issue of replacement export certificates for animal material or product which may perish or be condemned if not cleared promptly.

### 11.3 Issue of a certified copy

- (1) The procedure in this clause is not available where paper export certificates have been printed from the E-cert database, and is only applicable where a legible photocopy of the lost signed original export certificate can be produced by the exporter.
- (2) Subject to clause 11.6, the exporter must submit a signed statement detailing the circumstances of the loss and present it to the original signing office with:
  - a) a photocopy of the original lost export certificate; and
  - b) the prescribed fee.
- (3) Authorised persons may, if satisfied with the statement and the explanation provided, issue a certified copy of the original export certificate by:
  - a) endorsing the photocopied certificate with the words;  
"I certify that this document is a true and accurate copy of the original, which has been lost.";  
and
  - b) including the authorised person's name and qualifications, signing, dating and stamping their signatory seal on the endorsed photocopy.

### 11.4 Issue of a replacement certificate lost within New Zealand

- (1) To obtain a replacement export certificate, the exporter must provide to the original signing office:
  - a) a signed statement detailing the circumstances of the loss of the original signed export certificate including, if appropriate, the name of the courier or other party that had control of the export certificate at the time of its loss, and any relevant reference numbers, (e.g. courier pack number); and
  - b) the prescribed fee.
- (2) If satisfied with the declaration and explanation provided, authorised persons may issue a replacement export certificate set. In the case of manually prepared export certificates only, the replacement export certificate set must have endorsed in the body of the certificate the following declaration:

“Replacement of Certificate No ..... Dated ..... which has been lost.”

- (3) Replacement export certificates must be issued with a new shoulder number. Authorised persons must record on the file copies of the original certificate that the certificate has been cancelled and replaced, and record the new shoulder number of the replacement certificate.

## 11.5 Export certificates lost overseas

- (1) Where a signed original paper export certificate has been lost overseas, the exporter must apply for a replacement certificate within the period of the voyage or as soon as practicable after arrival and inspection, at the destination, of the animal material or product to which the certificate relates.
- (2) The application must contain a signed statement detailing the circumstances of the loss, including the details specified in clause 11.4(1)(a).
- (3) The authorised person must obtain authorisation from the Director-General prior to signing a replacement certificate.
- (4) In the case of manually prepared export certificates only, the exporter must endorse the body of any replacement paper certificate with the following declaration:  
“Replacement of Certificate No ..... Dated ..... which has been lost.”
- (5) Replacement export certificates must be issued with a new shoulder number. Authorised persons must record on the file copies of the original certificate that the certificate has been lost and replaced, and record the new shoulder number of the replacement certificate.

## 11.6 Signing location

- (1) Nothing in this part prevents an application for the issue of a replacement export certificate being made to any signing office. The replacement export certificate must be accompanied by a written statement from the original signing office confirming that the replacement certificate is consistent with their records, and that there is no objection to the replacement being issued.
- (2) Authorised persons who sign replacement certificates must notify the original signing office of the replacement certificate set number, so their records may be amended.

## 11.7 Notification of replacements for export certificates lost overseas

As soon as is reasonably practicable after issuing a replacement for a certificate lost overseas, in accordance with clause 11.5, authorised persons must provide to the Director-General:

- a) the certificate shoulder number in full;
- b) the exporter's name and address;
- c) the country of destination;
- d) the vessel name (if applicable);
- e) the known or approximate date of loss of the original export certificate;
- f) the date the replacement export certificate was issued; and
- g) the name and title of the authorised person issuing the export certificate.

## Part 12: Reissue of Export Certificates

### 12.1 Application of this part

This Part sets out the procedure for the reissue of an export certificate where there is an error in the issued certificate.

### 12.2 Procedure where a foreign government is not involved

- (1) This clause sets out the procedure for the reissue of an export certificate where the reissue is required due to the detection of an error, other than by a foreign government.
- (2) The exporter must prepare a replacement export certificate set and in the case of manually prepared export certificate sets only, endorse the replacement export certificate set in the body of each document with the statement:  
"Replacement of certificate No ..... Dated ..... which is cancelled."
- (3) The exporter must complete a signed statement, or may alternatively when requesting a replacement in E-cert, enter in the "verification and status change panel" a statement:
  - a) outlining the reasons for replacement;
  - b) stating that no authorities of foreign governments are involved in the need to replace the original issued export certificate.
- (4) Where the error is a consequence of an inadvertent change of destination or method of conveyance of the consignment, the exporter must provide details of the circumstances, and whether the consignment has been discharged in another country.
- (5) Subject to clause 12.4, the exporter must present the replacement export certificate set to the signing office where the original export certificate was issued along with:
  - a) the original issued export certificate; or
  - b) evidence that the original issued export certificate is held by a New Zealand diplomatic or trade post; and
  - c) any corrected documentation to support the issue of the replacement certificate;
  - d) any prescribed fee; and
  - e) the statement specified in sub clause (3).
- (6) The exporter must ensure that details entered on the replacement export certificate are consistent with the corrected supporting documentation, and inventory records where appropriate.
- (7) The authorised person must compare the details entered on the replacement certificate with the corrected documentation provided to support the issue of the replacement certificate. Any inconsistencies must be verified by the official assurance verifier at the originating premises before the replacement certificate may be issued.
- (8) Replacement export certificates must be issued with a new shoulder number. Authorised persons must record on the replaced original certificate and its file copies that the certificate has been cancelled and replaced, and record the new shoulder number of the replacement certificate.
- (9) The authorised person must attach the original of the replaced export certificate to the file copy of the new certificate, except where that certificate is destroyed by a New Zealand diplomatic or trade post.

### 12.3 Procedure where a foreign government is involved

- (1) This clause sets out the procedure for the reissue of an export certificate where the reissue is as a result of a foreign government detecting an error on the original issued certificate. The original issued

certificate may be returned to the original signing office, retained by that foreign government or be handed to a New Zealand diplomatic or trade post for destruction.

- (2) The exporter must provide full details of the consignment and the detection/rejection to the certifiers nominated by the Verification Services, Agency Technical Manager accompanied by the prescribed fee, so that the nominated certifiers can seek authorisation from the Director-General prior to the reissue of the export certificate.
- (3) If the Director-General authorises the reissue of the export certificate, the exporter may prepare a replacement export certificate set and in the case of manually prepared export certificate sets only, endorse the replacement export certificates in the body of the document with the statement:  
"Replacement of certificate No ..... Dated ..... which is cancelled."
- (4) Subject to clause 12.4, the exporter must provide the replacement export certificate set to the signing office where the original export certificate was issued along with:
  - a) the original issued export certificate; or
  - b) evidence that the original issued export certificate is held by a New Zealand diplomatic or trade post or the foreign government; and
  - c) any corrected documentation to support the issue of the replacement certificate; and
  - d) the prescribed fee.
- (5) The exporter must ensure that details entered on the replacement export certificate are consistent with the corrected supporting documentation, and inventory records where appropriate.
- (6) The authorised person must compare the details entered on the replacement certificate with the corrected documentation provided to support the issue of the replacement certificate. Any inconsistencies must be verified by the official assurance verifier at the originating premises before the replacement certificate may be issued.
- (7) Replacement export certificates must be issued with a new shoulder number. Authorised persons must record on the original certificate and file copies of the original certificate that the certificate has been cancelled and replaced, and record the new shoulder number of the replacement certificate.
- (8) The authorised person must keep the original export certificate attached to the new file copy, except where that certificate is retained by a foreign government or destroyed by a New Zealand diplomatic or trade post.

## 12.4 Signing location

- (1) Nothing in this Part prevents an application for the reissue of a replacement export certificate to be made to any signing office. The replacement export certificate must be accompanied by a written statement from the original signing office confirming that the replacement certificate is consistent with the records, and that there is no objection to the replacement being issued.
- (2) Authorised persons who sign replacement certificates must notify the original signing office of the replacement certificate set number, so their records may be amended.

## 12.5 Notification of replacement certificates where a foreign government is involved

As soon as is reasonably practicable after issuing a replacement export certificate in accordance with clause 12.3, authorised persons must provide to the Director-General:

- a) the new certificate shoulder number in full;
- b) the exporter's name and address;
- c) the country of destination;
- d) the vessel name (if applicable);

- e) the date the replacement export certificate was issued; and
- f) the name and title of the authorised person issuing the export certificate.

## Part 13: Security Paper and Form Management

### 13.1 Application of this part

This Part applies to:

- g) the production, ordering, distribution and security of preprinted export certificate forms;
- h) the ordering, distribution and security of security paper.

### 13.2 Form management

#### 13.2.1 Approved supplier of forms

- (1) Preprinted export certificate forms may only be printed by a supplier approved by the Director-General under section 158 of the Act.
- (2) No preprinted export certificate forms may be produced, modified or made obsolete by the approved supplier without the prior approval of the Director-General.
- (3) The approved supplier of preprinted export certificate forms must keep records for not less than 5 years detailing the mechanisms used for ordering, distribution, security, inventory supply and control.

#### 13.2.2 Ordering of forms

- (1) Preprinted export certificate forms may only be ordered from the approved supplier by and supplied to:
  - a) an operator;
  - b) an exporter registered under Part 5 of the Animal Products Act 1999;
  - c) an official assurance verifier or an authorised person; and
  - d) an official of MPI.
- (2) When ordering preprinted export certificate forms from an approved supplier, the order form must contain:
  - a) the name and physical address of the operator, exporter or MPI location (this is the company/office which will be invoiced, and to where the certificate forms will be delivered);
  - b) in the case of exporters and operators only, the exporter or operator identifier;
  - c) the quantity and type of certificates forms ordered;
  - d) the signature of a person authorised by the registered exporter or operator to make such an order (MPI Verification Services must verify this authority as part of the audit conducted under clause 13.2.4);
  - e) the date, address, imprint of the signatory seal, signature and block stamp of the authorised person, authorising the order;
  - f) the requested delivery time parameters.
- (3) The approved supplier must, at the time of dispatch, send a copy of the packing slip or equivalent under separate cover to the person who authorised the order.
- (4) The receiver of the dispatched preprinted export certificate forms must confirm receipt to the approved supplier and the MPI Verification Services person who approved the order.

#### 13.2.3 Control of forms

- (1) Blank preprinted export certificate forms held by an exporter or operator must be kept secure, in a lockable facility, at all times.
- (2) The exporter or operator must keep preprinted export certificate forms under inventory control. The inventory must include:



- a) the order number;
  - b) the packing slip number or equivalent;
  - c) the date the certificate forms were received and issued;
  - d) the certificate form number or title; and
  - e) the quantities received and used.
- (3) All preprinted export certificate forms bearing out-dated or obsolete print numbers and any which have been damaged, entered in error or cancelled, must be retained and the exporter or operator must submit these forms to an authorised person for destruction and keep a record of these actions.
  - (4) Upon cessation of operations by a person specified in sub clause 13.2.2(1), all unused export certificate forms must be handed over to an authorised person to return them to the Director-General.
  - (5) No compensation will be paid for unused forms.
  - (6) The exporter or operator must keep records for not less than 5 years detailing the mechanisms used for ordering, security, inventory supply and control of export certificate forms.

#### **13.2.4 Audit of forms**

- (1) The MPI Verification Services must have a programme, which verifies the inventory control of export certificate forms kept by all exporters or operators at least once every 6 months.
- (2) The MPI Verification Services must immediately report to the Director-General any discrepancies or apparent misuse of forms or procedures.

### **13.3 Security paper management**

#### **13.3.1 Management of security paper – Verification Services bulk stores**

- (1) The MPI Verification Services must maintain, at the bulkstore, an inventory that accounts for, and records, each sheet of security paper.
- (2) Records are required to show the:
  - a) date the security paper was received in the controlled store;
  - b) number of sheets received;
  - c) serial numbers of the sheets received;
  - d) order number ex printer;
  - e) date of despatch to the MPI Verification Services office;
  - f) location of MPI Verification Services office;
  - g) name of the authorised person making the request for supplies;
  - h) method of despatch and relevant reference numbers, e.g. courier docket;
  - i) quantity despatched;
  - j) serial numbers of the sheets despatched;
  - k) serial numbers of waste or damaged sheets;
  - l) balance of inventory;
  - m) evidence that the number and serial numbers of despatched sheets was the same as that which was received by the MPI Verification Services office.
- (3) The MPI Verification Services person responsible for the secure paper must destroy waste or damaged sheets.
- (4) Records must be kept for 7 years.

#### **13.3.2 Management of security paper - Verification Services offices**

- (1) MPI Verification Services offices receiving supplies of security paper must keep records to show the:
  - a) date the security paper was received at the office;
  - b) number of sheets received;

- c) serial numbers of the sheets received;
  - d) notification to the MPI Verification Services bulk store of the number, and serial numbers of the sheets received;
  - e) date of despatch to operators where relevant;
  - f) location of operators where relevant;
  - g) name of registered E-cert user requesting and receiving the sheets on behalf of the operator;
  - h) method of despatch and relevant reference numbers, e.g. courier docket;
  - i) quantity despatched;
  - j) serial numbers of the sheets despatched;
  - k) serial numbers of waste or damaged sheets;
  - l) balance of inventory;
  - m) evidence that the number, and serial numbers of despatched sheets was the same as that which was received by the Registered E-cert user.
- (2) The MPI Verification Services person responsible for the secure paper must destroy waste or damaged sheets.
  - (3) Records must be kept for 7 years.
  - (4) MPI Verification Services offices ordering sheets must notify, in writing, the store the sheets were ordered from, the date, the quantity and the serial numbers of the sheets received.

### **13.3.3 Management of security paper - registered E-cert users**

- (1) Security paper held by registered E-cert users must be kept secure, in a lockable facility, at all times.
- (2) Registered E-cert users obtaining security paper from MPI Verification Services offices on behalf of the operator must keep records to show the:
  - a) date the security paper was received at their office;
  - b) number of sheets received (not to exceed a month's expected usage);
  - c) serial numbers of the sheets;
  - d) notification to the MPI Verification Services office of the number, and serial numbers of the sheets received;
  - e) serial numbers of waste or damaged sheets;
  - f) balance of inventory.
- (3) All waste or damaged sheets must be held and returned to MPI Verification Services at the earliest opportunity.
- (4) Records must be kept for 4 years and made available for audit by MPI.
- (5) Registered E-cert users ordering sheets must notify, in writing, the MPI Verification Services office from which the sheets were ordered, the date, the quantity and the serial numbers of the sheets received.

### **13.3.4 Audit of security paper**

- (1) The MPI Verification Services must check the security paper held by registered E-cert users, and their records, every fortnight.
- (2) Any discrepancy in the records kept by operators will lead to a MPI response that may include removal of E-cert printing access and investigation for the purposes of prosecution under the Act.

## Part 14: Transfer Documentation – Business Continuity Plan

### 14.1 Application of this part

This Part applies to those operators that raise:

- a) paper documents in place of electronic documents when access to E-cert is interrupted; or
- b) eligibility documents to accompany transfers of animal material or animal product of a class where electronic documents are not required.

### 14.2 Business continuity plan (BCP)

- (1) Operators and official assurance verifiers using E-cert must have a business continuity plan in place to ensure:
  - a) continued access to E-cert where ever possible; and,
  - b) continued compliance with the requirements of this Notice.
- (2) Where paper eligibility documents or eligibility declarations are used as part of the operator's business continuity plan and the E-cert system becomes available, the data on the paper eligibility declaration or eligibility document must be entered into the E-cert system within 5 working days and the paper eligibility declaration or eligibility document cancelled.
- (3) The electronic version of the eligibility declaration or eligibility document must:
  - a) have the same shoulder number as the paper version; and
  - b) include "Previously raised on paper under BCP, on [date], and issued on [date]" in the product item comments box.
- (4) Notwithstanding sub clause (3), where the paper version was only in a raised state prior to the E-cert system coming available, the electronic version must include the statement "Previously raised on paper under BCP", on [date]" in the product item comments box.

### 14.3 Paper Eligibility Documents (where this Notice provides for the use of paper documents)

#### 14.3.1 Requirements for paper eligibility documents

Every signed paper eligibility document must have:

- a) a shoulder number sequence unique to the signing location. An E-cert style numbering format must be used, with the first part the New Zealand identifier and the year, the middle part the consignor premises identifier, and the last part the unique document serial number, e.g. NZL2000/PH654/342; and
- b) the official assurance verifier's name and qualifications (where applicable) shown legibly below their signature; and
- c) the date of signature; and
- d) in the case of the MPI Verification Services official assurance verifiers only, the signatory seal affixed to the document.

#### 14.3.2 Corrections to paper eligibility documents

- (1) All corrections, except for corrections to port of loading, flight or ship references, or port of discharge (within the same country), must be additionally signed with a full signature by an official assurance verifier familiar with the operation.

- (2) Operators may make a maximum of four corrections per paper eligibility document and each error may be corrected once only. Where more than four corrections are necessary then a replacement issued in accordance with clause 14.3.6 is required.

### **14.3.3 Obligations on receipt of paper eligibility documents**

The operator of the animal product business receiving animal material or product, must provide the issued paper eligibility document to the official assurance verifier of the business as soon as practicable.

### **14.3.4 Records and storage of paper eligibility documents**

- (1) The consignor operator must keep a copy of all raised paper eligibility documents for a period of 4 years after the paper eligibility document has been exhausted.
- (2) Where a paper eligibility document has been issued to support the processing or dispatch of animal material or product, or other requirements notified by the Director-General, the consignee operator must keep a copy of the document.
- (3) Each original issued paper eligibility document covering animal material or product received by an operator must be kept by the official assurance verifier of the receiving premises for 7 years.
- (4) The official assurance verifier must keep for a period of 7 years a copy of all paper eligibility documents they sign.
- (5) Any file copy of a paper eligibility document, unless a photocopy of the original, must be a faithful replica including the shoulder number, date of signature, official assurance verifier's name in a legible form and, where applicable, the signatory seal.

### **14.3.5 Use of faxed or scanned paper eligibility documents**

- (1) An official assurance verifier must not issue an outgoing eligibility document, supported only by a copy of the incoming eligibility document.
- (2) Notwithstanding sub clause (1), the official assurance verifier may, at their discretion, issue outgoing eligibility documents based on faxed or scanned incoming eligibility documents for urgent airfreight consignments where the operator can show that standard procedures were impossible to apply;
- (3) Faxed or scanned signed eligibility documents may be used to allow processing or despatch of animal material or animal product as required by sub clause 4.7(1).
- (4) When copies of eligibility documents are used, they must be authenticated by the receiving premises within 5 working days by either:
  - a) receipt of the signed original paper eligibility document; or
  - b) the eligibility document raised electronically on E-cert to replace the paper raised eligibility document.

### **14.3.6 Replacement of incorrect paper eligibility documents**

- (1) Where a paper eligibility document contains or requires more than four separate corrections, the operator must prepare a new eligibility document and provide it and the original eligibility document to the office where the original eligibility document was signed.
- (2) The official assurance verifier may issue a new eligibility document endorsed, after the last data entry and above any delimiter line, with the statement: "Replacement of eligibility document No ..... Dated ..... which is cancelled".
- (3) The issuing official assurance verifier must retain the incorrect original along with the file copy of the replacement document.

### **14.3.7 Replacement of lost paper eligibility documents**

- (1) Where paper eligibility documents have been lost or inadvertently destroyed, the operator must provide a new eligibility document to the office where the original eligibility document was signed, along with a signed statement explaining the circumstances of the loss or destruction.
- (2) The official assurance verifier may issue a new eligibility document endorsed, after the last data entry and above any delimiter line, with the statement: "Replacement of eligibility document No ..... Dated ..... which has been lost".
- (3) The official assurance verifier must not issue a replacement document unless he or she is satisfied with the statement provided under sub clause (1). The file copy of the lost or destroyed eligibility document and the new file copy must clearly state the circumstances of the loss or destruction.

## **14.4 Paper Eligibility Declarations (where this Notice provides for the use of paper documents)**

### **14.4.1 Requirements for paper eligibility declarations**

- (1) Authorised users may sign paper eligibility declarations, for the transfer of animal material or product, which is eligible for transfer on an eligibility declaration.
- (2) Every signed paper eligibility declaration must have:
  - a) a shoulder number sequence unique to the signing location. An E-cert style numbering format must be used, with the first part the New Zealand identifier and the year, the middle part the premises identifier, and the last part the unique document serial number, e.g. NZL2000/PH654/342; and
  - b) the name of the authorised user signing the eligibility declaration shown legibly below the signature; and
  - c) the date of signature.
- (3) Eligibility documents must be raised in place of eligibility declarations where country eligibility of a product is supported by eligibility documents.
- (4) Authorised users must not sign eligibility declarations where the products country eligibility is supported by incoming eligibility documents.

### **14.4.2 Corrections to paper eligibility declarations**

- (1) All corrections, except for corrections to port of loading, flight or ship references, or port of discharge (within the same country), must be countersigned with a full signature of the authorised user.
- (2) Operators may make a maximum of four corrections per paper eligibility declaration and each error may be corrected once only. Where more than four corrections are necessary then a replacement prepared in accordance with clause 14.4.6 is required.

### **14.4.3 Obligations on receipt of paper eligibility declarations**

The operator of the animal product business receiving animal material or product must provide a copy of the original paper eligibility declaration to the official assurance verifier of the business as soon as practicable.

### **14.4.4 Records and storage of paper eligibility declarations**

- (1) The consignor operator must keep a copy of all raised eligibility declarations for a period of 4 years.
- (2) Each original signed paper eligibility declaration covering fish material or product received by an operator must be kept by the operator of the receiving premises for 4 years.

- (3) Any file copy of a paper eligibility declaration, unless a photocopy of the original must be a faithful replica including the shoulder number and date of signature.

#### **14.4.5 Use of faxed or scanned eligibility declarations**

- (1) An outgoing eligibility declaration, supported only by a copy of the incoming eligibility declaration, must not be signed by an authorised user.
- (2) Notwithstanding sub clause (1), the authorised user may, at their discretion, issue outgoing eligibility declarations based on faxed or scanned incoming eligibility declarations for urgent airfreight consignments where the operator can show that standard procedures were impossible to apply.
- (3) Faxed or scanned signed eligibility declarations may be used to allow processing or despatch of fish material or product where required by sub clause 5.10(1).
- (4) When copies of eligibility declarations are used, they must be authenticated by the receiving premises within 5 working days by either:
  - a) receipt of the signed original paper eligibility declaration; or
  - b) the eligibility declaration raised electronically on E-cert to replace the paper raised eligibility declaration.

#### **14.4.6 Replacement of incorrect paper eligibility declarations**

- (1) Where a paper eligibility declaration contains or requires more than four separate corrections, the authorised user must prepare and sign a new eligibility declaration endorsed, after the last data entry and above any delimiter line, with the statement:

“Replacement of eligibility declaration No ..... Dated ..... which is cancelled”.
- (2) The authorised user must retain the incorrect original along with the file copy of the replacement document.

#### **14.4.7 Replacement of lost paper eligibility declarations**

- (1) Where paper eligibility declarations have been lost or inadvertently destroyed, the authorised user must prepare and sign a new eligibility declaration endorsed, after the last data entry and above any delimiter line, with the statement:

“Replacement of eligibility declaration No ..... Dated ..... which has been lost”.
- (2) A signed statement explaining the circumstances of the loss or destruction must be provided.
- (3) The authorised user must not issue a replacement eligibility declaration unless he or she is satisfied with the statement provided under sub clause (2). The file copy of the lost or destroyed eligibility declaration and the new file copy must clearly state the circumstances of the loss or destruction.

## **Part 15: Obtaining an official assurance – Business continuity plan**

### **15.1 Application of this part**

This Part applies to operators that raise paper export certificates in place of electronic export certificates when access to E-cert is interrupted.

### **15.2 Export certificate preparation**

- (1) In situations where E-cert is unavailable, the MPI Verification Services may print the required export certificate template onto security paper and provide this to the exporter for preparation. The MPI Verification Services must keep inventory records in accordance with Part 13 of this Notice.
- (2) The exporter must manually prepare the blank certificate according to Part 9 of this Notice. The certificate shoulder number must be typed or stamped and be in conformance with the E-cert shoulder number format, e.g. NZL2003/ELN6000/1234.
- (3) Once the authorised person has issued the completed certificate, the authorised person must send a copy of the issued certificate to the MPI Market Access Counsellor – E-cert.
- (4) The data used on certificates prepared by this method shall be entered into E-cert (raised) within one working day of E-cert being made available, and approved as soon as possible thereafter. All data entered, including the shoulder number must be identical to the data on the template paper certificate. The same authorised person who signed the template paper certificate must approve the electronic certificate.
- (5) Notwithstanding sub clause (4), an alternative authorised person may approve the electronically raised export certificate where it is not practical for the authorised person who signed the original export certificate to do so. Where this occurs, the certification specialist must be notified so that they can inform the importing country if necessary.
- (6) Once the electronic certificate is approved the stationery serial number of the security paper must be entered into the electronic certificate.

## **Part 16: Certification of consignments for export to countries with new or unusual government requirements**

### **16.1 Application of this part**

This Part applies to all consignments for which export certificates are required or requested, which are not covered in the overseas market access requirements of the intended market.

### **16.2 Preparation of New Zealand Standard export certificates**

- (1) New Zealand Standard export certificates are export certificates that are available to exporters for consignments of animal material or product consigned to an importing country for which there are no overseas market access requirements notified or known.
- (2) New Zealand Standard export certificates must be raised by the exporter in accordance with the help-file on E-cert.
- (3) New Zealand Standard export certificates may be issued by the authorised person at their discretion.

### **16.3 Commercial risk**

- (1) All consignments certified under clause 16.2(1) are at the exporters own commercial risk. Commercial risk means acceptance by the exporter that the MPI certificates are given in good faith based on the exporter's assurances that all necessary enquiries have been made and that there is no known impediment to entry of the product into the country concerned. It includes acceptance by the exporter that MPI will not intervene if there is a refusal or failure of the relevant authority of and overseas market to admit animal material or product to that market.
- (2) In accordance with section 61A of the Act, MPI shall not be liable, for any loss arising through the refusal or failure of the relevant authority of an overseas market to admit animal material or product to that market.
- (3) MPI will not provide export certificates at the exporter's request, if the request is contrary to known export requirements or to satisfy commercial arrangements of the exporter.



## **Part 17: Onward certification of New Zealand products from other countries**

### **17.1 Issue of certificates for onward certification of New Zealand products from other countries**

- (1) Following a written request from the importer, the following declarations may be added to export certificates and issued by an authorised person.
  - a) If third country listing is required, use the following declaration on the appropriate export certificate;

"The [product] described on this certificate has been produced in premises listed for [insert name of country or countries] and is eligible for export to [insert name of country or countries]."
  - b) If third country listing is not required, use the following declaration on the appropriate export certificate;

"The [product] is eligible for export to [insert name of country or countries]."
- (2) The product is to be described as specifically as possible, and should match that used in the description panel on the export certificate.
- (3) Other details required by the third country, other than declarations, e.g. packing dates, may be added to the certificate.
- (4) Where the final importing country requires specific declarations to be included on MPI export certificates consigned to intermediate countries, and these declarations have been agreed to by MPI, these will be notified by way of OMAR, for the final importing country.
- (5) To support onward certification to a third country, the transfer documents must show eligibility to both the initial country of export and any third country requested by the importer.

## Part 18: Exports of imported animal materials or products

### 18.1 Importation and eligibility of animal materials or products

- (1) Imported animal material or products, either intact or mixed with New Zealand product, may be re-exported.
- (2) The provision of official assurances will depend on the eligibility status of the imported animal or product. In the majority of cases, the registered exporter will need to provide the original import certificate.
- (3) The relevant documentation issued by the foreign government must support the country eligibility stated on any transfer document and export certificate, including premises listings where relevant. If the supporting information is insufficient to verify any other details on the export certificate then the export certificate must not be issued.
- (4) The operator that first receives the imported animal material or product must have:
  - a) the original documentation (import certificate) issued by the competent authority of the foreign government or a certified copy of the original supplied by the MPI Verification Services or MPI Border Clearance Services, where this is required to support the issuing of an official assurance;
  - b) evidence that the animal material or product has been subjected to an import inspection, as required by OMAR 01/172 "Import of Foreign Animal Material and Animal Products and Return To New Zealand of New Zealand Animal Material and Animal Products For Domestic Use or Export" (or any document(s) that replace OMAR 01/172), and has been cleared for its intended purpose.

### 18.2 Processing of imported material or product

- (1) The processing for re-export of imported material or product is to be documented by the operator to the satisfaction of the official assurance verifier or incorporated into a risk management programme.
- (2) Imported consignments of product received into premises must be clearly identified by inventory records, and clearly identified and separated for traceability purposes.
- (3) Any products that contain any imported product must be clearly identified.
- (4) When required, the operator must produce evidence that the source premises, in the originating country, complies with any special certification requirements of the intended importing country and that the product itself would otherwise be eligible for direct export from the original source premises to the importing country.

### 18.3 Certification of imported material or product, for export

- (1) It is the responsibility of the operator to ensure that all supporting information that is essential for certification, is available to the official assurance verifier and/or authorised person.
- (2) The original import certificate is to be available to the official assurance verifier of the premises where the imported product was initially sent. This is usually in the form of a certified copy of the original, supplied by the MPI Verification Services or MPI Border Clearance Services,
- (3) Unless otherwise notified by overseas market access requirement, certification from New Zealand will be issued as follows:

- a) Imported product which has been stored in accordance with the Act, and has not been processed in any way, is to be certified for export on the MPI certificate specifically authorised for these circumstances.
- b) Imported product which has been stored and processed in accordance with the Act, along with product of New Zealand origin (i.e. the consignment is of mixed origin) is to be certified on the appropriate export certificate detailed in the official market access requirements, with the following declaration:
- “The product described herein was derived from animals of New Zealand origin, with the exception of: (description of imported product(s), including species) originating from (country “X”), and... [repeat “(description of imported product(s), including species) originating from (country “X”) for each country of origin], and was further processed in approved premises”; and/or
- “The animals from which the product was derived were domiciled in (or originated from) [countries of origin]”;
- c) Imported product which has been stored and processed in accordance with the Act but not mixed with product of New Zealand origin, is to be certified on the appropriate export certificate, with the following declaration:
- i) For products that were derived from products imported from one country only:
- “The product described herein was derived from product which was imported into New Zealand from [country of origin] and was further processed in approved premises.”; and/or
- “The animals from which the product was derived were domiciled in (or originated from) [countries of origin]”;
- ii) For products that were derived from products imported from more than one country:
- “The product described herein was derived from (description of imported product/s, including species) originating from (country) and...[repeat clause for each country from “description of imported product”] ...and was further processed in approved premises”; and/or
- “The animals from which the product was derived were domiciled in (or originated from) [countries of origin]”.
- (4) In addition, any declaration on certificates that refers to the products being of New Zealand origin, is to be deleted, and countersigned by the authorised person.
- (5) Notwithstanding sub clause (3), where the export certificate template being used provides a pre-prepared clause that accurately identifies the origin of the product being certified, the pre-prepared clauses must be used in place of those in sub clause (3).
- (6) A copy of all relevant import certificates must be provided to the authorised person at the time of issuing the MPI export certificate.
- (7) In the case of sub clause (3)(a), a copy of the import certificate is to be attached to the signed New Zealand certificate.
- (8) Contact the MPI Verification Services for details for the re-export of any other animal material or products not covered in this part.

## **18.4 Incidental inclusion of imported products**

Animal materials or products certified with specific meanings of 'origin' must be independently verified as being correct. The fact that they were obtained within New Zealand is insufficient.

## **18.5 Traceback**

Export certificates must not be issued for animal material or product that cannot be traced sufficiently to support overseas market access and origin requirements.