



Cabinet Economic Growth and Infrastructure Committee

Minute of Decision

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Food Safety Regulations: Proposed Changes

Portfolio **Food Safety**

On 8 March 2017, the Cabinet Economic Growth and Infrastructure Committee (EGI):

Background

- 1 **noted** that:
 - 1.1 on 12 October 2016, EGI agreed to the release of a consultation paper on proposed changes to food safety regulations [EGI-16-MIN-0260];
 - 1.2 consultation on the proposed changes was undertaken between October and December 2016;

Proposed changes

- 2 **agreed** that the outdated Food (Safety) Regulations 2002 be revoked;
- 3 **agreed** that the following policy matters from the Food (Safety) Regulations 2002 be retained and incorporated into the Food Regulations 2015:
 - 3.1 retention of the wine varietal composition rules (currently in regulation 20(1)) for imported wines only;
 - 3.2 retention of the policy that if water from reticulated supplies is added to food, then it must be of potable quality and may be fluoridated (currently in regulation 24);
 - 3.3 retention of the permission-to-operate for New Zealand's hemp seed oil industry (currently in regulation 26);
- 4 **agreed** that the Food Regulations 2015 be amended to reduce the need for sanitising where this is not necessary for achieving and maintaining the safety and suitability of food for national programme operators;
- 5 **agreed** that:
 - 5.1 record keeping and procedural requirements in the Food Regulations 2015 relating to maintenance (regulation 48) and protection against contamination (regulation 74) be reduced for national programme level 1 businesses and national programme level 2 Early Childhood Education providers and retailers;

5.2 similar requirements relating to protection during transportation (regulation 75) be reduced for the same businesses (except transporters or distributors of food products);

6 **agreed** that businesses subject to food control plans and national programmes be verified according to the frequencies and conditions set out in the table below:

Food sectors subject to:	Initial verification of a new business
Non-template food control plan	Within 3 months of registration plus up to a total of 6 additional weeks in special circumstances, and/or where a business has registered but has not yet started trading, at the discretion of the registration authority.
Template food control plan and national programmes	Within 6 weeks of registration plus up to a total of 6 additional weeks in special circumstances, and/or where a business has registered but has not yet started trading, at the discretion of the registration authority.

7 **agreed** that regulations be made to require verification reports to include the names of any technical experts who provided information used by the verifier in the verification process, and information about their competency;

8 **agreed** that the Animal Products (Exemptions and Inclusions) Order 2000 be amended to clarify that the following must be regulated under a Food Act risk-based measure:

8.1 fishmongers selling fish for retail sale;

8.2 the processing of certain dairy products consumed on premises;

8.3 the processing of certain multi-ingredient foods containing dairy products;

9 **agreed** that the Food Regulations 2015 be amended to remove ambiguity relating to maximum residue limits in wine;

Legislative implications

10 **noted** that the Minister for Food Safety is satisfied that statutory prerequisites for the making of regulations under the Food Act 2014 have been complied with;

11 **invited** the Minister for Food Safety to issue drafting instructions to the Parliamentary Counsel Office to implement the above paragraphs;

12 **authorised** the Minister for Food Safety to make final decisions on the details and to make changes, consistent with the policy intent outlined in the paper under EGI-17-SUB-0027, on any issues that arise during the drafting process;

Publicity

- 13 **noted** that the paper under EGI-17-SUB-0027 may be published on the Ministry for Primary Industries' website, subject to any appropriate withholdings under the Official Information Act 1982.

Janine Harvey
Committee Secretary

Present:

Hon Steven Joyce (Chair)
Hon Gerry Brownlee
Hon Simon Bridges
Hon Amy Adams
Hon Michael Woodhouse
Hon Nathan Guy
Hon Judith Collins
Hon Maggie Barry
Hon Paul Goldsmith
Hon Louise Upston
Hon Nicky Wagner
Hon Jacqui Dean

Officials present from:

Officials Committee for EGI

Hard-copy distribution:

Minister for Food Safety