Ministry for Primary Industries
Manatū Ahu Matua

Guidance Document

Dairy Export Quota Products

A guide to the development of a Quota Compliance Programme (QCP) and Export Licence guidance

28 August 2017

A guidance document issued by the Ministry for Primary Industries

New Zealand Government

Title

Guidance Document: Dairy Export Quota Products

About this document

New guidance document created to help dairy processors and dairy exporters to develop a Quota Compliance Programme (QCP).

Document history

Version Date	Section Changed	Change(s) Description
28 August 2017	New guidance document	N/A

Contact Details

Ministry for Primary Industries (MPI)
Regulation & Assurance Branch
Animal Products Directorate
PO Box 2526
Wellington 6140
Email: animal.products@mpi.govt.nz

Disclaimer

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

Copyright

Contents

1 Purpose

This guidance material assists dairy processors and dairy exporters to understand requirements for:

- Gaining an export licence (an allocation of quota);
- Transfer of an export licence; and
- Setting up a Quota Compliance Programme (QCP).

The following requirements documents comprise the legal requirements and should be referred to in the first instance:

a) Dairy Industry Restructuring Act 2001 (DIRA);
b) Animal Products (Regulated Control Scheme—Dairy Export Quota Products) Regulations 2008;
c) Animal Products Notice: Regulated Control Scheme - Dairy Export Quota Products 2015;
d) Dairy Industry Restructuring (Transfer of Export Licences) Regulations 2007; and
e) Commission Regulation (EC) No 2535/2001 of 14 December 2001.

2 Background

The Dominican Republic, the European Union, Japan and the United States of America are designated markets that are part of dairy quota (Schedule 5A of the Dairy Industry Restructuring Act 2001). These designated markets have quotas in place that govern how much of certain dairy products will receive beneficial export rates. To be eligible to export under the dairy quota programme there are several requirements to be met.

Export licences are allocated by MPI based on an applicant's share of total milksolids collected from dairy farmers in New Zealand. An export licence is also known as an allocation of quota. This licence is required for export approval.

An approved Quota Compliance Programme (QCP) is also required if intending to export to a designated market because dairy quota product needs to be processed and exported in accordance with an approved QCP before an export approval can be issued.

Dairy processors and dairy exporters must also meet designated market requirements applicable to the dairy products intended for export under the dairy export quota programme.

Note: MPI expects individuals carrying out dairy export quota related tasks to be adequately trained and competent to carry out these tasks.

3 Definitions

The following definitions used in this document have been taken from relevant legislation of the Animal Products Act 1999 and MPI documents:

CN code means the Combined Nomenclature code, a method for designating goods and merchandise in the EC. The CN code is comprised of the HS nomenclature with further EC subdivisions

designated market means a market listed in Schedule 5A of the DIRA

DIRA means the Dairy Industry Restructuring Act 2001

EC means the European Commission, the executive body of the EU responsible for proposing legislation, implementing decisions, upholding the EU treaties and managing the day-to-day business of the EU

EEC means the European Economic Community

EU means the European Union, to which the member states of the EEC are evolving. Based on the Maastrict Treaty, it envisions the eventual establishment of common economic, foreign, security, and justice policies

export licence in respect of a designated market, means any of the following:

f) the initial licences of the NZ Dairy Board;
g) a licence allocated under section 25, 26, or 29 of the DIRA

export approval means an approval to export a consignment of dairy quota product into a designated market issued by the Director-General under Parts 6 and 7 of the Notice

HACCP process flow diagram means a diagram describing the process or operation showing all inputs, activities or steps, and outputs

HS code means Harmonised System code, a tariff nomenclature and an internationally standardised system of names and numbers to classify traded products

IMA means inward monitoring arrangement as contained in Commission Regulation 2535/2001

IMA certification means an export approval related to product intended for the EU designated market

milksolids means only the milk-fat and protein component of raw milk

MPI Quota Management Register (QMR) means the electronic Quota Management Register provided by MPI for maintaining a current tally of an export licence holder's volume for each designated market

MPI Quota Management System (QMS) means the electronic Quota Management System provided by MPI for requesting and issuing of export approvals for dairy quota product

New Zealand origin means dairy quota product produced in accordance with New Zealand law and relevant importing country requirements

operator means in relation to an animal product business, the owner or other person in control of the business, including the person in charge of an export approved premises, or his or her agent

Quota Compliance Programme (QCP) means a quota compliance programme as required under Part 2 of the Regulations, a programme containing or referring to procedures demonstrating how designated market requirements are met

Risk Management Programme (RMP) means a programme designed to both identify and control, manage, and eliminate or minimise – hazards and other risk factors in relation to the production and processing of animal material and products in order that the resulting animal product is fit for intended purpose

transferee means the entity where an export licence will be transferred **to**

transferor means the entity where an export licence will be transferred **from**

4 How to use this guidance document

4.1 Who the guidance applies to

Anyone who has an interest in dairy export quota products will have specific areas of interest depending on the nature of their involvement with industry. RMP operators, dairy processors, dairy exporters, recognised verifiers and consultants should be familiar with all Parts of this guidance.

Sections 5 and 6 applies to those who intend to export dairy quota products to a designated market.

Section 7 applies to all those who hold or intend to hold a QCP for all designated markets.

Section 7 applies to those who process or export dairy quota product for all designated markets.

Section 8 specifically applies to those who process or export dairy quota product for the EU designated market.

Section 9 specifically applies to those who process or export dairy quota product for the Dominican Republic, Japan and the USA.

Note: Where dairy exporters are not involved in processing (e.g. where dairy quota product is sourced), the dairy exporter needs to be able to demonstrate the dairy processor complied with all relevant designated market access requirements.

4.2 Interpreting the guidance in the examples tables

The first column **'Requirements from Regulations and/or Notice'** lists the clause number and/or relevant requirement from the Notice or Regulations. These numbers do not align with the numbering in this guidance document. Note: Where applicable, clauses and sub-clauses of the Notice or Regulations have been grouped.

The second column **'What the QCP needs'** is a paraphrased requirement, or what is needed to meet the requirements. In some cases, the wording of the Notice is self-explanatory and has not been paraphrased. Note: Where applicable, clauses and sub-clauses of the Regulations and/or Notice have been grouped.

The third column **'Standalone QCP example'** is an example of how the requirements could be met if the QCP is a standalone document.

The fourth column **'QCP summary document example'** is an example of how requirements could be met if the QCP is a 'summary' document that references other programmes or procedures.

On some occasions, examples have been stated across the third and fourth column as they apply to both situations.

5 Export licences

5.1 What is an export licence?

An export licence is also known as an allocation of quota. Export licences are required for exporting certain dairy products under the dairy quota programme to the:

- European Union (butter, cheddar cheese, cheese for processing);
- Dominican Republic (milk powder);
- Japan (prepared edible fat), and
- United States (low fat cheese, NSPF cheese, American type cheese, cheddar cheese).

The Dairy Industry Restructuring Act 2001 Schedule 5A lists these designated markets.

5.2 How are export licences allocated?

Export licences are allocated by MPI based on an applicant's share of total milksolids collected from dairy farmers in New Zealand.

Schedule 5B of the Dairy Industry Restructuring Act 2001 sets out the rules for allocation and is calculated based on:

- the most representative data of total milksolids collected in New Zealand in the latest year for which data is available; and
- milksolids data submitted by each potential participant (participants can choose to submit data for either the most recently completed season, the two most recently completed seasons or the three most recently completed seasons – whichever results in the highest average figure for milksolids collected from farmers).

Proportion of export licences are allocated to eligible participants in consideration to their share of the total milksolids collected by eligible participants. Ineligible applicants' data are excluded from that calculation.

Note, you will only receive an export licence for a particular market if your share in that particular market equates to 20 tonnes (20 000 kg) or more of product to that market for the quota year. If your calculated share of licence in a particular market equates to less than 20 tonnes (20 000 kg), this amount will not be allocated to you, but reallocated pro rata among remaining eligible participants.

5.3 How to participate in allocation of export licences

You are eligible to participate in the allocation round and to receive a share of export licences if:

- you collected and acquired legal title in at least 0.1 % of total milksolids collected from dairy farmers in New Zealand (in the most recently completed season, the average of the two most recently completed seasons, or the average of the three most recently completed seasons; compared to national data from the most recent season); and
- you are registered to export under Part 5 of the Animal Products Act 1999 (to register, refer to the: MPI Exporter registration webpage)

If you are not sure whether you collected enough milksolids to be eligible, you can still submit your data on milksolids collected from farmers by statutory declaration for consideration by MPI. This is to be emailed to dairy.quota@mpi.govt.nz.

To participate in the allocation of export licences, you must submit, by statutory declaration:

- the total milksolids you collected from farmers in the most recent completed dairy season; or
- total milksolids you collected from farmers in the two most recent completed dairy seasons (with data for each season's collection listed separately); or
- the total milksolids you collected from farmers in the three most recent completed dairy seasons (with data for each season's collection listed separately).

If you choose to submit data from more than one season, MPI will use an average of the seasons' data supplied for the purposes of:

- determining your eligibility to participate in the allocation; and
- determining your share of export licences.

5.4 When will export licences to designated markets be allocated?

The quota year for all designated markets except Japan is 1 January to 31 December. For Japan it is 1 April to 31 March the following year.

MPI will call annually for submissions to participate in the allocation of export licences in August prior to the 1 January and 1 April start of the next quota year. Export licences are reallocated each year. Submissions must be received by the date specified by MPI.

Calling for submissions in August gives exporters sufficient time to ship quota product and enter it into designated markets from the start of the quota year, 1 January.

5.5 How do I make a statutory declaration?

Schedule 5C of the Dairy Industry Restructuring Act 2001 sets out the form of the statutory declaration required for the purposes of allocating export licences.

Your statutory declaration of milksolids collection data must be:

- made in the form set out in Schedule 5C of the DIRA;
- signed by the chief executive officer or a director of your company; and
- witnessed and signed by a person authorised to take a statutory declaration (for example a Justice of the Peace or a Solicitor).

Required text for a statutory declaration

I, *[full name]*, of *[address]*, being the chief executive officer*/director* of *[name of company]*, solemnly and sincerely declare that to the best of my knowledge, having made all reasonable inquiries,—

> the information attached to this declaration is a true copy of information that complies with the requirements of Schedule 5B of the Dairy Industry Restructuring Act 2001; and the *[specify statement(s), report(s), or information]* attached to this declaration is/are* the [statement(s),report(s), or information] required to be supplied by the chief executive under Schedule 5B of the Dairy Industry Restructuring Act 2001.

*Delete if inapplicable.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at *[place]* on *[date]*

.....

Registrar
or Justice of the Peace
or Solicitor
or other person authorised to take a statutory declaration

6 Transfer of export licences

Allocations of all or part of an export licence may be transferred between holders and those eligible to hold an export licence. Transfers are regulated under the Dairy Industry Restructuring (Transfer of Export Licences) Regulations 2007.

A holder of an export licence may transfer part of his or her export licence only if the part represents 20 metric tonnes or more of a single product to a designated market for a quota year; and may not transfer part of his or her export licence that has already been used.

The transfer of all or part of an export licence may be registered at any time after an export licence is allocated, but not during the last 15 days of the quota year to which a licence applies.

Licence holders may transfer export licences, but cost recovery charges continue to be charged to the original quota allocation holder during that quota year.

6.1 How do I register a transfer of export licence?

The transferor and the transferee must jointly apply to MPI in writing for registration of the transfer of export licences on the register of export licence holders. A separate application must be made for each designated market and quota year that is the subject of a transfer.

An application for transfer must contain the following information:

- the full name, address and contact details of both the transferor and the transferee (including a contact name, phone number, fax number and email address);
- the designated market (both product and destination) for which the transfer applies;
- the volume of quota export rights for which the transfer applies;
- the period for which the amount of export licence to be transferred is valid (i.e. the quota year for which it is valid and, in the case of butter to the EU, the sub-period of a quota year for which it is valid);
- the date the export licence was first allocated or registered to the transferor.

An application for transfer needs to be made in writing. Link to form: Transferring Export Licences - Application Forms. Applications can be submitted to: dairy.quota@mpi.govt.nz.

6.2 When does a transfer take effect?

Once a completed application has been received the details are reviewed by MPI and the transfer becomes effective from the date when MPI advises the transferor and transferee that the transfer has been accepted and registered.

7 All designated markets quota requirements

7.1 General QCP requirements

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.1 Requirement to hold an approved QCP 2.1(1) 2.1(1)a) 2.1(1)b) 2.1(1)c)	An MPI approved QCP is required to manufacture and export dairy quota products for designated markets. Dairy quota products need to be processed and exported in accordance with an approved QCP before an export approval can be issued. The QCP needs to detail how requirements of the Regulations and Notice are met for each designated market where an export licence (an allocation of quota) is held.	A QCP may be a single document containing all procedures describing how requirements are met. *Note: A combination of a stand-alone QCP and referencing other procedures may also be used.*	A QCP may be a 'QCP summary document', which summarises requirements and refers to other procedures containing the detail describing how requirements are met. The QCP will include the 'QCP summary document' and all procedures referenced from the 'QCP summary' document. *Note: A combination of a stand-alone QCP and referencing other procedures may also be used.*

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.2 Multiple QCPs may be approved 2.2(1)	A QCP may cover processing or export of dairy products.	The QCP states the designated market(s), product(s), and the activities (processing or export) of the QCP. Scenario: a processor holds multiple QCPs, e.g. a 'Processing QCP' where processing is completed at 'Premises A', and an 'Export QCP' where export functions are completed at 'Premises B'. There may be: • a single QCP covering both the processing at 'Premises A', and export at 'Premises B'; or • multiple QCPs, one covering processing at 'Premises A', and one covering export activities at 'Premises B'. *Note: An 'export QCP' must ensure the dairy product(s) have been processed in accordance with an approved QCP.*	The 'QCP summary document' states the designated market(s), product(s) and the activities (processing or export) of the QCP. Scenario: a processor holds multiple 'QCP summary documents', e.g. a 'Processing QCP summary document' where processing is completed at 'Premises A', and an 'Export QCP summary document' where export functions are completed at 'Premises B'. There may be: • a single 'QCP summary document' covering both the processing at 'Premises A', and export at 'Premises B'; or • multiple 'QCP summary documents', one covering processing at 'Premises A', and one covering export activities at 'Premises B'. *Note: An 'export QCP' must ensure the dairy product(s) have been processed in accordance with an approved QCP.*

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.2 Multiple QCPs may be approved 2.2(1)a)	A QCP may cover one or more products and/or designated markets.	The QCP states the designated market(s) and product(s) covered by the QCP. There may be a: • single QCP covering one designated market and product; or • single QCP covering multiple designated markets and products; or • multiple QCPs covering single or multiple designated markets and products. Scenario: a processor manufactures milk powder for the Dominican Republic, and butter for the EU. The processor and/or dairy exporter may have: • a single QCP covering Dominican Republic milk powder and EU butter; or • multiple QCPs, one QCP for Dominican Republic Milk powder, and one QCP for EU Butter.	The 'QCP summary document' states the designated market(s) and product(s) covered by the QCP. There may be a: • single 'QCP summary document' covering one designated market and product; or • single 'QCP summary document' covering multiple designated markets and products; or • multiple 'QCP summary documents' covering single or multiple designated markets and products. Scenario: a processor manufactures milk powder for the Dominican Republic, and butter for the EU. The processor and/or dairy exporter may have: • a single 'QCP summary document' covering Dominican Republic milk powder and EU butter; or • multiple 'QCP summary documents', one 'QCP summary document' for Dominican Republic milk powder, and one 'QCP summary document' for EU Butter.

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.2 Multiple QCPs may be approved 2.2(1)b)	A QCP may cover a dairy processing business operating from more than one site or premises.	The QCP states the designated market(s) and product(s) covered by the QCP, and the operating sites or premises. Scenario: a processor manufactures milk powder for the Dominican Republic at Premises A, and butter for the EU at Premises B located in another city. The processor and/or dairy exporter may have multiple QCPs: • a QCP for Dominican Republic milk powder at 'Premises A'; and • a QCP for EU Butter at 'Premises B' in another city.	The 'QCP summary document' states the designated market(s) and product(s) covered by the QCP and the operating sites or premises. Scenario: a processor manufactures milk powder for the Dominican Republic at Premises A, and butter for the EU at Premises B located in another city. The processor and/or dairy exporter may have multiple QCP summary documents: • a 'QCP summary document' for Dominican Republic milk powder at 'Premises A'; and • a 'QCP summary document' for EU Butter at 'Premises B' in another city.
From the Notice: 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) *From the Regulations:*	The processor and/or exporter have access to OMARs.	The QCP includes a procedure describing how MPI OMARs are obtained, or demonstrating access to MPI OMARs.	The 'QCP summary document' refers to a procedure describing how MPI OMARs are obtained, or demonstrating access to MPI OMARs.
	Designated market OMARs are assessed to confirm that the requirements are met.	The QCP includes a procedure to assess OMARs to confirm that the designated market needs are met.	The 'QCP summary document' refers to a procedure to assess OMARs to confirm that the requirements of the designated market needs are met.

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
Continued from previous page *11(b) dairy quota products to be made according to designated market access requirements*	*Continued from previous page* Dairy quota products are processed in accordance with designated market OMARs.	*Continued from previous page* If the assessment of OMARs indicates specific processing requirements are needed, the QCP includes a procedure or process flow diagram demonstrating how any specific designated market/OMAR processing requirements are met.	*Continued from previous page* If the assessment of OMARs indicates specific process requirements are needed, the 'QCP summary document' refers to a procedure or process flow diagram demonstrating how any specific designated market/OMAR requirements are met. Example: • A HACCP plan is provided the process flow diagram clearly demonstrates meeting any specific designated market/OMAR processing requirements.
<u>From the Notice:</u> 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) <u>*From the Regulations:*</u> *11(c) the carrying out of testing and sampling according to designated market access requirements*	Dairy quota products are tested and sampled in accordance with designated market access requirements.	The QCP includes a procedure describing sampling and testing, ensuring any specific designated market/OMAR requirement are met. When an exporter applies to MPI for an export assurance, a declaration is made on the summary of records attesting that sampling and testing meets requirements. Product is not eligible for the designated market where sampling and testing does not meet designated market/OMAR requirements.	The 'QCP summary document' refers to a procedure describing sampling and testing, ensuring any specific designated market/OMAR requirement are met. When an exporter applies to MPI for an export assurance, a declaration is made on the summary of records attesting that sampling and testing meets requirements. Product is not be eligible for the designated market where sampling and testing does not meet designated market/OMAR requirements.

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) *From the Regulations:* *11(d) procedures to manage dairy quota products that do not meet designated market access requirements*	Non-conforming product is able to be managed.	The QCP includes a procedure describing management of non-conforming products.	The 'QCP summary document' refers to a procedure describing management of non-conforming products. Example: • reference to an RMP associated document or to stand alone non-conforming product procedures.
From the Notice: 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) From the regulations: *11(e) documented systems and procedures to identify dairy quota products and to capture, record, receive, process, and transfer data relating to those products*	Dairy quota materials and dairy products are identifiable and traceable throughout the process.	The QCP includes a procedure describing identification and traceability of dairy materials and products.	The 'QCP summary document' refers to a procedure describing identification and traceability of dairy materials and products. Example: • reference to an RMP associated document or to stand alone identification and traceability procedures.
	Electronic records and data relating to dairy quota materials and dairy quota products are managed.	The QCP includes a procedure describing the control of data and control of records. *Note: Retention time 7 years.*	The 'QCP summary document' refers to a procedure describing the control of data and control of records. *Note: Retention time 7 years.*

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) *From the Regulations:* *11(f) the keeping, availability for inspection, and inspection of records for ascertaining compliance of the applicant with the quota compliance programme*	Electronic and hard copy records relating to the dairy quota material and dairy quota product are managed.	The QCP includes a procedure describing the control of records. *Note: Retention time 7 years.*	The 'QCP summary document' refers to a procedure describing the control of records. *Note: Retention time 7 years.*
From the Notice: 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) *From the Regulations:* *11(g) the storage of dairy quota products in a manner that ensures compliance with designated market access requirements*	Dairy quota materials and dairy quota product are stored in accordance with designated market requirements.	If the assessment of OMARs indicates specific storage requirements are needed, the QCP includes a procedure describing how specific storage requirements are met. *Note: If the EU is the designated market, all storage facilities where the dairy products are stored need to be EU listed.*	If the assessment of OMARs indicates specific storage requirements are needed, the 'QCP summary document' refers to a procedure describing how specific storage requirements are met. A reference to a storage RMP or standalone storage procedures are examples. *Note: If EU is the designated market, all storage facilities where the dairy products are stored need to be EU listed.*

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) *From the Regulations:* *11(h) the secure and reliable transportation of dairy quota products*	An RMP approved transporter is used to transport dairy quota materials and dairy quota products in a secure and reliable fashion.	The QCP includes a procedure describing secure and reliable transportation procedures. *Note: Where storage and/or transport are completed by a third party, a system should be in place to ensure the third party complies with transport/storage RMP requirements.*	The 'QCP summary document' refers to a procedure describing secure and reliable transportation procedures. Examples: • reference to a procedure describing product security at dispatch and to a registered transport RMP. • reference to a storage RMP and a transport RMP. *Note: Where storage and/or transport are completed by a third party, a system should be in place to ensure the third party complies with transport/storage RMP requirements.*

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) *From the Regulations:* *11(i) the designation of persons who are responsible for the supply of data and provision of dairy quota products compliance declarations under these regulations*	Persons making compliance declarations are authorised by the processor and/or exporter. Persons making compliance declarations are trained to ensure they fully understand dairy quota requirements before making compliance declarations.	The QCP includes a procedure describing how authorised persons making compliance declarations fully understand requirements. The QCP includes a procedure describing how persons making compliance declarations are authorised by the operator. *Note: Authorised persons needs to fully understand requirements before making a declaration.*	The 'QCP summary document' refers to a procedure describing how authorised persons making compliance declarations fully understand requirements. The 'QCP summary document' refers to a procedure describing how persons making compliance declarations are authorised by the operator. *Note: Authorised persons needs to fully understand requirements before making a declaration.*

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.3 General requirements for a QCP 2.3(1) 2.3(1)a) *From the Regulations:* *11(j) provisions relating to export systems for dairy quota products, including (without limitation) systems for selection and loading of compliant products into containers, and managing transfer of data into a quota management system maintained by the Director-General*	A system is in place for selecting compliant dairy quota product, and requesting export assurance via the QMS.	The QCP includes a procedure describing how product is determined to be compliant with designated market requirements and then requesting export approval from MPI via the QMS.	The 'QCP summary document' refers to a procedure describing how product is determined to be compliant with designated market requirements and then requesting export approval from MPI via the QMS.
From the Notice: 2.3 General requirements for a QCP 2.3(1)b)	The designated operator of the QCP is identified in the QCP and notified to the Director-General.	The QCP states the designated operator. Using application form AP52 notifies the Director-General of the designated operator.	The 'QCP summary document' states the designated operator. Using application form AP52 notifies the Director-General of the designated operator.
2.3(1)c)	Dairy quota product needs to be of New Zealand origin.	The QCP includes a procedure describing how the dairy quota product is determined to be of New Zealand origin and where this information is recorded.	The 'QCP summary document' refers to a procedure describing how the dairy quota product is determined to be of New Zealand origin and where this information is recorded.

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
2.3(1)d)	The gross weight and net weight of each lot of dairy quota product is accurately assessed and recorded.	To ensure accurate assessment of weight, the QCP includes procedures describing: • scale calibration checks; • scale accuracy checks; • any automatic inline weight measurements; • any manual weight measurements; • any check weight measurements; • calculation of weights for the lot; • recording of manual weight data • capture of electronic weight data; and • a check of records (e.g. supervisor check) to ensure information recorded is accurate.	To ensure accurate assessment of weight, the 'QCP summary sheet' refers to procedures describing: • scale calibration checks; • scale accuracy checks; • any automatic inline weight measurements; • any manual weight measurements; • any check weight measurements; • calculation of weights for the lot; • recording of manual weight data • capture of electronic weight data; and • a check of records (e.g. supervisor check) to ensure information recorded is accurate.
2.3(1)e)	Non-conforming dairy quota product is able to be controlled through the entire manufacturing supply chain.	The QCP includes a procedure describing management of non-conforming products including products under the control of, and no longer under the control of the processor or exporter.	The 'QCP summary document' refers to a procedure describing management of non-conforming products including products under the control of, and no longer under the control of the processor or exporter.
From the Notice: 2.4 Register of approved QCPs 2.4(1)	The Director-General maintains a register of approved QCPs.	Details of approved QCPs are maintained on an MPI register. Link to register: http://www.foodsafety.govt.nz/elibrary/industry/Approved_Quota-.htm.	

Requirements from Regulations and/or Notice	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 2.5 Amendments to an approved QCP 2.5(1)(a) 2.5(1)(b) 2.5(1)(c)	Applications to amend a QCP are to be made in writing stating the nature, reasons and anticipated impact (if any) on the operation.	The QCP includes a procedure describing review and amendment of the QCP. Application form AP52 needs to be used to notify MPI of amendments to a QCP.	The 'QCP summary document' includes a reference to a procedure describing review and amendment of the QCP. Application form AP52 needs to be used to notify MPI of amendments to a QCP.
From the Notice: 2.6 Specific obligations to be met by the operator of an approved QCP 2.6(1)a) 2.6(1)b) 2.6(1)c)	The QCP is kept up to date, reviewed when necessary, and at least annually, and also notified to the Director-General.	The QCP includes procedures to: • review and amend the QCP; • reviewing frequency (e.g. following a failure and at least annually); • maintain a list of persons authorised by the operator to sign declarations for the purposes of certification; and • to notify MPI when the list changes. Application form Cert6 notifies MPI of amendments of designated operators and persons identified in a QCP.	The 'QCP summary document' includes reference to procedures to: • review and amend the QCP; • reviewing frequency (e.g. following a failure and at least annually); • maintain a list of persons authorised by the operator to sign declarations for the purposes of certification; and • to notify MPI when the list changes. Application form Cert6 notifies MPI of amendments of designated operators and persons identified in a QCP.

7.2 QCP verification audit requirements

Requirements from Notice and/or Regulations	What is needed	GUIDANCE	
		Standalone QCP	QCP summary document
From the Notice: 5.1 QCP verification audit for dairy quota product intended for Japan, the Dominican Republic and USA	QCP verification audit may be needed in order to continue access to the relevant designated market.	**New QCPs** A desktop and/or on-site evaluation of the QCP may be needed. All non-conformances must be addressed to the satisfaction of MPI before a QCP can be recommended for approval. This is then followed by an on-site QCP verification audit once some products and records have been made. **Existing QCPs** A QCP verification audit may be needed, but are not typically completed for these designated markets. **All QCPs** The QCP holder must complete an internal desktop and on-site validation audit of the QCP prior to a QCP verification audit. QCP verification audits cover all procedures and activities documented in, and/or referenced from the QCP, to ensure requirements of the Regulations and this Notice are understood and met. QCP verification audits are completed on processing premises, laboratories, storage premises, export premises, and MPI Certification Quality team. *Note: aspects related to designated markets may be verified during routine RMP verification audits, e.g. export requirements, but in themselves, are not a QCP verification audit, nor form part of any QCP verification audit.*	

Requirements from Notice and/or Regulations	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 5.2 QCP verification audit for dairy quota product intended for the EU 5.2(1) 5.2(1)a) 5.2(1)b) 5.2(1)b)(i) 5.2(1)b)(ii) 5.2(1)b)(iii)	A QCP verification audit is needed: • annually and preferably at the start of each manufacturing season; and • in the event of a significant change, including but not limited to: ➢ amendment to EU legislation; or ➢ new manufacturing facilities for dairy quota product; or ➢ following significant amendment to an approved QCP.	**New QCPs** A desktop and/or on-site evaluation of the QCP is required. All non-conformances must be addressed to the satisfaction of MPI before a QCP can be recommended for approval. This is then followed by an on-site QCP verification audit once some products and records have been made. **Existing QCPs** A QCP verification audit is needed for each dairy season, prior to manufacture of any product intended for export into the EU designated market, and in the event of a significant change. **All QCPs** The QCP holder must complete an internal desktop and on-site audit of the QCP prior to a QCP verification audit. QCP verification audits cover all procedures and activities documented in, and/or referenced from the QCP, to ensure requirements of the Regulations and this Notice are understood and met. QCP verification audits are completed on processing premises, laboratories, storage premises, export premises, and MPI Certification Quality team. Significant changes include these examples: change of product type, removal or inclusion of another designated market. Contact MPI if further clarity is needed (for other situations) using animal.products@mpi.govt.nz. *Note: aspects related to designated markets may be verified during routine RMP verification audits, e.g. export requirements, but in themselves, are not a QCP verification audit, nor form part of any QCP verification audit.*	
From the Notice: 5.2 QCP verification audit for dairy quota product intended for the EU 5.2(2)	Storage facilities for IMA butter and cheese are identified in the QCP.	The QCP needs to include or reference all internal and external storage facilities where IMA product is stored. A verification audit may be needed of these storage facilities. *Note: all storage facilities where dairy products are stored need to be EU listed. Refer to Dairy Country Listings for the European Union at http://foodsafety.govt.nz/elibrary/industry/country-dairy/eun.htm.*	

Requirements from Notice and/or Regulations	What is needed	GUIDANCE	
		Standalone QCP	**QCP summary document**
From the Notice: 5.2 QCP verification audit for dairy quota product intended for the EU 5.2(3) 5.2(3)a) 5.2(3)b)	A verification audit for IMA certification includes, but is not limited to, verification: • the approved QCP meets the requirements of regulation 11 of the Regulations and clauses 2.3, 2.5, 2.6, 3.1-3.11 and 4.1-4.2 of this Notice; and • that the operator of the approved QCP is processing and the export licence holder is exporting in accordance with the approved QCP.	The QCP verification audit checks compliance to the Regulations, Notice, and compliance to the approved QCP.	
From the Notice: 5.2 QCP verification audit for dairy quota product intended for the EU 5.2(4)	A QCP premises is not required to undertake an annual verification audit if there is no intention to produce dairy quota product during the manufacturing season. However, a QCP verification audit must be fulfilled prior to the start of manufacture of any EU quota product in the manufacturing season.	No additional guidance required.	

7.3 Miscellaneous QCP requirements

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 8.1 Consequences of non-compliance with this Notice 8.1(1)	General requirements for a QCP need to be met (section 2.3 of the Notice)	The QCP needs to include procedures describing actions to take where the QCP has not been followed.	The 'QCP summary document' needs to reference procedures describing actions to take where the QCP has not been followed.
From the Notice: 8.1 Consequences of non-compliance with this Notice 8.1(2)	The QCP may be revoked where requirements of the Regulations, Notice or QCP have not been met.	If a QCP is revoked, once the non-compliance(s) have been addressed to the satisfaction of MPI, then an application must be made for approval of the QCP before any new product destined for a designated market can be processed, stored or transported.	
From the Notice: 8.1 Consequences of non-compliance with this Notice 8.1(3)	Export approvals or IMA certification may be suspended or withdrawn where requirements of the Regulations, Notice or QCP have not been met.	If export approvals or IMA certification are suspended or withdrawn, once non-compliance(s) have been addressed to the satisfaction of MPI, the Operator needs to consult with MPI regarding the withdrawal, suspension to export approvals or IMA certification (each case will be based on its merits).	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 8.1 Consequences of non-compliance with this Notice 8.1(4) 8.1(4)a) 8.1(4)b)	Where a non-compliance that could affect the integrity of the IMA certificate is identified in butter, cheese, fat or weight information during a surveillance spot check: • a 100% surveillance monitoring rate of applications for certification will be applied to the export licence holder until MPI is satisfied that the export licence holder has corrected the non-compliance; and • the export licence holder must undertake traceback to identify whether previously-supplied butter or cheese was affected, and implement any necessary corrective actions.	The MPI Certification Audit team complete the 100% surveillance monitoring rate.	
From the Notice: 8.1 Consequences of non-compliance with this Notice 8.1(5)	Where a critical non-compliance is identified by a verifier during a verification audit, the exporter of the butter or cheese will be required to undertake a traceback and implement any necessary corrective actions. If a discrepancy is identified, the Director-General may require the butter or cheese to be isolated and put on hold. The Director-General may require appropriate actions to be taken to address the discrepancy.	The operator is expected to respond in a timely manner and within the timeframe identified in the verification audit findings.	

8 European Union designated market quota requirements

8.1 Butter and cheese for the EU

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 3.1(1)	In this Part and Part 5 references to "IMA butter" or "IMA cheese" mean the dairy quota products butter and cheese, respectively, for the EU.	No additional guidance required.	
From the Notice: 3.2(1)	A QCP for IMA butter or IMA cheese must make adequate provision for the designated market requirements in this Part of this Notice.	No additional guidance required.	
From the Notice: 3.3 CN code for IMA butter and IMA cheese 3.3(1) 3.3(2)	IMA butter must comply with CN code 0405 10 11 or 0405 10 19 except 'Ammix' or 'Spreadable' butter which must comply with CN code 0405 10 30. IMA cheddar cheese must comply with CN code 406 90 21 and IMA cheese for processing must comply with CN code 0406 90 01.	Valid combined nomenclature (CN) codes can be checked in Annex III.A (butter) and Annex III.B (cheese) of Commission Regulation (EC) No 2535/2001.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 3.4 Manufacture of IMA butter 3.4(1)	IMA butter must be made from milk or cream without using stored materials, in a single, self-contained and uninterrupted process.	The QCP includes procedures demonstrating the manufacturing process meets these requirements. Example: • A HACCP process flow diagram, and confirmation via plant processing records may be used to demonstrate this. *Note: Butter that has been stored cannot be used to manufacture IMA butter.*	The 'QCP summary document' references procedures demonstrating the manufacturing process meets these requirements. Example: • A HACCP process flow diagram, and confirmation via plant processing records may be used to demonstrate this. *Note: Butter that has been stored cannot be used to manufacture IMA butter.*
From the Notice: 3.4 Manufacture of IMA butter 3.4(2)	IMA Ammix or Spreadable butter may involve the cream passing through a stage where the milk-fat is concentrated and/or fractionated.	The QCP includes procedures demonstrating the manufacturing process meets these requirements. Example: • A HACCP process flow diagram, and confirmation via plant processing records may be used to demonstrate this.	The 'QCP summary document' references procedures demonstrating the manufacturing process meets these requirements. Example: • A HACCP process flow diagram, and confirmation via plant processing records may be used to demonstrate this.
From the Notice: 3.5 Fat content of IMA butter 3.5(1)	IMA butter must have a fat content of not less than 80% but less than 85%, by statistical determination in accordance with Annex IV of Commission Regulation 2535/2001.	The QCP includes procedures describing the fat content is within range by statistical determination.	The' QCP summary document' includes procedures describing the fat content is within range by statistical determination.

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 3.6 QCP procedures for fat content of IMA butter 3.6(1)a) 3.6(1)b) 3.6(1)c)	To be approved by the Director-General, a QCP covering manufacture of IMA butter must contain adequate procedures for: • verifying that the arithmetic mean of the fat content of the IMA butter is unlikely to exceed 84.4% (the maximum mean milk fat content of the sample) when tested by competent authorities in the EU (refer to Annex IV of Commission Regulation 2535/2001); and • testing a minimum of five samples per whole cypher and at least one sample per part cypher of IMA butter for fat content; and • accurately calculating the mean and standard deviation of the fat content for each cypher and lot of IMA butter.	The QCP includes procedures describing how requirements of 3.6(1)a), 3.6(1)b) and 3.6(1)c) are met. Annex IV of Commission Regulation 2535/2001 for checking the fat content. Annex IX, X, XI of Commission Regulation (EC) No 213/2001 for determination of moisture, SNF, and fat content.	The 'QCP summary document references procedures describing how requirements of 3.6(1)a), 3.6(1)b) and 3.6(1)c) are met. Annex IV of Commission Regulation 2535/2001 for checking the fat content. Annex IX, X, XI of Commission Regulation (EC) No 213/2001 for determination of moisture, SNF, and fat content.
From the Notice: 3.7 Sampling of IMA butter 3.7(1)a) 3.7(1)b) 3.7(1)c)	All sampling of IMA butter must: • be carried out as per the International Dairy Federation IDF Standard 50C:1995 or a sampling method that is validated to the satisfaction of MPI; and • comprise a minimum of five butter samples per cypher; and • be at an interval fixed in advance to ensure samples are regularly spaced and equally represented throughout the cypher.	The QCP includes procedures demonstrating the sampling method complies with IDF standard 50C:1995, or an alternative method approved by MPI. *Note: Records must be available to demonstrate sampling.* *Note: A declaration is made by the exporter declaring sampling and testing was in accordance with the Regulations and Notice.*	The 'QCP summary document' references procedures demonstrating the sampling method complies with IDF Standard 50C:1995, or an alternative method approved by MPI. *Note: Records must be available to demonstrate sampling.* *Note: A declaration is made by the exporter declaring sampling and testing was in accordance with the Regulations and Notice.*

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 3.8 QCP provisions for designated market access requirements 3.8(1)a)	All testing of IMA butter verifying fat content (between 80% and 85%) declared on an IMA certificate must: 3.8(1)a) be carried out in a Category 1 Laboratory (as specified in the Animal Products (Dairy) Approved Criteria for Recognition of Agencies and Persons Notice).	The Category 1 Laboratory system is being replaced by the Recognised Laboratory Programme by 31 August 2017. A Category 1 Laboratory and a laboratory recognised by MPI under the Recognised Laboratory Programme are equivalent. Refer to the Animal Products Notice: Specifications for Laboratories.	
From the Notice: 3.8 QCP provisions for designated market access requirements 3.8(1)b)	All testing of IMA butter verifying fat content (between 80% and 85%) declared on an IMA certificate must: 3.8(1)b) use the method described in EC regulation 880/98, Annex 1, or a test method that is validated to the Director-General's satisfaction.	Annex I describes the reference method for the determination of the water content of butter. Annex II describes the reference method for the determination of the solids-non-fat content of butter. Annex III describes the reference method for the determination of the fat content of butter. An alternative test method must be within the scope of the laboratory recognition, and a submission made to MPI for review and approval of any alternative test method.	
From the Notice: 3.9 Manufacture of IMA cheese 3.9(1)	IMA whole cheddar cheese must have a fat content of 50% or more by weight in dry matter.	No additional guidance required.	
From the Notice: 3.9 Manufacture of IMA cheese 3.9(2) 3.9(2)a) 3.9(2)b)	IMA whole cheddar cheese must be either: • in a conventional flat cylindrical shape with a net weight of not less than 33 kg but not more than 44 kg; or • in cubic blocks or in parallelepiped shape with a net weight of 10 kg or more.	No additional guidance required. *Note: parallelepiped refers to a rectangular shaped block*.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 3.10 Weight of IMA butter or IMA cheese 3.10(1) 3.10(1)a) 3.10(1)b) 3.10(1)c)	A QCP covering manufacture of IMA butter must include adequate procedures for: • accurately calculating the cypher mean and standard deviation for weight of IMA butter or IMA cheese to 3 decimal places; and • accurately calculating the global mean weight and standard deviation data for weight of IMA butter or IMA cheese accurate to 3 decimal places of a kilogram; and • ensuring the weight of the butter in an IMA lot will comply when tested by competent authorities in the European Commission using the following formula referenced in Commission Regulation 2535/2001:	The QCP includes procedures describing how requirements of 3.10(1)a), 3.10(1)b) and 3.10(1)c) are met. Refer to Annex IV of Commission Regulation 2535/2001 for checking the weight.	The 'QCP summary document' refers to procedures describing how requirements of 3.10(1)a), 3.10(1)b) and 3.10(1)c) are met. Refer to Annex IV of Commission Regulation 2535/2001 for checking the weight.
From the Notice: 3.10 Weight of IMA butter or IMA cheese 3.10(1) 3.10(1)d)	A QCP covering manufacture of IMA butter must include adequate procedures for: • internally verifying the accuracy of the global mean weight and standard deviation data for weight for an IMA lot of butter and cheese that are provided to MPI with applications for IMA certification.	The QCP includes a procedure to internally verify the accuracy of the global mean weight and standard deviation data. *Note: MPI recommends verifying the block weight as well as the global mean weight.*	The 'QCP summary document' references a procedure to internally verify the accuracy of the global mean weight and standard deviation data. *Note: MPI recommends verifying the block weight as well as the global mean weight.*

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 3.10 Weight of IMA butter or IMA cheese 3.10(1) 3.10(1)e)(i) 3.10(1)e)(ii) 3.10(1)f)	A QCP covering manufacture of IMA butter must include adequate procedures for: • providing the following tare weight information for butter wrappers from each factory operating under an approved QCP factory at the start of each manufacturing season: – the arithmetic mean tare weight of butter wrappers, which must be provided to the Director-General; and – representative samples of the butter wrappers, which must be supplied by the export licence holder to the EU; and • providing revised tare weight information during the manufacturing season by repeating clause 3.10(1)e)(i) and (ii) when the wrap weights no longer match the tare weight on the IMA butter certificate.	The QCP includes procedures describing how requirements of 3.10(1)e)(i), 3.10(1)e)(ii) and 3.10(1)f) are met. *Note: MPI completes an independent check on the data, and any errors identified must be addressed by the operator.*	The 'QCP summary document' includes procedures describing how requirements of 3.10(1)e)(i), 3.10(1)e)(ii) and 3.10(1)f) are met. *Note: MPI completes an independent check on the data, and any errors identified must be addressed by the operator.*

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 3.11 IMA lot selection of butter or cheese 3.11(1) 3.11(1)a) 3.11(1)b) 3.11(1)c) 3.11(1)d)	The consignment selected for an IMA lot of butter must: • consist of butter manufactured according to one product specification in one butter factory; and • be a minimum of 20 tonnes; and • be at least six weeks old on the date of entry into free circulation in the EU; and • may consist of one or more whole or part cypher.	No additional guidance required.	
From the Notice: 3.11 IMA lot selection of butter or cheese 3.11(2) 3.11(2)a) 3.11(2)b)	The consignment selected for an IMA lot of IMA whole cheddar cheese must: • consist of cheddar cheese manufactured according to one product specification in one cheese factory; and • be matured for at least three months on the date of entry into free circulation in the EU.	No additional guidance required.	

8.2 Export approvals for the EU

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 7.4 Issuance, authentication, validity and duration of IMA certificates 7.4(1)	Dairy quota product must not leave New Zealand prior to the corresponding IMA certificate being issued by the Issuing Body.	No additional guidance required.	
From the Notice: 7.4 Issuance, authentication, validity and duration of IMA certificates 7.4(2)	IMA certificates shall be valid only if duly completed and authenticated by an Issuing Body listed in Annex XII of Commission Regulation 2535/2001.	No additional guidance required.	
From the Notice: 7.4 Issuance, authentication, validity and duration of IMA certificates 7.4(3)	IMA certificates are duly authenticated where they show the date and place of issue; are sealed by the Issuing Body and bear the signature or signatures of the person authorised to sign them.	No additional guidance required.	
From the Notice: 7.4(4)	MPI must notify to the Commission, the seals and signatories of persons authorised to issue IMA certificates for each quota year from 1 January to 31 December.	MPI (the Issuing Body) collates the seals and signatories of persons authorised to issue IMA certificates (MPI Certification Quality personnel), and provides to the Commission annually in time for the following quota year (typically November each year).	
From the Notice: 7.4(5)	IMA certificates for entry of butter or cheese into free circulation for each quota year starting 1 January may be issued from 1 November of the previous year.	Certificates may be issued from 1 November for the following quota year, but the product cannot arrive prior to the start of the new quota year.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 7.4(8)	The annual quota for butter is divided into two equal half-yearly quota tranches. IMA certificates for the second half butter tranche valid from 1 July may be issued from the preceding 1 May.	Certificates for the second tranche (from 1 July) may be issued from two months before the ending of the first tranche (1 May).	
From the Notice: 7.5(1)	Without limiting clause 6.3, the authorised person may at his or her discretion revoke an approval for the whole consignment or part of the consignment and issue a replacement approval on one or more of the following grounds;	Approval is not guaranteed. MPI will review all cases of revocation and/or reissuing of IMA certificates. Notification and/or consultation with the Commission is required in some cases.	
From the Notice: 7.5(5)	Where all or part of the quantity covered by an IMA certificate is destroyed or rendered unfit for sale due to circumstances beyond the exporters' control, the quantities may be added back to the export licence holders' allocated volume.	Approval is not guaranteed. MPI will review all cases of revocation and/or reissuing of IMA certificates. Notification and/or consultation with the Commission is required in some cases.	
From the Notice: 7.6(1)(a)	Send to the Commission a faxed copy of each authenticated IMA certificate for the total quantity covered on the date of issue or within seven days of that date at the latest and, where appropriate notification of any cancellation, correction or amendment; and;	No additional guidance required.	
From the Notice: 7.6(1)(c)(ii)	the correction or amendment of IMA certificates.	No additional guidance required.	

9 USA, Japan or Dominican Republic designated market quota requirements

9.1 Dairy quota products for the USA, Japan or Dominican Republic

Requirements from Notice and/or Regulations	What is needed	GUIDANCE	
		Standalone QCP	QCP summary document
From the Notice: 4.1 QCP provisions for designated market access requirements 4.1(1)	A QCP for dairy quota products for the USA, Japan, or Dominican Republic must make adequate provision for the designated market requirements in this Part of this Notice.	No additional guidance required.	
From the Notice: 4.1 QCP provisions for designated market access requirements 4.2 Dairy quota products	Dairy products must comply with product descriptions listed in the DIRA Schedules 5 and 5A.	To establish compliance to product descriptions listed in the DIRA schedules 5 and 5A, refer to the: • NZ Legislation website: http://legislation.govt.nz/; • under the Dairy Industry Restructuring Act 2001 http://legislation.govt.nz/act/public/2001/0051/latest/DLM106751.html?src=qs • which refers to the WTO website. https://www.wto.org; • which refers to the Tariff Download Facility http://tariffdata.wto.org/Default.aspx?culture=en-US Under Reporters select New Zealand Under Products select 04 – Dairy, 21 Misc edible preparations This will download NZ tariffs. Select Excel and refer to HS code column for appropriate tariff number, and scroll right to find related product description.	

9.2 Export approvals

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 6.1 Approval required to export dairy quota products 6.1(1)	An exporter who wishes to export a consignment of dairy quota product to a designated market must obtain an export approval in accordance with this Part before the consignment leaves New Zealand.	The exporter needs to apply to MPI using the Quota Management System (QMS) to obtain an export approval. The export approval must be approved before the product leaves New Zealand.	
From the Notice: 6.2 Requirement for the Director-General to hold and maintain a register of export licence holders 6.2(1)	The Director-General must hold and maintain a register of each export licence holder's allocated volume of dairy quota product and the current volume of dairy quota product for each designated market for each quota year.	Refer to the Quota Management Register (QMR). As part of the dairy quota programme, MPI maintains a QMR. The QMR compliments the QMS and manages information relating to all designated markets for dairy products and volumes of export license held, including: • quota periods; • quota use; • product types; • approved product specifications for dairy quota product; • information about designated markets; • export licence holders and their allocations; and • current volume of export licence remaining.	
From the Notice: 6.2 Requirement for the Director-General to hold and maintain a register of export licence holders 6.2(2)	The quota year for all designated markets as described in Schedule 5A of the Dairy Industry Restructuring Act 2001, starts on 1 January except for prepared edible fat for Japan, which starts on 1 April.	No additional guidance required.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 6.3(1) 6.3(1)a) 6.3(1)b)	In order to apply for approval under clause 6.5 to export dairy quota products, an exporter must: 6.3(1)a) be a registered dairy exporter (under Part 5 of the Act); and 6.3(1)b) be an export licence holder for the designated market; and	Exporters need to be registered with MPI. Refer to requirements in http://www.mpi.govt.nz/exporting/food/dairy/.	
From the Notice: 6.3(1) 6.3(1)c)	In order to apply for approval under clause 6.5 to export dairy quota products, an exporter must: 6.3(1)c) hold an approved QCP for the export of dairy quota product; and	No additional guidance required.	
From the Notice: 6.3(1) 6.3(1)d)	In order to apply for approval under clause 6.5 to export dairy quota products, an exporter must: 6.3(1)d) supply for export dairy quota product that is processed and prepared for export under an approved QCP.	The QCP includes procedures demonstrating product intended for export to a designated market has been processed and prepared for export under an approved QCP. Example: • may be by way of declaration from the processor, in combination with the exporter completing or commissioning an internal or third party audit of the processor.	The 'QCP summary document' references procedures demonstrating product intended for export to a designated market has been processed and prepared for export under an approved QCP. Example: • may be by way of declaration from the processor, in combination with the exporter completing or commissioning an internal or third party audit of the processor.

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 6.4 Dairy quota product specification approval 6.4(1)	Pre-approval of new or amended dairy quota product specification documents using the form set out in Schedule 1 must be obtained from the Director-General before an application for dairy quota export approval is submitted under clause 6.5.	No additional guidance required.	
From the Notice: 6.5 Application for dairy quota export approval 6.5(1)	6.5(1) An export licence holder must apply to the Director-General for approval to export each consignment of dairy quota product to a designated market.	No additional guidance required.	
From the Notice: 6.5 Application for dairy quota export approval 6.5(2) 6.5(2)a) 6.5(2)b) 6.5(2)c) 6.5(2)d)	6.5(2) The application must: 6.5(2)a) be in the electronic form on the QMS or in a form approved by the Director-General; and 6.5(2)b) be made at least three working days before the intended final date of issue; and 6.5(2)c) include the information specified in Schedule 2 and clauses 6.6, 7.1, 7.2 and 7.3 of this Notice; and 6.5(2)d) in respect of a particular designated market, be accompanied by any additional information, documentation or attestation specified in this Notice.	No additional guidance required.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 6.5 Application for dairy quota export approval 6.5(3)	6.5(3) The Director-General may require the information accompanying the application to be verified in a manner specified by the Director-General.	All information submitted by an exporter via QMS to MPI is subject to a quality check by MPI as part of issuing an IMA or export approval.	
From the Notice: 6.6 Summary of records 6.6(1)	An export licence holder intending to export dairy quota products to a designated market must provide to the Director-General with the application in clause 6.5. A completed Summary of Records for each consignment for which an export approval is being sought, in the form set out in Schedule 3 at least three working days before the intended final date of issue.	No additional guidance required. Schedule 3 Summary of Records Templates to Designated Markets.	
From the Notice: 6.6 Summary of records 6.6(2)	A designated person must sign the Summary of Records and include their name and the date of issue.	No additional guidance required. Schedule 3 Summary of Records Templates to Designated Markets.	
From the Notice: 6.7 Decision to issue an export approval 6.7(1)	An export approval may be issued by an authorised person provided the requirements of the Act, the Dairy Industry Restructuring Act 2001, the Regulations and this Notice have been met.	MPI personnel authorised to sign export certification review all export requests, and check to ensure requirements have been met before authorising an export approval.	
From the Notice: 6.7 Decision to issue an export approval 6.7(2)	The authorised person may issue an export approval to an export licence holder for a consignment of dairy quota product if satisfied that:	MPI personnel authorised to sign export certification review all export requests, and check to ensure requirements have been met before authorising an export approval.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
Continued from previous page From the Notice: 6.7 Decision to issue an export approval 6.7(2)(a)	*Continued from previous page* the application is made by a person who is lawfully entitled to export dairy quota product; and	*Continued from previous page* MPI personnel authorised to sign export certification review all export requests, and check to ensure requirements have been met before authorising an export approval. Checks include the applicant: • is a registered exporter; • holds an export licence for the designated market; and • holds an approved QCP.	
From the Notice: 6.7 Decision to issue an export approval 6.7(2)(b)	the quantity would not exceed the total quantity of dairy quota product permitted under the export licence; and	MPI personnel authorised to sign export certification review all export requests, and check to ensure requirements have been met before authorising an export approval. Checks include: • the quantity will not exceed remaining export licence(s) quantity in QMR.	
From the Notice: 6.7 Decision to issue an export approval 6.7(2)(c)	the dairy quota product has been processed and tested and is being exported in accordance with an approved QCP.	MPI personnel authorised to sign export certification review all export requests, and check to ensure requirements have been met before authorising an export approval. Checks include: • summary of records declarations; and • register of approved QCPs.	
From the Notice: 6.7 Decision to issue an export approval 6.7(3)	The authorised person must not issue a dairy quota export approval if he or she is aware of any information that suggests that the consignment does not meet designated market requirements.	No additional guidance required.	
From the Notice: 6.7 Decision to issue an export approval 6.7(4)	When an export approval is issued the quantity must be subtracted from the export licence holders' allocated volume for the designated market and must be recorded by the Director-General. This may be on the QMR.	This quantity is recorded in QMS and QMR.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 6.8 Form of the export approval 6.8(1)	The approval issued by the Director-General must be in the form as described in clauses 6.8(2) and 6.8(3) for the intended designated market specified.	For MPI personnel. No additional guidance required.	
From the Notice: 6.8 Form of the export approval 6.8(2)	Export approvals for designated markets in the EU must be issued on the IMA certificate templates for butter or cheese prescribed in Commission Regulation 2535/2001.	For MPI personnel. No additional guidance required.	
From the Notice: 6.8 Form of the export approval 6.8(3)	Export approvals for other designated markets may be issued electronically on QMS.	For MPI personnel. No additional guidance required.	
From the Notice: 6.9 Approval may be revoked, or replaced 6.9(1) 6.9(1)(a) 6.9(1)(b)	The authorised person may revoke an export approval if he or she is satisfied that: • the approval was issued incorrectly or inappropriately; or • events or circumstances occurring since the approval was issued mean that the approval is no longer valid or is misleading, or would no longer meet the requirements of this Notice.	For MPI personnel. No additional guidance required.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 6.9 Approval may be revoked, or replaced 6.9(2)	If the authorised person proposes to revoke an export approval, he or she may if appropriate in the circumstances notify the export licence holder stating the reasons for the decision to revoke the approval.	For MPI personnel. No additional guidance required.	
From the Notice: 6.9 Approval may be revoked, or replaced 6.9(3)	Where an export approval has been revoked by the authorised person under clause 6.9(1), he or she may reissue an approval for the whole or part of the consignment if satisfied that the export licence holder has adequately rectified the problems with the original approval that caused the authorised person to revoke it.	For MPI personnel. No additional guidance required.	
From the Notice: 6.10 Export once quota filled in certain market 6.10(1) 6.10(1)(a) 6.10(1)(b)	This clause applies to trade at the normal tariff (outside the terms of the quota) for the following designated markets: • applicant is a registered exporter; • prepared edible fat to Japan; and • milk powder to the Dominican Republic.	No additional guidance required. Note: Only applies to prepared edible fat into Japan and milk powder into the Dominican Republic.	

Requirement (from Regulations or Notice)	What the QCP needs	GUIDANCE	
		Standalone QCP example	QCP summary document example
From the Notice: 6.10 Export once quota filled in certain market 6.10(2) 6.10(2)(a) 6.10(2)(b)	For the designated markets listed in clause 6.10(1): • only holders of export licences for trade at the normal tariff may export a particular type of dairy product to those markets once the quota in respect of that product is filled in any given quota year (as determined under the Dairy Industry Restructuring Act 2001); and • those licence holders may export the product at trade over the normal tariff rates only once the quota has been filled in any quota year (as determined under the Dairy Industry Restructuring Act 2001).	No additional guidance required.	

10 Appendix

- AP52 – Application form for approval or amendment of Quota Compliance Programme
- Quota Compliance Programme Validation Sheet
- CERT6 – Advice of designated operator and/or person(s) - Dairy Quota
- Transferring Export Licences - Application Forms
- Schedule 3 Summary of Records Templates to Designated Markets.