



Food (Tutin in Honey) Standard 2008

This food standard is issued pursuant to section 11C of the Food Act 1981 and relates to tutin in honey.

Issued at Wellington this 16th day of December 2008.

(Signed)

Hon Kate Wilkinson
Minister for Food Safety

Certified in order for signature

(Signed)

Solicitor

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1 Title

This food standard is the Food (Tutin in Honey) Standard 2008.

2 Commencement

This standard comes into force on 25 January 2009.

3 Application

- (1) In the year 2009, this standard applies to honey that is produced or harvested and the packing of honey that is produced or harvested—
 - (a) after the date of commencement; and
 - (b) before 30 June.
- (2) In all other years after the commencement of this standard, this standard applies to—
 - (a) honey produced or harvested between 1 January and 30 June; and
 - (b) the packing of honey that is produced or harvested between 1 January and 30 June.

4 Purpose

The purpose of this standard is to—

- (a) set a maximum level of tutin in honey—
 - (i) for sale for human consumption; and
 - (ii) for export (other than to a country in relation to which a lower maximum level has been specified in a overseas market access requirement issued under section 60 of the Animal Products Act 1999); and
- (b) provide for who must demonstrate compliance with the maximum level; and
- (c) provide for a number of options for demonstrating compliance with that maximum level.

5 Interpretation

- (1) In this standard, unless the context otherwise requires—

batch means a lot of homogeneous product (usually, but not necessarily, the contents of one tank)

maximum level means—

- (a) the maximum level in clause 6; or
- (b) if clause 6 has expired, the maximum level set in the relevant standard in the Australia New Zealand Food Standards Code

NZFSA means the department of State known as the New Zealand Food Safety Authority

processor has the meaning given to it in section 4 of the Animal Products Act 1999

registered risk management programme has the meaning given to it in section 4 of the Animal Products Act 1999

tutin is a defined chemical compound (CAS no 2571-22-4) that causes toxicity in honey that results from honey bees gathering honeydew exudates from passion vine hoppers that have been feeding on the sap of tutu

tutu means *Coriaria arborea*.

- (2) Words used but not defined in this standard have the same meaning as words defined in the Food Act 1981.

Part 1 Maximum level

6 Maximum level of tutin in honey and comb honey

- (1) The maximum levels set out in subclauses (2) and (3) apply to honey and comb honey at the point of—
- (a) packaging honey for sale for human consumption; and
 - (b) export (other than to a country in relation to which a lower maximum level has been specified in a overseas market access requirement issued under section 60 of the Animal Products Act 1999).
- (2) The maximum level of tutin in honey is 2 milligrams per kilogram.
- (3) The maximum level of tutin in comb honey is 0.1 milligrams per kilogram.

7 Expiry of clause 6

- (1) Clause 6 expires on the earlier of the following dates—
- (a) on the date on which a standard in the Australia New Zealand Food Standards Code (setting a maximum level of tutin in honey and comb honey) comes into force in New Zealand; or
 - (b) on 1 February 2010.
- (2) Despite subclause (1), if on 1 February 2010 there is no standard in the Australia New Zealand Food Standards Code (setting a maximum level of tutin in honey and comb honey) in force in New Zealand but a standard in the Australia New Zealand Food Standards Code is under development by Food Standards Australia New Zealand, then clause 6 does not expire until the date that the standard that is under development comes into force in New Zealand.

Part 2 Options for demonstrating compliance

8 Who must demonstrate compliance

- (1) This Part applies to—
- (a) the last person to pack honey that is intended for sale for human consumption in a package that comes into immediate contact with the honey; and
 - (b) any person who is exporting honey (other than a person who is exporting the honey to a country in relation to which a lower maximum level has been specified in a overseas market access requirement issued under section 60 of the Animal Products Act 1999).
- (2) A person must undertake at least one of the options contained in any of clauses 10 to 15, but undertaking an option contained in any of clauses 10 to 15 does not abrogate the possibility of a prosecution under the Food Act 1981.

9 Beekeeper Requirements

A beekeeper who supplies honey to a person described in clause 8(1)(a) or (b) must—

- (a) maintain the records necessary to enable the person that he or she is supplying to demonstrate compliance with this standard; and
- (b) provide a written statement when requested to do so in accordance with clauses 13, 14 and 15.

10 Option one: Holding test results

- (1) Option one is for the person to hold test results of samples taken and tested in accordance with the relevant requirements described in Part 3 of this Standard demonstrating that the maximum level in clause 6 has not been exceeded.
- (2) A person must not sell honey for human consumption or export until the person has received the results of the analysis samples taken and tested in accordance with subclause (1).
- (3) The results must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

11 Option two: Holding records confirming risk managed in RMP

- (1) Option two is for the person to hold records at his or her place of business that confirm that the honey has been sourced from a processor that has undertaken primary processing or apiary activities (including, without limitation, the harvesting of the honey) under a registered risk management programme.
- (2) The records must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

12 Option three: Holding records confirming risk managed in FSP

- (1) Option three is for the person to hold records at his or her place of business that confirm that the honey has been sourced from a processor that has undertaken processing or apiary activities (including, without limitation, the harvesting of the honey) under a food safety programme.
- (2) The records must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

13 Option four: Holding records that demonstrate absence of tutu

- (1) Option four is for the person to request and hold a written statement from the beekeeper supplying the honey that confirms that the beekeeper holds records that—
 - (a) identify the geographical location of all of the hives from which the honey has been harvested (either on a topographical map at the standard scale of 1:50,000 or by global positioning system); and
 - (b) demonstrate that tutu is not significantly present within a 3 kilometre radius of those geographical locations.
- (2) The statement must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

14 Option five: Holding records that demonstrate low risk location

- (1) Option five is for the person to request and hold a written statement from the beekeeper supplying honey that confirms that the beekeeper has records that –

- (a) identify the geographical location of all of the hives from which the honey has been harvested (either on a topographical map at the standard scale of 1:50,000 or by global positioning system); and
 - (b) confirm that each of those locations is in a low risk area.
- (2) A **low risk area** is the South Island other than the Marlborough region (being the land area (including offshore islands) within latitude 41.5 South and longitude 173.5 East and latitude 40.5 South and longitude 174.5 East).
- (3) The statement must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

15 Option six: Inspecting tutu for presence of honeydew

- (1) Option six is for the person to request and hold a written statement from the beekeeper supplying honey that confirms that the beekeeper has records that –
- (a) specify the location of all areas where tutu is significantly present within a 3 kilometre radius of the beehives from which the honey is harvested for sale for human consumption or export; and
 - (b) confirm a weekly visual inspection was done of at least 3 of those areas up until and including the date of harvest of the honey for sale for human consumption or export; and
 - (c) specify the location of the tutu inspected; and
 - (d) confirm that there is no honeydew present on the tutu inspected.
- (2) The records must be kept for four years from the date on which honey is packed for sale for human consumption or exported.
- (3) Despite subclause (1), honey that is harvested for sale for human consumption or export in relation to which honeydew has been detected during an inspection is not to be packed by a person to whom this standard applies unless it has been further tested in accordance with clause 10.
- (4) Despite subclause (1), honeycomb harvested for sale for human consumption or export in relation to which the honeydew has been detected during an inspection must not be packed for sale for human consumption or exported.

Part 3 Sampling and testing

16 Application of this Part

This Part applies to persons involved in sampling and testing of honey as part of complying with option one (see clause 10).

17 Requirements relating to sampling and testing honey (other than comb honey)

- (1) For honey (other than comb honey), a sample must be taken from each batch of honey before it is put into containers for sale for human consumption or export.
 - (2) Before taking a sample of honey from a batch, the honey must be thoroughly mixed to ensure it is homogeneous.
 - (3) The sample must be submitted for testing to a laboratory that is accredited to ISO 17025.
- (4) The laboratory may combine samples from multiple batches for analysis if–
- (a) asked to do so by the person seeking the test; and

- (b) doing so will not compromise the test result.

Part 4

Review

18 Review of Parts 2 and 3

The Director-General must, within 6 months of the commencement of this standard, commence a review of Parts 2 and 3 that considers—

- (a) the operation of Parts 2 and 3; and
(b) the impact of Parts 2 and 3 on the persons to whom this standard applies.

Explanatory note

This note is for explanatory purposes only.

This food standard sets a maximum level of tutin in honey for sale for human consumption or export. The standard provides a number of options for demonstrating compliance with the maximum level.

The maximum level for tutin in honey is set in clause 6. However, on the expiry of clause 6, the maximum level will be set in a standard in the Australia New Zealand Food Standards Code.

Issued under section 11C of the Food Act 1981.

Date of notification in Gazette: []

This standard is administered by the New Zealand Food Safety Authority.
