**Section 14 Limited Exemption from Risk Management Programme Requirement**

The Animal Products Act 1999 (APA) requires the production and processing of certain animal materials and products to occur under one or more registered risk management programmes (RMPs) that are subject to independent verification (storage and transport are considered a process).

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| ***APA section 14: Director-General may grant limited exemption from requirement to have risk management programme*** *(1) The Director-General may, by notice unde*[*r section 167(1),*](http://www.legislation.govt.nz/act/public/1999/0093/latest/link.aspx?search=ts_act_animal+products_resel&p=1&id=DLM36133) *exempt in whole or in part any producer or processor from the requirement to formulate or operate under a risk management programme—* 1. *for such period as is specified in the notice; and*
2. *on such conditions (if any) as may be specified in the notice.*
3. *The Director-General may not grant an exemption under subsection (1) unless satisfied that the risk to human or animal health of providing the exemption is negligible (having regard, if appropriate, to the period of the exemption or the conditions imposed).*
4. *[Repealed]*
5. *An exemption under subsection (1) may have retrospective effect.*
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| **Before you start,** **check that you have everything you need** | * Contact your verifier (if applicable) for assistance.
* A clear and dated timeline of the event and product movements.
* Evidence that storage, transport, or production under non-RMP process was equivalent to RMP standard.
* Corrective/preventative actions.
* Complete and correct supporting documents.
* Verifier’s report as per Section 10 of this form.
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| **Steps required** | 1. Complete all the relevant fields in this form. Upload your electronic signature in section 12 (click on the picture icon and upload an image of your signature). Alternatively you can print and sign it.
2. Email this form to Food.Assurance@mpi.govt.nz with “**S14 Application**” in the subject line.
3. Attach any additional supporting information as necessary.
4. MPI will acknowledge receipt by return email.
5. You may be asked to provide additional information as appropriate.
6. You will be informed of the decision.
7. You will receive an invoice.
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**Processing time is up to 20 working days from the time we determine that your application is complete.**

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| 1. **Applicant** Person applying on behalf of the non-RMP / RCS operator or affected RMP / RCS
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| **Company/Operator** |       |
| **Contact Person**  |       | **Phone**  |       |
| **Email**  |       |
| 1. **Affected RMP (or RCS) Details** Operator that requires affected product to be eligible for export
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| **Company/Operator** |       |
| **Contact Person**  |       | **Phone**  |       |
| **Email**  |       |
| **RMP / RCS or other identifier** |       |
| **Verifier** (Name and Recognised Agency) |       | **Phone**  |       |
| **Email**  |       |
| 1. **Non-RMP (or RCS) Operator Details** Wgere product was outside of RMP chain
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| **Full Legal Name of Operator**Refer NZ [Companies Register](https://companies-register.companiesoffice.govt.nz/) |       |
| **Physical Address of Business where product was outside RMP** |       |
| **Contact Person**  |       | **Phone**  |       |
| **Email**  |       |
| **4. Product Details** For all affected product, include the following information.  |
| **Product Name(s)** |       |
| **Quantity Affected** (Weight/volume and number of packages) |       |
| **Production Date(s)**and Best Before/Use By Date(s) |       |
| **Batch Number(s)**  |       |
| **Date(s) Outside of RMP**  |       |
| **Evidence storage at non-RMP premises / transport or production under non-RMP process was equivalent to RMP standard**(Records, details of other risk-based measure e.g. FCP) |       |
| **Intended Market(s)**(s14 limited exemption does not exempt from OMAR requirements) |       |
| **Current Location of Affected Product** (include physical address) |       |
| **5. Applicable Processes**  Tick all applicable processes that occurred outside the scope of an RMP. |
| [ ]  Transport[ ]  Storage [ ]  Manufacture/processing  |
|  **6. What happened?**Give a detailed reason for why processing, storage or transport was carried out outside an RMP. Include details of any other relevant manufacturers, transport companies or storage premises including addresses. Provide a clear timeline. |
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|  **7. Corrective/Preventative Actions**What corrective/preventive actions have been implemented to prevent this from happening again? |
|       |
| **8. RMP Registration / Amendment Application**Complete this section if an RMP or RMP amendment registration is underway and is relevant to the exemption request. Depending on the circumstances, for export, to gain an exemption it may be a requirement to register an RMP. Verification of the process(es) may also be required as part of the exemption process. |
| **Date of Application to MPI Approvals Team** |       |
| **RMP Evaluation Date**  |       |
| **RMP Registration Letter** | [ ]  Provide a copy of the MPI Approval Letter with conditions of registration if applicable  |
| **Verifier** (Name and Recognised Agency) |       | **Phone**  |       |
| **Email**  |       |
|  **9. Additional Information**Complete this section if any additional information has been provided to support the application and indicate as appropriate. It is likely that the product will need to be verified. |
| **Detailed Inventory**  | [ ]  Attach if inventory too large to include above  |
| **Food Control Plan (FCP), National Programmes** | [ ]  Provide the registration number and a copy of the relevant section(s) of the FCP, or other programme if applicable  |
| **Other**  | [ ]  (specify)        |
| 1. **Verifier’s Report**

Provide the report as an attachment, or ask the verifier to email directly to Food.Assurance@mpi.govt.nz  |
| **Storage/Transports14 requests** | A Recognised Person will need to verify the product and provide a report to the Food Assurance team. This report can be in the format of a comprehensive email, with supporting documentation as appropriate. In most cases, a physical inspection of the product will have to be done as part of this verification. The report must include statements regarding the inventory of the product, fitness for purpose and whether there is any evidence of manipulation or tampering.The verifier should consider risk to market (OMAR requirements) if practicable. |
| **Manufacture/ Processing s14 requests** | A verification of the records of the product already manufactured by a Recognised Person is required. Where possible a verification of the process to ensure it was manufactured to RMP conditions should also be done. Provide a report to Food Assurance team. This report can be in the format of a comprehensive email, with supporting documentation as appropriate. In most cases a physical inspection of the product will have to be done as part of this verification. The report must include statements regarding the inventory of the product, and fitness for purpose.The verifier should consider risk to market (OMAR requirements) if practicable. |
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| **11. MPI Service Charge** |
| * $155.25 including GST per application
* After the first 60 minutes, additional assessment charge: $155.25 including GST per hour and $38.81 including GST for each 15-minute block in the final hour.

The charge is made in accordance with: * [Animal Products (Fees, Charges, and Levies) Regulations 2007](https://www.legislation.govt.nz/regulation/public/2007/0130/latest/DLM437410.html?search=sw_096be8ed81cab06b_exemption_25_se&p=1)
* [Animal Products (Dairy Industry Fees, Charges, and Levies) Regulations 2015](https://www.legislation.govt.nz/regulation/public/2015/0095/latest/DLM6466098.html)
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| **12. Applicant Statement** |
| I confirm I understand that:* MPI may decline the exemption.
* The fee will be charged in accordance with Section 11 of this form by way of an invoice, whether the exemption is granted or declined.
* The estimated processing time is 3 to 15 hours (including assessment, decision making, and issuing the s14 Notice) depending on the complexity and completeness of the application.
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| **Name** |       | **Job Title** |       |
| **Signature** |  | **Date** |       |
| **Collection of Information****Collection of Personal Information**Pursuant to Principle 3 of the Privacy Act 2020, we advise that:* This information is being collected to enable the Director-General of the Ministry for Primary Industries (MPI) or a duly authorised delegate to consider granting a limited exemption from requirement to have a risk management programme under the Animal Products Act 1999; and
* The recipient of this information, which is the agency that will collect and hold the information, is the Ministry for Primary Industries, PO Box 2526, Wellington 6140; and
* Under Principles 6 and 7 of the Privacy Act 2020, you have the right of access to, and correction of, any personal information that you have provided.

**Collection of Official Information*** All information provided to the Ministry for Primary Industries is official information and may be subject to a request made under the Official Information Act 1982.
* If a request is made under that Act for information you have provided in this application, the Ministry for Primary Industries will consider any such request, taking into account its obligations under the Official Information Act 1982 and any other applicable legislation.
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