ANIMAL PRODUCTS EXPORT VERIFICATION PROGRAMME

This document details the programme recognised agencies must apply in regard to the performing of verification, under the Animal Products Act 1999, of export animal materials and products. This programme does not apply to live animals* and germplasm. This programme contains:

(a) NZFSA requirements for performance of verification activities at animal product businesses supplying the export market; and

(b) the initial verification frequencies that will apply to an animal product export business. The performance measures around changing verification frequencies, and the ceiling frequencies that apply; and

(c) specific provisions allowing for variation from the standard verification frequencies and changes for certain business situations.

* In the context of this programme the exclusion of live animals is in respect of live animals covered by the official assurance system administered by MAF Biosecurity New Zealand.

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Carol Barnao
Director (Standards)
New Zealand Food Safety Authority

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Part 1
Application and Definitions

1 Application

(1) Subject to sub-clause (2), this programme applies to:
- (a) all animal product businesses that operate under the Animal Products Act 1999 and process exportable product; and
- (b) recognised verifying agencies, verifiers, and providers of ante-mortem and/or post-mortem inspection as appropriate.

(2) This programme does not apply to:
- (a) animal product businesses processing, storing or handling germplasm and live animals for export
- (b) animal product businesses processing, storing or handling for the NZ market only
- (c) regulated control schemes made under the Animal Products Act 1999 unless the scheme specifically states that the Animal Products (Export Verification Requirements) Notice 2009 applies.

2 Commencement

(1) This programme applies from 1 July 2009.

(2) The export application of the Verification 2005 Statement of Policy signed on the 31 March 2005 and amended on the 21st December 2005 is withdrawn as at the commencement date of this programme.

3 Interpretation

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

Accountable person is the verifier with overall technical accountability for the recognised verification agency's activities provided to an animal product business site. In the case of premises receiving full time NZFSA Verification Agency supervision, the accountable person is the senior official veterinarian at that premises

Act means the Animal Products Act 1999

Business means an **animal product business** as described in section 4(1) of the Act. For the purposes of this programme this excludes an animal product business that does not produce products or materials for export

Ceiling means the maximum verification interval achievable, as set out in Schedule 2 of this programme

Circuit premises means an animal product business that does not have a fulltime verifier

Closure means the permanent cessation of all operations of an animal product business

Country listing means an importing country requires animal product businesses to be on a specific list in order to process or store animal material or animal product for export to that country. This requirement is separately notified as an overseas market access requirement by NZFSA

Chief Executive means the Chief Executive of NZFSA, and has the same meaning as "Director General" under the Act

Deficiency means any deviation from a regulatory requirement which is reasonably likely to—

(a) result in exposure of humans or animals to an unacceptable level of hazard; or
(b) jeopardise overseas market access; or
(c) threaten the integrity of the official assurance system.

A deficiency is also repetitive or a collection of departures from regulatory requirements even though these would be unlikely to trigger the impacts listed in (a) to (c)

Director (Compliance and Investigation) means the NZFSA Director (Compliance and Investigation), or any NZFSA position that replaces the Director (Compliance and Investigation)

Dormancy (dormant) means a shut-down where no level of activity is present and where there is no intended date for restarting processing, and includes an animal product business with a suspended risk management programme

Export for the purposes of this programme export means export products subject to overseas market access requirements, or export products intended to be eligible for an official assurance. Exportable, exporting and other related terms have an equivalent meaning

Export certificate is the form of an official assurance determined by the Chief Executive pursuant to section 62 of the Act

Fishing vessel means any vessel registered under the Fisheries Act 1996 that is operating under the Animal Products Act 1999

Initial step means the verification step which automatically applies to all new animal product businesses

Monthly verification activity means all the functions, inspections and activities performed by the verifier that contribute towards the verification report, at premises with a full-time verifier

Monthly verification period means that the period between audit reports is a calendar month

New Zealand fishery means all New Zealand fisheries waters as defined in the Fisheries Act 1996

NZFSA means the New Zealand Food Safety Authority

Official veterinarian means a verifier who is a veterinarian registered with the Veterinary Council of New Zealand and appointed as an animal product officer

Overseas market access requirements (OMAR) means overseas market access requirements notified or made available under section 60 of the Animal Products Act 1999

Operator means the owner or other person in control of animal product businesses

Operator verification process means—
(a) the operator verification activities to be undertaken; and
(b) corrective actions to restore control; and
(c) any actions to be undertaken when corrective actions are not effective; and
(d) management of product disposition; and
(e) preventive actions; and
(f) follow-up actions to ensure control is maintained.

Port visit normally means when a fishing vessel off loads fish material or fish products at a port. If the verification interval for a vessel has been exceeded a port visit is any time the vessel is accessible from land

Recognised Agency Technical Manager is the Recognised Agency manager with overall technical accountability for the agency

Recognised Agency means an agency recognised under section 103 of the Act to perform verification

Regional Technical Manager or Team Leader means a manager employed by the Recognised Agency, with technical accountability for Recognised Agency personnel within a defined geographical area

Regulatory requirement means any requirement of —

(a) the Animal Products Act 1999, associated regulations and relevant notices, and

(b) a registered risk management programme

Routine verification means verifications done in accordance with Schedule 2 or Schedule 4. This includes unscheduled and unannounced verifications carried out under clause 17(1)(b) and 17(2)

Shut down occurs where an animal product business temporarily ceases all or some of its functioning under the Act and there is an anticipated re-start date

Site means a single distinct geographical location

Start-up meeting means a meeting between the accountable person and the operator prior to commencement of the first verification. This is because either: the operation is a new animal product business; or the Recognised Agency is verifying the business for the first time

Supervisory review means a review by an appropriately qualified recognised person of an operator and their day to day verifier

Unannounced verification means a visit that has minimal or no prior notification

Ungulate means hoofed animal and includes pigs, sheep, cattle, goats, deer and horses

Unscheduled verification means a visit that is notified a week or more advance, but is occurring within a shorter timeframe that the step would normally indicate.

Verifier means a person recognised under section 103 of the Act to undertake verification

(2) Any term or expression that is defined in the Animal Products Act 1999, Animal Products (Ancillary and Transitional Provisions) Act 1999, or regulations made under those Acts and used, but not defined, in this programme has the same meaning as in those Acts or regulations.

Part 2
General Export Verification Requirements

4 General

(1) Overseas market access requirements take precedence over the requirements of this programme.

(2) A verifier must be confident in the eligibility for export of any animal material or product. If not, the verifier must take appropriate actions to ensure those animal materials or animal products are excluded from affected markets. Such actions may include:

(a) the suspension of the issuing eligibility documents and export certificates to affected market(s); and

(b) increasing the verification frequency and/or intensity.

Note: The verifier is obligated to verify compliance with the requirements of export notices, such as Official Assurance Specifications and OMARs.

5 Right of appeal

(1) An operator dissatisfied with a decision made by a verifier can seek a review of that decision. The operator must follow any Recognised Agency procedure or procedure published by NZFSA.

(2) An operator seeking to review a performance level must operate according to the given level until a decision from the appeal process is made.

6 Premises shutdown

(1) An animal product business that is in shut-down must meet the minimum verification requirements for any activities that continue to function (e.g. ongoing storage of products at a manufacturing site).

(2) The verifier, in consultation with the Recognised Agency Technical Manager, may reassess the verification needs, and apply a suitable interval during this period.

Note: After an extended shut down, the verifier should conduct a pre-start verification, at the discretion of the Recognised Agency Technical Manager.

(3) Animal product businesses with country listings: The operator must maintain the business in a manner that permits processing to start at short notice for those countries.

(4) Sub-clause (3) does not apply to parts of an animal product business site that are subject to substantial alteration or maintenance work.

7 Dormancy

(1) Animal product businesses with country listings: The operator must arrange a regulatory market access review before the restart of processing. The review must confirm compliance with specifications and any overseas market access requirements for the listed country.

(2) Where an animal product business is in an extended period of dormancy, country listings for that animal product business may be removed.

(3) The verifier, in consultation with the Recognised Agency Technical Manager, may reassess the verification needs, and apply a suitable interval during this period.

(4) An operator may elect to maintain a dormant animal product business in a state of shut-down.

Note: After extended dormancy, the verifier should conduct a pre-start verification, at the discretion of the Recognised Agency Technical Manager.

8 Closure

To maintain eligibility for official assurances, the operator must transfer animal material and animal product to another suitable animal product business prior to closure. The operator must ensure the applicable requirements for animal material and animal product transfers are met.

9 Key responsibilities of verifiers

(1) The accountable person must —

(a) structure verification activities in line with standard verification practices and protocols (verifiers are to include unscheduled visits in accordance with the requirements of this programme); and
(b) schedule verification to adequately cover all periods of operation, including night shifts; and
(c) not take over any tasks which are the responsibility of the operator to perform; and
(d) determine an outcome after each verification and,
  (i) for circuit premises, assign a verification interval, as set out in Schedules 1 and 2, to the animal product business site
  (ii) for premises with full-time verifiers, assign a performance level, as set out in clause 27, to the animal product business site.

10 Initial meeting for new businesses or businesses being serviced by a new Recognised Agency

The accountable person must have a start-up meeting with the operator, and ensure the following points, as relevant, are discussed and recorded—
(a) Recognised Agency and verifier responsibilities; and
(b) the duties of the Recognised Agency and verifiers; and
(c) the rights of verifiers and the powers of animal product officers and official assessors; and
(d) the operator's responsibilities and duties in relation to verification performed in accordance with this programme; and
(e) an overview of the regulatory framework including, as applicable:
  (i) verification (regulatory overview and external reviews),
  (ii) official assurance requirements,
  (iii) overseas market access requirements and country listings,
  (iv) general requirement for export; and
(f) the appeal process in relation to verification.

Note 1: A new business is 'new' because it has either:
- *commenced operations for the first time, or*
- *had a risk management programme registered for the first time, or*
- *become subject to a regulated control scheme (that links to this programme) for the first time.*

Note 2: The initial verification intervals and ceilings for circuit premises are set out in Schedule 2 of this programme.

11 Performing verification

(1) The verifier must advise the operator in advance of the scope of the upcoming verification visit. The scope must broadly include, as a minimum—
  (a) an assessment of the operator's verification activities, including monitoring and corrective actions; and
  (b) an assessment of any records relating to those activities; and
  (c) a physical check of the business during the verification visit.

Note: Monitoring includes operator monitoring activities and regulatory monitoring requirements on operators, such as product and environmental sampling and testing.

(2) Despite advising the scope, the verifier is not restricted to the planned scope should it be justified to expand the areas of verification.

(3) The verifier's objective is to determine whether the operator is consistently meeting relevant regulatory requirements.

(4) The verifier must ensure verification activities adequately cover all periods of operation at a site, including nightshifts.

(5) The verifier must assign one of the following outcomes on the completion of a verification visit—

(a) **An acceptable outcome**, where the verifier is satisfied that—

(i) the operator is substantially complying with regulatory requirements; and

(ii) where there have been any departures from requirements, the operator's corrective actions are appropriate and being applied effectively.

(b) **An unacceptable outcome**, where the verifier has determined that the operator is not in substantial compliance with regulatory requirements.

*Note 1: An operator is considered to be **not** in substantial compliance where:*

(a) the operator verification process repeatedly fails to identify deficiencies; or

(b) the operator verification is ineffective: operator deficiencies are not effectively managed, or there are numerous non-compliances that collectively indicate a trend towards loss of control; or

(c) the accountable person lacks confidence in the system because the required records are absent, or incomplete, or have been altered; or

(d) the operator is not in substantial compliance with their duties as an operator.

Note 2: The following should contribute to the report and collective findings, but are not of themselves reasons for an unacceptable outcome:

(a) the outcome of any verification activity imposed by overseas markets which has occurred within the verification period, and

(b) the issuing of any corrective action requests.

(6) Each audit outcome will determine the subsequent site verification step according to the performance-based verification stepping protocol set out in Schedule 3.

12 Reporting responsibilities of accountable persons

Accountable persons must ensure verification reports are provided to the operator for all verification activities carried out under this programme.

13 Follow-up action

(1) The operator must confirm to the verifier that any deficiencies have been addressed within the agreed period of time.

(2) The verifier may make unscheduled visits, in line with standard verification practices and protocols, to confirm follow-up actions have been completed as agreed.

(3) As part of the follow-up verification, the verifier may request that documented evidence of the corrective and preventive actions is supplied.

14 Poor performing operations

(1) When there is an unacceptable outcome—

(a) the operator must prepare a written corrective action management plan

(b) the verifier must provide written notification to the operator of issues required to be addressed in the plan, and

(c) the operator must send the plan to the verifier for his or her agreement within 5 working days of receiving the notification.

(2) The operator must include in their written corrective action management plan—

(a) a description of the investigation process covering what will be done to identify the root cause of the deficiency; and

(b) the specific actions they intend to take to resolve the root causes, and

(c) description of how these actions are expected to prevent recurrence of the deficiencies; and

(d) the expected time frames for implementation of the specific actions.

(e) how, in the interim, they will produce product fit for intended purpose, including compliance with overseas market access requirements.

Note: Where an operator is appealing an unacceptable outcome, they are not required to prepare a written corrective action management plan. If the appeal decision upholds the unacceptable outcome, the operator's 5 working day deadline commences from the day the decision is notified. Despite this, the operator should still actively address any deficiencies identified even when the outcome of the appeal is pending.

Part 3
Specific Clarifications of the Verification Requirements for Premises that do not have Fulltime NZFSA Recognised Agency Supervision

15 Verifiers

Different verifiers, from the same Recognised Agency, may verify an animal product business site on separate occasions. The Recognised Agency must have a system in place to manage communication and continuity between verifiers.

16 Notice

Verifiers must give at least 5 working days notice to the operator of their intention to conduct routine verification visits required by this programme. Two weeks notice is not required in the case of unscheduled verification, or unannounced verification.

17 Unscheduled verification

(1) The verifier must perform unscheduled verification visits at each animal product business site, including fishing vessels.
   (a) An unscheduled verification visit may occur when the verifier has reason to believe that the operator is not meeting regulatory requirements.
   (b) With the exception of fishing vessels, an unscheduled verification visit must occur for 1 out of 5 routine visits.

(2) 1 out of 2 unscheduled verification visits must be unannounced. Despite clause 11(1), verifiers are not required to advise the scope of unannounced visits in advance.

(3) The accountable person must use their professional judgment when determining the scope of the unscheduled visit.

Note: verifiers must take account of health and safety requirements and obligations when they arrange for unscheduled and unannounced verification visits.

18 Consequences of unacceptable outcomes

(1) For the purposes of clause 14, a poor performing operation is one which is on step 1 or step 2 prior to the unacceptable outcome.

(2) Following an unacceptable outcome on step 1 (in addition to the requirements of clause 14)—
   (a) the operator must be placed on Step 00,
   (b) the Director (Compliance and Investigation) in consultation with the Recognised Agency Technical Manager, will decide on an appropriate verification interval for the operation,
   (c) the Director (Compliance and Investigation), in consultation with the Recognised Agency Technical Manager and the operator, will determine the conditions for return to step 1 verification interval,
   (d) the operation can only return to step 1 when the agreed conditions have been met.

Note: The Recognised Agency must consider the serious operator failure step 00 represents, particularly in respect of eligibility for official assurances. Verifiers should regard receiving official assurances while on step 00 as inconsistent with overseas market expectations.

19 Reporting responsibilities of verifiers

(1) On completion of a verification visit, the verifier must —
- (a) Inform the operator in writing of —
  - (i) any deficiencies found during the verification visit; and
  - (ii) the likely outcome of the verification visit; and
  - (iii) the consequential change to the verification interval, if any in accordance with Schedule 3; and
  - (iv) the intended date of next routine verification (this does not prevent unscheduled verifications, see clause 17 of this programme),
- (b) advise the Recognised Agency Technical Manager as soon as practical if there is an unacceptable outcome. The Recognised Agency Technical Manager, unless otherwise specified, must advise the Director (Compliance and Investigation), as soon as practical, if adverse effects on human health or export certification are likely.
- (c) After completing any follow-up activities, the verifier has 10 working days to provide a written report to the recognised verifying agency and the operator. The report must confirm (or amend as necessary), and provide further detail as needed, the information required in sub-clause (1)(a).

20 Verification requirements for fishing vessels

(1) Fishing vessels must be subject to a verification visit—
- (a) after the first voyage following registration of the risk management programme; or
- (b) when re-entering the New Zealand fishery, if the vessel was also operating outside the Animal Products Act verification regime, in addition it will re-commence verification on step 1 of Schedule 4; or
- (c) prior to the vessel leaving the New Zealand fishery, if it is also exiting the Animal Products Act regime.

(2) Fishing vessels will be subject to the application of Schedule 4. The verifier must conduct verifications according to the steps in Schedule 2 and 4 the vessel is currently on that will give the shortest interval between verifications.

(3) Fishing vessel operators must keep a record of all visits to port for each fishing vessel and these records must be available on demand for verification.

(4) Each visit to port must be notified to the Recognised Agency 24 hours in advance, except in the case of an emergency port visit. The verifier must advise, within the 24 hour period, whether a routine verification is to be conducted.

(5) When a verification visit is to be conducted, the verifier must approve the unloading of fish before unloading commences.

(6) Following a verification visit, the verifier must clear the vessel to recommence fishing before the vessel returns to sea. This clearance must be recorded in the verification report.

(7) NZFSA may suspend, or withdraw as appropriate, a fishing vessel's RMP if it has not been subject to a verification visit within 6 months.

21 Verification requirements for seasonal operations

(1) This clause addresses situations where an animal product business is on a verification interval which exceeds the length of their operating season, but is less than annual. For instance an animal product business that only operates for four months per year, but who is on step 6 (6 month interval).

(2) If the situation in sub-clause (1) arises the verifier must conduct two routine verifications during the operating period.

Note: Where an acceptable or unacceptable outcome leads to a corresponding verification step change this clause may no longer be applicable.

22 Verification where more than one risk management programme applies to a business site or a risk management programme applies to more than one business site

(1) In, general one business site means one verification interval.

(2) Where more than one risk management programme applies to a business site, the site will normally be verified as a whole. The RMP whose activities correspond to the lowest ceiling step determines the ceiling step for the whole site.

(3) Each RMP may be subject to separate verification intervals if the RMPs on a business site do not interact in any way. The Recognised Agency Regional Technical Manager and the operators of the RMPs must agree to this in writing.

(4) Where a risk management programme applies to more than one business site, then each business site will be verified independently of the other sites. The only exception to this is farm dairy RMPs.

Part 4
Provisions for Recognition of Prior Performance

23 Application

This Part puts in place criteria that allow for accelerated progression towards the ceiling frequency. The operator must demonstrate prior satisfactory performance, and achieve an acceptable outcome for the initial export verification.

24 Criteria for Recognition of prior performance for businesses taking export opportunities

(1) This recognition of prior performance provision applies to the following categories of animal product businesses—
- (a) All businesses previously processing under the Food Act regime,
- (b) RMP operators previously supplying the domestic market only,
- (c) Business requiring official assurances, but not requiring an RMP.

(2) Businesses will be subject to the relevant initial verification step. An acceptable outcome permits the verifier to re-assign the business to any verification step up to the ceiling step.

(3) In determining the subsequent verification step in accordance with sub-clause (2), the verifier should consider—
- (a) the outcome of the initial or any subsequent verification visit, and
- (b) any known history of regulatory compliance, and
- (c) the adequacy and suitability of the systems in place to give the verifier confidence in the business' ongoing food safety performance.

(4) This recognition of prior performance provision does not override—
- (a) the verification ceilings established by Schedule 2, or
- (b) any specific, relevant, overseas market access requirements, including where a country requires an initial listing inspection visit.

(5) This recognition of prior performance provision can only be applied with the consent of the Recognised Agency Technical Manager.

Part 5
Specific Verification Requirements for Premises with Fulltime NZFSA Recognised Agency Supervision

25 Application

(1) This Part applies to animal product businesses that are subject to permanent fulltime supervision by an official verifier.

(2) The verification and supervision functions in this Part are restricted to verifiers employed by the NZFSA Verification Agency.

26 Verification responsibilities of the accountable person

The accountable person must —

(a) perform verification on a monthly basis; and

(b) negotiate the method for the monthly verification activity with the operator so as to determine what is most appropriate for the particular site;

(c) structure monthly verification activity in line with standard verification practices and protocols; and

(d) determine an outcome after each monthly verification activity and assign a performance level accordingly .

Note: Clause 26(b) refers to verification method. Examples include a method of incremental daily activity, or a method involving a single discrete verification activity within the period.

27 Performance levels

(1) Performance levels are as follows:

Performance Levels	Level of Verification Intensity	
Level 6	↑	Decreasing verifier involvement
Level 5		
Level 4		
Level 3	↓	
Level 2		
Level 1		Increasing verifier involvement

(2) New premises commence on level 1.

(3) An acceptable monthly outcome increases the performance level by one until the maximum of level 6 is reached.

(4) An unacceptable monthly outcome reduces the performance level by one until the minimum of level 1 is reached.

(5) The Recognised Agency Technical Manager must authorise any variation from the performance level changes described in sub-clauses (3) and (4).

Note 1: Performance Level 1 to 3 is expected when the operator verification programme is not entirely effective. The verifier is also often directly involved with process control decisions. This performance level is a sign that there is high risk to business and market access continuity. The operator can expect to receive

more intensive verification in order to ensure regulatory requirements are being met.

Note 2: Performance level 4 to 6 is expected when there is an effective operator verification programme. Verifier intervention in process control decisions is typically infrequent. Verifier involvement is generally at the level of technical guidance. Overall there is low risk to business and market access continuity. External verification reinforces good practices and contributes to technical capacity building.

28 Performing monthly verification

(1) The current performance level determines the depth of verification and the interventions applied for non-compliances. The most intensive involvement applies at level 1, and the least intensive involvement applies at level 6.

(2) Premises on a performance level of 4 and above: The Recognised Agency Technical Manager must authorise any Verification Agency interventions beyond routine processing matters.

(3) For the purposes of clause 14 a poor performing operation is one which is on performance level 1 or 2 prior to the unacceptable outcome.

29 Supervisory reviews

(1) The monthly verification activity must be supplemented by an independent supervisory review.

(2) Supervisory reviews must be of sufficient depth and breadth to confirm an acceptable level of compliance.

(3) The reviewer must include a reality check of the animal product business and assess the accountable person's monthly reports and verification activities.

30 Capacity building responsibilities of the accountable person

(1) Accountable persons must proactively assist operators to build capacity as part of the cost-recovery programme. Proactive assistance includes—
- (a) providing training, calibration and correlation for activities such as certification, and good hygienic practice; and
- (b) constructively critiquing company systems; and
- (c) providing technical advice by participating in the company management team, including involvement with company technical meetings; and
- (d) contributing to the compliance programme; and
- (e) participating in NZFSA approved off-premises programmes; and
- (f) assisting with commercial auditors; and
- (g) participating in supply-chain verification programmes.

(2) Proactive assistance does not include such matters as—
- (a) assuming accountability for company compliance; or
- (b) acting in the capacity as a quality assurance manager; or
- (c) acting as an advocate between industry and NZFSA; or
- (d) assuming ownership for writing company systems; or
- (e) providing commercial services for non-mandatory activities.

31 Accountable person meetings

The accountable person is responsible for conducting routine meetings with the operators' management team; advising on technical issues and negotiating action plans for non-compliances. During periods of shutdown or dormancy, the meeting frequency may be altered in agreement with the operator.

32 Reporting responsibilities of accountable persons for monthly verification activities

The accountable person must provide a written report, by the first working day of the following month, to the Verification Agency and operator. The report should cover—

(a) any deficiencies and the follow up actions to be undertaken by the verifier to confirm that the operator has addressed each deficiency; and

(b) a summary of the monthly verification activity including—

(i) verification of the risk management programme,

(ii) follow-up actions from the previous month

(iii) any regulatory market access reviews that occurred within the month,

(iv) mandated frequencies

(v) any other matters requested by the Recognised Agency Technical Manager; and

(c) the outcome of the monthly verification activity; and

(d) the performance level assigned and any consequences.

Part 6
Requirements for Specific Classes of Slaughter Supervision

33 Application

(1) This Part describes classes of supervision applicable to operators who slaughter ungulates, emus and ostriches for human consumption. The specific class applicable to a given country is notified by way of an overseas market access requirement.

(2) Unless otherwise notified, levels of supervision only apply while processing for a country with notified slaughter supervision requirements.

(3) In this part the animal product officer or official assessor who is undertaking duties must be acceptable to the accountable person.

34 Class one

Class one supervision requires:

(a) official veterinary presence on-site must be full time and continuous; and

(b) an official veterinarian must carry out ante-mortem examination; and

(c) a non-veterinary official assessor or animal product officer may conduct preliminary tasks associated with ante-mortem examination, including the identification of defective (suspect) animals, and

(d) an official assessor or animal product officer must perform post-mortem examination under the direct supervision of an official veterinarian; and

(e) the official veterinarian must determine final disposition for all suspect animals.

35 Class two

Class two supervision requires:

(a) An official assessor or animal product officer must carry out ante-mortem and post-mortem inspection, under the supervision of an official veterinarian, and

(b) the official veterinarian must determine final disposition for all suspect animals, and

(c) official veterinary presence on-site must be full time and continuous when slaughtering is in progress, except where a good level of compliance has been consistently demonstrated. With a good level of compliance supervision may take the form of—

(i) a daily official veterinarian on-site overview visit, and

(ii) animal product officer direct supervision of the animal product business, whilst slaughtering is in progress, and
(iii) the official veterinarian must be available at all times to be recalled to the animal product business if required; and
(iv) the official veterinarian must make decisions regarding the suitability for processing of any suspect animals; and
(v) official veterinarian visits must occur at random times during the slaughter period.

36 Class three

Class three supervision requires:
(a) An official assessor or animal product officer must carry out ante-mortem and post-mortem inspection, under the supervision of an official veterinarian; and
(b) the official veterinarian must determine final disposition for all suspect animals, and
(c) official veterinary presence on-site must be full time and continuous when slaughtering is in progress, except where a good level of compliance has been consistently demonstrated. With a good level of compliance supervision may take the form of—
(i) a daily onsite overview visit by the official veterinarian, and
(ii) official assessor or animal product officer direct supervision of the animal product business, whilst slaughtering is in progress, and
(iii) the official veterinarian must be available at all times to be recalled to the animal product business if required, and
(iv) the official veterinarian must make decisions regarding the suitability for processing of any suspect animals, and
(v) official veterinarian visits must occur at random times during the slaughter period.

37 Class four

Class four supervision requires:
(a) official veterinary performance based visits, and
(b) animal product officer or official assessor full time, off chain, continuous supervision; and
(c) an official assessor or an animal product officer must conduct ante-mortem and post-mortem examinations; and
(d) an official veterinarian must be available at all times while slaughtering is in progress to make judgments on any ante-mortem or post-mortem suspects.

38 Class five

Class five supervision requires:
(a) a recognised verification agency must conduct performance based verification visits, and
(b) a veterinarian, under the employ of the Recognised Agency, must conduct an annual visit, and
(c) an official assessor or an animal product officer must conduct ante-mortem and post-mortem examinations.

39 Class six

Class six supervision requires:
(a) a recognised verification agency must conduct performance based verification visits, and
(b) veterinary visits at the discretion of a veterinarian under the employ of the Recognised Agency, and
(c) an official assessor or an animal product officer must conduct ante-mortem and post-mortem examinations.

40 Alternative classes

The Director (Standards) may specify alternative classes of supervision.

41 Interpretation of class supervision clauses

(1) Where the verification frequency and/or intensity has been modified and the verification is allocated to an official veterinarian, an official assurance verifier may undertake the increased tasks if approved to do so by the official veterinarian.

Official veterinarian full time, continuous presence in clauses 34, 35 and 36 may be interpreted in accordance with the following authorised variations and procedures—

(a) slaughter premises may be without continuous on-site supervision of an official veterinarian for up to 3 consecutive working days, but no more than 10 accumulated days in a calendar year, and

(b) the absentee days cannot be combined to produce a continuous or semi-continuous period of 4 to 10 days, and

(c) any absence of less than one day's duration is counted as a full day, and

(d) daily visits by an official veterinarian must take place, and

(e) the veterinarian must be available for contact at all other times during slaughter, and

(f) all animals intended for slaughter must have been subjected to and passed ante-mortem inspection by an official veterinarian; and

(g) an official veterinarian must undertake ante-mortem inspection of suspect animals, and

(h) an official veterinarian must inspect slaughtered animals retained for veterinary inspection, and

(i) the non-continuous on-site supervision is restricted to the following situations:

- animal or public health emergencies or any other circumstance, where the absence is specifically authorised by the Director (Standards); and
- medical conditions or illness where the absence is specifically authorised by the Regional Technical Manager; and
- investigations associated with incoming raw materials or animals or despatched products are required urgently because the eligibility for the European Union may be in doubt and urgent resolution is necessary where the absence is specifically authorised by the Regional Technical Manager; and
- training is required to maintain competency where the absence is specifically authorised by the Regional Technical Manager, and

(j) records of all absences and relevant authority must be maintained on-site; and

(k) records are to include medical certificates, training details or other documents supporting justification of the absence, where appropriate.

(2) Without limiting the circumstances under which the provisions of sub-clause 41(1)(i) would apply, the following do not invoke a full day's absence—

(a) the official veterinarian may be absent from the premises during slaughter and dressing for the purposes of taking scheduled meal breaks of no more than one hour's duration. The absence must be authorised by the appropriate Regional Technical Manager. Repetitive meal break absences of the same type (breakfast/lunch/dinner) for the same person and premises may receive a single, initial authorisation, and

(b) the veterinarian may be absent from the premises during slaughter and dressing to undertake specific verification programmes. Such programmes will specify that this sub-clause applies to the programme. The programmes

will be subject to an annual plan and activity schedule and be approved by the Director (Market Access). The absence of the veterinarian from the premises must not exceed 3 hours per standard working day.

Note 1: a veterinarian stationed at another slaughterhouse may make the daily visit referred to in clause 41. However if the supplying premises is left without continuous veterinary supervision then both premises incur the minimum daily deduction for the same event.

Note 2: The regional technical manager may authorise medical absences referred to in clause 41after the absence commences, but it must be at the earliest opportunity.

Schedule 1

Performance based verification (PBV) intervals for premises that do not have fulltime NZFSA Recognised Agency supervision

Verification step	Verification interval
Step 00	To be determined by the Director (Compliance and Investigation)
Step 1	2 weeks
Step 2	1 month
Step 3	6 weeks
Step 4	2 months
Step 5	3 months
Step 6	6 months
Step 7	1 year
Step 8	5 years (20% of businesses within the business category each year)

Schedule 2

Initial export verification steps and ceilings for premises that do not have fulltime NZFSA Recognised Agency supervision

Animal product business	Initial Step	Ceiling Step
Primary processors of mammals and birds for human consumption	Step 2	Step 5
Secondary processors of mammals and birds for human consumption	Step 2	Step 5
Primary and secondary processors of seafood for human and animal consumption, including fishing vessels	Step 2	Step 6
Dairy material – farm dairy RMP and raw milk transport	Step 5	Step 7
Dairy transport RMP – processed product	Step 6	Step 7
All other processors of dairy product and dairy material for human consumption	Step 2	Step 5
All other processors of animal product for human consumption	Step 2	Step 5
Export stores	Step 2	Step 6
Primary processors of mammals and birds for animal consumption	Step 2	Step 5
All other processors of animal product for animal consumption	Step 2	Step 6
All other businesses that have a risk management programme but not covered by the above animal product business descriptions	Step 2	Step 5
Killed wild mammal material depots	Step 4	Step 6
Fish (other than bivalve molluscan shellfish) material depots, apiarists	Step 8	Step 8
Bee processors requiring risk management programmes, including stores that only store bee products	Step 7	Step 7
Businesses (excluding stores) processing blood, blood products, reproductive materials and pharmaceutical products requiring official assurances though not required to have a risk management programme	Step 2	Step 5
Businesses (including stores) processing animal material such as hides and skins, or for fertilizer and similar products, that require official assurances though not required to have a risk management programme	Step 2	Step 7
All other animal product processing businesses requiring official assurances, or listed for the purposes of being involved with export products, though not required to have a risk management programme	Step 2	Step 5
Providers (if other than the RMP holder) of ante-mortem and post-mortem examination of mammals or birds	Step 2	Step 5

Schedule 3

Change in verification interval

Verification Step	Number of consecutive acceptable outcomes required to move to a higher step when no full-time verification agency supervision is present	Number of unacceptable outcomes to move to a lower step
1	**3** (move to step 2)	**1** (Move to step 00)
2	**3** (move to step 3)	**1** (move to step 1)
3	**2** (move to step 4)	**1** (move to step 2)
4	**2** (move to step 5)	**1** (move to step 3)
5	**2** (move to step 6)	**1** (move to step 4)
6	**2** (move to step 7)	**1** (move to step 5)
7	**2** (move to step 8)	**1** (move to step 6)
8	—	**1** (move to step 7)

Schedule 4

Verification frequency for fishing vessels

Verification step	Verification frequency
Step 1	Every port visit
Step 2	Every second port visit
Step 3	Every fourth port visit
Number of consecutive acceptable outcomes required to move to a higher step	2
Number of unacceptable outcomes required to move to a lower step	1