Ministry for Primary Industries
Manatū Ahu Matua

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Animal Products Notice

Specifications for Dairy Processing

Animal Products (Specifications for Dairy Processing)

Notice 2013

25 March 2013

An Animal Products Notice issued under the Animal Products Act

New Zealand Government

TITLE
Animal Products (Specifications for Dairy Processing) Notice 2013

PURPOSE
This notice sets specifications necessary to give effect to the standards in the Animal Products (Dairy) Regulations 2005.

It specifies requirements for the processing of dairy material, the composition of dairy products, and requirements for risk management programmes relating to the processing of dairy material and dairy products.

COMMENCEMENT
This notice comes into force on the 25th of March 2013.

REVOCATION
This notice revokes and replaces the Animal Products (Dairy Processing Specifications) Notice 2011.

ISSUING AUTHORITY
This notice is issued under sections 45 and 167(1)(h) of the Animal Products Act 1999 and having had regard to the matters specified in section 44(7) of that Act.

Dated at Wellington this day of 20xx

Xxxxx
Manager, xxx
Ministry for Primary Industries (MPI)
(Acting under delegated authority)

Gazettal date:

Contact for further information
Ministry for Primary Industries
Standards Branch
Animal and Animal Products Group
PO Box 2526,
Wellington 6140
Email…

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Part 1: Introduction

1.1 Background

(1) The Animal Products Act 1999 ("the Act") provides a framework for minimising and managing risks to human or animal health arising from the production and processing of animal material and products.

(2) The Animal Products (Dairy) Regulations 2005 applies the Act to dairy material, dairy products and dairy processing by establishing high-level general provisions, known as "standards", designed to ensure that dairy products are fit for their intended purpose. More detail is needed in order to put these standards into effect. Sections 45 and 167(1)(h) of the Act provide for specifications to be issued by notice to give effect to the standards. The specifications in this notice are issued for this purpose.

(3) Other notices issued under the Act, and other legislative provisions contained in the Act or the Regulations, may be relevant and should be consulted where appropriate. Information on these documents can be found at http://www.foodsafety.govt.nz/industry/sectors/dairy/.

(4) This document also includes guidance. Guidance is written in a text box. Guidance does not form part of the requirements and is not mandatory.

1.2 What and whom this Notice applies to

(1) This notice applies to all processing of all dairy material, and to dairy products intended for any purpose, whether intended for human consumption or not intended for human consumption.

(2) It includes requirements that apply to farm dairies, raw milk acceptance, dairy manufacture, storage and transport.

(3) This notice applies to all dairy processors unless they are exempted from the requirements.

(4) It also applies to recognised agencies and persons when:

(a) evaluating or verifying a risk management programme covering dairy processing activities; and
(b) determining compliance or conformance with requirements that apply to dairy material, dairy product and dairy processing activities

Unless alternative provisions (section …) have been approved.

1.3 The outcome this Notice is seeking to achieve

(1) This notice sets specifications for managing risk factors so that dairy material processed in New Zealand results in dairy products that are fit for intended purpose.

(2) A risk management programme that complies with these specifications and meets all other relevant risk management programme requirements is eligible to be registered by the Director-General.

1.4 Consequences of not complying with this Notice

(1) Not operating in accordance with this notice is an offence under Part 10 of the Animal Products Act. Risk management programmes that do not comply with this notice are not eligible to be registered.

1.5 Change history

No.	Version Date	Section Changed	Change(s) Description
1	25/03/2013	All	Clarifying which parts of the previous notices and criteria are mandatory. Clarifying the linkages between the Animal Products Act, the Animal Products (Dairy) Regulations and this notice.

1.6 Incorporation of material by reference

(1) The following materials are referenced in this notice:

Material	Copies obtainable from
ISO 707|IDF 050:2008, Milk and milk products - Guidance on sampling	International Dairy Federation publications
List of Codex Pesticide Residues in Food: Extraneous Maximum Residue Limits	http://www.codexalimentarius.net/pestres/data/index.html?lang=en
List of Codex Maximum Residue Limits for Veterinary Drug Residues in Food	http://www.codexalimentarius.net/vetdrugs/data/index.html?lang=en
Codex levels of chemical contaminants	General Standard for Contaminants and Toxins in Food and Feed
Codex document "Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for its Application"	http://www.codexalimentarius.org/download/standards/23/CXP_001e.pdf
APHA reference method for turbidity of water	Standard Methods for the Examination of Water and Wastewater
Drinking-Water Standards for New Zealand 2005	Drinking-water Standards for New Zealand 2005 (Revised 2008)
ISO/IEC 17025:2005, General Requirements for the Competence of Testing and Calibration Laboratories	ISO/IEC 17025:2005

(2) These referenced materials are to be treated as part of the notice. The latest version of the material should be used.

1.7 Definitions and acronyms

(1) Refer to Appendix 1, Definitions and acronyms.

Part 2: General Dairy Processing

2.1 Non-Conforming Dairy Material and Dairy Product

(1) A risk management programme registered by the Director-General must describe the procedures that ensure any dairy material or dairy product that is non-conforming is identified and detained, and disposed of in accordance with the written consent or instruction of the Director-General.

(2) All non-conforming dairy material or dairy product must be reported to the recognised agency responsible for verification of the risk management programme by the operator of the programme without delay.

2.2 Conformance Testing

(1) All testing of dairy material and dairy product to demonstrate regulatory conformance must be done in a recognised dairy laboratory that is recognised in the appropriate category for the required test, using an acceptable test method as specified in the Animal Products (Dairy Recognised Agency and Recognised Persons Specifications) Notice 2011.

2.3 Non-Compliant Processing Operations

(1) The risk management programme must describe procedures that ensure any non-compliance suspected or known to have occurred is reported to the recognised agency responsible for verification of the risk management programme by the operator of the programme without delay.

(2) Any dairy material or dairy product that is or is suspected to be affected under clause 6(1) is non-conforming and must be managed in accordance with clause 5.

2.4 Records

In accordance with section 17(2)(d) of the Act, the risk management programme must provide for the keeping of required records to enable it to be readily ascertained whether or not the risk management programme has been, and is being, complied with and that the dairy material or dairy product is fit for the intended purpose.

2.5 Official Assurances

The Director-General may only issue an Official Assurance if satisfied that the dairy material or dairy product intended for export meets all notified requirements that are applicable, including any export requirements that may apply generally or for the intended market or markets.

2.6 Approved Criteria

(1) The Director-General may approve criteria by which a dairy processor or risk management programme operator may be judged to satisfactorily achieve requirements specified in this Notice. Any approved criteria will be made available on the MAF Food Safety website http://www.foodsafety.govt.nz/index.htm.

(2) A risk management programme that satisfies each of the relevant approved criteria and meets all other relevant risk management programme requirements will be registered by the Director-General.

(3) Alternative criteria may be approved by the Director-General for application in a particular case provided it can be demonstrated to the Director-General's satisfaction that the required outcomes will be achieved.

2.7 HACCP Requirements

(1) The risk management programme must include Hazard Identification and Analyses or HACCP Plans of the processes covered by the risk management programme.

(2) The Hazard Identification and Analyses or HACCP Plans must be confirmed by a competent person to be valid for the processing activities covered by the risk management programme.

(3) All Hazard Identification and Analyses/HACCP Plans must comply with the Codex document entitled "Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for its Application" – website address: http://www.codexalimentarius.org/download/standards/23/CXP_001e.pdf

(4) HACCP principles and guidelines are to be used and the operation will take one of two paths depending on whether or not critical control points (CCPs) are identified, the paths being –

(a) The HACCP Plan where CCPs are identified; or
(b) Hazard Identification and Analyses where no CCPs are identified.

(5) HACCP Plan

The operation follows the HACCP principles and CCPs are identified at step 7.0, thus the following steps are to be completed for this operation –

1.0 Requirements prior to HACCP;
2.0 Describe product;
3.0 Identify intended use;
4.0 Construct flow diagram;
5.0 On-site confirmation of flow diagram;
6.0 Hazard identification, hazard analysis and control measures;
7.0 Determine CCPs;
8.0 Establish critical limits for each CCP;
9.0 Establish a monitoring system for each CCP;
10.0 Establish corrective actions;
11.0 Establish verification procedures;
12.0 Establish documentation and record keeping;
13.0 Training (recommended); and
14.0 External assessment.

(6) Where a HACCP Plan includes heat treatment as a critical control point for the control of pathogens, heat treatments must be operated in accordance with the requirements for dairy heat treatments in clause 25 to 28 of this Notice.

(7) The product outcomes must be documented as part of the hazard analysis.

(8) Routine testing of product safety attributes may not be required where a HACCP Plan can demonstrate an equivalent level of confidence in meeting product safety outcomes.

(9) Documented and effective prerequisite programmes, and other supporting systems, are essential to the success of any hazard identification or HACCP Plan, and must be developed prior to implementing HACCP.