



# Independent evaluation and verification of risk management programmes

## Animal Products Act 1999

9 September 2016

### 1 Background

This Guidance Document is made to provide a consistent understanding of what constraints apply to evaluators and verifiers of non-dairy risk management programmes (RMP) to ensure that there is adequate independence.

The principal concern is to clarify what is meant by section 20 of the Animal Products Act 1999 (the Act) where it requires that an application to have a RMP registered includes a copy of an independent evaluation report.

This Guidance Document is based on the Ministry for Primary Industries (MPI) understanding of acceptable norms with regard to the avoidance of conflict of interest.

#### 1.1 Risk Management Programmes

- (1) Under the Act, all primary processing businesses, except those exempt under the Act or under the Animal Products (Exemptions and Inclusions) Order 2000, must have a RMP. RMPs are designed by businesses for the animal materials used, the processes performed and the product range produced. It is the responsibility of each business to develop their RMP and to maintain it.
- (2) Section 20 of the Act covers the application process for registering a RMP with MPI. This provision requires that the application must include "a copy of an independent evaluation report made within the last 6 months of the validity, in terms of sections 12 and 17, of the risk management programme".

#### 1.2 Recognised Evaluators and Verifiers

- (1) MPI requires persons to be recognised when performing RMP evaluation and verification functions.
- (2) RMP verifiers are required to belong to a recognised agency that is accredited to ISO 17020.
- (3) ISO 17020 sets out a framework for managing conflict of interest. The standard requires that bodies "shall be independent to the extent required with regard to the conditions under which it performs its services". The accreditation body assesses the potential for, and management of, conflict of interest as defined by the scope of the accreditation and the business environment in which the verifier operates.
- (4) RMP evaluators must document a system to manage conflict of interest as it may arise in their role as an evaluator, which is assessed by MPI during the recognition process.

## 1.3 Animal Product Regulations 2000

- (1) Regulation 24 of the Animal Products Regulations 2000 provides one requirement related to evaluator independence. Regulation 24(1)(b) and (c) requires that:
  - a) the person responsible for the independent evaluation; and
  - b) any other person actively involved in carrying out the evaluation or any part of it; must not have been involved in the design or development of the RMP to which the evaluation report relates.
- (2) This guidance clarifies this regulation in regard to RMP evaluator independence. It also clarifies MPI's position in regard to RMP verifier independence.

## 2 Procedures

- (1) Individuals who are recognised as RMP evaluators and/or RMP verifiers have the following restrictions placed on them:
  - a) a RMP evaluator (and any other specialist person they may involve in the evaluation of a RMP) cannot evaluate a particular RMP if he or she has been involved in the design, development or validation of that RMP or any other RMP at the same site (i.e. physical location) within the past 2 years;
  - b) a RMP verifier cannot verify a particular RMP if he or she has been involved in the design, development or validation of that RMP or any other RMP at the same site (i.e. physical location) within the past 2 years; and
  - c) a RMP verifier cannot verify a particular RMP if he or she has been involved in the evaluation of that RMP or any other RMP at the same site (i.e. physical location) within the past 2 years.
- (2) Subject to these restrictions, an individual is not prevented from being involved with all of the functions:
  - a) RMP design, development or operator validation processes
  - b) RMP evaluation
  - c) RMP verification.
- (3) These restrictions do not apply at the level of an agency.

## Contact for further information

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