



# Australia OMAR Part 2A

Amendment 17

July 2019

## TITLE

Animal Products Notice: Australia OMAR Part 2A

This document contains Part 2A only of the Australia OMAR.

Part 2A of the Australia OMAR sets out the market access requirements that must be met to export compliant beef and beef products processed in Food Control Programme (FCP) premises to Australia

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## Part 1: General

### 1.2 Definitions

(1) Any term or expression that is defined in the Animal Products Act 1999 but is not defined in this document has the same meaning as in the Act.

(1) For the purposes of this OMAR:

**AP E-cert** means the Animal Products electronic certification programme provided by the Director-General for the production and issue of electronic eligibility documents, eligibility declarations and the issue of electronic or paper export certificates and includes the MPI help file in this electronic programme. Refer <http://www.mpi.govt.nz/exporting/overview/export-certification/>

**BICON** (Biosecurity Import Conditions) is Australia's database providing import requirements for plants, animals, minerals and biological products. Please refer to the Department of Agriculture and Water Resources' Importing to Australia page for more information about [BICON](#).

**DAWR** is the Australia Department of Agriculture and Water Resources

**Export certificate** is the form of an official assurance determined by the Director-General pursuant to section 62 of the Act

**FSANZ** is the bi-national body Food Standards Australia New Zealand

**MPI** is the New Zealand Ministry for Primary Industries

**MPI VS** is the Ministry for Primary Industries Verification Services

**Overseas Market Access Requirement (OMAR)** means an export requirement specified by the Director-General by notice issued under section 167(1) of the Animal Products Act 1999 for the purposes of Section 60 of the Act which specifies requirements for animal material or animal product intended for export

**Stock feed** means any feedstuff that could be fed to a food producing animal species, including horses.

**Third country** means a country that is not New Zealand or Australia.

## Part 2A Beef and beef products processed in FCP Premises exported to Australia

Refer also to Australia OMAR [Part 1: General](#)

### 2A.1 Application

- (1) Beef and beef products processed for human consumption in FCP premises for export to Australia.

### 2A.2 Definitions

- (1) Refer Part 1 Section 1.2 **Definitions**.
- (2) Any term or expression that is defined in the Food Act 2014 or Animal Products Act 1999 but is not defined in this document has the same meaning as in those Acts.
- (3) Other definitions additional to those in Part 1, and for the purposes of this Part:

**Arrangement** means the agreed procedures between MPI and DAWR, as notified in Part 2A of this OMAR, that allow FCP premises to export beef and beef products to Australia without the need for certification on a consignment basis.

**Beef** means the flesh, bone, offal or any other tissue of cattle.

**Beef products** means food prepared from or containing beef, but does not include gelatine, collagen, rendered fats, tallow or di-calcium phosphate.

**FA3** is the “New country listing or annual renewal of country listing for the export of beef and beef products processed under a Food Control Plan to Australia” form.

**FA4** is the “Change to details of the current country listing for the export of beef or beef products processed under a Food Control Plan to Australia” form.

**FCP** means food control plan as described in the Food Act 2014.

**MPI-recognised verifier** means a recognised person as defined in the Food Act 2014, whose specified functions and activities include carrying out verification functions and activities.

**Operator** means an operator of a food business as defined in the Food Act 2014.

**Registered exporter** means an exporter of animal products currently registered under Part 5 of the Animal Products Act 1999.

**RMP** means risk management programme as defined in the Animal Products Act 1999.

### 2A.3 Prohibitions and Restrictions

*No known or agreed additional requirements. Exporters should check with the importer or agent.*

### 2A.4 Official Approvals

- (1) Beef or beef products that are processed in FCP premises may be exported to Australia without MPI export certificates if they meet the following criteria:
  - a) The beef must originate from cattle born, raised and slaughtered in New Zealand or Australia.
  - b) The exporter must be a [registered exporter](#) with MPI.
  - c) The beef products must be produced under an MPI-approved food control plan (FCP).

*To register as a registered exporter complete [Exporter Application Form AP1](#). Since 1 March 2016, all Food Safety Programmes (FSPs) are deemed to be Food Control Plans (FCPs). FCPs are registered with MPI under the Food Act 2014.*

- d) The beef used in the products must be sourced from:
- i) Premises operating a risk management programme (RMP); or
  - ii) Premises operating an FCP and listed to produce for export to Australia under the Arrangement ([NZ list of FCP premises eligible to export beef or beef products to Australia](#)); or
  - iii) Beef imported direct from Australia.

*The origin of beef sourced from Australia should be supported by one of the following documents:*

- 1) An official health certificate; or
- 2) A manufacturer's declaration.

- e) Beef or beef products intended for export to Australia must be kept separate from any beef or beef products that are not of either Australian or New Zealand origin.
- (2) The operator must develop and implement specific provisions in a documented programme, for:
- a) Identification of the origin and source of all beef used in the product; and
  - b) Clear separation of the beef used in the product from any beef or beef products that are not of either Australian and or New Zealand origin.
  - c) Identification of any exporter used if the operator is not exporting directly from the premises; and
  - d) Identification of any FCP premises supplied with beef intended for export to Australia; and
  - e) Ensuring access to the current set of requirements in this Part of this OMAR, and updating the documented systems accordingly.
  - f) Managing the annual listing requirement and annual verification by an MPI-recognised verifier.
- (3) The food business operation must be specifically listed with MPI to participate in this arrangement. To become listed use the application form [FA3](#). An initial external verification audit and checklist must be completed by an MPI-recognised verifier. The application form is to be signed-off by the verifier.
- (4) The listing is valid for 12 months, and is subject to annual renewal.
- (5) To renew listing under this arrangement the operator must ensure that:
- a) An annual listing verification audit has been carried out by an MPI-recognised verifier.
  - b) The renewal application form [FA3](#) is completed and submitted to MPI. Details of how, and who to submit the form to are provided on the form. The "MPI-recognised verifier statement" must be filled in and signed-off by the MPI-recognised verifier.
  - c) The completed renewal application form must be submitted to MPI prior to the annual renewal date.

*The "MPI-recognised verifier statement" of the [FA3](#) form includes a checklist to be completed and signed by the MPI-recognised verifier.*

- (6) If the outcome of the verification audit referred to in 2A.4(5) above identifies significant non-compliances, or if the completed [FA3](#) form is not received by MPI prior to the annual renewal date each year, the FCP premises will be removed from the list of FCP premises eligible to export beef and beef products to Australia.
- (7) Exports may commence or continue when the operator receives the listing confirmation letter from MPI.

- (8) Any change in the listing details (legal operator name, physical address) must be notified to MPI using the form [FA4: Change to details of the current country listing for the export of beef or beef products processed under a Food Control Plan to Australia](#).
- (9) The operator and/or exporter may be subject to random audits by MPI.

## 2A.5 Processing Requirements

*No known or agreed additional requirements for 2A.5 and 2A.6. Exporters should check with the importer or agent.*

## 2A.6 Sampling and Testing

## 2A.7 Packaging and Labelling

- (1) Cartons must contain only beef or beef products eligible for export to Australia under this arrangement.
- (2) The beef or beef products are to be clearly labelled on the outermost wrapping of the largest packaged unit with:
  - a) the date of processing; and
  - b) the MPI FCP registration number (as shown on the MPI [NZ list of FCP premises eligible to export beef products to Australia](#)); and
  - c) the name and address of the processing premises; and
  - d) the name of the country in which the goods were made or produced.

*To satisfy clause d) above, statements such as 'Made in New Zealand', 'Produced in New Zealand' or 'Product of New Zealand' can be used.*

*Individually packaged goods will need to comply with the country of origin labelling standard (Country of Origin Food Labelling Information Standard 2016), that became mandatory on 1 July 2018. We understand that cartons will be opened for inspection at the border to ensure compliance.*

*Refer to [Country of Origin Food Labelling Rules](#).*

*The joint [Foods Standards Code](#) provisions also apply*

## 2A.8 Storage and Transport

*No known or agreed additional requirements. Exporters should check with the importer or agent.*

## 2A.9 Official Assurances

- (1) Export certification is neither required, nor available under these provisions. Exporters requiring export certification must source beef and beef products from an operator operating a RMP, in accordance with Part 2.
- (2) A manufacturer's declaration, that contains the following information, is required:
  - a) The species from which the goods have been derived,
  - b) A statement that the goods are derived from animals of Australian and/or New Zealand origin,

- c) A statement that the goods are made of ingredients that originated in, and were produced, processed and manufactured in Australian territory or New Zealand only,
- d) The name and address of the New Zealand processing premises and unique FCP registration number,
- e) The date of processing, and
- f) A statement that the goods are packaged in clean and new packaging