



Animal Products - Food Standards Code – Labelling Exemption

60B Exemption

26 September 2017

TITLE

Animal Products Notice: Animal Products - Food Standards Code – Labelling Exemption

COMMENCEMENT

This Animal Products Notice comes into force on 26 September 2017

ISSUING AUTHORITY

This Animal Products Notice is issued pursuant to sections 60B, 159 (3), 167(1)(jb) and 167(1)(o) of the Animal Products Act 1999 for the purpose of exempting specified animal products that are intended for export from the requirements of food standards issued under the Food Act 2014, and having had regard to the requirements of the relevant overseas markets.

Dated at Wellington this 26th day of September 2017

[signed]

Rachel Harvie
Acting Manager Food Assurance
Ministry for Primary Industries
(acting under delegated authority of the Director-General)

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Contents	Page
Introduction	3
Part 1: Requirements	4
1.1 Application	4
1.2 Interpretation	4
Part 2: Exemption	5
Schedule	6

Introduction

This introduction is not part of the Animal Products Notice, but is intended to indicate its general effect.

Purpose

The purpose of this notice is to exempt animal material and animal products certain requirements in the New Zealand (Australia New Zealand Food Standards Code) Food Standards 2002 where importing country requirements differ from New Zealand requirements.

Background

The Director-General is empowered by section 60B of the Animal Products Act 1999 to exempt any 1 or more classes or descriptions of animal material or animal product that is intended for export from New Zealand from the requirements of any food standards issued under the [Food Act 2014](#) or any standards specified by notice under [section 167](#) of this Act. Before granting an exemption, the Act requires the Director-General to be satisfied that it is appropriate to do so having regard to the requirements of the relevant overseas market.

The provisions of the Food Standards Code included in this notice are: Standard 1.2.4-7 (Declaration of substances used as food additives) <http://www.foodstandards.gov.au/code/Pages/default.aspx>

Exemptions from additional provisions of the Food Standards Code and other Standards made under the Food Act 2014 can be provided on a case-by-case basis by applying to MPI under the 60B exemption process.

Where an operator is relying on an exemption under this notice, the operator must retain documents which detail which products were not in compliance with the Food Standards Code (available at: <http://www.foodstandards.govt.nz/code/Pages/default.aspx>) and documents as evidence that those products labels were exempted from the Food Standard Code under this notice.

The Manager Food Assurance, acting under delegated authority of the Director-General, issues this Notice granting the requested exemption.

Who should read this Animal Products Notice?

This notice applies to risk management programme operators that process animals, fish, birds, or wild animals intended for human consumption for export to specified countries.

Why is this important?

The 60B exemption process assists in the facilitation of trade through the provision of a mechanism for businesses which allows them to meet importing country legislative requirements that vary from New Zealand legislative requirements. This notice exempts animal material and animal products from NZ standards where the specified importing country has acceptable standards, provided evidence is maintained of the importing country standards for verification purposes.

Part 1: Requirements

1.1 Application

- (1) This notice applies to animal material and animal products that are for export from New Zealand to a country specified in this notice.
- (2) Nothing in this notice affects or limits any requirements imposed by or under the Animal Products Act 1999 or the Food Act 2014 (including under the Food Standards Code, Supplemented Food Standard 2016 and any other food standard)
- (3) relating to the production of any animal product that -
 - a) is not for export; or
 - b) is for export to a country other than a country specified in this notice.

1.2 Interpretation

- (1) In this notice, unless the context otherwise requires –

Food Standards Code means the New Zealand (Australia New Zealand Food Standards Code) Food Standards 2002 (which adopts the Australia New Zealand Food Standards Code);

Supplemented food has the same meaning as in the Supplemented Food Standard 2016

Supplemented Food Standard 2016 means the New Zealand Food (Supplemented Food) Standard 2016
- (2) Any word defined by or under the Animal Products Act 1999 or the Food Act 2014, but not defined in this notice, has the same meaning as in the Act or regulations in which it is defined.
- (3) References to clauses and schedules are references to clauses in and schedules to this notice.

Part 2: Exemption

2.1.1 Exemption from labelling standards for export purposes

Animal and animal products are exempt from the requirements in the Standard 1.2.4 of the Food Standards Code relating to Information Requirements – statement of ingredients;

- a) The animal material or animal product is for export to a country identified in column 1 of the schedule; and
- b) The label of the animal material or animal product meets the description specified in column 3 of the schedule.

2.1.2 Record-keeping requirements

- a) An operator relying on any exemption in this notice must keep records that are readily available and verifiable that detail labelling which does not comply with the Food Standards Code and must:
 - b) identify product, whether at the product line level or otherwise, that has been processed under an exemption in this notice; and
 - c) identify the country or countries to which the product identified in (a) is intended to be exported; and
 - d) provide a copy of the current legislation of the country to which the product is intended to be exported relating to labelling; and
 - e) include in the documents associated with the product-
 - i) a statement that the product is subject to an exemption under section 60B of the Animal Products Act 1999 and varies from the Food Standards Code; and
 - ii) a statement that the product cannot be sold for human consumption in New Zealand or Australia; and
 - iii) an alert stating that the product is not suitable for sale in New Zealand, Australia or other country unless it is re-labelled in accordance with the requirements of Food Standards Code.

Schedule

Countries and permitted label description to which the exemption applies

Country	Substance Type	Canadian label description	Food Standards Code Standard 1.2.4-7 description
Canada	Additive	Polyglycerol Polyricinoleic Acid (permitted synonym)	Polyglycerol esters of interesterified ricinoleic acid OR Emulsifier (476)
Canada	Additive	Monoglycerides and Diglycerides	Mono- and di-glycerides of fatty acids OR Emulsifier (471)
Canada	Additive	Modified Cellulose (permitted synonym)	Hydroxypropyl methylcellulose OR Stabiliser (464)
Canada	Additive	Colour	Carotene or Colour (160a)