



Terms of Reference: Petfood Industry Standards Council

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Background

The Council was set up to promote communication between MPI and industry, to give advice to MPI, and to assist in the development and maintenance of standards and guidance under the APA 1999. The Council has been operating since 2006 and the meetings occur as required, usually quarterly.

Membership is made up of nominated individuals from the NZPFMA Executive Committee and MPI representatives.

Objectives

The objectives of the PFISC are to:

- promote the two-way exchange of information and views as a vital part of the consultation process;
- provide comprehensive and balanced advice to MPI on matters relating to administration of petfood¹ under the APA regime; and
- assist in the development of the MPI's policies and operational procedures in relation to the APA and ACVM.

Definitions

APA	Animal Products Act 1999
Council or PFISC	Petfood Industry Standards Council
Director	The Director of the Animal and Animal Products
MPI	Ministry for Primary Industries
NZPFMA	New Zealand Petfood Manufacturers Association
ACVM	Agricultural Compounds and Veterinary Medicines

¹ **Petfood** means any animal material or animal product, excluding dairy, which is fed to cats or dogs.

Council Modus Operandi

Membership

1.1.1 GENERAL

- A representative from the NZPFMA will act as Chairman of the Council.
- A representative from the NZPFMA will act as the secretariat for the Council.

Note: the chairman and secretarial duties are not undertaken by the same person.

1.1.2 MEMBERS

- The Council will consist of designated representatives from across the petfood industry. The member organisations are selected to cover as wide a range of industry views as possible from groups directly impacted by the work of MPI relating to petfood.
- The council consists of representatives from the:
 - NZPFMA (4); and
 - MPI teams including the Animal Products, Verification Services, Market Access and ACVM.
- The Director will contribute the appropriate staff from the Animal and Animal Products Directorate (eg Animal Imports) and from other areas within MPI to ensure that the Council is provided with the technical advice required to perform its functions.

1.1.3 OBSERVERS

- The Council is responsible for establishing observer status of organisations and may invite participation by organisations to address specific issues.

1.1.4 INTERESTED PARTY

- The Council is responsible for establishing interested party status of organisations.
- The Council is responsible for informing interested parties of the work of the Council.
- Permanent interested party status is awarded to:
 - The Meat Industry Association of New Zealand Inc (MIA), and
 - Federated Framers.

Roles

1.1.5 ALL

- Maintain an overview of industry views and opinions.
- To collaborate to ensure a proactive 'no surprises' culture and using sub committees (or working groups) where appropriate to facilitate this outcome.
- For sub committees to provide reports or briefings in anticipation of Council meetings such that the Council Secretary can circulate these documents prior to the meeting (Refer to Council Procedures for circulation of 7 working days prior to a meeting).
- To progress development of the Council operations, rather than dealing with specific issues at meeting level.
- Take note of a paper's status, i.e. papers may be labelled 'Confidential', or 'For distribution' etc., and to treat accordingly.

1.1.6 COUNCIL

- To assist in the delivery of efficient and practical strategic direction, policy formulation and priority setting that meets the petfood industry's needs.
- To assist in the establishment of standards, specifications and codes of practice, for primary and secondary operations undertaken under the APA and ACVM regimes, based on full industry consultation and advice to decision-making bodies taking full account of commercial and other risks to marketing, and innovation in products and processing.
- To help achieve practical solutions to relevant technical issues and other factors that impact on processing costs and efficiency.
- To foster open communication with the petfood industry and seek practical and cost effective solutions to problems.
- To work 'off-line' as much as possible as sub committees to provide briefings or reports as appropriate to the Council meetings.

Note: The Council is not a forum for resolving issues relating to other legislation such as the Biosecurity Act 1993.

1.1.7 MEMBERS

- Bring their sub-committee or working group views to the meetings and disseminate relevant information from the meetings back to their members;
- If unable to attend a meeting, ensuring that another delegate is fully briefed;
- Provide a contact point for members of their organisations;



- Take part in free and frank discussion that will at times involve challenging other views put forward. Members are expected to respect the perspectives of other members and the confidentiality of opinions expressed in open discussions.

1.1.8 OBSERVERS

- Any observer organisations will be expected to take a full part in any meetings they attend and have the same role as members.
- Observers may be requested to be members of working groups.

1.1.9 MPI

- Provides team leadership or support for any working groups that are established; and
- Represents the views of MPI and Government policy.

Attendance

- Members are expected to treat the Council meetings as high priority and attend as often as possible.
- If members are not able to attend a meeting, it is expected that they will advise the Council Secretary and arrange another representative from their organisation to attend or provide a briefing report. They should ensure that the delegate is fully briefed on any background information so they are able to take a full part in the meeting.
- From time to time, other organisations or individuals may be invited to attend to make presentations or for other purposes. Arrangements are to be made through the Council Secretary.

Council Procedures

Council

- The Council will meet on an as-required basis, nominally four meetings per annum, and for practical reasons will normally follow NZPFMA Executive Committee Meetings.
- The Council will not be a decision-making body in relation to any MPI responsibilities. It will function as a conduit for advice, sharing information, and gathering opinion.
- The Council will be a consensus-seeking forum. The Council will seek transparency and consistency in the methods used for developing recommendations.
- The Council and any working groups it sets up will maximise the use of available technologies, such as the MPI website, as a means of communication and to advance the Council's work programme.
- The Chairman will summarise the discussion and views at the end of any agenda item and to confirm this with the meeting so the Council Secretary can ensure that the minutes are a true reflection of the final outcome of the discussion. Issues will be managed through an Issues Register or the like as part of the agenda/minutes.
- A representative of the NZPFMA will act as a secretariat to service the Council, under contract from MPI. These duties include:
 - circulation of the agenda and papers at least 7 working days prior to each meeting,
 - circulation of draft Council minutes within 15 working days of each meeting, and
 - communication of any Council reports or emails to be discussed.
- Any expenditure or financial commitment for the Council or the working groups must have the prior approval of the Director, unless already covered under an existing contract.
- On an annual basis the Council will review the programme of work that is undertaken by sub committees for prioritising.
- A review of the Council's membership and Terms of Reference will be conducted from time to time on an as-required basis.

Sub Committee

- The Council may establish sub committees (or working groups) to address specific issues or topics and to provide advice and recommendations. This may include the use of expertise from outside the Council.
- Any such sub committees will work within a terms of reference or objective that has been established by the team leader, agreed with the



group and with Council, and with sign-off for any financial implications by the Director.

- Sub committees papers should be treated as confidential and not made available for general release outside of Council.
- Sub committees will report findings back to the Council as agreed, and in anticipation of Council meetings (Refer to Council Procedures for circulation of 7 working days prior to a meeting).

MPI

- MPI will not reimburse members of the Council for any expenses incurred through attendance at formal meetings.
- Where the Council invites participation by an organisation to address specific issues MPI may agree to meet the travel expenses incurred through attendance at formal meetings. In these cases all travel would be booked by MPI.

Commitments and Principles

MPI Commitment

- MPI is committed to working in a partnership relationship with industry to the maximum extent possible.
- MPI will consult with the Council over the development and formulation of:
 - a. Standards and specifications to be promulgated under the APA and ACVM; and
 - b. The generally accepted means of meeting the regulatory requirements; and
 - c. The interpretation and definition of the official market access requirements (OMARs) of importing countries.
- MPI is committed to ensuring that any standards, specifications and codes of practice are limited to the scope defined within the APA and ACVM. Standards, specifications and codes of practice will be based on knowledge and information available at the time and incorporate risk analysis philosophy. Efficiency and cost effectiveness will be key features in the process of designing standards, specifications and codes of practice and the accepted means of meeting them.
- MPI is committed to concept of performance based verification whereby high performance receives less direct audit involvement, while poor performance increases audits.
- MPI is committed to ensuring that sanctions required to respond to non compliance are applied consistently and fairly.

Industry Representative Commitment

- The industry representatives on the Council are committed to fairly representing the interests of industry members, facilitating consultation processes and promoting that the provisions of the APA and ACVM are observed and maintained with respect to petfood.

Agreed Principles

- MPI and other members of the Council have agreed to the following principles and will endeavour to apply them at all times:
 - a. Maximum benefits will accrue to the petfood industry and New Zealand by MPI working in a partnership relationship with industry. The Council and MPI are committed to working in this manner, consistent with MPI's statutory responsibilities.
 - b. For market access, MPI will involve the Council to the maximum extent possible, including participation in "government to



government” and multilateral negotiations, providing this is not deemed prejudicial to the direct outcome nor New Zealand’s more general interests.

- c. Regulatory costs and mechanisms for their recovery will be negotiated and recovered in accordance with the provisions of the APA and ACVM.
- d. Verification of operations by verification agencies will be adjusted according to agreed performance criteria.
- e. In standard setting and in the enforcement of requirements, MPI will endeavour to operate in such a way as to maintain the fitness for purpose of petfood and certification while seeking to maximise returns to industry.
- f. MPI and the Council may agree on the general rules that verification agencies will apply in terms of sanctions in various non-compliance situations.