Strengthening food recalls and risk based-plans and programmes

Submission Form

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| **Once you have completed this form**  Email to: [food.policy@mpi.govt.nz](mailto:food.policy@mpi.govt.nz)  While we prefer email, you can also post your submission to:  Consultation: Strengthening food recalls and risk-based plans and programmes  Ministry for Primary Industries  PO Box 2526  Wellington 6140 |

**Submissions must be received no later than 5pm, Friday 7 December 2018.**

Consultation will run for six weeks, from Thursday 25 October to Friday 7 December 2018.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Please make sure you include the following information in your submission:

* your name;
* your contact details (e.g. phone number, postal address and email);
* your organisation’s name (if you are submitting on behalf of an organisation);
* your position within your organisation (if applicable);
* the size of your organisation (if you are submitting on behalf of an organisation);
* your thoughts on the proposals, including reasons for your views;
* the possible impacts of these proposals on you or your businesses; and
* any changes you would suggest to these proposals and why.

For answers to any questions you have about this consultation, please email [food.policy@mpi.govt.nz](mailto:food.policy@mpi.govt.nz) or telephone: 0800 00 83 33.

## Disclaimer

While every effort has been made to ensure the information in this publication is accurate, the   
Ministry for Primary Industries does not accept any responsibility or liability for error of fact, omission, interpretation or opinion that may be present, nor for the consequences of any decisions based on this information.

## Your feedback is public information

Any submission you make becomes public information. Anyone can ask for copies of all submissions under the Official Information Act 1982 (OIA). The OIA says we must make the information available unless there is a good reason for withholding it. You can find those grounds in sections 6 and 9 of the OIA.

Tell us if you think there are grounds to withhold specific information in your submission. Reasons might include that it is commercially sensitive or personal information. Any decision the MPI makes to withhold information can, however, be reviewed by the Ombudsman, who may require the information be released.

## Scope

The purpose of this consultation is to strengthen food recalls and to improve risk-based plans and programmes, by giving effect to the recommendations made by the Government Inquiry into the Whey Protein Concentrate Contamination Incident. The proposals relate to food and wine produced for human consumption under the Food Act 2014, the Animal Products Act 1999, and the Wine Act 2003.

The food recall proposals and associated traceability requirements relate to traceability of products after harvest, until retail or export. This includes all food through the supply chain from harvest, the farm gate, or arrival in the country, through to the point of retail or export. This does not include the traceability of animals or other on farm inputs. The proposals relate to food safety and suitability, which is distinct from consumer driven supply chain transparency, or the export requirements for traceability systems that support any official assurances that MPI provides for exported products.

## Submitter details:

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| --- | --- |
| Name of submitter  or contact person: |  |
| Postal address: |  |
| Phone number: |  |
| Email address: |  |
| Your organisation’s name (if you are submitting on behalf of an organisation): |  |
| Your position within your organisation if applicable: |  |
| What is the main region of your operations? (select by clicking on the appropriate box) | |  |  | | --- | --- | | Auckland | Wellington | | Gisborne | Canterbury | | Marlborough | Manawatu-Wanganui | | Southland | Otago | | Waikato | Tasman-Nelson | | Bay of Plenty | West Coast | | Hawke’s Bay |  | | Northland |  | | Taranaki |  | |
| Are you:  (please select those that apply to you) | |  |  | | --- | --- | | an **organisation** |  | | Please tell us who you are or who you represent? (type below) | | | How many members you represent? (type below) | | | a **business** |  | | What sector do you operate in? (please select all that apply): | | | Dairy  Food service  Honey and bee products  Food and beverage manufacturer  Meat, ostrich, emu, and game  Organics  Pet food and inedibles  Plant products  Poultry and eggs  Retail and wholesale  Seafood  Stores (dry and cold)  Transport and wharves  Wine  Animal feeds  Verifier  Other – please specify (type below) | | | Do you import or export food? (please select all that apply): | | |  | | | Import  Export  Not applicable | | | What risk-based plans(s) or programme(s) do you operate under? (please select all that apply): | | | Risk management programme  Food control plan  National programme 1  National programme 2  National programme 3  Regulated control scheme  Wine standards management plan  None / Exempt  Other: Please specify | | | Do you operate under a template or custom risk-based plan or programme? (please select all that apply): | | | Template  Custom  Not applicable | | | How big is your business? (average annual turnover / or turnover in 2017): | | | Up to $500,000  $500,001 to $1,000,000  $1,000,001 to $2,000,000  $2,000,001 to $5,000,000  $5,000,001 to $10,000,000  $10,000,001 to $20,000,000  $20,000,001 to $50,000,000  More than $50,000,000 | | | If you are a business, how many people work in your business (full-time or part time, including owner-operators)? | | | 0-5  6-10  11-20  21 or more | | |  | | |  | | |

# Part 1: Objectives

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| 1. Do you agree with the objectives for strengthening food recalls and improving risk-based plans and programmes? Why/why not? |
| (Type your response here) |

# Part 2: Food recalls

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| 1. Do you agree that food recall requirements need to be strengthened, consolidated, and be made more consistent amongst the food safety Acts? Why/why not? |
| (Type your response here) |

## Proposal A: businesses with risk-based plans or programmes, and importers or exporters of food, must maintain food recall procedures

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| 1. Do you agree or disagree with Proposal A? Please elaborate on your response and identify any improvements that could be made. |
| (Type your response here) |
| 4. What positive and negative impacts would Proposal A have? |
| (Type your response here) |
| 1. Would Proposal A require you to maintain food recall procedures for the first time? |
| (Type your response here) |

## Proposal B: food businesses required to maintain traceability processes must ensure information is accurate and allows businesses to effectively trace and recall, if required to do so, relevant products and ingredients received and dispatched to and from suppliers and customers. Options are presented around the tracing of incoming batches of ingredients into the outgoing batches of finished products, as well as the tracing of packaging.

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| 1. Which option do you prefer? Please elaborate on your response and identify any improvements that could be made. |
| (Type your response here) |
| 1. What positive and negative impacts would each option have? |
| (Type your response here) |
| 1. Would you prefer?  * A specified list of traceability information that must be recorded * Having the flexibility to record the traceability information you need, so long as it enables you to accurately and effectively identify and locate food and ingredients * No preference * Other (please explain) |
| (Type your response here) |
| 1. Please provide rationale for your preference |
| (Type your response here) |

## Proposal C: traceability records would need to be kept for the time specified under each food safety Act, or one year past the shelf life of the product, whichever is longer

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| 1. Do you agree with Proposal C? Please elaborate on your response and identify any improvements that could be made |
| (Type your response here) |
| 1. What positive and negative impacts would Proposal C have? |
| (Type your response here) |
| 1. How many of your products have a shelf life that is longer than the time you are currently required to maintain records for? |
| *(Type your response here)* |

## Proposal D: information is to be provided to MPI within the time specified by a food safety officer, or within 24 hours, whichever is shorter

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| 1. Do you agree with Proposal D? Please elaborate on your response and identify any improvements that could be made. |
| *(Type your response here)* |
| 1. What positive and negative impacts would Proposal D have? |
| *(Type your response here)* |

## Proposal E: mock recalls would be required to be performed every 12 months unless a successfully managed, genuine recall has occurred in the previous 12 months

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| 1. Which option do you prefer? Please elaborate on your response and identify any improvements that could be made. |
| *(Type your response here)* |
| 1. What positive and negative impacts would each option have? |
| *(Type your response here)* |
| 1. Do you currently undertake a simulated/mock recall as part of your usual food safety procedures? If so, how frequently, what activities are involved, and who audits them? |
| *(Type your response here)* |

## Proposal F: in the event of a recall, traceability information must be supplied to MPI in a readily accessible format

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| 1. Which option do you prefer? Please elaborate on your response and identify any improvements that could be made. |
| *(Type your response here)* |
| 1. What positive and negative impacts would each option have? |
| *(Type your response here)* |

# Part 3: Risk-based plans and programmes

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| *Problem/opportunity*   1. Do you agree with the problem/opportunity that the proposed regulations are aiming to address? If not, why not? |
| *(Type your response here)* |

## Proposal G: if an operator submits an outline of their RMP for registration, the hazard identification and management information (e.g. the HACCP plan) must be supplied in addition to the current requirements

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| 1. Do you agree with Proposal G? Please elaborate on your response and identify any improvements that could be made. |
| *(Type your response here)* |
| 1. What positive and negative impacts would Proposal G have? |
| *(Type your response here)* |
| 1. Have you already provided your HACCP information to MPI after sending in an outline of your RMP to MPI? |
| *(Type your response here)* |

## Proposal H: Operators of new and existing custom risk-based plans and programmes would be required to differentiate food safety matters and related regulatory requirements from non-food safety content in all text documents submitted to MPI

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| 1. Do you agree with Proposal H? Please elaborate on your response and identify any improvements that could be made. |
| *(Type your response here)* |
| 1. Do you integrate food safety matters and related regulatory requirements with non-food safety matters in your risk-based plan or programme? |
| *(Type your response here)* |
| 1. If integrated, are the food safety matters and related regulatory requirements differentiated from non-food safety matters in your risk-based plan or programme? If so, how is it done? |
| *(Type your response here)* |
| 1. Which, if any, of the ways above would be your preferred way of differentiating? Please say why. |
| *(Type your response here)* |
| 1. What positive and negative impacts would Proposal H have? |
| *(Type your response here)* |
| 1. Do you think the regulations should have a limited number of acceptable ways to differentiate, or allow operators to choose a way that works for them? |
| *(Type your response here)* |

## Issue I: Moving RMP requirements from notices to regulations

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| 1. Do you have any views on the proposal to move the current RMP requirements to regulations and leave the technical detail in a notice? |
| *(Type your response here)* |

## Minor and technical proposed changes to current notices

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| 1. Do you agree with the minor and technical changes? Why/why not? |
| *(Type your response here)* |

# Part 4: Transitional provisions

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| 1. Do you agree with these transitional provisions? Why/why not? Please elaborate on your response and identify any improvements that could be made to the proposal. |
| *(Type your response here)* |

**Once you have completed this form**

Please save the document and email it to: [food.policy@mpi.govt.nz](mailto:food.policy@mpi.govt.nz)

## Next steps

Once we have received submissions from interested parties, we will consider all of the new information and perspectives that have been provided. We will use this to further inform our analysis and a summary of the information we have received through consultation will be made available.