



Cabinet Economic Development Committee

Minute of Decision

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Food Recalls and Risk Management Programmes: Proposed Amendments to Regulatory Framework

Portfolio Food Safety

On 18 September 2019, the Cabinet Economic Development Committee:

Background

- 1 **noted** that the Whey Protein Concentrate Contamination (WPC) Inquiry and the Dairy Traceability Working Group identified that regulatory improvements were needed to strengthen food recalls and improve risk management programmes to protect New Zealand's reputation as a supplier of safe and suitable food;
- 2 **noted** that the Food Safety Law Reform Act 2018 enables regulations to be put in place that strengthen food recalls and improve risk management programmes under the Food Act 2014, Animal Products Act 1999, and Wine Act 2003 as a result of the WPC Inquiry recommendations;
- 3 **noted** that public consultation for these proposals on food recalls and risk management programmes were undertaken from October to December 2018, and that the proposals now take account of the feedback received;
- 4 **noted** that consultation showed overall general support for regulatory proposals;

Food recall proposals

- 5 **agreed** to require all businesses with risk-based plans or programmes, and importers or exporters of food, to maintain food recall procedures;
- 6 **agreed** to require traceability systems to be accurate and allow for the effective tracing and recall of food;
- 7 **agreed** to require businesses to be able to trace food coming in, and food going out of their operations, and identify and locate food that is within their operations (if a business is currently required to maintain more detailed internal tracing procedures, these are to be maintained);
- 8 **agreed** that the Ministry for Primary Industries can request traceability information held by a food business to be provided to it within a shortened timeframe;

- 9 **agreed** to require mock recalls to be performed around every 12 months, unless a successfully managed genuine recall has occurred in the previous 12 months;
- 10 **agreed** to require the information supplied by food businesses in the event of a recall to be in a format that is readily accessible;

Risk management programme proposals

- 11 **agreed** that, when providing an outline of the risk management programme as permitted by the regulations, the hazard and identification and management information be required to be supplied to Ministry for Primary Industries upon registration;
- 12 **agreed** to replicate similar requirements presently in Animal Product notices for what needs to be in a risk management programme into regulations instead;

Legislative requirements

- 13 **authorised** the Minister for Food Safety to issue drafting instructions to the Parliamentary Council Office to implement the above policy decisions;
- 14 **authorised** the Minister for Food Safety to make final decisions on minor and technical issues that are consistent with the policy intent described in the paper under DEV-19-SUB-0249 on any issues that arise during the drafting process.

Jack Petterson
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Kelvin Davis
Hon Grant Robertson (Chair)
Hon Phil Twyford
Hon Dr Megan Woods
Hon Dr David Clark
Hon Iain Lees-Galloway
Hon Damien O'Connor
Hon Shane Jones
Hon Willie Jackson
Hon James Shaw
Hon Eugenie Sage

Officials present from:

Office of the Prime Minister
Officials Committee for DEV

Hard-copy distribution:

Minister for Food Safety