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Food Bill progress report

In July, Minister for Food Safety Nikki Kaye sent the Food Bill back to select committee so it can be progressed through the parliamentary system.

Since the Bill was last considered by a select committee in 2010, there has been a lot of public debate about the content of the Bill, including the powers of enforcement officers, genetic modification, and community fundraising through sausage sizzles and cake stalls.

MPI have worked with the Minister and parliamentary lawyers to update the Bill and to address some of the public concerns. This has meant reviewing several versions of a large piece of legislation with many people involved.

The Minister's announcement has received widespread positive reaction. Food & Grocery Chief Executive Katherine Rich said the changed Bill is sensible and timely: "The changes proposed by the Minister are sensible and pragmatic, and improve the clarity of the law so there is less room for ambiguity. The food industry will welcome the proposed changes."

Once the Primary Production Committee Bill has considered the Bill, the Committee will have up to six months to report back to Parliament on the Bill and the changes that are outlined in the Supplementary Order Paper.

Health Claims and Supplemented Food

The Ministry for Primary Industries is proposing amendments to the New Zealand Food (Supplemented Food) Standard 2010 (SFS), to better align health claims with the Australia New Zealand Food Standards Code (Food Standards Code).

One of the proposed changes to the SFS is the inclusion of Standard 1.2.7 – Nutrition, Health and Related Claims (under the Food Standards Code). The proposed change will mean that certain health claims will be allowed on supplemented foods. This will provide consumers with evidence-based information about the health benefits of products, as businesses will have to scientifically substantiate any health claims. It will also provide an opportunity for food businesses in the area of product innovation, and allow for greater consistency with labelling requirements under the Food Standard Code.

Other proposed changes are to clarify how the SFS applies to products containing caffeine, and to make minor technical changes.

Supplemented foods sit outside the Food Standards Code and are regulated by the SFS under the Food Act 1981. Supplemented food is a food that has been modified in some way to provide more than just basic nutritional need.

The closing date for submissions is 5pm, Thursday 29 August. Information on the public consultation including the discussion document can be found at: www.foodsafety.govt.nz/consultation.

Rule changes allow irradiation of tomatoes and capsicums

A change to the Australia New Zealand Food Standards Code (the Code) and the import health standards has paved the way for fresh tomatoes and capsicums to be irradiated.

Where foods have been irradiated there is a requirement under the Code to label them so consumers can choose if they want to eat irradiated foods. For items such as fresh fruit or vegetables that do not carry labels on the individual item, a statement must be displayed beside the produce to say it has been treated with ionising radiation.

The Code already allows a number of foods to be irradiated. Usually they are irradiated to eliminate a biosecurity risk. However, in the case of herbs and spices, irradiation is also used to eliminate potentially illness-causing pathogens.

New Zealand currently has no irradiation facilities approved for food use. As such no domestically produced tomatoes and capsicums would be irradiated subsequent to the change to the Food Standards Code.

Following public consultation in May and June, MPI has approved an amendment to the import health standards (IHSs) to allow into New Zealand fresh tomatoes and capsicums imported from Australia, which have been irradiated to treat the biosecurity risk posed by various pests.

Imports of irradiated tomatoes and capsicums started on 16 August. Any imported product will need to comply with the Code's labelling requirements.

MPI has developed a [factsheet](#) outlining the labelling requirements food businesses must follow if selling irradiated produce or using it in food they serve.

Irradiation of foods is a safe technology. Decades of research conducted worldwide has shown that irradiating food is a safe and effective alternative to the chemical treatment of food, and this treatment method is used in more than 50 countries around the world. However, labelling enables consumers to choose whether they want to buy irradiated foods.

MPI will carry out checks to ensure the rules are being followed by those selling irradiated produce. Territorial Authorities and Public Health Unit officers are also being asked to keep an eye out as they go about their normal duties.



Using correct tariff codes to ensure food safety

The Ministry for Primary Industries (MPI) is reminding food importers about the importance of using correct tariff codes to avoid potentially unsafe food crossing the border.

A number of foods that present a greater risk to public health have been identified and prescribed as requiring clearance before being allowed into New Zealand. These "prescribed foods" include foods like tahini (could contain illness-causing pathogens), peanuts (could contain poisonous mycotoxins), and hijiki seaweed (could contain inorganic arsenic).

When prescribed foods are imported using the correct tariff codes, a Customs flag is tripped and the importer/broker will be directed to MPI's Central Clearing House for a Food Safety Permit. This will enable the necessary food safety clearance checks to be carried out.

However, if an importer/broker uses an incorrect tariff code there is a risk that consignments of prescribed foods would cross the border unchecked. This means that specified food safety testing may not occur, which could potentially lead to illness in people that consume the unchecked products.

MPI warns that although there are relatively few foods requiring food safety clearance at the border, those that do are considered high risk to the New Zealand consumer. Therefore importers are reminded about the importance of using correct tariff codes to minimise any public health consequences.

Clearance options for prescribed foods may include acceptance of recognised assurances/certification, clearance sampling and testing on arrival in New Zealand, or Multiple Release Permits (MRPs).

More information about [prescribed foods](#) can be found on MPI's website along with the full [prescribed foods list](#).

Great demand for help to manage *Listeria* in ready-to-eat food

A series of workshops aimed at supporting the implementation of the MPI reference material “Guidance for the control of *Listeria monocytogenes* in ready-to-eat foods” has proved very popular. The workshops are intended to assist operators develop a *Listeria* management programme through a series of practical exercises.

Some 500 participants attended the workshops run jointly by MPI and the New Zealand Institute of Food Safety and Technology (NZIFST).

“We had initially scheduled a series of five workshops in April and one to coincide with the NZIFST conference in July,” MPI animal products specialist advisor Marion Castle says. “However, due to the huge interest and the great feedback from the participants that came along to the first workshops, we added another four dates.”

Listeria monocytogenes bacteria can cause a serious illness called listeriosis. Ready-to-eat products, such as deli meats and salads, cooked poultry products, smoked seafood, soft cheeses and foods with a long refrigerated shelf life are often linked to cases and outbreaks of listeriosis. Once a food that supports the growth of *Listeria* is contaminated with the bacteria, *Listeria* are

able to multiply quickly, even at the recommended refrigeration temperatures of 2-4°C.

The workshops aim to provide practical information about the foodborne bacteria, the sources, pathways and the key controls to minimise the contamination of ready-to-eat foods, as well as the verification of the controls by developing an environmental and product sampling plan.

One participant commented that the presenters did a great job dealing with an important and in some part complex topic with good presentation and group participation.

MPI’s [Guidance for the control of *Listeria monocytogenes* in ready-to-eat foods](#) is available online and was developed as part of the MPI strategy for *Listeria* risk management. MPI’s [website](#) also has more information about the MPI *Listeria* risk management strategy for 2008-2013.



New grape wine labelling guide

MPI has developed a Guide to meet grape wine labelling requirements for wines destined for the domestic market. The guide sets out to identify the labelling requirements for wine makers (and anyone else that makes decisions about a wine’s label). The guide is also aimed at retailers to ensure they are aware what must be on a wine’s label for it to be sold legally in New Zealand.

Under the Wine Act 2003 (the Act), all wine sold in New Zealand, including imported wine, must meet the relevant labelling and composition requirements of the Australia New Zealand Food Standards Code (the Code). Legislation set in the Act also contains specific requirements for New Zealand grape wine. You can find further details about the [grape wine labelling requirements](#) on MPI’s website or by contacting wine.query@mpi.govt.nz.



Crackdown on suspected illegal meat operations

Two recent raids on suspected illegal meat operations show that MPI will not tolerate the processing or sale of animal products for commercial gain outside of the regulated system.

“The sale of animal products for human or animal consumption is subject to strict rules to ensure animals are slaughtered humanely and that the resulting meat product is safe for human consumption,” says MPI Director of Compliance Dean Baigent.

“Illegal meat could be dangerous to eat and the trade could damage New Zealand’s international reputation as a supplier of high-quality foods,” he says.

In April MPI investigators executed search warrants at two premises in Auckland believed to be involved in an illegal poultry operation. The properties were identified as being used by a ring involved in the illegal killing and processing of poultry and eggs on a commercial scale, in breach of the Animal Products Act 1999.

As part of this operation MPI had been investigating the illegal processing and sale of poultry products in the Manukau area for several months. Investigators have been speaking with several individuals involved with the properties and a number of items of interest have been seized.

Items seized from the properties during the raid include 149 processed chickens, more than 700 eggs, commercial incubators and processing equipment, documentation identifying sales and a large amount of cash. These items will be used to assist MPI investigators with any further enquiries.

In another operation in March, MPI investigators executed search warrants at three premises in Taranaki believed to be involved in the slaughter, processing and sale of unregulated goat meat.

Officials visited two New Plymouth residences and one commercial retailer. Documents and cash were found at one of the residences.

For several months MPI had been investigating the supply and sale of wild goat meat to consumers in Taranaki. MPI investigators

found that wild goats were being rounded up from various places around Taranaki before being brought back to a private residential property.

MPI has evidence that the animals were slaughtered and processed on that property and that the slaughtered meat was taken away in the boots of private vehicles. On one occasion, investigators saw five freshly slaughtered and processed goat carcasses being placed in the boot of a private vehicle and driven out of Taranaki. It is unknown if any illegally killed and processed meat has been consumed by the public.

People who know anything about the unregulated killing and sale of meat in New Zealand are encouraged to confidentially ring 0800 69 37 21.



Keeping illegal meat and seafood off the menu

Buying meat and seafood only from regulated sources plays a vital part in ensuring the food a food business serves is safe and suitable as the law requires. Businesses that operate within the regulated system have approved processes in place to manage any food safety risks associated with slaughtering and processing meat, and harvesting seafood.

MPI has developed a new [factsheet](#) for food service businesses – such as restaurants, catering, companies, cafés and takeaway shops – that outlines the risks associated with buying illegal meat and seafood (including recreationally hunted or homekilled meat and recreationally collected shellfish), and the penalties for serving illegal meat and seafood.

Anyone can confidentially report the suspected unregulated killing and sale of meat to MPI on 0800 69 37 21.



MPI helps keep foodborne diseases in check worldwide

New Zealand has played a pivotal part in developing global guidance that will help food manufacturers around the world check that microbial contamination of their products are within safe limits.

At its last meeting, the Codex Committee on Food Hygiene (CCFH) finalised the Principles and Guidelines for the Establishment and Application of Microbiological Criteria for Foods. The document is an international standard that provides guidance to food manufacturers and governments on setting limits for pathogens at appropriate points in the food chain to help ensure the end product is safe for consumers to eat.

MPI Director Science and Risk Assessment Steve Hathaway – who is head of New Zealand’s CCFH delegation – explains that New Zealand was one of the driving forces behind the document.

“In recent years we have gained considerable experience at the national level in setting microbiological limits and we used this experience in the development of the Codex document. MPI along with industry has done a huge amount of work to monitor and reduce microbial contamination of New Zealand’s food supply, particularly in the areas of *Salmonella*, *Campylobacter* and *Listeria monocytogenes*,” he says.

“One of our greatest achievements at the national level has been working closely with industry and successfully putting measures in place to combat *Campylobacter* contamination in poultry, which has resulted in a 50 percent drop in the number of human *Campylobacter* infections caused by food over the last five years.”

New Zealand’s work on the new CCFH document has included the development of a comprehensive example – with assistance from Costa Rica, Kenya, Kiribati and Samoa – which shows how the principles outlined in the document can be applied in practice.

“We put the learnings from our *Campylobacter* work on paper in order to illustrate to other countries how the Codex principles can be applied in a real life situation to significantly reduce foodborne illness.”

The Principles and Guidelines for the Establishment and Application of Microbiological Criteria for Foods were adopted by the Codex Alimentarius Commission at its meeting in July. The guidelines will be available on the Commission’s website soon.

New Zealand and the European Union are co-leading other work within the CCFH on guidelines for the control of *Trichinella spiralis* and *Cysticercus bovis* parasites in meat. These parasites continue to cause public health and trade problems worldwide.

The CCFH work is being done in parallel with work by the OIE (a body similar to Codex which focuses on international standards for animal health) and will for the first time introduce a risk-based approach to control measures that clearly justifies different measures in different national settings.

In conjunction with the Codex work on control measures applied to slaughtered animals, OIE is revising its recommendations for on-farm prevention of *Trichinella* infection in domestic pigs, as well safe trade of meat and meat products derived from pigs and horses.

“This provides an excellent opportunity for OIE and Codex to work closely together to ensure alignment of standards,” Steve says.

Codex is an international food standards-setting body that is mandated to protect the health and safety of consumers and ensure fair practices in the food trade. There are 182 member countries and one member organisation. The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) recognises Codex as the pre-eminent reference point for food standards.



In brief

New egg labelling guidance

MPI has developed a [new pamphlet](#) to help egg retailers and distributors to label their eggs correctly. As with all foods, eggs must be labelled so consumers can make an informed choice about their purchase. The rules governing the information retailers of shell eggs must provide apply, regardless of whether they retail them in egg cartons, on trays (wrapped or unwrapped), or in bags or other packaging. There are some exemptions, for example for eggs packed in front of the customer. A full explanation of the requirements for producers and sellers of eggs can be found on [MPI's website](#).



Updated nutrient profiling scoring calculator

Food Standards Australia New Zealand (FSANZ) has updated its nutrient profiling scoring calculator, a tool which helps food manufacturers determine a products nutrient profiling score. The calculator helps determine whether a food – based on its nutrient profile – is likely to meet the Nutrient Profiling Scoring Criterion required to make a health claim under Food Standards Code Standard 1.2.7 – Nutrition, Health and Related Claims. Health

claims are claims which refer to a relationship between a food and a health benefit, such as “calcium is good for strong bones”.

A score is determined based on the amount of energy,



saturated fat, total sugars and sodium in the food, along with the amount of fruit, vegetables, nuts, legumes, and in some cases, dietary fibre and protein.

Notifying MPI of auditor changes

MPI is reminding Food Safety Programme (FSP) operators of the importance of keeping their business information up to date on the MPI's [FSP register](#). The reminder comes after recent issues with FSP operators neglecting to inform MPI of a change in auditor.

Anyone operating under an approved FSP who decides to change audit companies is legally required to notify MPI of the change within 14 days. You can notify MPI by sending an email to approvals@mpi.govt.nz with confirmation (letter or email) from your new audit company; or post completed [FA1 application form](#) (PO Box 2526, Wellington 6140) to advise MPI of the change, attaching confirmation from your new audit company to the form. There will be no charge associated with making this change of detail.

If MPI is notified by an audit company that they are no longer auditing a particular FSP operator, MPI will update the public register so the “audit company” column for that particular operator is blank. This will indicate to suppliers that the FSP does not have a current auditor. This could lead to customers ceasing to trade with that operator.

Collecting food waste for pigs

MPI has produced a new [factsheet](#) for food service operators that collect food waste for pigs in an effort to help manage some of the risks associated with this practice. If pigs are fed food waste that contains or has come into contact with raw meat, there is a risk important exotic diseases – such as foot and mouth disease – can be spread. For this reason any food scraps that are not meat free must be heated to 100°C for an hour before they can be fed to pigs.

The new [factsheet](#) highlights the requirements which businesses that supply food waste for feeding to pigs must comply with to ensure the scraps comply with the [Biosecurity \(Meat and Food Waste for Pigs\) Regulations 2005](#).

