Ministry for Primary Industries
Manatū Ahu Matua

Review of Submissions

Draft Import Health Standard and
Draft Risk Management Proposal for Personal Consignments of Animal Products

19 December 2019

Growing and Protecting New Zealand

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Agriculture & Investment Services

REVIEW OF SUBMISSIONS

Personal Consignments of Animal Products

19 December 2019

Approved for general release

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Contents

1 Introduction

The draft import health standard for the importation into New Zealand of personal consignments of animal products was notified for consultation on 20 November 2018.

The Ministry for Primary Industries (MPI) received submissions from the following:

Fonterra	12 December 2018
New Zealand Beekeeping Incorporated	17 December 2018
New Zealand Pork Industry Board	14 December 2018

This document summarises the issues raised in the submissions, and presents the MPI response to each.

1.1 Acronyms Used in the Document

FMD	Foot and mouth disease	MPI	Ministry for Primary Industries
IHS	Import Health Standard	RMP	Risk Management Proposal
IRA	Import Risk Analysis	ROS	Review of Submissions

2 Summary of Amendments

As a result of comments made, the following is a summary of amendments to be made to the *Import Health Standard: Personal Consignments Animal Products.*

2.1 Personal consignments of aquatic animal products

Provisions for personal consignments of aquatic animal products (Crustaceans, Echinodermata, any fish, jellyfish, molluscs, tunicates, and their products, and salmonid and salmonid products) are removed from the IHS at this time as MPI has not yet finalised the risk advice for aquatic animal products at the time of publication of this IHS. A generic IHS for Aquatic Animal Products relevant to commercial imports is being drafted in the meantime. MPI intends to reinsert the provisions for personal consignments of aquatic animal products after the risk assessment for aquatic animal products and the generic IHS: Aquatic Animal Products have been published.

2.2 Personal consignments of processed foods containing honey, bee pollen and/or royal jelly

The requirement 'the product is commercially prepared and packaged' has been inadvertently omitted in the external consultation version and has now been re-inserted into the IHS.

2.3 Personal consignments of ghee

The following definition for ghee, derived from Codex Standard 280-1973 Standard for Milkfat Products, has been added to Schedule 2 of the IHS: ghee is a product exclusively obtained from milk, cream or butter, by means of processes which result in almost total removal of water and non-fat solids, with an especially developed flavour and physical structure.

2.4 Personal consignments of hard-boiled whole chicken eggs

The IHS has been be amended to restrict hard-boiled whole chicken eggs to those from cruise ships or those that have been reduced into pieces in food items.

2.5 Personal consignments of mayonnaise and salad dressings containing egg ingredients

The IHS for Processed Egg Products was updated on the 16 August 2019. While the consultation version of the IHS for Personal Consignments of Animal Products had maximum egg content of 10% as a requirement for commercially manufactured shelf-stable mayonnaise, further risk work has been carried out to assess an egg content of up to 20%, and concluded that it may be imported from all countries. The egg ingredient percentage for personal consignments of mayonnaise and salad dressings has therefore been amended from 10% to 20% to align with the latest risk assessment.

2.6 Personal consignments of cured pig meat products, and pig meat and pig meat products from specified countries

Considering the uncertainty around the on-going international spread of ASF, MPI will take a precautionary approach and stop imports of personal consignments of cured pig meat products from any country, and pig meat and pig meat products from Australia, Finland and Sweden. This approach will be adopted for as long as necessary, with the view that provisions for the commodities may be reintroduced to the IHS based on MPI's review of the ASF situation in the future.

2.7 Personal consignments of gelatine and gelatine products

To be consistent with other commodities, a weight limit of 1kg has been added to personal consignments of gelatine and gelatine products.

2.8 Personal consignments of meat and meat products, alligator and crocodile meat and meat products, and animal fibre.

To ensure personal imports of meat and meat products, alligator and crocodile meat and meat products, and animal fibre are for personal use, the weight limit for each of the commodities has been reduced from 20kg to 3kg.

2.9 Personal consignments of commercially manufactured items

To be consistent with other similar commercially manufactured items, apparel, carpets, fabric, yarn/wool, etc. containing animal fibres such as wool, mohair, angora, cashmere, alpaca, etc. are required to be free from visible contamination.

2.10 Personal consignments of rennet used in food from any country

On further consideration, personal consignments of rennet used in food may be imported as enzymes used in food under clause 2.10 (2) of the IHS. Hence, the provision has been removed from clause 3.2 of the IHS.

2.11 Personal consignments of animal fibre from specified ruminants

On further consideration, the animal species that personal consignments of animal fibre may be derived from should align with the animal species (i.e. specified ruminants) that the IHS ANIFIBRE.GEN allows. Thus, the requirement that personal consignments of animal fibre must be derived from 'specified ruminants' has been added to the IHS PERSONAL.ALL. Specified ruminants is defined as 'Sheep, goats, yaks, camels, alpacas, and llamas of the suborder Ruminantia, order Artiodactyla' in the IHS ANIFIBRE.GEN. This definition has also been added to Schedule 2 of the IHS PERSONAL.ALL.

2.12 Personal consignments of horse tails

As a result of the amendment described in 2.10 of this ROS, horse tails, which is eligible under existing provision in the IHS ANIFIBRE.GEN, has been added to the IHS PERSONAL.ALL.

2.13 Personal consignments of dietary supplements that contains bee products

For consistency, a weight limit of 1kg has been added to personal consignments of dietary supplements that contain bee products.

2.14 Personal consignments of *Artemia salina* and *Artemia fransiscana*

A submitter requested the commodity should be commercially manufactured, packaged and labelled. To be consistent with the existing definition of 'commercially manufactured and packaged' in the IHS, the requirement has been added to the IHS.

Copies of all external stakeholder submissions in their entirety are presented in Appendix 1.

3 Review of Submissions

3.1 Fonterra Co-operative Group Limited, Lindsay Burton

3.1.1 Aquatic animal products

1) *Personal consignments of aquatic animal products (including Crustaceans, Echinodermata, any fish, jellyfish, molluscs, tunicates, and their products) may be imported:*
    a) *From Pacific Island countries (see definition in Schedule 2) in any form provided the following requirements are met:*
        i) *The aquatic animal product is non-viable.*
        ii) *The total weight is 20 kilograms or less.*
    b) *From all other countries provided the following requirements are met:*
        i) *The total weight of the aquatic animal product is 10 kilograms or less; and*
        ii) *The product is consumer-ready (see guidance below), or the product is unprocessed fish with gut removed.*

"Sub clause (1) a) does not have an equivalent clause to that of (1) b) that the product is to be consumer ready or be unprocessed with gut removed. We believe that there is no difference in risk between Pacific Island countries and any others and believe that this should be repeated as point iii)."

MPI Response
This clause is removed. The clause is based on a draft risk analysis that will be consulted with the IHS for Aquatic Animal Products at a later date.

3.1.2 Palolo worms

"In order to ensure that there are no contaminants from the harvesting of these worms we suggest that this clause is amended to require them to be consumer ready as defined in guidance under section 2.1.1."

Guidance 2.1.1
Consumer-ready product means:
- *The product is ready for the end user to cook or consume.*
- *The product is commercially prepared and packaged*

MPI Response
Requiring the product to be consumer ready is not practical, as the product is not available in this form. The risk assessment concluded that biosecurity risks associated with personal imports of palolo worms are likely to be negligible given that:

- this species requires sub-tropical/tropical waters;
- environmental exposure would most likely occur via household grey-water effluent;
- the product would be used for human consumption only and not disposed of directly to the marine environment;
- limited volumes will be imported, which will not result in industrial-scale discharges.

The clause remains unchanged.

3.1.3 Dairy products and products containing dairy ingredients

"In the interests of consumer safety, we strongly suggest that this paragraph is amended to ensure that dairy products for human consumption are treated to ensure pathogens will not be present (i.e. heat treated or pH controls), are commercially manufactured and packaged and be in sealed packaging on arrival. Evidence of date of processing and treatment must be present on the packaging."

MPI Response

Note that this clause amalgamates two clauses from the *IHS for Specified Foods for Human Consumption Containing Animal Products, EDIPROIC.ALL*, dated 15 January 2019 so it represents the status quo. IHSs are issued under the Biosecurity Act and as such, manage biosecurity requirements only. The Food Act 2014 only regulates food for sale. MPI therefore has no legal basis to impose food safety requirements on personal consignments of food, including dairy products and products containing dairy ingredients.

3.1.4 Homemade ghee from Fiji

"To ensure that the product can be identified as being Ghee, we ask that a definition is added into Schedule 2 that describes Ghee. This could read similar to that which is in Codex Standard 280-1973 Standard for Milkfat Products: ghee is a product exclusively obtained from milk, cream or butter, by means of processes which result in almost total removal of water and non-fat solids, with an especially developed flavour and physical structure."

MPI Response
A definition for ghee sourced from Codex Standard 280-1973 Standard for Milkfat Products has been added to Schedule 2 of the IHS.

3.1.5 Hard-boiled whole chicken eggs

"We do not agree that these should be permitted to be imported, there is sufficient supply of chicken eggs within NZ to meet domestic demand. We consider the risk of eggs not been sufficiently cooked to eliminate all pathogens is high, checking of shell eggs by peeling will not identify improperly cooked yolks, and spot checking of hard-boiled eggs by slicing is unlikely to be representative of a larger consignment."

MPI Response
We accept the submission that a seemingly hard-boiled egg may not be fully cooked through. However, hard boiled eggs are a common food item taken off cruise ships for human consumption, as are prepared sandwiches and salads, etc.

Considering that:

1) Commercial kitchens on cruise ships are likely to maintain a reasonably high level of food safety control to ensure whole chicken eggs are thoroughly cooked in preparing hard-boiled whole chicken eggs; and
2) Hard-boiled whole chicken eggs may be reduced to pieces in food items such as sandwiches or salads,

the IHS has been be amended so that personal consignments of hard-boiled chicken eggs may be imported from any country provided:

a) The product is from cruise ships; or
b) The product has been reduced into pieces in food items.

3.1.6 Cured meat products: country of origin and country of manufacture

1) Personal consignments of cured ruminant meat products (see definition in Schedule 2).may be imported provided the following requirements are met:
   a) The product does not require refrigeration before the package is opened.
   b) The product is commercially manufactured and packaged in an FMD-free country (refer to the OIE List of FMD-free Member Countries).
   c) The country of manufacture must be clearly stated on the package label.
   d) The total weight of the consignment is 1 kilogram or less.

2) *Personal consignments of cured pig meat products may be imported provided either:*
   a) *The product is jerky; and*
      i) *The product does not require refrigeration before the package is opened.*
      ii) *The product is commercially manufactured and packaged in an FMD-free country (see guidance on the OIE List of FMD-free Member Countries below).*
      iii) *The country of manufacture must be clearly stated on the package label.*
      iv) *The total weight of the consignment is 1 kilogram or less; or*
   b) *The product is not a jerky; and*
      i) *The product does not require refrigeration before the package is opened.*
      ii) *The product is commercially manufactured and packaged in an ASF-, CSF- and FMD- free country (see guidance below); and*
      iii) *The country of manufacture must be clearly stated on the package label; and*
      iv) *The total weight of the consignment is 1 kilogram or less.*

"Sub clause (1) and (2) both require that the product is commercially manufactured in a country free from FMD, in addition to this we ask that the meat originated from a country free from FMD."

MPI Response
This point has already been addressed by MPI in response 3.1.2 of the *ROS Draft Import Health Standard for Specified Foods for Human Consumption Containing Animal Products*, 3 June 2014, where it states:

"The 2014 IHS is being amended to specify that dried cured meat can only be imported if it is manufactured in an FMD-free country as specified on the package.

Package labelling can establish the country of manufacture, if not the country of origin of the meat ingredients. FMD-free countries have strict import regulations, like those in New Zealand, to maintain their FMD-free status. Any meat sourced in that country will also be FMD-free."

Hence the clause remains unchanged.

3.1.7 Cured meat products: poultry origin

3) *Personal consignments of cured poultry meat products may be imported provided the following requirements are met:*
   a) *The product does not require refrigeration before the package is opened.*
   b) *The product is commercially manufactured and packaged.*
   c) *The package has not been opened or broken.*
   d) *The total weight of the consignment is 1 kilogram or less.*

"As avian influenza can remain viable in chilled raw poultry products we ask that a risk assessment is completed to ensure that this and any other pathogens of concern will not be viable after the curing process. If this cannot be shown we ask that in sub-clause (3) poultry product be restricted in origin from only countries which are officially free from avian influenza."

MPI Response
This clause does not apply to chilled raw poultry products, but rather cured poultry meat products. Article 10.4.26 of the OIE Terrestrial Code has the following recommendation for the thermal inactivation of avian influenza (AI) virus in meat:

	Core temperature (°C)	Time
Poultry meat	60.0	507 seconds
	65.0	42 seconds
	70.0	3.5 seconds
	73.9	0.51 second

Cured poultry products, unlike raw poultry products, undergo a combination of smoking and cooking procedure. During smoking, an internal temperature of 74 degrees C is reached and a holding time of 30 minutes is achieved. After smoking, poultry meat may be roasted in a low-heat oven at 135 to 163 degrees C for 15 to 20 minutes per 0.45kg. In addition, the production of jerky involves heating poultry meat in an oven to 163 degrees C for an hour[1].

Smoking and/or cooking, and the processing of jerky, are therefore sufficient to inactivate AI virus. In addition, personal consignments by their nature (i.e. small volume and negligible risk pathways) pose negligible risk. Hence the clause remains unchanged.

3.1.8 Weight restriction for gelatine and gelatine products

1) *Personal consignments of gelatine and gelatine products may be imported from any country provided the following requirements are met:*
    a) *The product does not require refrigeration before the package is opened.*
    b) *The product is commercially manufactured and packaged.*
    c) *The package has not been opened or broken.*

"We ask that this clause includes a maximum weight requirement to ensure that that volumes are restricted to that which a person would reasonably use in their own personal food making and not for any commercial food manufacture."

MPI Response
The following requirement has been added: the total weight of the consignment is 1 kilogram or less.

3.1.9 Commercially manufactured items

1) *Personal consignments of commercially manufactured items listed below may be imported from:*
    a. *Any country:*
        i) *Animal skin/hide glue.*
        ii) *Apparel, carpets, fabric, yarn/wool, etc. containing animal fibres such as wool, mohair, angora, cashmere, alpaca, etc.*
        …

"The items covered in point a) ii) should be required to be free from visible contamination. The same risk could apply to that of feathers in that animal tissues may be present on these fibres."

MPI Response
The requirement has been added.

3.1.10 *Artemia salina* and *Artemia fransiscana* to be commercially manufactured and packaged

"In addition to the requirement that these products have the species name on the packaging we ask that they also be required to be commercially; manufactured, packaged and labelled."

MPI Response
The requirement 'the product is commercially manufactured and packaged' has been added. Labelling has not been added as a requirement as the proposed IHS has a definition for 'commercially manufactured and packaged', which would meet the submitter's request.

[1] B.F. Miller, H.L. Enos, and P.Kendall, revised August 2012, *Fact Sheet No. 9.325 - Smoking Poultry Meat*, Colorado State University, retrieved from https://extension.colostate.edu/topic-areas/nutrition-food-safety-health/smoking-poultry-meat-9-325/

3.1.11 Risk assessment for fish bait

"We ask that justification of importing fish bait is provided, there is potential for the product to contain parasites and other pathogens not endemic to New Zealand. We would like to see a risk assessment completed for this with respect to the product and the potential to contaminate New Zealand waterways. Should the risk assessment result in continued importation of fish bait, we ask that a maximum weight requirement is listed, to ensure that that volumes are restricted to that which a person would reasonably use in their own personal fishing activities."

MPI Response
This clause is removed. The clause is based on a draft risk analysis that will be consulted with the IHS for Fish Food and Fish Bait at a later date.

3.2 New Zealand Beekeeping Incorporated, Jane Lorimer

3.2.1 Introduction

"It is a misconception that bringing in small quantities of honey or bee products reduces the risks."

MPI Response
The risk assessment for personal consignments of tea bags containing honey [clause 2.25 (1) of the *IHS for Specified Foods for Human Consumption Containing Animal Products, EDIPROIC.ALL*] was carried out on 14 April 2014. The provisions for all other bee products proposed in the *IHS for Personal Consignments of Animal Products, PERSONAL.ALL* have been transferred from existing requirements in the *IHS for Specified Processed Bee Products, BEEPROIC.ALL* (13 November 2006). This is to facilitate the consistent implementation of import requirements relating to personal consignments of animal products.

The IHS BEEPROIC.ALL has been in place for many years, and is planned for review in the near future. It is proposed that any discussion regarding bee product imports should take place at that time. Changes to the proposed IHS PERSONAL.ALL will only result in reverting back to using the IHS BEEPROIC.ALL for clearance of personal items.

3.2.2 The importation of honey from specified Pacific Island countries (PICs; Niue, Samoa, Soloman Islands, Tonga, Tuvalu and Pitcairn)

"The importation of honey from Niue, Samoa, Solomon Islands, Tonga and Tuvalu also brings an unacceptable risk to New Zealand beekeeping, as we consider the biosecurity controls are not nearly as good in those countries as it is in NZ, thus allowing diseases to get into New Zealand via these countries.

The arrival of Varroa in Tonga, and AFB in Samoa are relevant examples. To be logically justified, MPI would need to be able to show that these countries effectively acted as the New Zealand border for bee import purposes, operating standards no less stringent than in New Zealand, and specifically banning import of honey and bee products from third countries (so their own bee populations are not subject to third-country incursions).

All imports of honey and bee products from all these countries must be stopped. Pitcairn's extreme isolation means that imports of honey to Pitcairn from other, disease-bearing territories may be a genuinely remote prospect. However, we would want MPI to be able to show that such imports were actually banned and that ban was actually enforced. We would also welcome the opportunity to inspect Pitcairn's beekeeping practices.

Meanwhile, all imports of honey and propolis from Pitcairn (including the other islands in the Pitcairn group) should be stopped."

MPI Response
The importation of honey from specified Pacific Island countries (PICs; Niue, Samoa, Soloman Islands, Tonga, Tuvalu and Pitcairn Island) is permitted under existing import health standards (IHSs) BEEPROIC.ALL, dated 13 November 2006 and *Honey and Propolis from Pitcairn Island, BEEHONIC.PIT*, dated 23 August 1999. The measures in these existing IHSs have been incorporated in the proposed IHS PERSONAL.ALL to facilitate ease of use for MPI border staff, and are not new requirements. There is no scientific evidence presented to justify a ban as suggested by the submitter.

3.2.3 Diseases of concern

3.2.3.1 European Foulbrood (EFB)

"NZ Beekeeping consider the risk of introduction of EFB via bee products is non-negligible. We understand that the level of spores required to cause a clinical infection has not been determined and therefore we believe that the risks themselves would be sufficient to preclude importing of products whether for personal use or as a commercial consignment. To us the risks are the same no matter what the size of the import is, how it is packaged or what proportion of bee product is within the product. NZ has evaded the scourge of EFB mainly because of our borders being closed to overseas bee products for a considerable time now."

MPI Response
Bee products are eligible for importation under the *Import Health Standard for Specified Processed Bee Products* (BEEPROIC.ALL, dated 13 November 2006). BEEPROIC.ALL includes import requirements of both personal and commercial consignments of bee products. The import conditions for personal consignments are not new and have been transferred from BEEPROIC.ALL to the proposed IHS PERSONAL.ALL to facilitate ease of use for MPI border staff.

3.2.3.2 American Foulbrood (AFB)

"Beekeeping in NZ is highly regarded world-wide because of the collective approach by NZ beekeepers in dealing with a major disease in AFB. The AFB PMP has the goal of eradicating AFB without the use of drugs. As part of the AFB PMP, spore testing of NZ honey to determine the spore levels in NZ domestic honey has been periodically undertaken and found to be relatively low. As the goals of the AFB PMP is to reduce and eliminate AFB then the bee products entering New Zealand should be from countries with proven low/nil levels of AFB. The other concern is the likelihood of bringing in different strains of AFB that we do not have in New Zealand.

For clarification the NZ Beekeeping suggest that the Import Health Standard (IHS) for honey, pollen, royal jelly, and beeswax (for either personal use or commercial use) be that each consignment must be:

(i) from a country free from American foulbrood; and
(ii) from hives that were inspected for American foulbrood within the previous 12 months, by a person certified as competent to diagnose the disease; and
(iii) found not to be clinically infected or suspected to be clinically affected by American foulbrood; and
(iv) tested and found to have a P. larvae spore count equivalent or less than NZ domestic honey (or zero in the case of countries requiring zeros spores in New Zealand honey); and
(v) come from hives which have not had antibiotic treatment.

This would create equivalence to the NZ situation as bee products not meeting these criteria are not permitted to be used/sold under the provision of the AFB PMP."

MPI Response
Noted. The issues raised are not new, and no points of science have been raised. AFB was reviewed in detail in 2004 and a revised risk assessment will be available for consultation with the upcoming consultation of the bee product IHS.

3.2.3.3 Israeli Acute Paralysis Virus (IAPV).

"This is one of the viruses of concern to our industry. We understand that MPI in their current Bee Pathogen programme which surveys 60 apiaries throughout the country, tested for this virus in the first round of the programme and were unable to detect it in any of the samples. This virus has been shown to be associated with Colony Collapse Disorder (CCD). The varroa mite is a vector for this IAPV and for Deformed Wing Virus (DWV). This mite/virus association reduces host immunity.

NZ Beekeeping is concerned that the more viruses we get in New Zealand the harder it will be for beekeepers to keep hives alive and we may start to see large scale colony collapse as has been seen in other parts of the world."

MPI Response
This opinion is noted.

3.2.4 Honey from Niue, Samoa, Solomon Islands, Tonga and Tuvalu, and honey and propolis from Pitcairn Island

"Personal consignments of honey may be imported from Niue, Samoa, Solomon Islands, Tonga and Tuvalu provided the product is accompanied by a veterinary certificate stating the following:

a) The honey originates from that country.
b) The country is free from European foulbrood caused by Melissococcus plutonius.

Personal consignments of honey may be imported from Pitcairn Island provided the product is accompanied by a veterinary certificate stating the following:

a) The honey and propolis within the export consignment is a natural product derived from the honey bee (Apis mellifera).
b) The honey originates from Pitcairn Island
c) Melissococcus plutonius and Paenibacillus larvae do not occur in the country of origin.

This is a very weak set of controls. NZ Beekeeping are concerned that Honey from the above Pacific Islands being imported into New Zealand may pose an unacceptable risk of importing new diseases. Whilst we understand that some testing is undertaken in some of these countries, we understand that the frequency many not be sufficient to ensure negligible risk of importing unwanted organisms. We have no insight into what bee products may be imported into these countries from third countries, compromising their biosecurity.

With honey prices dropping (other than Manuka that meets MPI's Manuka standard), beekeepers cannot afford to have other unwanted organisms entering the country that will increase costs to the beekeeper for new treatments or having to replace more hives lost to disease. These controls should be strengthened, or the IHS modified to prevent any imports.

Pitcairn's exceptional isolation may provide more comfort, and that means that imports of honey to Pitcairn from other, disease-bearing territories may be a genuinely remote prospect. However, we would want MPI to be able to show that such imports were actually banned and that ban was actually enforced. We would also welcome the opportunity to inspect Pitcairn's beekeeping practices."

MPI Response
This is the second time this issue has been raised in the submission.
There has been very few to no imports of honey from the PICs in the past five years with the exception of Niue. MPI has worked extensively with the Ministry of Foreign Affairs and Trade to assess Niue's controls of honey exports to New Zealand. The pests and diseases of biosecurity concern to New Zealand are not present in Niue, and arguably Niue has a higher bee health status than New Zealand (e.g. Varroa destructor, EFB, IAPV and small hive beetle are not present). Niue has an active border service that inspects incoming goods (e.g. honey imports are prohibited), and coupled with its remote

location and limited entry points, the likelihood of introducing an exotic bee pest or disease is considered low.

3.2.5 Nougat containing bee products

"Personal consignments of nougat containing bee products may be imported from any country provided the total weight of the consignment is 10 kilograms or less.

NZ Beekeeping is concerned that nougat containing bee products may be imported from any country without any restrictions. It appears that nougat is not cooked for any longer than 3-5 minutes so the bee product may still be harbouring unwanted organisms that could potentially be exposed to bees."

MPI Response
See MPI response 3.2.1.

3.2.6 Other processed foods containing bee products

"Personal consignments of processed foods containing honey, bee pollen and/royal jelly may be imported from any country provided the packaging clearly indicates that the total amount of honey, bee pollen and/royal jelly is no more than 2% of the totally product weight.

The concept here seems to be that if there is only a low probability of bee disease being present in a product brought into New Zealand that makes the risk acceptable. This is not the case. The only thing that is beneficial is that it reduces the likelihood of bees picking up the substances.

NZ Beekeeping are not in favour of allowing product in that contains no more than 2% of bee products by weight. If the product has not been heated sufficiently, any bee product can harbour unwanted organisms. If the product does have any diseases present and it is thrown out where bees can get access it only takes a small amount to potentially infect a honeybee colony, and then the wider population."

MPI Response
See MPI response 3.2.1.

3.2.7 Honey of NZ origin

"This area is also very dangerous. There are many honey packs which are easily tampered with. The honey product can be removed which is of NZ origin and replaced with a low value honey which may be contaminated with viruses or bee diseases. The label says it is a product of NZ but the honey is not a product of NZ. This is an unacceptable risk. We must take a precautionary approach, consistent with the duty of care identified above. Taking New Zealand labelling and packaging at face value is not acceptable, especially in the absence of an enforceable country-of-origin requirement for honey labelling.."

MPI Response
The import conditions for personal consignments are not new and have been transferred from the IHS BEEPROIC.ALL to the proposed IHS PERSONAL.ALL to facilitate ease of use for MPI border staff.

3.2.8 Dietary supplements or medical preparations containing bee products

"If the product is a dietary supplement or medical preparation containing bee products, it must be:

i) A dietary supplement that:
    1) Is commercially manufactured; and
    2) Is in packaging that clearly indicates that the total amount of honey, bee pollen and/royal jelly is no more than 2% of the totally product weight; or…

NZ Beekeeping have already indicated that allowing up to 2% by weight of bee products into a preparation is not acceptable for the reasons outlined above."

MPI Response
See MPI response 3.2.1.

Note that a weight limit of 1kg has been added, in consistent with the weight limit for encapsulated dietary supplements containing bee products.

3.2.9 Encapsulated dietary supplements containing bee products

"If the product is a dietary supplement or medical preparation containing bee products, it must be:

ii) An encapsulated (completely covered by an edible substance such as gelatine or wax that does not contain sugar, fruit, honey, pollen, propolis or royal jelly) dietary supplement that:
   1) Is in consumer-ready packages; and
   2) Is 1 kilogram or less per consignment; or

NZ Beekeeping are concerned that encapsulated product can easily be broken open that may then allow bees access to potentially diseased bee products of particular concern would be encapsulated bee pollen as this could contain EFB or other strains of AFB that we do not have in New Zealand."

MPI Response
See MPI response 3.2.1.

3.3 New Zealand Pork Industry Board, Frances Clement

3.3.1 Incorporation of international standards by reference in the IHS

"NZ Pork is concerned about the lack of required consultation around the OIE Terrestrial Animal Health Code (the Code) that has been incorporated by reference into this IHS. Since moving to implementation of 'generic' IHS, MPI is placing substantial weight on recommendations published by OIE with regard to trade in various animal commodities. While NZ Pork routinely submits comments to MPI when OIE chapter revisions are circulated to stakeholders, we have no direct ability to consult directly to OIE. Any concerns raised by NZ Pork about proposed changes to OIE chapters must first be acknowledged by MPI (in the form of being included in the 'whole of NZ comments' that are submitted to OIE), then be acknowledged by the OIE delegate body (or various committees/working groups), and then finally be incorporated into the chapter itself by OIE. If under section 142O (3) of the Biosecurity Act that no consultation (to the IHS) is required when any amendments to or replacements of the material occur in the Terrestrial Code substantially limits NZ Pork's ability to effectively represent interests of NZ pig farmers on matters related to importation of pig semen (and other risk materials), consistent with its statutory obligation to do so. In the past MPI has advised NZ Pork that it would consult if the changes were 'substantial'.

We request, ideally, that the language in this section of the IHS be altered to require consultation (under the Biosecurity Act 142N and 142O) when changes are made to relevant OIE documents such as the Code. In the absence of mandatory consultation, we request that criteria be developed that indicate what changes to OIE documentation would require IHS consultation."

MPI Response
The OIE Code has not been incooperated by reference, only the OIE FMD-free country list is. This ensures that personal consignments of cured ruminant meat products are only allowed from FMD-free countries.

3.3.2 In relation to clause 2.3(1), 2.9.2(1), 2.9.3 and 2.9.6 of the IHS, Clarification of terms or standards

"NZ Pork requests that clarification be provided in the IHS (or by appropriate reference or acceptable definition) of the following terms or standards:

1. Commercially manufactured and packaged
2. Time and temperature (or other processing steps) requirements that allow for products to 'not require refrigeration'
3. Time and temperature requirements that constitute acceptable conditions for retorting or canning"

MPI Response

1. 'Commercially manufactured and packaged' is clearly defined in Schedule 2 of the IHS as "a product that has been manufactured in a commercial manner by a commercial enterprise and is packaged for retail trade in tamper proof packaging."

2. The requirement "the product does not require refrigeration before the package is opened" should be read in conjunction with "the product is commercially manufactured and packaged" and "the package has not been opened or broken". These requirements are consistent with the definition of 'shelf-stable' from Schedule 2 of the *IHS EDIPROIC.ALL*.

3. Retorting is defined in the IHS, but for personal consignments documentation to verify this is not required. Retort products are highly processed, and MPI's risk assessment concluded that a personal consignment does not require further risk management.

3.3.3 In relation to clause 2.3(1), 2.9.2(1), 2.9.3 and 2.9.6 of the IHS: additional information on the product packaging or be provided by importers

"NZ Pork believes that many animal products brought into New Zealand under this IHS carry substantial risk as there is little requirement for documentation that adequately describes the origin of the product. In instances where the IHS states that the 'product is commercially manufactured and packaged in…a [country]' or that the 'country of manufacture…', NZ Pork requests that the following additional criteria be provided on the product packaging or be provided by the importer:

- The country of origin of the source product
- The country in which slaughter processing occurred
- The country in which manufacturing occurred"

MPI Response

There is no scientific justification that these products pose 'substantial risk'.

Clause 2.3(1) and 2.9.2(1) allow products to be imported from any country. The high level of processing mitigates biosecurity risk. Hence, the addition of information requested by the submitter does not add to risk management.

Clause 2.9.3 and 2.9.6 require the country of manufacture to be stated on the package label. See response 3.1.2 of the *ROS Draft Import Health Standard for Specified Foods for Human Consumption Containing Animal Products*, *EDIPROIC.GEN*, 3 June 2014.

Nevertheless, considering the uncertainty around the on-going international spread of ASF, MPI will take a precautionary approach and stop imports of personal consignments of cured pig meat products from any country (clause 2.9.3), and pig meat and pig meat products from Australia, Finland and Sweden (clause 2.9.6). This approach will be adopted for as long as necessary, with the view that provisions for the commodities may be reintroduced to the IHS based on MPI's review of the ASF situation in the future.

3.3.4 Timeliness of updating FMD, ASF and CSF disease freedom in guidance for 2.9.3 of the IHS

"Guidance provided for Section 2.9.3 in the IHS lists countries New Zealand has determined to be free of FMD, ASF, and CSF. In fact, two of the countries on the list are currently infected with ASF (Belgium and Hungary) and one is infected with CSF (Japan) though in all three cases, the countries are attempting to manage the respective outbreaks through designation of infected and non-infected regions. Under the proposed IHS language, importers would be free to import product from any parts of these three countries, regardless of their disease status which presents an unacceptable level of risk to New Zealand livestock industries, offset only by the very limited benefit to individuals that choose to act under the IHS. There is a wide range of cured products available in New Zealand, from domestic and international commercial supply chains, that should be able to meet the desires of most or all of these consumers."

MPI Response
The time lag of updating the FMD-, ASF- and CSF-free country list in this instance relates to the consultation process. The disease situation changed after the last version of the draft IHS and guidance document were released for external consultation.

Nevertheless, considering the uncertainty around the on-going international spread of ASF, MPI will take a precautionary approach and stop imports of personal consignments of cured pig meat products from any country (clause 2.9.3). This approach will be adopted for as long as necessary, with the view that the provision for the commodity may be reintroduced to the IHS based on MPI's review of the ASF situation in the future

3.3.5 FMD, ASF and CSF country freedom requirements for personal imports of cured pig meat products

"…NZ Pork requests that MPI establish a list of eligible countries which is based on their 'whole of country' status with regard to ASF, CSF, and FMD and not include countries that have permanent or temporary regions, zones, or compartments known to be infected with these important pathogens (or vaccinate against these pathogens). Doing so would not jeopardise obligations to trading partners or compliance with WTO 'non-tariff trade barrier' rules as Personal Consignments, by definition, are not commercial trade and therefore not subject to WTO oversight."

MPI Response
MPI does not intend, and has not proposed, to accept disease free regions, zones or compartments in the proposed IHS.

Also see MPI response 3.3.4 about the removal of the provision for cured pig meat products from any country.

3.3.6 Definition of jerky and curing

"NZ Pork was not able to identify criteria that define jerky or 'curing' in terms of minimum pH levels, strength and exposure time to brine solutions, available water (or other measure of dehydration), or time/temperature conditions that would ensure effective control of the key pathogens listed in this section. We request that this information be included in the IHS directly or by appropriate reference."

MPI Response
A definition for 'curing' has previously been consulted. See clause 4.1(4) of the *RMP Amendment to Import Health Standard for Specified Foods for Human Consumption Containing Animal Products*, *EDIPROIC.ALL*, 30 June 2015.

Also see MPI response 3.3.4 about the removal of the provision for cured pig meat products from any country.

3.3.7 Weight limit for personal consignments of meat and meat products

"NZ Pork requests that the specified maximum total weight of consignment from 20 kg to either 1 kg (consistent with Section 2.9.3 of this IHS) or 3 kg (consistent with the relevant IHS for fresh pig meat from the EU). It is quite difficult to understand how 20 kg can be considered only for personal use as many NZ homes would not even have sufficient freezer or refrigerator space to store this volume of product. In this sense, it seems quite likely that people importing such large quantities are likely to be distributing product to family, friends, neighbours, etc. all of which are strictly prohibited under the definition of Personal Consignment."

MPI Response

Although this clause has been in place for some years, MPI acknowledges the higher weight limit of the commodity relative to that of other commodities in the IHS. While no scientific information is available in determining a permitted quantity, MPI considers 3kg as a reasonable value for personal consignments of meat and meat products.

The weight limit has been amended from 20 kg to 3 kg.

The weight limits for personal consignments of alligator meat and meat products, animal fibre, and emu oil and emu oil products, have also been reviewed, and amended from 20 kg to 3kg.

To clarify, please note that the definition for Personal Consignment only prohibits commercial distribution, but not distribution to family, friends, or neighbours.

4 Appendix 1: Copies of Submissions

4.1 Fonterra Co-operative Group Limited, Lindsay Burton

Fonterra Co-operative Group Limited Submission on: Import Health Standard: Personal Consignments of Animal Products 12 December 2018

Fonterra Co-operative Group Limited

Fonterra Co-operative Group Limited (Fonterra) appreciates the opportunity to work collaboratively with the Ministry for Primary Industries (MPI) in support of the New Zealand dairy industry and to protect and build on New Zealand's reputation as a world class producer of safe food.

Fonterra is owned by around 10,000 New Zealand dairy farmers. Fonterra and its subsidiaries (collectively, the Fonterra Group), has a global supply chain that stretches from Fonterra's shareholders' farms in New Zealand through to customers and consumers in more than 100 countries. Collecting more than 20 billion litres of milk each year with around 18 billion litres sourced from New Zealand, the Fonterra Group manufactures and markets over two million tonnes of product annually. This makes the Fonterra Group the world's leader in large scale milk procurement, processing and management, with some of the world's best known dairy brands.

General Comments

1 Fonterra appreciates the opportunity to comment on the proposed *Import Health Standard: Personal Consignments Animal Products* (IHS).

2 Fonterra asks to see that a risk assessment has been completed on Dairy Products, there was no indication of this having been completed. We have concern that the changing risk profile of dairy products have not been considered, these products may end up in waste streams that animals have access to, e.g. domestic food scraps for food animals (e.g. pigs) and in landfills accessible by wild animals.

Specific Comments

Part 2: Specified Requirements for Goods for Human Consumption Containing Animal Products

3 **Section 2.1.1 Aquatic Animal products (including Crustaceans, Echinodermata, any fish, jellyfish, molluscs, tunicates, and their products)**

a. Sub clause (1) a) does not have an equivalent clause to that of (1) b) that the product is to be consumer ready or be unprocessed with gut removed. We believe that there is no difference in risk between Pacific Island countries and any others and believe that this should be repeated as point iii).

4 **Section 2.1.3 Palolo worms**

a. In order to ensure that there are no contaminants from the harvesting of these worms we suggest that this clause is amended to require them to be consumer ready as defined in guidance under section 2.1.1

5 Section 2.6.1 Dairy products an products containing dairy ingredients

a. In the interests of consumer safety, we strongly suggest that this paragraph is amended to ensure that dairy products for human consumption are treated to ensure pathogens will not be present (i.e. heat treated or pH controls), are commercially manufactured and packaged and be in sealed packaging on arrival. Evidence of date of processing and treatment must be present on the packaging.

6 Section 2.6.2 Homemade ghee from Fiji

a. To ensure that the product can be identified as being Ghee, we ask that a definition is added into Schedule 2 that describes Ghee. This could read similar to that which is in Codex Standard 280-1973 Standard for Milkfat Products *"Ghee is a product exclusively obtained from milk, cream or butter, by means of processes which result in almost total removal of water and non-fat solids, with an especially developed flavour and physical structure."*

7 Section 2.7.3 Hard-boiled whole chicken eggs

a. We do not agree that these should be permitted to be imported, there is sufficient supply of chicken eggs within NZ to meet domestic demand. We consider the risk of eggs not been sufficiently cooked to eliminate all pathogens is high, checking of shell eggs by peeling will not identify improperly cooked yolks, and spot checking of hard-boiled eggs by slicing is unlikely to be representative of a larger consignment.

8 Section 2.9.3 Cured Meat Products

a. Sub clause (1) and (2) both require that the product is commercially manufactured in a country free from FMD, in addition to this we ask that the meat originated from a country free from FMD.

b. As avian influenza can remain viable in chilled raw poultry products we ask that a risk assessment is completed to ensure that this and any other pathogens of concern will not be viable after the curing process. If this cannot be shown we ask that in sub-clause (3) poultry product be restricted in origin from only countries which are officially free from avian influenza.

9 Section 2.9.4 Gelatine and gelatine products

a. We ask that this clause includes a maximum weight requirement to ensure that that volumes are restricted to that which a person would reasonably use in their own personal food making and not for any commercial food manufacture.

Part 3: Specified Requirements for Non-Food Goods Containing Animal Products

10 Section 3.2 Commercially manufactured items

a. The items covered in point a) ii) should be required to be free from visible contamination. The same risk could apply to that of feathers in that animal tissues may be present on these fibres.

Part 4: Specified Requirements for Goods Containing Animal Products for Animal Consumption and Other Uses

11 Section 4.1 Artemia salina and Artemia fransiscana

a. In addition to the requirement that these products have the species name on the packaging we ask that they also be required to be commercially; manufactured, packaged and labelled.

12 Section 4.2 Fish Bait

a. We ask that justification of importing fish bait is provided, there is potential for the product to contain parasites and other pathogens not endemic to New Zealand. We would like to see a risk assessment completed for this with respect to the product and the potential to contaminate New Zealand waterways. Should the risk assessment result in continued importation of fish bait, we ask that a maximum weight requirement is listed, to ensure that that volumes are restricted to that which a person would reasonably use in their own personal fishing activities. b.

4.2 New Zealand Beekeeping Incorporated, Jane Lorimer

Please Note: NZ Beekeeping Inc's submission only concerns the parts of the document that relate to Bee products.

1. Introduction:

NZ Beekeeping Inc and its members have made submissions over the years and been involved in court cases stopping the importation of honey and bee products into New Zealand, because of the risk of bringing in new bee diseases or viruses. We remain opposed to all bee product imports for this reason.

It is a misconception that bringing in small quantities of honey or bee products reduces the risks. As well as the obvious point that a small risk repeated many times becomes a large risk, we also consider that small quantities are likely to pose an elevated risk per import event as they are likely to be disposed of where bees may collect and consume the product, potentially spreading bee diseases in New Zealand.

Importing bee diseases into NZ has always placed pollination as well as honey production in jeopardy.
We consider these risks are growing with the planting of Manuka and the growing sales of high priced Manuka honey. If any further bee diseases successfully enter New Zealand, this means even more economic value would be at risk.

The importation of honey from Niue, Samoa, Solomon Islands, Tonga and Tuvalu also brings an unacceptable risk to New Zealand beekeeping, as we consider the biosecurity controls are not nearly as good in those countries as it is in NZ, thus allowing diseases to get into New Zealand via these countries. The arrival of Varroa in Tonga, and AFB in Samoa are relevant examples.

To be logically justified, MPI would need to be able to show that these countries effectively acted as the New Zealand border for bee import purposes, operating standards no less stringent than in New Zealand, and specifically banning import of honey and bee products from third countries (so their own bee populations are not subject to third-country incursions).

All imports of honey and bee products from all these countries must be stopped.

Pitcairn's extreme isolation mean that imports of honey to Pitcairn from other disease-bearing territories may be a genuinely remote prospect. However, we would want MPI to be able to show that such imports were actually banned and that ban was actually enforced. We would also welcome the opportunity to inspect Pitcairn's beekeeping practices.

Meanwhile, all imports of honey and propolis from Pitcairn (including the other islands in the Pitcairn group) should be stopped.

2. NZ Beekeeping Inc

NZ Beekeeping Inc. represents mainly family-owned commercial beekeepers and beekeeping enterprises throughout New Zealand. Its Members have a strong track record of involvement in efforts to develop the industry. One of NZ Beekeeping's main areas of focus is biosecurity and bee health.

3. History

Members of NZ Beekeeping Inc have made submissions in the past on proposed import health standards (IHS) for bee products. One dated 28th February 2005 was completed by Mr Roger Bray on behalf of the National Beekeepers Association. Many of the comments made in this submission are still relevant today (although many were dismissed by MAF at the time).

Diseases that are of particular concern to NZ Beekeeping are European Foulbrood (EFB), Paenabacillus alvei (found in association with EFB) and other strains of American Foulbrood (AFB) that we do not currently have in

New Zealand. We are also concerned about new viruses entering the country in particular Israeli Acute Paralysis virus (IAPV).

It has been interesting reading through the submissions made in 2005 and realising that some of the conclusions made at the time have proven to have been wrong we now have Deformed Wing Virus in the country, when MAF believed that the proposed mitigation measures made the risk negligible.

These risks may be small in relation to any given importation, but risks accumulate with each arrival, and the adverse consequences of a further incursion have, if anything, increased with the expansion of manuka honey production, and the growth in the horticulture sector in recent years.

It goes to show that no matter what measures are taken there is still the likelihood of diseases entering the country. MPI and Government have been pushing that the Apiculture Industry is one that is growing substantially and yet they are willing to put the industry and the pollination that the bees do for horticulture and pasture at risk when there is a lack of science to back conclusions of lack of risk.

4. Recent developments – MPI's duty of care

The recent judgement of Justice Mallon in the Strathboss Kiwifruit PSA case (**[2018] NZHC 1559**) - subject to appeal - has been that MPI owns a duty of care in its biosecurity work. We agree: we certainly respect the Crown's right to appeal this decision, and we can see that the points of law it raises are sufficiently serious that they ought to be tested in the higher courts.

But the judgement highlights two conclusions we think are relevant to this consultation, and which should survive any appeals process: -

- That biosecurity at the border is a national (and national sovereignty) question, to be answered through an effective border control regime; and

- That regime needs to be operated assiduously and carefully, with attention to detail and to changing and emerging risks.

It is NZ Beekeeping's view that any regime that allows imports of honey and other bee products should take extremely seriously the risk that the biosecurity status of the exporting country may change adversely, and keep that under review. Accepting the correct paperwork from an exporter is just inadequate: however much New Zealand may want to help the Pacific Island countries covered by this draft standard, we cannot do so at the expense of our own bee health. Imports should not be allowed in the absence of continuous and rigours validation of the exporting country's disease status (that we believe is currently almost non-existent). The fact that varroa has become established in Tonga at some unknown time and the discovery of AFB in Samoa in 2012 are both very good examples of this risk being borne out.

5. Diseases of concern and our proposed response

Risks to bee health are not theoretical - our response needs to reflect an appreciation of the actual risks New Zealand faces. In this section we have set out our assessment of some of the risk pathogens, and suggested controls. In each case we argue that New Zealand should have controls at the border that reflect a commitment to at least equivalent levels of biosecurity in the exporting country as in New Zealand.

(a) European Foulbrood (EFB):

NZ Beekeeping consider the risk of introduction of EFB via bee products is non-negligible. We understand that the level of spores required to cause a clinical infection has not been determined and therefore we believe that the risks themselves would be sufficient to preclude importing of products whether for personal use or as a commercial consignment. To us the risks are the same no matter what the size of the import is, how it is packaged or what proportion of bee product is within the product. NZ has evaded the scourge of EFB mainly because of our borders being closed to overseas bee products for a considerable time now.

(b) American Foulbrood (AFB):

Beekeeping in NZ is highly regarded world-wide because of the collective approach by NZ beekeepers in dealing with a major disease in AFB. The AFB PMP has the goal of eradicating AFB without the use of drugs. As part of the AFB PMP, spore testing of NZ honey to determine the spore levels in NZ domestic honey has been periodically undertaken and found to be relatively low. As the goals of the AFB PMP is to reduce and eliminate AFB then the bee products entering New Zealand should be from countries with proven low/nil levels of AFB. The other concern is the likelihood of bringing in different strains of AFB that we do not have in New Zealand.

For clarification the NZ Beekeeping suggest that the Import Health Standard (IHS) for honey, pollen, royal jelly, and beeswax (for either personal use or commercial use) be that each consignment must be:

(i) from a country free from American foulbrood; and

(ii) from hives that were inspected for American foulbrood within the previous 12 months, by a person certified as competent to diagnose the disease; and

(iii) found not to be clinically infected or suspected to be clinically affected by American foulbrood; and

(iv) tested and found to have a P. larvae spore count equivalent or less than NZ domestic honey (or zero in the case of countries requiring zeros spores in New Zealand honey); and

(v) come from hives which have not had antibiotic treatment.

This would create equivalence to the NZ situation as bee products not meeting these criteria are not permitted to be used/sold under the provision of the AFB PMP.

(c) Israeli Acute Paralysis Virus (IAPV).

This is one of the viruses of concern to our industry. We understand that MPI in their current Bee Pathogen programme which surveys 60 apiaries throughout the country, tested for this virus in the first round of the programme and were unable to detect it in any of the samples.

This virus has been shown to be associated with Colony Collapse Disorder (CCD). The varroa mite is a vector for this IAPV and for Deformed Wing Virus (DWV). This mite/virus association reduces host immunity.

NZ Beekeeping is concerned that the more viruses we get in New Zealand the harder it will be for beekeepers to keep hives alive and we may start to see large scale colony collapse as has been seen in other parts of the world.

6. Detailed comments

[Numbers refer to sections in the draft IHS]

a) *2.2.2 Honey from Niue, Samoa, Solomon Islands, Tonga and Tuvalu*
(1) Personal consignments of honey may be imported from Niue, Samoa, Solomon Islands, Tonga and Tuvalu provided the product is accompanied by a veterinary certificate stating the following:

a) The honey originates from that country.
b) The country is free from European foulbrood caused by Melissococcus plutonius.

2.2.3 Honey and propolis from Pitcairn Island
(1) Personal consignments of honey may be imported from Pitcairn Island provided the product is accompanied by a veterinary certificate stating the following:

a) The honey and propolis within the export consignment is a natural product derived from the honey bee (Apis mellifera).

b) The honey originates from Pitcairn Island.
c) Melissococcus plutonius and Paenibacillus larvae do not occur in the country of origin

This is a very weak set of controls. NZ Beekeeping are concerned that Honey from the above Pacific Islands being imported into New Zealand may pose an unacceptable risk of importing new diseases. Whilst we understand that some testing is undertaken in some of these countries, we understand that the frequency many not be sufficient to ensure negligible risk of importing unwanted organisms. We have no insight into what bee products may be imported into these countries from third countries, compromising their biosecurity.

With honey prices dropping (other than Manuka that meets MPI's Manuka standard), beekeepers cannot afford to have other unwanted organisms entering the country that will increase costs to the beekeeper for new treatments or having to replace more hives lost to disease. These controls should be strengthened, or the IHS modified to prevent any imports.

b) Pitcairn Island

Pitcairn's exceptional isolation may provide more comfort, and that means that imports of honey to Pitcairn from other, disease-bearing territories may be a genuinely remote prospect. However, we would want MPI to be able to show that such imports were actually banned and that ban was actually enforced. We would also welcome the opportunity to inspect Pitcairn's beekeeping practices.

c) 2.2.4 Processed foods containing bee products

(2) Personal consignments of baked, boiled or fried foods containing honey, propolis, bee pollen and/or royal jelly may be imported from any country provided the following requirements are met:

a) The product does not require refrigeration before the package is opened.
b) The product is commercially manufactured and packaged.
c) The package has not been opened or broken.
d) The total weight of the consignment is 10 kilograms or less.

This is an oddly drafted provision as the specific requirements a) to d) do not cover the cooking processes described in the introductory sentence to the provision, and nor are minimum cooking requirements specified.

Given the growth in the variety of prepared but uncooked foodstuffs that would otherwise meet the requirements, NZ Beekeeping considers this a dangerously loose provision, likely to lead in practice to 'benefit of the doubt' interpretations at the border, especially at busy times, and with otherwise compliant arrivals.

This provision should be withdrawn.

d) *2.2.4 Processed foods containing bee products*

(3) Personal consignments of nougat containing bee products may be imported from any country provided the total weight of the consignment is 10 kilograms or less.

NZ Beekeeping is concerned that nougat containing bee products may be imported from any country without any restrictions. It appears that nougat is not cooked for any longer than 3-5 minutes so the bee product may still be harbouring unwanted organisms that could potentially be exposed to bees.

(4) Personal consignments of processed foods containing honey, bee pollen and/royal jelly may be imported from any country provided the packaging clearly indicates that the total amount of honey, bee pollen and/royal jelly is no more than 2% of the totally product weight.

The concept here seems to be that if there is only a low probability of bee disease being present in a product brought into New Zealand that makes the risk acceptable. This is not the case. The only thing that is beneficial is that it reduces the likelihood of bees picking up the substances.

NZ Beekeeping are not in favour of allowing product in that contains no more than 2% of bee products by weight. If the product has not been heated sufficiently, any bee product can harbour unwanted organisms. If the product does have any diseases present and it is thrown out where bees can get access it only takes a small amount to potentially infect a honeybee colony, and then the wider population

e) *2.2.5 Honey of NZ Origin*:

This area is also very dangerous. There are many honey packs which are easily tampered with. The honey product can be removed which is of NZ origin and replaced with a low value honey which may be contaminated with viruses or bee diseases. The label says it is a product of NZ but the honey is not a product of NZ. This is an unacceptable risk. We must take a precautionary approach, consistent with the duty of care identified above. Taking New Zealand labelling and packaging at face value is not acceptable, especially in the absence of an enforceable country-of-origin requirement for honey labelling.

f) *3.4 Therapeutic products for human use*

(1) d) If the product is a dietary supplement or medical preparation containing bee products, it must be:

i) A dietary supplement that:

1) Is commercially manufactured; and

2) Is in packaging that clearly indicates that the total amount of honey, bee pollen and/royal jelly is no more than 2% of the totally product weight; or…

NZ Beekeeping have already indicated that allowing up to 2% by weight of bee products into a preparation is not acceptable for the reasons outlined above.

…ii) An encapsulated (completely covered by an edible substance such as gelatine or wax that does not contain sugar, fruit, honey, pollen, propolis or royal jelly) dietary supplement that:

1) Is in consumer-ready packages; and

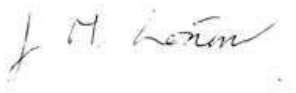
2) Is 1 kilogram or less per consignment; or

NZ Beekeeping are concerned that encapsulated product can easily be broken open that may then allow bees access to potentially diseased bee products of particular concern would be encapsulated bee pollen as this could contain EFB or other strains of AFB that we do not have in New Zealand.

7. Conclusion

We cannot afford to get this wrong. Biosecurity needs a consistent and vigilant approach to border protection, and a clear assumption that, over time, adverse events will happen if we let them, even at very low probabilities. NZ Beekeeping argues here for a tougher approach to imports from Pacific States where New Zealand has traditionally wanted to be open, and to support their economic development. We cannot do that at the expense of our own prosperity, or by putting New Zealand's bee population at risk. Biosecurity is part of our security system, and needs to be managed as such.

Thank you for your consideration



JANE LORIMER
PRESIDENT

4.3 New Zealand Pork Industry Board, Frances Clement

NZ Pork comments on Personal Consignments

Part 1: Section 1.2(3)

NZ Pork is concerned about the lack of required consultation around the OIE Terrestrial Animal Health Code (the Code) that has been incorporated by reference into this IHS. Since moving to implementation of 'generic' IHS, MPI is placing substantial weight on recommendations published by OIE with regard to trade in various animal commodities. While NZ Pork routinely submits comments to MPI when OIE chapter revisions are circulated to stakeholders, we have no direct ability to consult directly to OIE. Any concerns raised by NZ Pork about proposed changes to OIE chapters must first be acknowledged by MPI (in the form of being included in the 'whole of NZ comments' that are submitted to OIE), then be acknowledged by the OIE delegate body (or various committees/working groups), and then finally be incorporated into the chapter itself by OIE. If under section 142O (3) of the Biosecurity Act that no consultation (to the IHS) is required when any amendments to or replacements of the material occur in the Terrestrial Code substantially limits NZ Pork's ability to effectively represent interests of NZ pig farmers on matters related to importation of pig semen (and other risk materials), consistent with its statutory obligation to do so. In the past MPI has advised NZ Pork that it would consult if the changes were 'substantial'.

We request, ideally, that the language in this section of the IHS be altered to require consultation (under the Biosecurity Act 142N and 142O) when changes are made to relevant OIE documents such as the Code. In the absence of mandatory consultation, we request that criteria be developed that indicate what changes to OIE documentation would require IHS consultation.

Part 2, Section 2.3(1), Section 2.9.2(1), Section 2.9.3, and Section 2.9.6

NZ Pork requests that clarification be provided in the IHS (or by appropriate reference or acceptable definition) of the following terms or standards:

- Commercially manufactured and packaged
- Time and temperature (or other processing steps) requirements that allow for products to 'not require refrigeration'
- Time and temperature requirements that constitute acceptable conditions for retorting or canning

NZ Pork believes that many animal products brought into New Zealand under this IHS carry substantial risk as there is little requirement for documentation that adequately describes the origin of the product. In instances where the IHS states that the 'product is commercially manufactured and packaged in…a [country]' or that the 'country of manufacture…', NZ Pork requests that the following additional criteria be provided on the product packaging or be provided by the importer:

- The country of origin of the source product
- The country in which slaughter processing occurred
- The country in which manufacturing occurred

Part 2, Section 2.9.3(2)

In support of international trade in animal products and as normally expected under the WTO, New Zealand has made efforts in the past to respect regionalisation/compartmentalisation efforts implemented by trading partners as part of disease control programmes. In the case of commercial trade in animal products, respect of regionalisation is underpinned by creation of auditable document trails and national/international inspection efforts that allow exporting countries to demonstrate compliance with regionalisation programmes, and therefore help to manage the risk of disease introduction to New Zealand through trade in related risk goods.
However, in the case of personal consignments, the IHS does not require any documentation by the importer that shows that risk goods sourced from countries infected with important transboundary diseases (such as ASF,

CSF, and FMD described in this section of the IHS) are in fact sourced from disease free regions of known infected countries.
Guidance provided for Section 2.9.3 in the IHS lists countries New Zealand has determined to be free of FMD, ASF, and CSF. In fact, two of the countries on the list are currently infected with ASF (Belgium and Hungary) and one is infected with CSF (Japan) though in all three cases, the countries are attempting to manage the respective outbreaks through designation of infected and non-infected regions. Under the proposed IHS language, importers would be free to import product from any parts of these three countries, regardless of their disease status which presents an unacceptable level of risk to New Zealand livestock industries, offset only by the very limited benefit to individuals that choose to act under the IHS. There is a wide range of cured products available in New Zealand, from domestic and international commercial supply chains, that should be able to meet the desires of most or all of these consumers.

Therefore, NZ Pork requests that MPI establish a list of eligible countries which is based on their 'whole of country' status with regard to ASF, CSF, and FMD and not include countries that have permanent or temporary regions, zones, or compartments known to be infected with these important pathogens (or vaccinate against these pathogens). Doing so would not jeopardise obligations to trading partners or compliance with WTO 'non-tariff trade barrier' rules as Personal Consignments, by definition, are not commercial trade and therefore not subject to WTO oversight.

NZ Pork was not able to identify criteria that define jerky or 'curing' in terms of minimum pH levels, strength and exposure time to brine solutions, available water (or other measure of dehydration), or time/temperature onditions that would ensure effective control of the key pathogens listed in this section. We request that this information be included in the IHS directly or by appropriate reference.

Section 2.9.6

NZ Pork requests that the specified maximum total weight of consignment from 20 kg to either 1 kg (consistent with Section 2.9.3 of this IHS) or 3 kg (consistent with the relevant IHS for fresh pig meat from the EU). It is quite difficult to understand how 20 kg can be considered only for personal use as many NZ homes would not even have sufficient freezer or refrigerator space to store this volume of product. In this sense, it seems quite likely that people importing such large quantities are likely to be distributing product to family, friends, neighbours, etc. all of which are strictly prohibited under the definition of Personal Consignment.