Ministry for Primary Industries
Manatū Ahu Matua

ACVM Notice

Imported Feed Commodities

ACVM (Imported Feed Commodities) Notice 2014

Issued under the Agricultural Compounds and Veterinary Medicines Act 1997

New Zealand Government

TITLE

[Imported Feed Commodities]

COMMENCEMENT

(1) [The following clauses come into force on 21 April 2014:
(a) 1.1
(b) 2.1 (1)
(c) 2.2 (1), (2), (4)
(d) 2.3 (1), (2)
(e) 2.6 (1)

(2) The following clauses come into force on 21 August 2014:
(a) 1.2, 1.3
(b) 2.1 (2)
(c) 2.2 (5)
(d) 2.3 (3), (4)
(e) 2.4
(f) 2.5
(g) 2.6 (2)

(3) Clause 2.2 (3) comes into force on 21 January 2015.]

ISSUING AUTHORITY

[This ACVM Notice is issued by the Director General under section 76A of the Agricultural Compounds and Veterinary Medicines Act 1997, having complied with the matters in section 76A(2).]

Dated at Wellington this [2nd] day of [April 2014]

Martyn Dunne
Director General
Ministry for Primary Industries
A copy of the instrument of delegation may be inspected at the Director General's office.

Contact for further information
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Introduction

This introduction is not part of the ACVM Notice, but is intended to indicate its general effect.

Purpose

(4) [This notice is issued for the purpose of setting specifications and other detailed requirements in respect of feed commodities (animal feeds) imported into New Zealand that are subject to the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011, and specifying the manner in which the conditions and requirements of those Regulations must be achieved.]]

Background

(1) [Imported feed commodities are subject to the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011.

(2) This notice sets the minimum requirements for imported feed commodities. It includes guidelines intended to provide more detailed information for importers.

(3) Guidelines are within the text boxes. Any guidance included in this notice does not form part of the requirements and has no legal effect]

Who should read this ACVM Notice?

(1) [This notice applies to:

a) all persons importing feed commodities into New Zealand for animal consumption, and
b) all persons involved in the manufacture (including processing) of imported feed commodities for sale on the New Zealand domestic market.]

Why is this important?

(1) [Importers, manufacturers and sellers of feed commodities are responsible for ensuring the requirements of this notice are met.

(2) Failure to comply with the legal requirements of this notice is an offence under the ACVM Act.]

Contacts

(1) [For further information, contact the ACVM Group (approvals@mpi.govt.nz)

Part 1: General Requirements for Feed Commodities

1.1 Fitness for purpose

(1) Imported feed commodities must not contain:

a) physical contamination of a type or nature at a level that will result in harm to the animal for which the feed is intended, or

b) biological contamination of a type or nature at a level that cannot be effectively managed by further processing or at the point of use on farm.

Guidance

- Importers of feed commodities are responsible for that product on the domestic market. All feed commodities imported into New Zealand must be fit for their intended purpose. It is the responsibility of all importers to ensure that controls sufficient to ensure feed commodities are safe and suitable for animal consumption are in place.
- Importers need to ensure that hazards are identified and managed throughout the supply chain through to point of sale.
- Examples of physical contamination that have the potential to cause harm when consumed by animals include: glass, metal and metal shards, plastics and other extraneous material of a type and nature that could cause physical harm to the digestive system.
- The application of Hazard Analysis and Critical Control Point (HACCP) principles is an effective way of identifying and managing physical and biological contamination. Importers should be familiar with the supply chain and be able to identify points in the process where hazards can be eliminated, controlled or reduced to safe levels. (HACCP means the internationally recognised system used to identify and manage significant hazards in the manufacturing process. HACCP can be used throughout all stages of the supply chain, from primary production to final consumption.)
- Any controls applied to address a hazard should be both suitable and effective and should not result in the introduction of additional hazards. For example, the use of binders to manage toxins should be capable of reducing the hazard to an acceptable level and should not be used at levels that may pose additional health risks to the animal.
- If controls are applied prior to importation, the importer should have sufficient evidence to give assurances that those risks have been satisfactorily addressed. This may be achieved through the provision of assurances by overseas manufacturers and through verification checks on incoming shipments or on the manufacturing process to confirm feed is fit for purpose.
- In some instances, hazards may remain unaddressed. In these situations sufficient information should be provided at point of sale to enable the hazards to be controlled by the end user. A control may be applied at a subsequent step post point of sale (for example, where commodities are sold for manufacture into trade name products prior to on selling to the end user).
- In addition to controls such as heat treatment, screening, magnets or visual inspection, supporting systems should be in place to reduce the likelihood of a hazard occurring. The application of a documented quality system to manage fitness for purpose throughout the supply chain is an effective way of achieving this. Quality control steps such as testing could also be appropriate in various situations.

1.2 Identification and traceability

(1) Imported feed commodities must be clearly identified and traceable back to the place of manufacture.

(2) A person who imports feed commodities must keep the following records in relation to the feed:

a) name and contact details of the overseas manufacturer of the feed commodity and, if applicable, the name and contact details of the overseas processor where the final control was applied, and
b) the lot or batch numbers that make up each consignment or shipment, and
c) the full name and description of the feed as it will be marketed and sold in New Zealand.

Guidance

- If additional or secondary processes are undertaken at a different location or facility, details of that facility or location should be recorded. Example: heat treatment or screening at point of loading or repackaging at another facility.
- Sufficient detail should be recorded to enable product to be traced back to the supplier and tracked forward to the next person or company in the supply chain. In many cases this may require details of the batches that make up a consignment, shipping details (shipper, vessel name, bay or hold identifiers, loading and departure dates) and invoices to enable trace back in the event of a process failure.

1.3 Documentation and records

(1) A person who imports feed commodities must keep and maintain records for the purposes of identification and traceability, and to demonstrate compliance with the regulations.

(2) A person who imports feed commodities must develop record keeping procedures to ensure that all records necessary to demonstrate product compliance are:

a) legible, and
b) retained for four years, or for the shelf life of the product to which the records relate (whichever is longer), in a manner that protects the records from damage, deterioration or loss.

(3) All records required to be kept under this notice must be retrievable within two working days or longer period as determined by the ACVM officer or Director-General.

(4) All records required to be kept under this notice must be retained for a period of at least four years or other period provided for in this notice.

Part 2: Specific Requirements for Palm Kernel Expeller (PKE)

2.1 Processing facilities and equipment

(1) Facilities and equipment used in the manufacture of PKE must be:

a) suitable for the processing of PKE, and
b) clean and free from hazardous and extraneous material, waste and foreign matter that may cause harm, and
c) maintained in a manner that prevents the introduction of physical contamination, and
d) subject to periodic inspection by the importer or manufacturer at intervals determined as adequate.

(2) Records of cleaning, inspection and maintenance of facilities and equipment must be maintained by the importer of the feed.

Guidance

- Facilities and equipment include but are not limited to buildings, machinery, screens and conveyors. They should be designed and maintained to ensure the requirements of this notice can be achieved.

2.2 Screening

(1) Imported PKE must be screened by passing through a screen no greater than 4mm in mesh size prior to sale on the domestic New Zealand market.

(2) Screening equipment and facilities must be capable of achieving the limits specified in this notice.

(3) Screening must occur on arrival in New Zealand either at the port of unloading or at a screening facility.

(4) Screening equipment must be inspected periodically for wear and damage.

(5) Records of screening must be kept and must include any findings and corrective or preventative actions taken.

Guidance

- Screening at less than 4mm is considered the industry standard. The gauge of the screen used should ensure the reduction of physical contamination while still enabling PKE to be processed.
- To further reduce physical contamination PKE should be passed through or over magnets of a sufficient size to remove metal shavings or shards.

2.3 Storage and transportation

(1) A person who imports or manufactures PKE must have sufficient controls in place to ensure that physical contamination is not re-introduced during storage or transportation when PKE is under their control.

(2) Storage, transportation and delivery of PKE must, as far as practicable, ensure that the means of storage, carriage and delivery are designed, made, maintained, and operated in a manner that ensures:

a) the PKE retains its fitness for purpose by minimising the likelihood of physical contamination, and
b) facilities where PKE is to be stored are inspected to ensure they are free from contamination prior to use, and
c) vehicles that transport PKE are physically inspected for the presence of physical contamination prior to loading.

(3) A person who imports or manufactures PKE must ensure that procedures are in place for cleaning, maintenance and inspection of storage facilities and transportation vehicles.

(4) Records of cleaning, maintenance and inspection activities must be maintained.

Guidance

- Inspection of transportation vehicles may be undertaken by the PKE importer or by the contracted transporter. If inspections are not undertaken by the importer, documented procedures should clearly outline the provisions and responsibilities for this activity.

2.4 Identification and traceability

(1) A person who imports or manufactures PKE must have inventory control and tracking systems that:

a) allow for the identification of PKE being processed, and
b) maintain the identity of PKE throughout the process, and
c) ensure all PKE is screened prior to sale, and
d) enable the movement of the product to be traced from receipt through to the end user.

(2) Suppliers of PKE intended for further processing must provide with the product the following:

a) the name, physical location, contact details, of the processing facility, and
b) the country/place of origin, and
c) the PKE composition and where applicable any ingredients, and
d) details of any treatment applied to the material, and
e) the lot or consignment identifier.

Guidance

- Because of mixed consignments and consolidation of shipments, PKE may not in all cases be identified by individual lots or batch numbers. Records of consignments and shipping details or processing dates are an acceptable means of identifying PKE providing the product can be traced back to its country of origin and processing facilities.

2.5 Documentation and records

(1) A person who imports or manufactures PKE must develop documented procedures to support the controls and systems implemented for the purposes of meeting the requirements of this notice.

Guidance

- Documented procedures should be in place for:
  - facility and plant hygiene and maintenance
  - process and process controls
  - calibration and inspection of control points
  - inventory control and traceability
  - storage and transportation
  - inspection and verification activities
  - corrective and preventative action
  - product recall.

2.6 Verification

(1) A person who imports or manufactures PKE must undertake internal verification to ensure that:

a) controls are being implemented effectively, and
b) monitoring is occurring, and
c) appropriate corrective action is taken when any specified limits are not met.

(2) A person who imports or manufactures PKE must keep records relating to verification activities, which must include the following:

a) the date and, if appropriate, the time of the verification activity, and
b) a description of the results of the activity, and
c) a means to identify the person or persons who performed the activity.

Guidance

- Verification is the application of methods, procedures, tests and other checks to confirm that the process:
  - is appropriate to the operation
  - remains in compliance
  - continues to be implemented, and
  - is producing material that is fit for its intended purpose.
- Verification activities may include:
  - review of monitoring records
  - product tests
  - review of non-conformance and corrective action records
  - calibration checks
  - internal audits.
- You should document the verification activities including:
  - when, how, and where they will be carried out
  - the identity of the person(s) or position who will carry them out
  - actions to be taken if deficiencies are found, and
  - records to be kept to show that verification has been done as planned.
- The frequency of verification activities should be defined and should be undertaken by an individual who is independent of the process.

Schedule 1 – Definitions

(1) In this notice, unless the context otherwise requires:

Act
means the Agricultural Compounds and Veterinary Medicines Act 1997.

Feed
means edible material that:

(a) provides nourishment in the form of energy and for building tissues and

(b) contributes to the normal physiological function and metabolic homeostasis of an animal.

Feed commodities
means plants that are raised and used as feed, or for producing feed, intended for animal consumption.

Fitness for purpose
means the safety and suitability of feed when used as intended.

Hazard
means a biological, chemical or physical agent in, or condition of, feed with the potential to cause an adverse health effect.

Lot or batch
means a defined quantity of material manufactured in one process or a series of processes. For the purposes of this notice, a lot or batch may also be a shipment or consignment number.

Manufacture
in relation to feed commodities includes, but is not limited to, acquiring materials, making up, preparing, producing or processing, examining, assessing or quality control testing the materials and the feed for release. It also includes the filling, packing, and labelling of feed in a container for the purposes of sale.

Palm kernel expeller (PKE)
means a by-product of palm oil manufacture used as a supplementary feed for animals.

Regulations
means the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011.

Screening
means the process of passing feed through a sieve of a particular mesh size to remove any macro contamination.

(2) Unless the context otherwise requires, terms used in this notice that are defined in the Act or the Regulations have those meanings.