



# Amendment to the export requirements for halal animal material and animal products

Proposed amendments to the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2014

MPI Discussion Paper No: 2015/07

Prepared for the meat industry  
by the Food Assurance Team and Market Access Directorate

ISBN No: 978-0-477-10540-8 (online)  
ISSN No: 2253-3907 (online)

January 2015

## Disclaimer

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

Requests for further copies should be directed to:

Publications Logistics Officer  
Ministry for Primary Industries  
PO Box 2526  
WELLINGTON 6140

Email: [brand@mpi.govt.nz](mailto:brand@mpi.govt.nz)

Telephone: 0800 00 83 33

Facsimile: 04-894 0300

This publication is also available on the Ministry for Primary Industries website at <https://www.mpi.govt.nz/news-and-resources/consultations/>

**© Crown Copyright - Ministry for Primary Industries**

---

<b>1</b>	<b>Introduction</b>	<b>2</b>
<b>2</b>	<b>Summary of proposed amendment</b>	<b>2</b>
<b>3</b>	<b>Proposed amendments</b>	<b>3</b>
3.1	Broadening the application of the notice	3
3.2	Amending the provisions relating to the approval and listing of Islamic Organisations as Approved Halal Organisations	3
3.3	Amending the provisions relating to the criteria for approval and listing of Islamic Organisations as Approved Halal organisations	4
3.4	Additional requirements relating to halal slaughter	4
3.5	Removing the transitional provisions under part 9 of the halal notice	5
3.6	Other minor amendments	5
3.7	Reviewing and re-formatting the notice	5
<b>4</b>	<b>Submissions</b>	<b>6</b>
	<b>Annex: Recommended table of submissions</b>	<b>7</b>



## Submission

The Ministry for Primary Industries (MPI) invites your comment on this discussion document, which outlines its proposal to issue a new notice to revoke and replace the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2014. The proposed new notice, which is also part of this consultation, will amend certain parts of the current requirements as discussed in this document.

The following points may be of assistance in preparing comments:

- (a) The proposed amendments in the discussion paper are numbered; please ensure that your comments are specific to a number;
- (b) when making comments on the draft notice, make sure you indicate the specific clause number that you are referring to;
- (c) where possible, reasons and data to support comments may be provided;
- (d) the use of examples to illustrate particular points is encouraged; and
- (e) as a number of copies may be made of your comments, please use good quality type, or make sure the comments are clearly hand-written in black or blue ink.

Please include the following information in your submission:

- (a) the title of the discussion document;
- (b) your name and title (if applicable);
- (c) your organisation's name (if applicable); and
- (d) your address

Please submit your response by 5:00 pm on Friday 13 February 2015 to:

**Alipate Camaivuna**

Halal Export Requirements Amendment Notice  
MPI Food Assurance Team (Level 12, Pastoral House)  
PO Box 2526  
Wellington

Email: [alipate.camaivuna@mpi.govt.nz](mailto:alipate.camaivuna@mpi.govt.nz)

### **The Official Information Act 1982 (the OIA)**

Everyone has the right to request information held by government organisations, known as “official information”. Under the OIA, information is to be made available to requesters unless there are reasonable grounds for withholding it. The grounds for withholding information are outlined in the OIA.

If you are submitting on this discussion document, you may wish to indicate any grounds for withholding information contained in your submission. Reasons for withholding information could include that information is commercially sensitive or that the submitters wish personal information such as names or contact details to be withheld. MPI will consider such grounds when deciding whether or not to release information.

Any decision to withhold information requested under the OIA may be reviewed by the Ombudsman.

For more information please visit <http://www.ombudsman.parliament.nz/resources-and-publications/guides/official-information-legislation-guides>

# 1 Introduction

MPI proposes to replace and revoke the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2014 (the notice), which was issued on 04 December 2014 under section 60 of the Animal Products Act 1999 (the Act). The notice was issued in respect of halal animal material and animal products for the purposes of specifying requirements, which are necessary or desirable to facilitate access to overseas markets, or are in accordance with the requirements of the relevant authority of importing countries, or can reasonably be expected to satisfy the requirements of the relevant authority of the importing countries.

The notice establishes a regulatory control programme, which governs the processing of halal animal material and animal products that are intended for export with a halal certificate or halal official assurance.

In order to ensure that halal requirements are fit for purpose and responsive to industry and market demands, the notice needs to be amended.

## 2 Summary of proposed amendment

The following amendments are proposed:

- (a) broadening the application of the notice; and
- (b) amending the provisions relating to the approval and listing of Islamic organisations as approved halal organisations by the Director-General; and
- (c) amending the provisions relating to the criteria for approving and listing Islamic organisations as approved halal organisations; and
- (d) inclusion of additional halal slaughter requirements; and
- (e) removing the transitional provisions under Part 9 of the current notice, which relate to the deeming of Islamic organisation listed in Annex 3 of the notice as Approved Halal Organisations; these transitional provisions will expire on 28 February 2015; and
- (f) reviewing and re-formatting the notice to improve coherence and understandability.

## 3 Proposed amendments

### 3.1 BROADENING THE APPLICATION OF THE NOTICE

The current notice specifically applies to countries that are listed on Annex 1 of that notice. However, MPI recognises that demands for halal animal material and animal products are not limited to those countries. There is a significant Muslim population in other countries outside of those listed in Annex 1, so there are economic benefits to be gained by pursuing or consolidating access to these markets. Halal animal material and animal products that are processed within New Zealand's halal export assurance system can be a significant tool for negotiating access to these markets.

As a result, MPI proposes to extend the application of the notice to cover all animal material and animal products that are labelled as halal for the purpose of export with a halal certificate or halal official assurance. This amendment would ensure that any animal material or animal products that are intended to be exported with a halal certificate or halal official assurance will have to be processed in accordance with the requirements of the notice regardless of intended markets.

Additionally, Annex 1 of the current notice will be deleted. Therefore, instead of listing specific countries with specific halal arrangement with New Zealand, clause 1.1 of the proposed notice will state that the notice applies to animal material and halal animal products that are intended to be exported to any country with existing halal-related overseas market access requirements (OMAR).

### 3.2 AMENDING THE PROVISIONS RELATING TO THE APPROVAL AND LISTING OF ISLAMIC ORGANISATIONS AS APPROVED HALAL ORGANISATIONS

The amendment discussed in clause 3.1 would result in the notice applying to two categories of markets, which are:

- (a) markets with halal-related OMAR; and
- (b) markets with no halal-related OMAR.

Therefore a distinction needs to be made between Approved Halal Organisations (AHOs) that may issue halal certificates for markets with halal-related OMARs containing specific halal listing requirements and AHOs that may issue halal certificates for markets with no halal-related OMARs. As a result, clauses 4.2 and 4.6 of the proposed notice have been added.

Clause 4.2 specifies that an applicant Islamic organisation may apply to be approved and listed as an AHO for either category of markets. Clause 4.6 specifies that the Director-General may approve and list an Islamic organisation as an AHO for either category of markets. That clause also prohibits Islamic organisations that are listed as AHOs for countries with no known specific halal listing requirements from issuing halal certificates to countries that have known specific halal listing requirements. However, Islamic organisations that are listed as AHOs for countries with known specific halal listing requirements are allowed to issue halal certificates to countries that do not have known specific halal listing requirements.

### 3.3 AMENDING THE PROVISIONS RELATING TO THE CRITERIA FOR APPROVAL AND LISTING OF ISLAMIC ORGANISATIONS AS APPROVED HALAL ORGANISATIONS

MPI proposes to amend the criteria for approval and listing of Islamic organisations as AHOs by:

- (a) removing the requirement for applicant Islamic organisations to be accredited by an accreditation body within 12 months of being listed; and
- (b) removing the requirement for AHOs to provide evidence of acceptance by the national Islamic authority of the importing country.

Fulfilling the accreditation requirement is a lengthy process and this is reflected in the 12 month allowance and in the transitional provisions under Part 9 of the current notice. Currently, there are only a handful of Islamic organisations that are allowed to undertake export-related halal activities under the notice. These organisations, which are listed under Annex 3 of the notice, have not been formally approved and listed by the Director-General as per clause 10 of the current notice, but were deemed to be AHOs by virtue of Part 9 of the notice. This means that these Islamic organisations have not yet met the relevant criteria under sub clause 10(6) of the notice.

Part 9 of the notice allowed these Islamic organisations to be deemed as AHOs until 28 February 2015. This is to allow these organisations to undertake export-related halal activities while working towards fulfilling the criteria for approval and listing.

MPI proposes to remove the accreditation requirement from the proposed notice for the time being. This is a temporary arrangement only. MPI has had to amend the notice more than once in order to extend the transitional period for the deeming of AHOs because more time was needed by the AHOs to gain accreditation. Removing the requirement will allow AHOs to pursue accreditation with limited pressure and allow MPI to monitor their progress and re-instate the requirement when a more reasonable and achievable timeframe becomes apparent.

The temporary removal of this requirement will not undermine the integrity of the halal export assurance system as the individuals within the AHOs that will be carrying out the functions that the AHOs are empowered to do will still have to meet the competency standards set by the notice. Additionally, AHOs will still have to meet the other criteria set by the notice.

MPI also proposes to remove the requirement for AHOs to provide evidence of acceptance by the national Islamic authority of the importing country. This is to take into account the fact that the notice will also apply to countries with no known specific halal listing requirements. However, sub clause 4.4(2) of the proposed notice has been added, requiring Islamic organisations applying to be listed as AHOs for countries with known specific halal listing requirements to provide evidence of compliance with those requirements.

### 3.4 ADDITIONAL REQUIREMENTS RELATING TO HALAL SLAUGHTER

Additional halal slaughter requirements are also proposed. These new requirements are intended to address any inconsistency in halal slaughter practices carried out by different approved halal premises.

The proposed requirements include a number of halal slaughter practices that all halal slaughter persons must comply with when slaughtering halal animals. These requirements are set out under clause 3.2 of the proposed notice.



### 3.5 REMOVING THE TRANSITIONAL PROVISIONS UNDER PART 9 OF THE HALAL NOTICE

Part 9 of the notice contains transitional provisions, which will expire on 28 February 2015. These provisions were added to achieve the following purposes:

- (a) to allow Islamic organisations listed in Annex 3 of the notice to be deemed as AHOs thus enabling them to carry out halal-related functions during the accreditation process;
- (b) to allow animal product businesses that were deemed by the preceding halal notice to have an approved halal programme and operating from approved halal premises to continue their “deemed” status until 28 February 2015.

MPI proposes to remove Part 9 of the notice as the transitional provisions will no longer be necessary.

### 3.6 OTHER MINOR AMENDMENTS

All references to *secondary criteria* in the notice have been removed. This is because currently, *secondary criteria* refer to information set out in a guidance document. MPI will review that document in the future and where MPI considers that any matters should be provided for in the notice, these will be proposed for future amendments to the notice.

Additionally, all references to halal export certificates in the notice have been amended to halal certificates. This is to ensure consistency and avoid confusion in respect of terminology used by MPI in the export domain. Export certificates, as far as the dairy and animal product official assurances specifications notices are concerned, are official assurances. According to the Act, official assurances can only be issued by the Director-General or persons authorised by the Director-General. Halal certificates are issued by AHOs, so are not official assurances.

### 3.7 REVIEWING AND RE-FORMATTING THE NOTICE

The proposed notice is in a new template, which has been approved by the relevant MPI governance board. MPI has also taken this opportunity to review and re-format the whole notice to ensure coherence, readability and understandability. As such, sentence structures have been amended, parts re-organised, duplicate provisions deleted and certain parts divided.

The proposed notice is structured in a way that better reflects its principles, which are as follows:

- (a) that the mixing of halal animal material and animal products with non-halal animal material and animal products is prohibited; and
- (b) that halal slaughter and processing must be carried out as specified under the notice;
- (c) that Islamic organisations intending to issue halal certificates, and assess and approve halal premises and halal programmes must be approved and listed by the Director-General as AHOs; and
- (d) that halal premises undertaking halal slaughter and processing must be assessed and approved by AHOs, and then approved and listed as ‘approved halal premises’ by the Director-General; and
- (e) that approved halal premises must operate under an approved halal programme that has been assessed and approved by an AHO; and
- (f) that persons who issue halal certificates and assess halal premises and halal programmes on behalf of AHOs must be approved and listed with the Director-General; and
- (g) that persons undertaking halal slaughter must be approved and listed as ‘approved halal slaughter persons’ by the Director-General; and
- (h) that a ‘Halal Standards Advisory Council’ must be established by the Director-General for the purposes of providing advice on matters relating to the production and processing of halal animal products, and the suitability of AHOs.

For a quick overview of the structure of the proposed notice, please refer to the ‘Contents’ page.

## 4 Submissions

MPI strongly recommends that the body of your submission is set out in a format that is identical or similar to the table in the Annex.

## Annex: Recommended table of submissions

Amendments	Comments	
9. Do you have any comments or suggestions relating to any particular clauses or parts of the draft notice? (If yes, please write down the relevant clause numbers and the associated comments)	Clause Number	Comments





Draft for Consultation

# **Export Requirements for Halal Animal Material and Halal Animal Products**

## **TITLE**

Animal Products Notice: Export Requirements for Halal Animal Material and Halal Animal Products

## **COMMENCEMENT**

This Animal Products Notice comes into force on ..

## **REVOCATION**

This Animal Products Notice revokes and replaces the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2014.

## **ISSUING AUTHORITY**

This Animal Products Notice is issued pursuant to sections 60(1) and 167(1)(ja) of the Animal Products Act 1999, having being satisfied that the setting of the requirements in this notice is in accordance with all the purposes specified under section 60(1) of that Act.

Dated at Wellington this ... day of ..... 2015.

Draft for Consultation

Allan Kinsella  
Director, Systems Audit, Assurance and Monitoring  
Ministry for Primary Industries  
(acting under delegated authority of the Director-General)  
A copy of the instrument of delegation may be inspected at the Director-General's office.

Contact for further information  
Ministry for Primary Industries (MPI)  
Regulation and Assurance Branch  
Food Assurance Team  
PO Box 2526,  
Wellington 6140  
Email: [food.assurance@mpi.govt.nz](mailto:food.assurance@mpi.govt.nz)

<b>Contents</b>	<b>Page</b>
<b>Introduction</b>	<b>4</b>
<b>Part 1: Preliminary provisions</b>	<b>6</b>
1.1 Application	6
1.2 Definitions	6
<b>Part 2: Requirements and restrictions relating to halal</b>	<b>9</b>
2.1 Requirements relating to exporting	9
2.2 Absolute restriction on mixing halal and non-halal animal products	9
2.3 Traceability requirements for animal product businesses	9
<b>Part 3: Halal Processing</b>	<b>11</b>
3.1 Halal slaughter to be undertaken only at approved halal premises	11
3.2 Halal slaughter to be undertaken only by competent halal slaughter persons	11
3.3 Minimum requirements for halal slaughter	11
3.4 Identification and marking of halal animal products at approved halal premises	12
<b>Part 4: Approval and listing of Islamic organisations as ‘approved halal organisations’ by the Director-General</b>	<b>13</b>
4.1 Islamic organisations to be approved and listed	13
4.2 Application for approval and listing of an Islamic organisation	13
4.3 Refusal to process an application	13
4.4 Criteria for approval and listing of Islamic organisations	13
4.5 Refusal to approve and list	14
4.6 Approval and listing of Islamic organisations as “approved halal organisations”	14
4.7 Provisional approval and listing of approved halal organisations for countries with known specific halal listing requirements	15
4.8 Director-General to be notified about significant change in circumstances	15
4.9 Revocation of approval and listing	16
4.10 Approved halal organisations to be audited	16
4.11 Responsibilities of approved halal organisations	16
<b>Part 5: Approval and listing of halal premises as ‘approved halal premises’</b>	<b>18</b>
5.1 Halal slaughter and processing premises to be approved and listed	18
5.2 Application for approval and listing of halal premises	18
5.3 Refusal to process an application	18
5.4 Criteria for approval and listing of halal premises	18
5.5 Refusal to approve and list	19
5.6 Approval and listing of halal premises	19
5.7 Director-General to be notified about significant change in circumstances	19
5.8 Revocation of approval and listing	19
<b>Part 6: Assessment and approval of halal programmes and halal premises by approved halal organisations</b>	<b>21</b>
6.1 Application for approval of halal programmes and halal premises	21
6.2 Content of halal programmes	21

6.3	Assessment and approval of halal programmes and halal premises to be undertaken by approved halal assessment and approval persons	22
6.4	Procedures for approving halal premises and ongoing assessment	22
6.5	Frequency of assessing a halal premises' implementation of its approved halal programme	22
6.6	Approved halal organisation to notify the Director-General of approval of halal premises and halal programmes	23
6.7	Amendment of approved halal programmes	23
6.8	Record-keeping requirement in respect of approved halal programmes	24
6.9	Applicability of halal programmes	24
<b>Part 7:</b>	<b>Approval and listing of halal assessment and approval persons and issuing officers</b>	<b>25</b>
7.1	Who must be approved and listed	25
7.2	Approved halal organisations to provide the Director-General with the names of assessment and approval persons and issuing officers who have met the prescribed competency criteria	25
7.3	Competency criteria for halal assessment and approval persons	25
7.4	Competency criteria for issuing officers	25
7.5	Approval and listing of halal assessment and approval persons and issuing officers by the Director-General	26
7.6	Approved halal organisation to notify the Director-General of the employment status of halal assessment and approval persons and issuing officers	26
7.7	Approved halal organisations to have a documented training programme for training halal assessment and approval persons and issuing officers	26
7.8	Record and information requirements	26
<b>Part 8:</b>	<b>Approval and listing of halal slaughter persons</b>	<b>28</b>
8.1	Halal slaughter persons to be approved and listed	28
8.2	Operators of approved halal premises to provide the Director-General with the names of halal slaughter persons who have met the prescribed competency criteria	28
8.3	Competency criteria for halal slaughter persons	28
8.4	Competent halal slaughter persons to undergo periodic assessment	28
8.5	Approval and listing of halal slaughter persons by the Director-General	29
8.6	Operators to notify the Director-General of the employment status of competent halal slaughter persons	29
8.7	Responsibilities of operators of approved halal premises	29
<b>Part 9:</b>	<b>Establishment of a Halal Standards Advisory Council</b>	<b>30</b>
9.1	Establishment of a Halal Standards Advisory Council	30
<b>Part 10:</b>	<b>Issuing of halal certificates by issuing officers</b>	<b>31</b>
10.1	Halal certificates to be issued only by approved issuing officers	31
10.2	Criteria for issuing halal certificates	31
10.3	Restrictions and requirements of issuing officers	31
10.4	Inventory control and traceability requirements	32
<b>Part 11:</b>	<b>Issuing of halal official assurances</b>	<b>33</b>
11.1	Criteria for issuing halal official assurances	33
<b>Annex:</b>	<b>Inventory control and traceability requirements</b>	<b>34</b>



## Introduction

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

## Purpose

This Animal Products Notice specifies requirements for the processing of halal animal material and halal animal products for the purposes of-

- (a) facilitating access to overseas markets;
- (b) meeting requirements of the relevant authority of the importing country; and
- (c) safeguarding assurances provided by New Zealand.

## Background

This Animal Products Notice establishes a halal assurance system (being the requirements specified in this notice) to be in place in New Zealand in relation to halal animal material and halal animal products that are either intended to be labelled as halal for the purpose of export with halal certification or assurances, are intended to be exported to countries with specific halal overseas market access requirements (OMAR).

This notice establishes a halal control programme that-

- (a) requires halal premises that undertake processing of halal animal material and animal products for export to be initially assessed and approved by an approved halal organisation before being approved and listed by the Director-General; and
- (b) requires approved halal premises to operate under a halal programme that has been assessed and approved by an approved halal organisation; and
- (c) requires the slaughter of halal animals at approved halal premises to be undertaken only by halal slaughter persons who have been approved and listed by the Director-General; and
- (d) specifies the requirements and restrictions relating to halal processing; and
- (e) requires Islamic organisations that want to become approved halal organisations to be approved and listed by the Director-General; and
- (f) allows approved halal organisations to issue halal certificates; and
- (g) requires employees of approved halal organisations who issue halal certificates or assess and approve halal premises and halal programmes to be approved and listed by the Director-General; and
- (h) allows the Director-General to establish a Halal Standards Advisory Council for the purposes of advising the Director-General on halal-related matters; and
- (i) specifies the requirements relating to the issuing of halal official assurances by the Director-General.

The word “halal” is used in this notice and has its usual meaning. For example, the definition of “halal” in the Oxford Concise dictionary is “kill (an animal) as prescribed by Muslim law” and “meat prepared in this way, lawful food”.

This notice applies in addition to any additional country specific market access requirements for the relevant market that are detailed in other notices or any other applicable requirements issued under section 60 of the Act.

## Who should read this Animal Products Notice?

This notice should be read by persons to whom this notice applies in accordance with clause 1.1 of this notice.

## Why is this important?

This notice is important because it specifies the requirements that must be met in order for animal material or animal products to be exported with a halal certificate or halal official assurance. Any animal material or animal products that fail to comply with any requirements of this notice is ineligible for export with a halal certificate or halal official assurance.

Additionally, for the purposes of section 135(1)(c) of the Animal Products Act 1999, a failure to comply with this notice, without reasonable excuse, is an offence.

## Other information

Operators and exporters to whom this notice applies should also comply with-

- (a) the Animal Products (Official Assurances Specifications) Notice 2013; and
- (b) the Animal Products (Export Verification Requirements) Notice 2011 or any notice that replaces that notice; and
- (c) any other export requirements issued by the Director-General under section 60 of the Act in respect of animal material or animal products that are covered by this notice.

Exporters exporting animal products other than halal animal products (as defined in this notice) should comply with whatever requirements that apply to the export of those animal products.

Draft for Consultation

## Part 1: Preliminary provisions

### 1.1 Application

- (1) This notice applies to:
- (a) animal material and animal products that are intended to be labelled as halal for the purpose of export with a halal certificate or halal official assurance; or
  - (b) animal material and animal products that are intended to be exported to a country with an existing OMAR that requires animal products and animal material to have been processed in accordance with Islamic halal procedure; and
  - (c) any person who deals with halal animal material or halal animal products or undertakes processes associated with halal production or processing, and includes
    - (i) primary and secondary processors of halal animal material and halal animal products; and
    - (ii) animal product businesses that store halal animal material and halal animal products; and
    - (iii) exporters of halal animal material and halal animal products; and
    - (iv) approved halal organisations (including, without limitation, in relation to assessing approved halal programmes and halal premises and issuing halal certificates); and
    - (v) halal assessment and approval persons; and
    - (vi) issuing officers; and
    - (vii) competent halal slaughter persons.
- (2) Nothing in this notice limits the ability of an approved halal organisation to issue a halal declaration (or other halal documentation) required for non-regulatory purposes for use by a commercial entity in an importing market.
- (3) Nothing in this notice authorises-
- (a) an approved halal organisation to issue a halal official assurance or provide a halal attestation on an official assurance; or
  - (b) the use of halal certificates for any purposes other than regulatory purposes.

### 1.2 Definitions

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

**Act** means the Animal Products Act 1999;

**approved halal organisation** means an Islamic organisation approved and listed by the Director-General under Part 4 of this notice;

**approved halal premises** means a halal premises that has been approved and listed by the Director-General in accordance with Part 4 of this notice for the purposes of producing or processing one or more classes of halal animal material or halal animal products for any markets to which this notice applies;

**approved halal programme** means the documented halal procedures of an approved halal premises that have been assessed and approved by an approved halal organisation in accordance with Part 6 of this notice, and which underpin halal slaughter and processing carried out by that approved halal premises;

**assessment period** means the time period referred to in sub clauses 6.4(4) and 6.5(4);

**authorised person** means a person designated by the Director-General under section 65 of the Act as an authorised person for the purpose of issuing official assurances and for withdrawing and reissuing official assurances under section 64 of the Act;

**carrion** means meat and offals that have been derived from animals that died before halal slaughtering and have not undergone ante mortem and post mortem examination;

**competent halal slaughter person** means a person who meets all the competencies under clause 8.3 and approved and listed by the Director-General in accordance with clause 8.5. **Halal checker** has the same meaning;

**consignment** means the animal products described on a single halal certificate or halal official assurance;

**Director-General** means the Director-General of MPI or any position that replaces the Director-General, or MPI official acting under delegated authority;

**halal animal material** means any live animal of halal species, and any material or tissue derived from any halal species that has been halal slaughtered;

**halal animal products** means meat and meat products derived from halal species that have been halal slaughtered and positively identified as halal by animal product businesses or exporters for the purposes of processing or export to any markets to which this notice applies;

**halal assessment and approval person** means an employee of an approved halal organisation who has met all applicable competency criteria under clause 7.3 and who is approved and listed by the Director-General under clause 7.5 for the purposes of assessing and approving halal premises and halal programmes, and conducting periodic assessment of halal slaughter persons;

**halal certificate** means a certificate issued by an issuing officer on behalf of an approved halal organisation attesting that the animal material or animal products to which the certificate relates have been processed in accordance with the requirements of this notice. A halal certificate may be used for the purpose of enabling the Director-General to issue a halal official assurance to a market to which this notice applies;

**halal mark** means, unless otherwise specified by the Director-General an identifying mark composed of square brackets no less than 1 cm in height containing the letter H, no less than 0.7 cm in height;

**halal official assurance** means an official assurance with a halal attestation issued by the Director-General or an authorised person (the issuing of which replaces the need for a halal certificate to be given directly to the market to which this notice applies);

**halal species** includes bovine, ovine, caprine, cervine species, and horses but specifically excludes porcine, canine, and donkey species;

**Halal Standards Advisory Council** means an advisory body established by the Director-General under Part 8 of this notice;

**ISO** means International Organisation for Standardisation and is an international developer and publisher of international standards;

**issuing officer** means an employee of an approved halal organisation who has met all applicable competency criteria under clause 7.4 of this notice and who is approved and listed by the Director-General under clause 7.5 of this notice to issue halal certificates in accordance with Part 9 of this notice and any other notice;

**MPI** means the Ministry for Primary Industries;

**non-halal** means any animal, animal material, animal products, foods, beverages, and human discharges that are listed in clause 2.2(1) and any halal animal products that are designated "non-halal" under clauses 2.2(3);

**NZQA** means the New Zealand Qualifications Authority;

**official assurance verifier** means a person who is recognised under the Act to undertake verification functions in relation to the issuing export certificates and official assurances (including halal official assurances);

**other notices** means notices issued by the Director-General that specify any additional halal requirements for the markets to which this notice applies; and

**regulatory purposes** means purposes such as meeting market access requirements for markets to which this notice applies, and includes official border clearance procedures in those markets.

- (2) Any term used but not defined in this notice that is defined in the Act has the same meaning as in the Act.

Draft for Consultation

## **Part 2: Requirements and restrictions relating to halal**

### **2.1 Requirements relating to exporting**

- (1) An exporter who intends to export halal animal material or animal products with a halal certificate or halal official assurance must ensure that-
  - (a) the animal material or animal products are eligible for the intended market before export commences; and
  - (b) all the applicable requirements of this notice have been met.
- (2) Animal material or animal products transferring from approved halal premises, unless the halal mark is applied prior to load out, are not eligible for export with a halal export certificate or halal official assurance.

### **2.2 Absolute restriction on mixing halal and non-halal animal products**

- (1) Any person processing (including, without limitation, slaughtering or storing) halal animal material and halal animal products must ensure that the halal animal material or halal animal products are kept physically separate from all of the following items at all times-
  - (a) animal material or animal product derived from non-halal species;
  - (b) animal material or animal product derived from carrion;
  - (c) liquids or matter discharged from orifices of humans or animals; and
  - (d) alcoholic beverages and food containing alcohol.
- (2) Any animal material or animal products that have come into direct or indirect contact with, or have been contaminated by, any of the items listed under sub clause (1) must be designated as “non-halal”, regardless of the stage of processing at which the contact or contamination occurred.
- (3) Any animal material or animal products that have come into direct contact with non-halal animal material or animal products derived from halal species, must be designated as “non-halal” regardless of the stage of processing at which the contact occurred.
- (4) Any person processing (including, without limitation, slaughtering or storing) halal animal material or halal animal products must-
  - (a) ensure that pigs or any animal material or animal products derived from pig meat are not physically present at a halal premises at any time; and
  - (b) ensure that non-halal animal material or animal products derived from halal species do not come into contact with halal animal material or animal products during processing and are not stored in the same room as halal animal material or animal products.
- (5) Pork products, including products containing ingredients derived from pigs, must not be conveyed in the same transport vehicle or shipping container at the same time as halal animal products are being conveyed.

### **2.3 Traceability requirements for animal product businesses**

- (1) Animal product businesses to which this notice applies that are transferring halal animal products to an exporter must raise an eligibility document electronically on E-cert in accordance with the Animal Products (Official Assurances Specifications) Notice 2013 or any notice that replaces that notice, and the E-cert Help File.

- (2) The inclusion of a market on an eligibility document amounts to a declaration by the animal product business that the requirements of this notice and any additional OMAR for that market have been met for the animal material or animal products identified in that eligibility document.

Draft for Consultation

## **Part 3: Halal Processing**

### **3.1 Halal slaughter to be undertaken only at approved halal premises**

Animal product businesses processing (including, without limitation, slaughtering or storing) halal animal material or products must do so only in approved halal premises.

### **3.2 Halal slaughter to be undertaken only by competent halal slaughter persons**

Halal slaughter for the purposes of producing halal animal material and halal animal products for export must be undertaken only by competent halal slaughter persons who are approved and listed by the Director-General in accordance with clause 8.5.

### **3.3 Minimum requirements for halal slaughter**

#### **3.3.1 Halal animals to be stunned prior to slaughter**

- (1) Animal product businesses slaughtering halal animals for the purpose of producing halal animal material and halal animal products must ensure that halal animals are stunned prior to slaughter in accordance with animal welfare requirements prescribed by New Zealand law.
- (2) Stunning of halal animals prior to slaughter must be done as follows:
  - (a) the stunning must be electrical head-only stunning;
  - (b) the stunning must comply with the minimum head-only stunning requirements that are specified under the Animal Welfare (Commercial Slaughter) Code of Welfare 2010; and
  - (c) the use of high frequency current (i.e. >50Hz) in head-only electric stunning is prohibited; and
  - (d) the stunning must not kill or cause permanent physical injury to the animal.
- (3) Animal material or animal products that do not comply with sub clause (1) or any of the requirements under sub clause (2) must be identified as non-halal and the halal mark defaced and any other halal identification removed.

#### **3.3.2 Slaughter requirements**

- (1) A halal animal intended for slaughter must-
  - (a) be healthy; and
  - (b) have passed ante-mortem inspection; and
  - (c) be deemed to be alive after being stunned, before it is slaughtered.
- (2) In order for halal animal material and halal animal products derived from a halal animal to be eligible for export with a halal certificate or a halal official assurance, that animal must be slaughtered in accordance with Muslim Sharia Law, which includes invoking “tasmiyyah” such as “Bismillah Allahuakbar” and “Bismillahirrahmanirrahim”.
- (3) A halal slaughter person must slaughter a halal animal by severing the trachea, the oesophagus and both the carotid arteries and jugular veins of that animal using a sharp and clean knife.
- (4) The death of a halal animal during slaughter must only result from the act described in sub clause three and the resulting bleeding out of the animal.
- (5) The halal slaughter person must not use any slaughter tools other than knives or blades when slaughtering a halal animal.



- (6) Where the same processing rooms and equipment are used for both halal animal material and animal products and non halal animal material and animal products derived from halal species, the rooms and equipment must be cleaned between uses in accordance with sanitary procedures specified in any notices issued under the Act by the Director-General.
- (7) In addition to the requirements specified under sub clauses 3.3.1 and 3.3.2, any specific Islamic slaughter practices agreed and documented in an OMAR for a market must be complied with in order for halal animal material and halal animal products to be eligible for export to that market.

### **3.4 Identification and marking of halal animal products at approved halal premises**

Animal material or animal products that are intended to be exported with a halal certificate or halal official assurance must comply with the following identification requirements:

- (a) a halal checker must, at the time of slaughter, identify halal and non-halal carcasses in accordance with the premises approved halal programme; and
- (b) a responsible supervisor within the animal product business must ensure that only carcasses confirmed as halal by the competent halal slaughter person are stamped or otherwise identified as halal by a halal mark; and
- (c) halal animal material and animal products must be identified with the halal mark before the material or products leave the approved halal premises; and
- (d) in the case of carcasses, parts of carcasses or cuts that are in their final packaging for export, the halal mark may be applied directly to final packaging material labels; and
- (e) in the case of cartoned meat and/or meat products, the halal mark must be applied to carton labels and may also be applied to individual cuts and/or labels on inner packaging; and
- (f) the halal mark must not be applied to non-halal animal products; and
- (g) the halal mark must be defaced or removed by the animal product business if halal eligibility is lost for any reason; and
- (h) the halal mark must be controlled and if applied by stamp or brand, must be securely locked away when not in use.

## **Part 4: Approval and listing of Islamic organisations as ‘approved halal organisations’ by the Director-General**

### **4.1 Islamic organisations to be approved and listed**

An Islamic organisation that wishes to be an approved halal organisation must be approved and listed by the Director-General under this part.

### **4.2 Application for approval and listing of an Islamic organisation**

- (1) An Islamic organisation may apply to be approved and listed as an AHO for-
  - (a) markets that do not have any known specific halal listing requirements; or
  - (b) markets with known specific halal listing requirements.
- (2) An application for approval and listing must-
  - (a) be made in writing to the Director-General in a form or manner specified by the Director-General; and
  - (b) include evidence that demonstrates compliance with the criteria for approval and listing of halal organisations as specified under sub clause 4.4(1).
- (3) In addition to sub clause (2), an Islamic organisation applying to be approved and listed as approved halal organisation for a market with known specific halal listing requirements must also comply with sub clause 4.4(2).

### **4.3 Refusal to process an application**

The Director-General may refuse to process an application that does not comply with clause 4.2.

### **4.4 Criteria for approval and listing of Islamic organisations**

- (1) In order to be approved and listed as an approved halal organisation for one or more markets, or for a group of markets, an Islamic organisation must meet all of the following matters-
  - (a) the organisation must have the ability to comply with the applicable requirements of this notice; and
  - (b) the organisation must be able to demonstrate affiliation with a New Zealand mosque; and
  - (c) the person applying on behalf of the organisation, and any director or manager of the organisation, is a fit and proper person having regard to any conviction, whether in New Zealand or overseas for any offence relating to fraud or dishonesty; and
  - (d) the organisation's assessment and approval persons and issuing officers have met the relevant competency criteria specified by the Director-General under clauses 7.3 and 7.4 respectively.
- (2) In addition to sub clause (1), an Islamic organisation applying to be approved and listed as an AHO for a country with known specific halal listing requirements, which require any approved halal organisations intending to issue halal certificates for that country to be recognised by that country's national Islamic authority, must provide evidence of such acceptance.

## 4.5 Refusal to approve and list

- (1) The Director-General may refuse to approve and list an Islamic organisation as an approved halal organisation if the Director-General is satisfied that the Islamic organisation has failed to meet any of the criteria specified under clause 4.4.
- (2) Where the Director-General proposes to refuse an application to approve and list an Islamic organisation as an approved halal organisation, the Director-General must, as soon as practicable, give the applicant—
  - (a) written notification that clearly states the grounds on which the Director-General proposes to refuse to list; and
  - (b) a reasonable opportunity to make submissions on why the application for listing should not be refused.
- (3) Where the Director-General determines to refuse to approve and list an organisation as an approved halal organisation, the Director-General must notify the applicant of the refusal and the reasons for doing so in writing as soon as practicable.

## 4.6 Approval and listing of Islamic organisations as “approved halal organisations”

### 4.6.1 General approval and listing of approved halal organisations for countries that do not have any known specific halal listing requirements

- (1) Where sub clause 4.2(1)(a) applies and the Director-General is satisfied that the Islamic organisation meets all the criteria under sub clause 4.4(1), the Director-General must—
  - (a) approve the Islamic organisation as an approved halal organisation; and
  - (b) list that Islamic organisation on a publicly available list, which is to be maintained by the Director-General; and
  - (c) give the applicant written notice of the approval specifying the date on which the approval and listing takes effect and the duration of the approval and listing.
- (2) An Islamic organisation that is approved and listed by the Director-General under this clause may act as an approved halal organisation for any markets that do not have any known specific halal listing requirements, but not for markets that have known specific halal listing requirements.

### 4.6.2 Country-specific approval and listing of approved halal organisations for countries with known specific halal listing requirements

- (1) Where sub clause 4.2(1)(b) applies and the Director-General is satisfied that the Islamic organisation meets all the criteria under sub clauses 4.4(1) and 4.4(2), the Director-General must—
  - (a) approve the Islamic organisation as an approved halal organisation; and
  - (b) list that Islamic organisation as an approved halal organisation in respect of those countries with specific listing requirements on a publicly available list, which is to be maintained by the Director-General; and
  - (c) give the applicant written notice of the approval specifying the date on which the approval and listing takes effect and the duration of the approval and listing.
- (2) An Islamic organisation that is approved and listed by the Director-General under this clause may act as an approved halal organisation for the relevant specific countries, as well as any countries that do not have any known specific halal listing requirements.

## **4.7 Provisional approval and listing of approved halal organisations for countries with known specific halal listing requirements**

- (1) This clause applies where-
  - (a) an Islamic organisation applies to be an approved halal organisation for a particular country under sub clause 4.2(1)(b); and
  - (b) that country has a particular halal listing agreement with New Zealand, which requires any approved halal organisations intending to issue halal certificates for that country to be recognised by that country's national Islamic authority; and
  - (c) the recognition of the approved halal organisation by the national Islamic authority of that country could only be ascertained by allowing the Islamic organisation to issue halal certificates to that country and for the certificates to be accepted by that country.
- (2) Where sub clause (1) applies, the Director-General may provisionally approve an Islamic organisation as an approved halal organisation for that particular country for a period of up to four months, provided that all of the criteria specified under sub clauses 4.4(1) have been met.
- (3) Where an Islamic organisation is provisionally approved and listed as an approved halal organisation for a specific country under sub clause (2), issuing officers employed by that organisation may issue halal certificates for halal animal material and animal products exported to that country.
- (4) An Islamic organisation that is provisionally approved under sub clause (2) must provide the Director-General with evidence of acceptance or rejection of halal certificates issued by it for the importing country immediately after the certificates have been accepted or rejected by that country.
- (5) The Director-General may only fully approve and list an Islamic organisation that is provisionally approved under sub clause (2) as an approved halal organisation for a country if the Director-General receives satisfactory evidence of acceptance by the national Islamic authority of that country within the specified duration of the provisional approval and listing.
- (6) The Director-General must immediately revoke the provisional approval of an approved halal organisation for a country if-
  - (a) the national Islamic authority of that country rejects the halal certificates issued by the approved halal organisation and refuses to recognise the approved halal organisation; or
  - (b) the approved halal organisation fails to provide the Director-General with satisfactory evidence of acceptance within the specified duration of the provisional approval and listing.
- (7) To avoid doubt, the rejection of halal certificates by the national Islamic authority of a particular country does not nullify the approval and listing of the issuing approved halal organisation for all other countries that have no known specific halal listing requirements.

## **4.8 Director-General to be notified about significant change in circumstances**

- (1) An approved halal organisation must give written notice to the Director-General of any significant change in circumstances within 10 working days after the change.
- (2) For the purposes of this clause, significant change in circumstances means-
  - (a) any change in the information that was provided under clause 4.2 for an application for approval and listing; and
  - (b) any matter that may result in that organisation not meeting the criteria under clauses 4.4.

## 4.9 Revocation of approval and listing

- (1) The Director-General may revoke the approval and listing of an approved halal organisation if the Director-General has reasonable grounds to believe that the organisation is in substantive non-compliance with any of the applicable requirements specified under this part.
- (2) The Director-General must immediately revoke the approval and listing of an approved halal organisation for a country with known specific halal listing requirements if the Director-General is satisfied that the relevant national Islamic authority of that country has withdrawn its acceptance of that approved halal organisation.
- (3) The Director-General must immediately revoke the approval and listing of an approved halal organisation for all importing countries if the Director-General believes that the organisation's practices regarding assessment and approval of halal premises and halal programmes, and issuing of halal certificates, are fraudulent or negligent or otherwise lack integrity.
- (4) Before revoking the approval and listing of an approved halal organisation, the Director-General must—
  - (a) notify the organisation in writing of his or her intention; and
  - (b) give the organisation a reasonable opportunity, within the time specified in the written notice, to explain why the approval and listing of the organisation should not be revoked.
- (5) Where the Director-General revokes the approval and listing of an organisation, the Director-General must give written notice of that fact to the organisation, with such notice including the reasons for the Director-General's decision.
- (6) Where an approved halal organisation is notified under sub clause (5), written notice may be given or supplied personally or by post or facsimile addressed to the approved halal organisation, at the last known business address of the approved halal organisation.

## 4.10 Approved halal organisations to be audited

The Director-General may require approved halal organisations to be audited.

## 4.11 Responsibilities of approved halal organisations

An approved halal organisation must-

- (a) have a documented training programme for training all halal assessment and approval persons and issuing officers; and
- (b) ensure that its issuing officers meet the prescribed criteria under clause 7.4 and issue halal certificates in accordance with the requirements of Part 10; and
- (c) notify the Director-General of any critical event affecting the approved status of any approved halal premises, halal animal product to which this notice applies, or competency of any halal slaughter persons; and
- (d) notify the Director-General of any additional halal requirements that may be required by an importing country authority; and
- (e) not require an animal product business to comply with any matters other than the matters contained within this notice and any other notice promulgated by the Director-General; and
- (f) provide the names of assessment and approval persons and issuing officers to the Director-General, together with evidence of these persons having attained the applicable competency criteria in accordance with clause 7.2; and
- (g) notify the Director-General of any change to the employment status of halal assessment and approval persons or issuing officers in accordance with clause 7.6; and
- (h) have procedures relating to the evaluation of the competencies of halal assessment and approval persons and issuing officers; and

- (i) hold a list of individuals who have attained the relevant New Zealand Qualification Authority (NZQA) competency standards; and
- (j) document the process(es) to be followed by issuing officers when an operator seeks approval to export halal animal material and halal animal products to a country to which this notice applies that is a new market for that operator's business.

Draft for Consultation

## **Part 5: Approval and listing of halal premises as ‘approved halal premises’**

### **5.1 Halal slaughter and processing premises to be approved and listed**

- (1) An animal product business intending to carry out halal slaughter and/or processing in any of its premises must apply to the Director-General in accordance with clause 5.2 to have those premises approved and listed as approved halal premises before halal slaughter and processing could be undertaken in that premises..
- (2) Halal slaughter and processing of animal material and animal products must not be carried out in a premises that is not an approved halal premises.
- (3) Animal material or animal products that are processed in a premises that is not listed and approved by the Director-General are ineligible for export with a halal certificate or halal official assurance.

### **5.2 Application for approval and listing of halal premises**

An application for approval and listing of a halal premises must-

- (a) be made by the operator in writing to the Director-General in a form or manner made available by the Director-General; and
- (b) must include-
  - (i) the premises identifier; and
  - (ii) the premises name; and
  - (iii) the premises’ physical address; and
  - (iv) the halal species that will be processed at the premises; and
  - (v) the relevant activity (e.g. slaughter or processing); and
  - (vi) the approved halal organisation-approved halal programme; and
  - (vii) evidence that demonstrates compliance with the criteria for approval and listing of halal premises as specified under clauses 5.4.

### **5.3 Refusal to process an application**

The Director-General may refuse to process an application that does not comply with clause 5.2.

### **5.4 Criteria for approval and listing of halal premises**

- (1) The Director-General may approve and list halal premises for the export of specified halal animal material or animal products to one or more countries or a group of countries.
- (2) In order to be approved and listed as a halal premises for one or more countries, or for a group of countries, the premises must meet all of the following matters-
  - (a) the premises must have the ability to comply with all the applicable requirements of this notice; and
  - (b) the premises must have the ability to comply with all applicable standards and specifications issued under the Act; and
  - (c) the premises must have an approved halal programme under Part 5 of this notice; and

- (d) the premises must have been assessed and approved by an approved an approved halal assessment and approval person in accordance with Part 5 of this notice.

## 5.5 Refusal to approve and list

- (1) The Director-General may refuse to approve and list a halal premises as an approved halal premises if the Director-General is satisfied that the halal premises has failed to meet any of the criteria specified under clause 5.4.
- (2) Where the Director-General proposes to refuse an application to approve and list a halal premises as an approved halal premises, the Director-General must, as soon as practicable, give the applicant—
  - (a) written notification that clearly states the grounds on which the Director-General proposes to refuse to list; and
  - (b) a reasonable opportunity to make submissions on why the application for listing should not be refused.

## 5.6 Approval and listing of halal premises

- (1) The Director-General may only approve a halal premises as an approved halal premises if the Director-General is satisfied that the halal premises has met the criteria specified under clause 5.4.
- (2) Where the Director-General has approved a halal premises, the Director-General must, as soon as practicable,—
  - (a) list the halal premises on a publicly available list, which is to be maintained by the Director-General; and
  - (b) give the applicant written notice of the approval and listing specifying the date on which the approval and listing takes effect and the duration of the approval and listing.

## 5.7 Director-General to be notified about significant change in circumstances

- (1) The operator of an approved halal premises must give written notice to the Director-General of any significant change in circumstances within 10 working days after the change.
- (2) For the purposes of this clause, significant change in circumstances—
  - (a) means—
    - (i) any change in the information that was provided under clause 5.2 for an application for approval and listing; and
    - (ii) any matter that may result in that premises not meeting the criteria under clauses 5.4; and
  - (b) includes the death of an operator, or change in ownership, bankruptcy, receivership, voluntary administration, or liquidation of the listed premises.

## 5.8 Revocation of approval and listing

- (1) The Director-General may revoke the approval and listing of an approved halal premises if the Director-General has reasonable grounds to believe that the premises is in substantive non-compliance with any of the applicable requirements under this part.
- (2) Before revoking the approval and listing of an approved halal premises, the Director-General must—



- (a) notify the premises in writing of his or her intention; and
  - (b) give the premises a reasonable opportunity, within the time specified in the written notice, to explain why the approval and listing of the premises should not be revoked.
- (3) Where the Director-General revokes the approval and listing of a premises, the Director-General must give written notice of that fact to the operator of the premises, with such notice including the reasons for the Director-General's decision.

Draft for Consultation

## **Part 6: Assessment and approval of halal programmes and halal premises by approved halal organisations**

### **6.1 Application for approval of halal programmes and halal premises**

- (1) This clause applies to an operator of a halal premises that is a slaughter premises and who intends to export halal animal material and animal products.
- (2) Where this clause applies, the operator of the premises must apply to an approved halal organisation-
  - (a) for assessment and approval of the premises' halal programme; and
  - (b) for assessment and approval of the halal premises.
- (3) An operator must not apply to the Director-General under clause 5.2 for the premises to be approved and listed as an approved halal premises unless the premises has first been approved by the relevant approved halal organisation.

### **6.2 Content of halal programmes**

The operator of an approved halal premises must ensure that a documented halal programme that is submitted for approval includes—

- (a) a description of the approved halal premises to which the halal programme relates; and
- (b) a list of all persons that are included in the premises Halal Management Committee appointed under clause 8.7(a) and are responsible for ensuring the effectiveness of the implementation of the halal programme; and
- (c) a register recording the names of halal slaughter persons employed by the operator; and
- (d) the species and product categories to which the programme relates; and
- (e) the slaughter method; and
- (f) the approved halal organisation undertaking halal assessment and approval services of the approved halal premises; and
- (g) the scope of the halal activity (for example, slaughter, offal collection, boning/cutting, further processing, or storage to be undertaken under the programme); and
- (h) for slaughter premises, a prohibition on pigs or pigmeat products to which the programme relates being processed or stored in the same processing or storage facilities as halal species; and
- (i) a prohibition on dogs entering the processing areas of the premises to which the programme relates and a restriction so they are confined to lairages during processing; and
- (j) evidence that any ingredients used in the further processing of the halal animal products to which the programme relates are halal; and
- (k) details of the controls to ensure the integrity of halal products at any time and place at the premises to which the programmes relates (in accordance with Part 2 and Part 3 of this notice and with notified religious requirements). These controls must encompass animals, halal slaughter, product, identification and segregation of halal from non-halal, personnel, rooms and equipment; and
- (l) a comprehensive identification and segregation system that clearly demonstrates effective separation between halal and non-halal products to which the programme relates, in accordance with the requirements of Part 2 of this notice; and
- (m) security and procedures for application of the halal mark; and
- (n) list the countries that the animal product business intends to export to; and
- (o) an internal audit schedule, describing the process by which the halal programme will be internally audited to ensure compliance with this notice.

### **6.3 Assessment and approval of halal programmes and halal premises to be undertaken by approved halal assessment and approval persons**

- (1) An approved halal organisation must ensure that the assessment and approval of any halal programmes or halal premises under this part is undertaken only by a halal assessment and approval person who is approved and listed by the Director-General in accordance with clause 7.5.
- (2) A halal assessment and approval person must assess and approve an animal product business's documented halal programme(s) prior to assessing the halal premises.
- (3) A halal assessment and approval person may only approve a halal programme or halal premises that meets all the applicable requirements of this notice.

### **6.4 Procedures for approving halal premises and ongoing assessment**

- (1) A halal assessment and approval person must assess the halal premises in accordance with ISO 19011:2002, against all applicable requirements of this notice and any other applicable halal notices issued under section 60(1)(a) of the Act.
- (2) An assessment of the halal premises must include the assessment of the implementation of the approved halal programme at that premises.
- (3) Halal assessment and approval persons must document the process they followed for the assessment of the halal premises and the implementation of the halal programme at that premises.
- (4) A halal assessment and approval person must provide an assessment report to the relevant animal product business within 5 working days after completion of the initial assessment of the halal premises and the report must-
  - (a) state whether or not the halal premises is approved; and
  - (b) outline any necessary corrective action required; and
  - (c) state when the approved halal organisation will next assess the halal premises and the proposed assessment period.

### **6.5 Frequency of assessing a halal premises' implementation of its approved halal programme**

- (1) Subject to sub clause (2), a halal assessment and approval person must assess a halal premises' implementation of its halal programme(s)-
  - (a) in the case of slaughterhouses, at least once every three months; and
  - (b) in any other case, at least once every 6 months; and
  - (c) if clause 5.7 applies, within one month of application of an amended halal programme.
- (2) Halal assessment and approval persons must determine the frequency of the assessment of an animal products business's implementation of its halal programme and any other applicable halal notices issued under section 60 (1) (a) of the Act after taking into account the results of any previous assessments.
- (3) To avoid doubt, a halal assessment and approval person may assess the implementation of the halal programme more frequently than the minimum periods specified in sub clause (1) where he or she-
  - (a) considers it appropriate to establish a history of compliance performance for an animal product business; or

- (b) has, through its assessment process, documented repetitive operator non-compliance with either the halal programme or any other applicable halal notices.
- (4) A halal assessment and approval person must provide an assessment report to the relevant animal products business within 5 working days of the completion of each assessment of the implementation of a halal programme, and the report must-
  - (a) state whether the halal assessment and approval person considers the animal product business complies with its halal programme; and
  - (b) outline necessary corrective action required of the animal product business required, if any; and
  - (c) state the applicable assessment period and when the halal assessment and approval person will next assess the compliance with the halal programme.

## **6.6 Approved halal organisation to notify the Director-General of approval of halal premises and halal programmes**

- (1) An approved halal organisation must provide the Director-General, in a timely manner, with written notification of all assessments carried out by their halal assessment and approval persons on halal programme(s) and halal premises including-
  - (a) the outcome of the assessment including approval or non-approval; and
  - (b) the revocation or cessation of an approved halal programme.
- (2) An approved halal organisation must provide a copy of the approved halal programme to the Director-General within 21 working days of its initial approval and/or any subsequent amendment approval.
- (3) An approved halal organisation which no longer provides assessment and halal export certification services to an approved halal premises for which the approved halal organisation has previously undertaken assessment and certification, must notify the Director-General within 3 working days of termination of the contract.

## **6.7 Amendment of approved halal programmes**

- (1) If an animal product business intends to significantly modify an approved halal programme the business must resubmit the programme to an approved halal organisation prior to any changes being made.
- (2) For the purposes of sub clause (1) significant modifications include but are not limited to the following:
  - (a) major alterations to processing facilities or equipment; and
  - (b) relocating business or operation; and
  - (c) new animal material or animal product; and
  - (d) new process or process modifications, for production of halal animal products; and
  - (e) merging or splitting existing approved halal programmes.
- (3) An approved halal programme will be valid for assessing by any approved halal organisation that is listed for the export markets designated in the programme, and must be re-approved every 2 years.
- (4) The animal product business must provide the approved halal organisation with documentary evidence of how all other applicable halal overseas market access requirements notified under section 60 of the Act for a particular market (which apply in addition to this notice) are being met.
- (5) An amendment to an overseas market access requirement notified under section 60 of the Act (other than this notice) will not, unless otherwise specified, require an amendment to an approved halal programme.
- (6) The animal product business must-
  - (a) provide sufficient resources to enable implementation of the approved halal programme; and

- (b) regularly consider and assess the continued effectiveness of the approved halal programme;  
and

## **6.8 Record-keeping requirement in respect of approved halal programmes**

Operators of approved halal premises must keep records of the effective operation of the relevant approved halal programmes for a period of four years and make those records available for assessment by halal assessment and approval persons or the Director-General where required.

## **6.9 Applicability of halal programmes**

- (1) An approved halal programme is applicable to all of the markets which are listed in the approved halal programme. Any requirements specified in other notices must be addressed in accordance with the directions specified in those notices.
- (2) An approved halal programme must not contain requirements that exceed those required by this notice or any other notice issued by the Director-General which specifies requirements that must be included in the programme.

Draft for Consultation

## **Part 7: Approval and listing of halal assessment and approval persons and issuing officers**

### **7.1 Who must be approved and listed**

The following persons must be approved and listed by the Director-General under this part-

- (a) persons who wish to undertake assessment of halal premises or halal programmes on behalf of an approved halal organisation; and
- (b) persons who wish to issue halal certificates on behalf of an approved halal organisation.

### **7.2 Approved halal organisations to provide the Director-General with the names of assessment and approval persons and issuing officers who have met the prescribed competency criteria**

In order for assessment and approval persons and issuing officers to be approved and listed by the Director-General, the responsible approved halal organisation must provide the Director-General with-

- (a) the names of those assessment and approval persons and issuing officers; and
- (b) for each assessment and approval person or issuing officer, evidence that the person or officer has attained the competency standards required by clauses 7.3 or 7.4 respectively.

### **7.3 Competency criteria for halal assessment and approval persons**

- (1) Any person who wishes to be a halal assessment and approval person must-
  - (a) be employed by an approved halal organisation for that specific purpose; and
  - (b) have attained the NZQA National Certificate in Meat Processing (Halal) including the Halal Certification modules (Competency must have been attained in NZQA standards 25924, 25926, 25927 and 26025).
- (2) Every halal assessment and approval person must not engage in any activities which conflict with or prejudice his or her independence of judgement or his or her integrity in relation to his or her assessment and approval functions

### **7.4 Competency criteria for issuing officers**

- (1) Any person who wishes to be an issuing officer must-
  - (a) be employed by an approved halal organisation for that specific purpose; and
  - (b) have attained the NZQA National Certificate in Meat Processing (Halal) including the Halal Certification modules (Competency must have been attained in NZQA standards 25924, 25926, 25927 and 26025 standards).
- (2) Every issuing officer must not engage in any activities which conflict with or prejudice his or her independence of judgement or his or her integrity in relation to the issuing of halal certificates.

## **7.5 Approval and listing of halal assessment and approval persons and issuing officers by the Director-General**

- (1) The Director-General may only approve and list halal assessment and approval persons and issuing officers if the Director-General is satisfied with the evidence of competency provided by the responsible approved halal organisation as required by clause 7.2.
- (2) Where the Director-General is satisfied with the evidence of competency provided by the responsible approved halal organisation as required by clause 7.2, the Director-General must, as soon as practicable,-
  - (a) enter the names of approved halal assessment and approval persons and issuing officers on the relevant list and publish that list on a website administered by MPI; and
  - (b) give the approved halal organisation written notice of the approval and listing.

## **7.6 Approved halal organisation to notify the Director-General of the employment status of halal assessment and approval persons and issuing officers**

In order to maintain the list required by clause 7.5(2), approved halal organisations must advise the Director-General of the following changes to the employment status of any of their halal assessment and approval persons or issuing officers-

- (a) the persons' or officers' employment with the approved halal organisation have ceased; or
- (b) the persons or officers are no longer qualified or able to be approved halal assessment and approval persons or issuing officers.

## **7.7 Approved halal organisations to have a documented training programme for training halal assessment and approval persons and issuing officers**

- (1) An approved halal organisation must have a documented training programme for training all halal assessment and approval persons and issuing officers.
- (2) A documented training programme must include-
  - (a) any competencies specified by the Director-General; and
  - (b) ways to ensure that issuing officers can effectively undertake the requirements under Part 9 in relation to issuing halal certificates.
  - (c) ways to ensure that halal assessment and approval persons effectively undertake their responsibilities in relation to the assessment and approval of halal premises and halal programmes, and assessment of the suitability of halal slaughter persons during routine assessment.

## **7.8 Record and information requirements**

An approved halal organisation must:

- (a) make a copy of every halal certificate issued by an issuing officer on behalf of the approved halal organisation and a copy of every other form of confirmation issued under Part 10 of this notice. Copies of every halal certificate, or other form of notification under Part 10 of this notice, must be retained by the approved halal organisation for four years; and

- (b) The approved halal organisation must keep records for not less than four years detailing the mechanisms used for ordering, security, inventory supply and control of halal certificate forms.
- (c) keep records of every assessment carried out at a halal premises by halal assessment and approval persons on behalf of the approved halal organisation. These records must be retained by the approved halal organisation for four years; and
- (d) respond, in a timely manner, to requests from the Director-General to participate in audits carried out by or on behalf of the Director-General or importing market regulatory authorities.

Draft for Consultation



## **Part 8: Approval and listing of halal slaughter persons**

### **8.1 Halal slaughter persons to be approved and listed**

Halal slaughter persons must be approved and listed by the Director-General under this part before they carry out halal slaughter.

### **8.2 Operators of approved halal premises to provide the Director-General with the names of halal slaughter persons who have met the prescribed competency criteria**

In order for halal slaughter persons to be approved and listed by the Director-General, the responsible operator must provide the Director-General with-

- (a) the names of those halal slaughter persons employed or engaged by the business for the purposes of performing halal slaughter; and
- (b) for each halal slaughter person, evidence that the person has attained the competency criteria required clause 8.3.

### **8.3 Competency criteria for halal slaughter persons**

A halal slaughter person must-

- (a) be a Muslim person; and
- (b) have attained, and be able to demonstrate knowledge of NZQA 25926 and 25927 standards or any other standards stipulated by the Director-General for the purpose of performing halal slaughter at approved halal premises in accordance with this notice; and
- (c) be a person whom the Director-General is satisfied have maintained such competency in sub clause (b), whether from the results of any periodic assessment performed in accordance with clause 8.4 or otherwise.

### **8.4 Competent halal slaughter persons to undergo periodic assessment**

- (1) Competent halal slaughter persons must undergo periodic assessment by halal assessment and approval persons.
- (2) The approved halal organisation, which employs halal assessment and approval persons must advise the Director-General of any matters (whether during periodic assessment or otherwise) that suggest a halal slaughter person is no longer suitable or competent.
- (3) The operator of an approved halal premises must not permit a halal slaughter person to carry out halal slaughter for the purpose of export to a market to which this notice applies if the person's name has been removed from the list of competent halal slaughter persons kept by the Director-General under clause 8.5.

## **8.5 Approval and listing of halal slaughter persons by the Director-General**

- (1) The Director-General may only approve and list halal slaughter persons if the Director-General is satisfied with the evidence of competency provided by the responsible operator in accordance with clause 8.2.
- (2) Where the Director-General is satisfied with the evidence of competency provided by the responsible operator as required by clause 8.2, the Director-General must, as soon as practicable,-
  - (a) enter the names of competent halal slaughter persons on the relevant list and publish that list on a website administered by MPI; and
  - (b) give the animal product business written notice of the approval and listing.

## **8.6 Operators to notify the Director-General of the employment status of competent halal slaughter persons**

In order to maintain the list required by clause 8.5, operators of approved halal premises must notify the Director-General of the following changes to the employment status of any of their competent halal slaughter persons-

- (a) if the persons employment with the business have ceased; or
- (b) if the persons are no longer qualified or able to be competent halal slaughter persons.

## **8.7 Responsibilities of operators of approved halal premises**

An operator of an approved halal premises that is a slaughter premises must-

- (a) appoint a Halal Management Committee responsible for oversight of halal compliance management at the premises; the membership of which must include at least one competent halal slaughter person; and
- (b) keep records of all competent halal slaughter persons slaughtering at their premises; and
- (c) ensure that documentary evidence of competency of halal slaughter persons are available for assessment; and
- (d) submit the names of competent halal slaughter persons employed or engaged by the business for the purposes of performing halal slaughter to the Director-General together with evidence of the named persons having attained the competency standards required by clause 8.2; and
- (e) provide training to halal slaughter persons in accordance with the operator's Risk Management Programme, health and safety, animal welfare, and other relevant requirements; and
- (f) provide induction and familiarisation training to employees (other than competent halal slaughter persons) to ensure awareness of the approved halal programme; and
- (g) notify the Director-General and the approved halal organisation, as soon as possible, of any event which affects the continued eligibility of animal products displaying the halal mark; and
- (h) provide suitable facilities, and allow sufficient time, for competent halal slaughter persons to conduct their daily religious activities.

## **Part 9: Establishment of a Halal Standards Advisory Council**

### **9.1 Establishment of a Halal Standards Advisory Council**

- (1) The Director-General may establish a Halal Standards Advisory Council in accordance with the requirements set out under this part.
- (2) The Director-General must appoint a chair and other members of a Halal Standards Advisory Council for the purposes of advising the Director-General on -
  - (a) matters relating to the production and processing of halal animal products; and
  - (b) whether an Islamic organisation is, in the opinion of the Council, suitable for approval as an approved halal organisation under Part 4 of this notice.
- (3) To avoid doubt, the Halal Standards Advisory Council must not be a separate legal entity with capacity to contract, enter into legal obligations, or exercise any legal powers in its own name or on behalf of the Director-General.
- (4) The Director-General, in making appointments to the Halal Standards Advisory Council, must have regard for the need for the Council to have expertise and experience in the following areas-
  - (a) Islamic knowledge; and
  - (b) food safety; and
  - (c) quality systems management and audit.
- (5) The members of the Halal Standards Advisory Council when they act as members-
  - (a) must act with honesty, integrity and in good faith; and
  - (b) must not pursue their own interests or the interests of any commercial organisation or business in New Zealand or overseas; and
  - (c) must not disclose any confidential or commercially sensitive information they receive to any person, or make use of or act on that information for any purpose other than providing advice to the Director-General.
- (6) Although consensus is desirable, Members of the Halal Standards Advisory Council may hold multiple views, and all views of the Council must be conveyed as input to the Director-General's consideration of the relevant issues.

## **Part 10: Issuing of halal certificates by issuing officers**

### **10.1 Halal certificates to be issued only by approved issuing officers**

An approved halal organisation must ensure that halal certificates are issued only by an issuing officer who is approved and listed by the Director-General in accordance with clause 7.5.

### **10.2 Criteria for issuing halal certificates**

- (1) An issuing officer may only issue a halal certificate for halal animal products on behalf of an approved halal organisation if the approved halal organisation is satisfied that-
  - (a) the issuing officer has a satisfactory knowledge of this and any other notices issued by the Director-General (including, without limitation, the nature and extent of enquiries, tests, or examinations that need to be undertaken); and
  - (b) the issuing officer is fully informed of the rules to be followed when issuing halal certificates; and
  - (c) the issuing officer has a status that ensures impartiality; and
  - (d) neither the approved halal organisation nor the issuing officer has any commercial interest in the products being certified; and
  - (e) the issuing officer is fully aware of the significance of the contents of each certificate issued by the officer; and
  - (f) the issuing officer only attests to information that is truthful.
- (2) An issuing officer must only issue a halal certificate on behalf of an approved halal organisation in the form that has been expressly approved by the Director-General. All fields of the form must be completed and no further information may be included.
- (3) An issuing officer may not issue a halal certificate that contains information, marks or endorsements that are additional to or do not comply with the requirements of this notice.
- (4) An approved halal organisation must have documented procedures for its issuing officers relating to the following matters:
  - (a) checks and controls that prevent false or misleading certification by issuing officers; and
  - (b) checks and controls that prevent the fraudulent production or use of halal certificate; and
  - (c) checks and controls that ensure halal certificates, or other form of notification under Part 10 are not issued for any purpose other than the ones specified under this notice; and
  - (d) remedial actions for any instances of issuing false or misleading halal certificate.
- (5) The issue or use of a halal certificate for any purpose other than the regulatory purposes specified under this notice is prohibited but approved halal organisations may issue halal declarations or other halal documentation required for non-regulatory reasons by commercial entities in importing markets.

### **10.3 Restrictions and requirements of issuing officers**

- (1) An issuing officer must not sign a halal certificate for a product that the issuing officer has not assessed, or which has passed out of the animal product business's control.
- (2) An issuing officer must not certify information about which they have no personal knowledge or which cannot be ascertained by the officer.
- (3) An issuing officer may issue a halal certificate on the basis of another certificate or attestation or operator or exporter declaration that is in their possession at the time of issuing.
- (4) An issuing officer may not sign a halal certificate that contains information, marks or endorsements that are additional to or do not comply with the requirements of this notice.

## **10.4 Inventory control and traceability requirements**

- (1) Each approved halal organisation must perform the inventory control and traceability requirements for halal certificates described in the Annex.
- (2) No compensation shall be payable by the Director-General to an approved halal organisation for unused halal certificate forms.

Draft for Consultation

## **Part 11: Issuing of halal official assurances**

### **11.1 Criteria for issuing halal official assurances**

- (1) The Director-General may only issue a halal official assurance or a halal attestation on a sanitary official assurance in respect of animal material or animal products after receiving confirmation in writing from an approved halal organisation that the material or products-
  - (a) are processed by approved halal premises operating under an approved halal programme in accordance with this notice; and
  - (b) display the halal mark; and
  - (c) comply with the applicable requirements of this notice.
- (2) If the Director-General issues a halal official assurance or a halal attestation on an official sanitary assurance for animal material or animal product to be exported to any one or more of the markets to which this notice applies, a halal certificate must not be issued by an issuing officer for that product to any of those markets.

Draft for Consultation

## **Annex: Inventory control and traceability requirements**

- (1) All blank pre-printed halal certificates held by an issuing officer or approved halal organisation must be kept secure, in a lockable facility, at all times.
- (2) The approved halal organisation must keep pre-printed halal certificates under inventory control. The inventory must include the date the certificate forms were received and issued; and the quantities received and used.
- (3) All pre-printed halal certificates forms bearing out-dated or obsolete print numbers and which have been damaged, entered in error or cancelled, must be retained and the approved halal organisation must submit these forms to MPI for destruction and keep a record of those actions.
- (4) Upon cessation of operations by an approved halal organisation, all unused certificate forms must be handed over to the Director-General.
- (5) An approved halal organisation issuing halal certificates must apply a sequential unique Certificate Number in the top right hand corner of each certificate issued. The Certificate Number must comply with the following format:

The letters NZH in capitals, followed by the four digit indicating the year the certificate has been issued, followed by a two digit approved halal organisation identifier approved by the Director General, followed by the approved halal organisation's unique digital sequential certificate number, as indicated below:

NZH2012/AB/12345678