

Appendix Three: Proposed Exemptions in regulations made under section 345

Under Stage One, export exemptions regulations under section 345 would be limited to:

- 1 an exemption from the *composition* requirements of any adopted joint food standards or domestic food standards⁶, for animal products for export produced under a Risk Management Programme, subject to conditions (outlined in **Appendix Four**);
- 2 an exemption from the *composition* requirements of the Dietary Supplements Regulations (DSR) subject to conditions (outlined in **Appendix Four**) for dietary supplements regulated as animal products produced under a Risk Management Programme; subject to DSR regulations being made under the Food Act;
- 3 an exemption from the *labelling* requirements of any adopted joint food standards or domestic food standards for infant formula products for export, which needs to include existing conditions or exceptions that reflect those currently applied to infant formula products for export under the *Animal Products Notice: Labelling Requirements for Exports of Dairy Based Infant Formula Products and Formulated Supplementary Food for Young Children*.⁷ This includes particular labelling requirements relating to nutrition and health claims, which align with Codex Alimentarius guidelines;
- 4 an exemption from the *labelling* requirements of the Dietary Supplements Regulations (DSR), except for therapeutic claims, for all dietary supplements (with no conditions); subject to DSR regulations being made under the Food Act; and
- 5 an exemption from the *labelling* requirements (including health claims) of any adopted joint food standards or domestic food standards, for all other foods for export (not including wine), with no conditions;

Subsequently, under Stage Two, the proposed composition exemption under section 345 could be extended to include other food products. This requires changes to the Food Act and its regulations, to introduce export controls, provide for official certification, and support exemptions for other food exports.

⁶ These exemptions apply to food intended for export to a destination other than Australia.

⁷ *Animal Products Notice: Labelling Requirements for Exports of Dairy Based Infant Formula Products and Formulated Supplementary Food for Young Children*
<https://www.mpi.govt.nz/dmsdocument/43741-Animal-Products-Notice-Labelling-Requirements-for-Exports-of-Dairy-Based-Infant-Formula-Products-and-Formulated-Supplementary-Food-for-Young-Children>