Proposed amendments to the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2013

The following table describes the proposed amendments to the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2013.

Clause	Proposed Amendment	Reason
General amendments to the Notice		
Format of the Notice	The Notice has been reformatted to fit within the new MPI template. All clause numbering will be changed and additional titles may be added to clarify who the clauses apply to. To assist in referencing between the clauses of the old and new notice during the consultation process, the original clause numbering has been included in square brackets beside the main headings. These numbers will be removed when the notice is finalised and all clause numbers and cross references will be updated before final publication.	
Shellfish regulated control scheme	All references to shellfish regulated control scheme are replaced with the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006 and the Animal Products (Regulated Control Scheme—Bivalve Molluscan Shellfish) Regulations 2006 as appropriate	The definition of shellfish regulated control scheme has been updated to remove reference to IAIS 005.1 and replace it with the Animal Products (Regulated Control Scheme—Bivalve Molluscan Shellfish) Regulations 2006 and the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006.
Dates	Dates that are no longer applicable have been revoked and/or replaced.	To update the references.
Amendments to preliminary provisions of the Notice		
Definitions	Minor changes to some of the existing definitions e.g. to the terms “agricultural compounds” or “labelled”.	Technical drafting changes only.
The following additions and changes are proposed to be made to the definitions to either clarify, avoid confusion, to remove doubt or to align with other applicable legislation.		
The following definitions have been added		
agricultural chemical	New wording **agricultural chemical** means an agricultural compound used or intended for use on plants, and includes agricultural compounds that are applied to land, places or water in which plants or animals are managed	A definition is to be added as agricultural chemicals are referred to in clause 39 in relation to ensuring that the chemical residue limits in animal material or in foods for sale would not exceed any MRL or MPL.
aseptic	New wording	A definition is to be added to assist with interpreting the application of

Clause	Proposed Amendment	Reason
processing and packaging	**aseptic processing and packaging** means the packaging of commercially sterile low acid product into sterilised containers followed by hermetic sealing with a sterilised closure in a manner which prevents viable microbiological recontamination of the sterile product	clause 117 and to clarify the requirements that apply to aseptically processed products. This definition should be read in conjunction to the proposed amendments to clause 117.
biotoxin	New wording **biotoxin** means a toxic compound produced by marine or freshwater micro-organisms such as plankton and accumulated by BMS or other animals	The term "biotoxin" is to be used in clause 103 with respect to the processing of paua, kina, crabs (or other species as determined by the Director-General) to minimise risk, if they are affected by a biotoxin event. This definition addresses both marine biotoxin events and biotoxin events that may occur in fresh water such as in fresh water lakes or rivers.
BMS	New wording BMS means bivalve molluscan shellfish	For avoidance of doubt. This abbreviation is used throughout the notice.
broken egg	New wording broken egg means an egg with breaks in both the shell and membrane resulting in the exposure of its contents	It is proposed that requirements be included in the specification around the use of broken eggs. The definition has been added to clarify what is meant by broken eggs and to ensure that these can be distinguished from cracked eggs. The definition has been taken from the Codex Alimentarius code: CAC/RCP 15 - 1976. Amendments 1978, 1985. Revision 2007. CODE OF HYGIENIC PRACTICE FOR EGGS AND EGG PRODUCTS.
buffalo	**Buffalo** includes water buffalo, dwarf buffalo, South African buffalo, and American buffalo	For avoidance of doubt.
cracked	**cracked** in relation to an **egg means** that an egg has a damaged shell, but has an intact membrane	It is proposed that requirements be included in the specification around the use of cracked eggs. The definition has been added to clarify what is meant by cracked eggs. The definition has been taken from the Codex Alimentarius code: CAC/RCP 15 - 1976. Amendments 1978, 1985. Revision 2007. CODE

Clause	Proposed Amendment	Reason
		OF HYGIENIC PRACTICE FOR EGGS AND EGG PRODUCTS.
dirty egg	New wording **dirty egg** means an egg with visible foreign matter on the shell surface, which can include yolk, manure or soil	It is proposed that requirements be included in the specification around the processing and handling of dirty eggs. A definition is to be added to clarify what dirty eggs refer to. The definition is derived from the Codex Alimentarius code: CAC/RCP 15 - 1976. Amendments 1978, 1985. Revision 2007. CODE OF HYGIENIC PRACTICE FOR EGGS AND EGG PRODUCTS. The proposed definition is subjective. However, MPI believes that describing more objective measures for what constitutes a dirty egg in the legislation could potentially complicate the issue rather than provide clarity. MPI is seeking your feedback about the parameters used by operators to distinguish between dirty and clean eggs, e.g. no more than 2 or 3 areas of dirt of less than 2mm in diameter in no more than 5% of eggs. This information could be then used in guidance to ensure that there is an agreed understanding of acceptable levels of dirt on eggs.
egg product	New wording **egg product** means a product made primarily from all or a portion of the content of an egg with or without added ingredients, and includes an egg processed in the shell	It is proposed that the specification be extended to include secondary processing of egg products. As such a definition is to be included to clarify which products these apply to. Egg product would include boiled or preserved eggs, pasteurised or unpasteurised pulps and products containing embryos such as balut. Questions; 1. Should this definition be further expanded to exclude products that contain only egg in a relatively small proportion? This would align with definition in the FDA Code, Chapter 1. http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm186464.htm

Clause	Proposed Amendment	Reason
		2. Should this definition be limited to eggs products that only include salt or sugar (this would align with the Food Standards Code Chapter 4.2.5 definition of egg pulp).http://www.comlaw.gov.au/Details/F2011L00860 3. Should this definition capture products such as scrambled egg and omelette mixes. This would mean that ingredients in addition to sugar and salt should be included in the definition and may make it difficult to draw the line between egg products and products containing eggs. The proposed specification in clause 107B(3) will require any product within the definition of egg product to be pasteurised if sold by retail. This needs to be considered when determining the scope of this definition. If the definition remains as proposed, any other products containing eggs (such as scrambled egg or omelette mix) would be managed through the application of HACCP as part of the RMP. If the definition was revised to include products such as scrambled egg mix this would also mean that products such as cake or other mixes which only contain a small portion of egg may also be captured. It is not the intention that product such as cake mix be captured here.
electronic supplier statement	New wording **electronic supplier statement** means all of the information required by a supplier statement, submitted using an electronic system designed for that purpose	The ability to submit supplier statements electronically is to be provided for in the notice. This definition is to be added to clarify what is meant by electronic supplier statements.
marine biotoxin	New wording **marine biotoxin** means any toxic compound produced by marine micro-organisms such as plankton and accumulated by BMS	This term is used in the specification and so a definition is to be added. To ensure alignment, this definition has been copied from the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006.
processing grade egg	New wording **processing grade egg** means an egg that can be used to	A definition is to be added to clarify that processing grade eggs refer to eggs used to produce egg products, including eggs that are to be

Clause	Proposed Amendment	Reason
	produce egg product but does not include an egg containing an embryo	broken and further processed. It does not include eggs containing embryos (e.g. balut) as the requirements in the specification that apply to processing grade eggs are not being appropriate to those products. Question; 1. Are additional requirements needed for embryo products?
registered restricted veterinary medicine	New wording **registered restricted veterinary medicine** means a registered veterinary medicine with conditions of registration that restrict sale, purchase and use, and require an authorisation for purchase and use	A definition is to be added as registered restricted veterinary medicines are referred to in relation to the withholding periods for veterinary medicines, when animals are supplied for primary processing (clause 39).
table egg	New wording **table egg** means a raw egg destined to be sold to the end consumer in its shell	This definition refers to the eggs that are sold in the shell at retail. By having a specific term for these products its helps to distinguish them from eggs used for further processing i.e. processing grade eggs. Specific requirements are proposed for table eggs.
veterinarian	**veterinarian** means a person who holds a current practising certificate issued by the Veterinary Council of New Zealand	A definition is to be added to clarify those people who are veterinarians for the purpose of issuing authorisations for veterinary medicines under clause 39.
veterinary authorisation	**veterinary authorisation** means a written instruction from a veterinarian authorising: (a) the purchase of a restricted veterinary medicine by a person specified in the veterinary authorisation; or (b) the holding by the specified person of a restricted veterinary medicine in anticipation of the use of the restricted veterinary medicine in accordance with the instructions	A definition is to be added to clarify what is meant by a veterinary authorisation prepared by a veterinarian under clause 39.
The following definitions are deleted		
animal treatment or	Delete	This statement is no longer being used in the Notice.

Clause	Proposed Amendment	Reason
exposure status		
approved veterinary medicine	Delete	This term is no longer being used in the Notice.
IAIS 05.1	Delete	IAIS 005.1 has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006.
licensed game packing house	Delete	The Meat Act regime is no longer in effect.
regional shellfish specialist	Delete	The role of the regional shellfish specialist can be handled adequately by the Animal Products Officer. Requiring involvement of the regional shellfish specialist adds an unnecessary layer of administration. The definition is no longer needed.
The following definitions are revoked and replaced.		
approved growing area	Revoke the definition of approved growing area and refer to the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice. New wording: **Approved growing area** means an area classified as approved under the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006, where harvest for commercial purposes is allowed without the need for relaying, depuration, or post harvest treatment	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. For the purpose of regulatory alignment, this definition needs to be amended.
candling or candled	New wording: **candling or candled** means the assessment of an egg to detect defects (including hairline cracks, pinholes and where possible internal defects), freshness and fertility	For most eggs, internal defects are readily detected using candling lights. However, for the darker coloured eggs the defects are more difficult to see. The exception to be provided for here (i.e. the detection of internal defects) would apply where a defect cannot be detected due

Clause	Proposed Amendment	Reason
		to colouration of the egg, rather than due to problems with a candling operation. The candling methods by which defects can be identified will be removed from the definition and this will allow for greater flexibility as new technologies develop. It is important that the method used is capable of defecting defects; however, it is not necessary for the DG to be involved in approving alternative candling methodologies.
certified supplier	Amended wording **certified supplier** means a ~~hunter~~ person who is certified by the Director-General, or by an agency approved for that purpose by the Director-General, as competent to supply killed wild mammals, farmed mammals that have gone feral and then been killed, or live possums to a primary processor; unless the person ~~hunter~~ has surrendered that certification by giving written notice of its surrender to the certifying entity	This is a technical amendment to refer to the more generic term of "person" rather than "hunter".
conditionally approved growing area	Revoke the definition of conditionally approved growing area and refer to the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. New wording **Conditionally approved growing area** means an area classified as conditionally approved under the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006, which meets the criteria for the approved classification except where certain conditions exist as described in a management plan for that area	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. For the purpose of regulatory alignment, this definition needs to be amended.
conditionally restricted growing area	Revoke the definition of conditionally restricted growing area and refer to the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice.	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. For the purpose of regulatory

Clause	Proposed Amendment	Reason
	New wording **Conditionally restricted growing area** means an area classified as conditionally restricted under the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006, which meets the criteria for the restricted classification except where certain conditions exist as described in a management plan for that area	alignment, this definition needs to be amended
label	Amended wording **label** includes any wording, tag, brand, symbol, picture, or other descriptive matter written, printed, stencilled, market, embossed, impressed on, appearing on, attached to, or enclosed within any animal material or animal product and labelled or labelling has a corresponding meaning	Technical drafting amendment. Terms other than "label" are used in the notice.
maximum residue limit (MRL)	Amended wording **maximum residue limit (MRL)** means, in relation to a residue, the maximum permissible level of that residue as specified in the New Zealand (Maximum Residue Limits of Agricultural Compounds) Food Standard 2013, as that standard may be modified or replaced under the section 11C of the Food Act 1981 (or the equivalent provision of the Food Act 2014 on commencement of that provision)	Technical drafting amendment to give the definition greater longevity.
prohibited growing area	Revoke the definition of prohibited growing area and refer to the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice. New wording: **Prohibited growing area** means an area classified as prohibited under the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006, where the harvest of BMS for any	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. For the purpose of regulatory alignment, this definition needs to be amended.

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	purpose, except depletion or the gathering of spat for aquaculture, is not allowed	
relaying or relayed	Revoke the definition of relaying or relayed and refer to the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice. Now wording: **relaying or relayed** has the same meaning as "relaying" in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. For the purpose of regulatory alignment, this definition needs to be amended.
remote approved growing area	Revoke the definition of remote approved growing area refer to the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice. New wording: **Remote approved growing area** means an area classified as remote approved under the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006, which meets the criteria for the approved classification; and has no human habitation in the growing area catchment; and is not impacted by any actual or potential pollution sources	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. For the purpose of regulatory alignment, this definition needs to be amended.
restricted growing area	Revoke the definition of restricted growing area refer to the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. New wording: **Restricted growing area** means an area classified as conditionally restricted under the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006, where the BMS, following harvest, is subjected to a suitable and effective treatment process through relaying or depuration, or post harvest	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. For the purpose of regulatory alignment, this definition needs to be amended.

Clause	Proposed Amendment	Reason
	treatment	
ruminant protein	Replace the definition with the following. New wording: **ruminant protein** a) means protein derived from the tissue (including blood) of a ruminant; but b) does not include: i) milk, cream, butter, or cheese, or any other product of milk or cream; ii) tallow if the maximum level of insoluble impurities does not exceed 0.15% by weight; iii) any derivative of the tallow described in subparagraph ii); iv) rennet; v) dicalcium phosphate if it contains no trace of protein or fat; vi) peptides with a molecular weight of less than 10 000 daltons; or vii) amino acids	The definition of ruminant protein refers to the Dairy Industry Act 1952 which is no longer in effect. The wording has been updated to better clarify what is included in the definition and to align with the Animal Products (Specifications for Products Intended for Animal Consumption) Notice.
shellfish harvesting statement	Revoke the definition of shellfish harvesting statement and refer to the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. New wording: **Shellfish harvesting statement** has the same meaning as "harvest declaration" as defined the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. For the purpose of regulatory alignment, this definition needs to be amended.
shellfish regulated control scheme	Revoke the definition of shellfish regulated control scheme and refer to the Animal Products (Regulated control scheme - Bivalve Molluscan Shellfish) Regulations 2006	The current definition refers to IAIS 005.1, a document that has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006 and the Animal Products (Regulated Control Scheme—Bivalve Molluscan Shellfish) Regulations 2006. For

Clause	Proposed Amendment	Reason
	New wording: **shellfish regulated control scheme** means the regulated control scheme imposed under the Animal Products (Regulated Control Scheme – Bivalve Molluscan Shellfish) Regulations 2006	the purpose of regulatory alignment, this definition needs to be amended.
supplier statement	Delete the list of statements included in the definition of supplier tempests and include electronics supplier statements under the definition. Amended wording **supplier statement** means a statement set out in Schedule 5, which is signed by a supplier to confirm that certain requirements of these specifications have been met; and includes electronic supplier statements for farmed animals	The list of statements only included some of those covers in Schedule 5 and so it is better to delete the list and refer to Schedule 5 generally. Electronic supplier statements are included to improve flexibility and to allow the ASD and ASD for pigs to be submitted electronically.
transportation outer	Amended wording **transportation outer** means a package other than a transportation unit, that — a) encases any packaged animal material or animal product for the purpose of transportation and distribution; and b) is either removed before the animal product is used or offered for retail sale, or is not taken away by the consumer of the product	Drafting amendment to improve readability.
whole flock health scheme	Amended wording **whole flock health scheme**, in relation to a flock of farmed birds means a programme documented by the operator designed to ensure that any hazard associated with the birds or the eggs (as appropriate) which is likely to affect human health is identified and managed in an appropriate manner and which must include — a) measures for disease control or eradication; b) activities to ensure agricultural compounds and veterinary medicines are used according to any general or specific conditions of use; and	This definition is to be reworded to include controls around feed management to ensure that feed does not introduce hazards to the flock. The wording now refers to hazards to human health rather than health surveillance, as the scope of the hazards to be controlled is broader than biological hazards only. It also clarifies that for the purpose of this Notice, MPI is concerned with diseases or conditions that are relevant to food safety rather than the broader area of animal health.

Clause	Proposed Amendment	Reason
	c) measures for feed management	
withholding period (for veterinary medicines)	Amended wording **withholding period (for veterinary medicines)** means the minimum period that must elapse between the last treatment with a veterinary medicine within which the animal material concerned must not be presented for primary processing in order to meet the relevant residue threshold	The term withholding period can be used in a range of contexts but for the purpose of this notice, it relates to veterinary medicines. The wording is to be tightened so that it more specifically defines withholding periods in relation to veterinary medicines.
Amendments to the Notice Clauses		
Part 1 Design, construction and essential services		
15 Process gases	Delete the standards that process gases can meet in paragraphs (a) to (d) and require compliance with the Food Standards Code only. New wording: Process gases that come into direct contact with animal material or animal product must meet the current Australia New Zealand Food Standards Code, Part 1.3 “Substances added to Food”, Standard 1.3.4 “Identity and Purity”.	Consideration was given to deleting this clause as operators must comply with the Food Standards Code. However, process gases are not adequately covered under standard 1.3 Substances Added to Food in the Code. The requirement that process gases must comply with the standards for purity and identity in standard 1.3.4 will be retained. The various standards that process gases must meet are listed in standard 1.3.4 of the Food Standards Code and so can be deleted.
16 Compressed air	Update subclause (2) (2) The filters for filtering air that is used in contact with animal material or animal product or is used in contact with product contact surfaces, must comply with — (a) the air purity classes for solid particulate, water and total oil as defined in the current International Organisation for Standardisation Standard on "Compressed Air for General Use Part 1, Contaminants and Quality Classes": Ref. No. ISO 8573.1~~,~~ ~~1991;~~ or (b) any other international standard recognised by the Director-General as being equivalent to the international standard	ISO standard ISO 8573 is a group of international standards relating to the purity of compressed air. The standard consists of 9 parts, with part 1 specifying the purity requirements of compressed air and parts 2-9 specifying the methods of testing for a range of contaminants. This clause requires the operator to use ISO 8573.1 classification system to specify the class of air purity which they operate to. However, the clause does not specify the air purity class that an operator should select for their operation, as the class to be used is application dependent.

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	specified in paragraph a).	It is recommended that industry sectors specify an appropriate class in the industry guidance. For example, selecting an air purity class of **1.4.1** would specify the following air quality when operating at the standard's reference conditions: **Class 1 Particulate** In each cubic metre of compressed air, the particulate count should not exceed 20,000 particles in the 0.1 - 0.5 micron size range, 400 particles in the 0.5 - 1 micron size range and 10 particles in the 1 - 5 micron size range. **Class 4 Water** A pressure dewpoint (PDP) of 3°C or better is required and no liquid water is allowed. **Class 1 Oil** In each cubic metre of compressed air, not more than 0.01mg of oil is allowed. This is a total level for liquid oil, oil aerosol and oil vapour. The only changes to this clause are to expand its application to include compressed air that is in contact with product contact surfaces, to better clarify what ISO 8573.1 addresses and to remove reference to the year, as this standard is periodically reviewed and updated. The most recent version is 2010.
17 Additives, processing aids, vitamins, minerals and other	Delete the clause "Additives, processing aids, vitamins, minerals and other nutrients".	This clause specifies that the requirements in the Food Standards Code for the identity and purity of additives, processing aids, vitamins, minerals, and other added nutrients must be complied with. This clause is unnecessary as processors have a legal obligation to comply with the Food Standards Code regardless of whether it is specified here.

Clause	Proposed Amendment	Reason
nutrients		
Part 3 Health of personnel		
23 Health	Amend the wording to have better coverage of the illnesses of concern and to remove the need to provide a certificate from a registered medical practitioner for the conditions listed under subclause (1)(a) and (1)(b) in order to resume work. (1) The operator must take reasonable measures to ensure that a person (including any visitor or contractor) who is — (a) confirmed or suspected, to be suffering from, or to be a carrier of, a disease described in Section A, Part 1, of the First Schedule of the Health Act 1956 that is likely to be transmitted through animal material, product or associated things; or (b) confirmed or suspected, to be suffering from, or to be a carrier of, another disease or condition of public health concern including verocytotoxin producing or shiga-toxin producing *Escherichia coli*, that is likely to be transmitted through animal material, product or associated things; or (c) suffering from boils, sores, infected wounds, or any other condition that cannot be adequately prevented from becoming a source of contamination; — does not handle animal material or product or enter, an area where he or she may adversely affect the suitability for processing of animal material or the fitness for intended purpose of animal product. (2) A person who handles animal material or product, or any other person who may affect the suitability for processing of animal material or fitness for intended purpose of animal product, after suffering from a disease or condition described in: (a) subclause (1)(a) or subclause 1(b), must follow the exclusion and clearance criteria in Table 2.4, Appendix 2	This is a technical amendment to ensure that the diseases of concern that are transmitted through food are more accurately captured. A number of diseases listed in Section A, Part 1, of the First Schedule of the Health Act 1956 are not likely to be transmitted through food. Also there are some diseases of concern that are not listed in the schedule. It is proposed that these diseases be captured in subclause 1(b). This would include any emerging disease or condition not currently covered in the schedule, as well as verocytotoxin producing or shiga-toxin producing *Escherichia coli* and acute respiratory infections. The diseases or conditions in Section A, Part 1, of the First Schedule of the Health Act 1956 are: Acute gastroenteritis Campylobacteriosis Cholera Cryptosporidiosis Giardiasis Hepatitis A *Legionellosis Listeriosis *Meningoencephalitis—primary amoebic Salmonellosis Shigellosis Typhoid and paratyphoid fever Yersiniosis

Clause	Proposed Amendment	Reason
	of the Ministry of Health Communicable Disease Control Manual 2012 or any update to that manual, where specified for a particular disease or condition; and (b) subclause (1)(a), where no exclusion and clearance criteria are specified for a disease or condition as described in subclause (2)(a) (being Hepatitis A or Cholera), must not resume work in that role, until in the view of the medical practitioner the person is no longer likely to contaminate the animal material or animal product; and (c) subclause (1)(a), where no exclusion and clearance criteria are specified for a disease or condition as described in subclause (2)(a) (being Listeriosis or acute gastroenteritis), be excluded from resuming their food handling duties until 48 hours of being symptom free has passed. (d) subclause (1)(b), must not return to food handling duties until in the view of the medical practitioner the person is no longer able to contaminate the animal material or animal product, unless subclause (2)(a) applies. (3) A person who handles animal material or product, or any other person who may affect the suitability for processing of animal material or fitness for intended purpose of animal product, who suffers from a condition described in subclause (1)(c) must, before resuming work, be assessed by a suitably skilled person, nominated by the operator to confirm that the condition is no longer likely to contaminate the animal material or animal product, or that the handler or other person is adequately protected from being a source of contamination.	* indicates those that are not likely to be transmitted through animal material, product or associated things and so not covered by the specification. Clearance to resume work for the conditions listed in this clause does not require a certificate from a registered medical practitioner as currently required by subclause (2). The need to provide a certificate will be removed and replaced by the requirement to follow the exclusion and clearance criteria in Table 2.4, Appendix 2 of the Ministry of Health Communicable Disease Control Manual 2012, where it has been specified for the particular disease. If no clearance criteria are specified, agreement that the person is fit to resume work is needed from a medical practitioner, or the person should be excluded from food handling until 48 hours have passed since the person became symptom free, as appropriate to the disease. The particular clearance requirements will be stated in subclauses (2) and (3).
Part 4 Competency of personnel and associated requirements		
24 Application of this Part	Delete subclause (2).	The Meat Act regime to which this subclause refers is no longer in effect.

Clause	Proposed Amendment	Reason
25 Competency: thermal processing	Update subclauses (1)(b) and (2) to ensure that the competency requirements clearly apply to aseptic processing and packaging operations and to retort operations. Include in Schedule 3, a course which addresses aseptic processing and packaging operations which has recently been accepted by MPI. New wording: (1)(b) persons responsible for the supervision of thermal processing operations for the thermal processing of low-acid canned products (including aseptic processing and packaging operations) must meet the competency specification set out in Schedule 3 for supervisors of thermal processing of low-acid canned products; (2) Thermal processes for low-acid canned products (including and aseptic processing and packaging operations) must be developed under the supervision of a person who meets the competency specification set out in Schedule 3 for a qualified ~~cannery~~ person (thermal processing). The final process schedule must also be checked and signed off by a qualified ~~cannery~~ person who is independent of the development process.	To improve clarity of application to aseptic processors. Technically aseptic processing is already captured in this clause through the definition of canned food: "canned product means food that — a) is processed and packed in accordance with good manufacturing practice; and b) is packed in a clean or sterilised containers that are hermetically sealed; and c) is processed by heat to ensure preservation, whether before or after being sealed in a container; — and canned has a corresponding meaning" A new course has been developed to address a gap in the qualifications available to assist in demonstrating competency in the area of aseptic processing and packaging. Completing this course would be one way of demonstrating compliance with this clause. (See proposal under Schedule 3).
Competency: BMS	Amend clause (3) to refer to Schedule 3. Schedule 3 will list the courses that are acceptable to MPI to meet the competency requirements for people who supervise depuration process for bivalve molluscan shellfish.	To provide greater clarity around those courses that are acceptable to MPI. (See the list of proposed courses to be included under Schedule 3).
Competency: DOBs	Delete clause (5) which relates to the need for dual operator butchers processing ready-to-eat products to complete an approved course.	There are currently no approved courses available to meet this requirement. The competencies for DOBs who process certain ready to eat products will now be covered under the requirements for *Listeria* management (see proposals under Part 14).

Clause	Proposed Amendment	Reason
Part 5 Calibration		
28 Calibration and measuring equipment suitability	Amend clause (1) to include a statement that critical measurements are those that are identified as critical in the RMP. New wording (1) Measuring equipment, such as scales, thermometers, pH meters, and flow meters (whether stand alone or forming part of a piece of equipment), that is used to provide critical measurements identified as critical in the operator's risk management programme, must —	To align with regulation 14(2) of the Animal Products Regulations 2000. RMP operators will need to ensure that measurements that are critical to fitness for intended purpose and wholesomeness are identified as such in their RMP.
Part 6 Packaging		
30 Packaging	Add a new subclause that requires packaging to be appropriate to its intended use. New wording: (2) The type and composition of the packaging must be appropriate for its intended use.	The current requirements relate to the composition of the packaging material and do not address the purpose for which the packaging is to be used. This wording has been proposed to ensure that the operator checks that the packaging is of an appropriate composition for its intended use e.g. whether it can be used for microwavable or for frozen products etc.
Part 7 Labelling		
32 labelling of transportation outers	Minor wording changes.	Drafting amendment.
	(3)(e) Add "shark livers" to the items listed paragraph (e) for which the scientific name maybe included on the accompanying documentation. New wording: (e) in the case of minced fish, surimi, reformed fish, shark livers, or multi-ingredient fish products that have undergone further processing, the scientific name, either on the label of the transportation outer or on the accompanying documentation.	Often a variety of shark livers are consolidated into single cartons. The list of species in the carton is available but putting them all on the label can be onerous. It would be of benefit to be able to put the scientific name for shark livers on the accompanying documentation.

Clause	Proposed Amendment	Reason
	Add new subclause (5) which limits the conditions under which an approval to use another language can be given. New wording: (5) An approval under subclause (4) may only be given in relation to a specific one-off lot(s) or batch(es) of animal material or animal product.	Technical change. To provide for wider application of subclause (4) would be an unlawful sub-delegation. Subclause (4) is rarely used and therefore this is expected to have limited (if any) practical impact on current procedures.
Part 8 Documented programmes and record keeping		
33 Application this Part **34 Documented programmes and record keeping**	Minor wording changes.	Drafting amendments.
Part 9 Identification of farmed mammals treated with Johne's disease vaccine		
Part 9	Revoke the Part. This will remove the mandatory ear marking requirement for Johne's disease (JD) vaccinated stock.	The proposal for this revocation considers a number of factors: - The mandatory declaration of JD vaccination status is required on the Animal Status Declaration (ASD). The ASD rather than the mandatory ear mark is the primary notification used by processors. Ante and post mortem examiners undertake additional post-mortem procedures on this basis. - There are currently no specific market access requirements relating to JD vaccinated stock, and if there were, these should be captured on the OMARS or the GREX. - JD vaccination ear marks are variable and often do not reliably resemble the mark specified in the Notice. There is little benefit in requiring an ear mark. Completing the ASD

Clause	Proposed Amendment	Reason
		accurately is mandatory and this statement must be supported by records and animal treatments applied.
Part 9A Movement of Farmed Animals		
36A Application of this Part	Revoke subclause (2) which relates to the movement of farmed animals and replace with the following wording to specifically include buffalo and lambs, and to clarify that ASDs are required for the movement of calves of any age, including bobby calves. New wording: (2) For the purposes of this Part, farmed animals means farmed cattle (including calves), farmed buffalo, farmed deer, farmed sheep (including lambs), farmed goats, farmed pigs, farmed ostriches and farmed emus.	To clarify the application of this Part and align with the wording in the ASD. Calves are to be added to clause 36A to make it clear that ASDs are required for calves of any age. A previous audit report found that ASDs were commonly not supplied for young calves. The ASD was amended to capture this, but the specification wording needs to be aligned with this. Lambs are added for completeness and to be consistent with clause 40(1)(a). Buffaloes have been added to the biosecurity ruminant protein feeding restrictions, therefore, to ensure their feeding status is declared, buffaloes need to be added to the species for which an ASD is required.
36B Supplier statements for the movement of farmed animals	Amend clauses (7) and (8) so that when animals are moved, the ASD is kept by the receiver of the animals for the period that the animals are kept in their control and then 1 more year after they have been moved on. Amend clause to allow for the use of electronic ASDs. New wording (1) Persons in control of farmed animals described in clause 36A (2) must complete an animal status declaration, or an animal status declaration for pigs, if relevant, or electronic supplier statement, if relevant, and supply it to the new person in control	To align with the content of the ASD and ASD for pigs. To improve flexibility within the notice and allow for the use of electronic ASDs.

Clause	Proposed Amendment	Reason
	when those animals are moved to a new premises, property or saleyard. (2) In the case of an electronic supplier statement, the requirement for an animal status declaration to be signed may be satisfied by the incorporation of a unique identifier in the electronic system. (3) No animal status declaration (or animal status declaration for pigs or electronic supplier statement) is required where farmed animals are moved to a new premises, property or saleyard and there is no change to the person in control. (4) The animal status declaration (or the animal status declaration for pigs or electronic supplier statement) must be completed in accordance with its stated requirements as approved by the Director-General. (8) The person in charge who supplied the animals and who completed and signed an animal status declaration (or the animal status declaration for pigs) must keep — a) a copy of the completed statement; and b) any records and other information used to complete the statement; and c) manufacturer's declarations relating to the composition of animal feeds fed to farmed ruminants; for 1 year after the animal movement is completed and they must be made available for audit. (9) The person in charge who supplied the animals and who submitted an electronic supplier statement must keep — a) a record of the information submitted; and b) any records and other information used to complete the statement; and c) manufacturer's declarations relating to the composition of	

Clause	Proposed Amendment	Reason
	animal feeds fed to farmed ruminants; for 1 year after the animal movement is completed and they must be made available for audit. (9) The person in charge who received the animal must keep the animal status declaration (or the animal status declaration for pigs) or the information they received via an electronic supplier statement for 1 year after the animal movement is completed and it must be made available for audit. (10) If a person in control ceases to be engaged or employed at a premises, property or saleyard, any animal status declarations (or animal status declarations for pigs) information received by electronic supplier statements, and other records must be kept at the premises, property or saleyard to which the declarations relate.	
Part 10 Supply of animal material		
Supply of experimental, trial or research animals		
38 Supply of animal material that has been used in experiments, trials, or research	Update the terminology to align with the Agricultural Compounds and Veterinary Medicines Act. New wording: (1) This clause applies to suppliers of animal material (including live animals) that have been used in experiments, trials, or research involving the exposure to any substance including ~~veterinary medicines~~ agricultural compounds, or genetic modification. (2) The supplier of animal material described in subclause (1) must obtain approval from the Director-General prior to presentation of the animal material to the primary processor. The approval may be subject to conditions and may be granted on a	The terminology is to be updated to align with the ACVM Act in relation to the registration of veterinary medicines and agricultural compounds. There is no change to the intent of this clause. Veterinary medicines have been deleted as these are included in the definition of agricultural compounds.

Clause	Proposed Amendment	Reason
	category or class basis. (3) The supplier must — (a) notify the operator in writing at least 24 hours before presenting the animal material for primary processing; and (b) on presentation of the animal material, provide the operator with a copy of the Director-General's approval and a statement signed by the supplier to the effect that all relevant conditions of the approval have been complied with. (4) The Director-General may issue an exemption from subclauses (2) and (3) for certain classes or descriptions of animal material, where the Director-General is satisfied that the risk to human health is negligible. (5) For the purposes of this clause the use of agricultural compounds that are registered or exempt from registration under the Agricultural Compounds and Veterinary Medicines Act 1997 does not constitute an experiment, trial, or research, provided any registration conditions are complied with. (6) The use of agricultural compounds that have been granted provisional registration, research approval or are used under an approved operating plan, under the Agricultural Compounds and Veterinary Medicines Act 1997 does constitute an experiment, trial or research.	
Supply of farmed animals and live possums		
39 Supply of farmed animals and live possums	Update the terminology to align with the ACVM Act. Specifically include race and sport horses in (3)(b)(ii). New wording: (3) Suppliers must not present animal material for processing if it: (a) has been treated with a registered veterinary medicine and is	The terminology is to be updated to align with the ACVM Act in relation to the registration of veterinary medicines and agricultural chemicals. There is no change to the intent of this clause. The terms to be used are listed below and are defined in the definitions section of this document:

Clause	Proposed Amendment	Reason
	within the relevant withholding period stated on the label of the product. (b) has been treated with a registered veterinary medicine in a manner that differs from its conditions of registration, unless: (i) 91 days has elapsed since the treatment of farmed ruminants (such as cattle, deer, sheep and goats but not farmed camelids); (ii) 63 days have elapsed since the treatment of farmed monogastrics (such as pigs, horses (including race horses), birds and rabbits) and farmed camelids (such as llama and alpaca); (iii) 35 days has elapsed since the treatment of farmed fish; (iv) 28 days has elapsed since the treatment of live possums. (v) in the case of a sustained release veterinary medicine, a withholding period authorised by a veterinarian has elapsed. (4) Despite subclause (3), suppliers may present animal material for processing within the specified periods if a veterinarian has authorised a lesser withholding period in respect of the treatment of that animal and that withholding period is complied with. (5) Suppliers must not present any animal material for processing if it has been treated with a registered restricted veterinary medicine in a manner that differs from the conditions on the veterinary authorisation. (6) Suppliers must not present any animal material for processing if it has been treated with an unregistered veterinary medicine (other than those that are exempt from registration under the ACVM Exemptions and Prohibited Substances) Regulations	Agricultural compounds has a broad definition and includes veterinary medicines as well as agricultural chemicals. The restrictions placed on the use of veterinary medicines such as the default withholding periods do not apply to the broader group of agricultural compounds and so the majority of requirements within the clause have been amended to apply to veterinary medicines only. The term agricultural compound is used in subclause (8) to ensure that any chemicals that may result in a breach of an MRL or MPL is considered. It is still a requirement that animals must not be submitted for processing if they have been exposed to an agricultural compound and are within a withholding period for that compound. It is proposed that this now be addressed by subclause (8) which will prohibit a supplier presenting animals for processing if the residue limits would be exceeded in the product. Race and sport horses are to be added to (3) as they are often not automatically considered to be covered by the requirements of this clause when submitted for processing. This will improve the clarity of application.

Clause	Proposed Amendment	Reason
	2011) unless: (a) an approval or exemption has been granted by the Director-General under clause 38; or (b) an approval has been granted by the Director-General and the supplier complies with any conditions imposed by the Director-General in respect of that approval. (7) Suppliers must not present animal material for processing if it has been treated with a: (a) veterinary medicine that has been compounded by a veterinarian; or (c) veterinary medicine approved under section 8C of the ACVM Act: (b) veterinarian-authorised human medicine, if it is within the withholding period recommended by the authorising veterinarian. (8) Suppliers must not present any animal material for processing if the supplier reasonably suspects that the animal has been treated with or exposed to any substance, including agricultural compounds such that any resulting animal material would exceed any MRL or MPL.	Agricultural chemicals include compounds used on plants, land, places or water in which plants or animals are managed. Subclause (8) is a catchall for any other chemical that the animals may have been exposed to that could result in the limits for chemical residues being exceeded. Animals must not be submitted for processing if the limits may be exceeded.
40 Supplier statements for farmed animals	Include buffalo within the scope of paragraph (1)(a) and amend the clause to allow for the acceptance of electronic ASDs. New wording: (1)(a) cattle (excluding bobby calves), deer, sheep (including lambs), goats, buffalo, alpacas, llamas, horses, ostriches and emus; Include clauses to allow supplier statements to be provide electronically.	Buffaloes have been added to the biosecurity ruminant protein feeding restrictions, therefore, to ensure their feeding status is declared, buffaloes need to be added to the species for which an ASD is required. Buffalo includes water buffalo, dwarf buffalo, South African, American buffalo. To increase flexibility.

Clause	Proposed Amendment	Reason
	(5) Suppliers may make an electronic supplier statement in which case the requirement for the statement to be signed may be satisfied by the incorporation of a unique identifier in the electronic system. (6) Where a supplier has made an electronic supplier statement to a primary processor, the primary processor must ensure this information is retained in the electronic system that: a) enables the information submitted t be reproduced in the form specified in Schedule 5 on request; and b) is capable of ensuring that the information submitted can be received and retained in a manner that meets the records requirements of regulation 20 of the Animal Products Regulations 2000. (8) The supplier must keep: a) any records and other information used to complete the supplier statement; and b) manufacturer's declarations relating to the composition of animal feeds fed to farmed ruminants; and c) in the case of an electronic supplier statement, a record of the information submitted to the primary processor while the animals are under the control of that person and for 1 year after the animal movement is completed and they must be made available for audit.	
Supply of killed wild mammals and live possums		
43 Supplier of killed mammals and live possums to be certified	Amend the tile of the clause and paragraph (3)c) to add agencies that are approved for the purpose of certifying suppliers. New wording: c) be certified as a certified supplier by the Director-General or an agency approved for that purpose by the Director-General.	Changes to (3)(c) are a technical amendment only to align with the definition of certified supplier.

Clause	Proposed Amendment	Reason
Supply of killed game estate mammals		
49 Game estate Supplier to be certified	Amend clause paragraph (2)c) to add agencies that are approved for the purpose of certifying suppliers. New wording: c) be certified as a certified game estate supplier by the Director-General or an agency approved for that purpose by the Director-General.	Technical amendment only to align with the definition of certified game estate supplier.
50 Eligibility of game estate animals for presentation	Incorporate the contents of the Notice of animals to be treated as game estate animals into subclause (1) and revoke the Notice. New wording: (1) Certified game estate suppliers may only present animal material from a game estate of the following species, kinds or descriptions: (a) any deer species (including, but not limited to, Red deer, Fallow deer, Wapiti deer (elk), Sika deer, White tail deer and Sambar deer): (b) Thar: (c) Chamois: (d) Goats: (e) Pigs: (f) Wallabies: (g) Water buffalo.	Adding the list of species that can be hunted as game estate animals here, rather than having them in a separate notice will reduce the number of legal instruments that suppliers need to comply with and will assist with simplifying the legislation. There is no change to the species of animals that can be supplied from a game estate. The Notice to be revoked can be viewed here: http://www.foodsafety.govt.nz/elibrary/industry/Notice_Animals-Lists_Species.htm
56 Supply of farmed mammals that have become feral	Minor wording changes.	Drafting amendment.

Clause	Proposed Amendment	Reason
and then been killed		
Supply of deer velvet		
61 Supply of deer velvet	Update the terminology in subclause (1) and 2)(b) in relation to the registration status of veterinary medicines. New wording (1) Only registered veterinary medicines or those exempt from registration may be used in harvesting deer velvet	The terminology is to be updated to align with that used under the ACVM Act in relation to the registration of veterinary medicines. This is a technical change only as the term approved had previously been used to refer to registered veterinary medicines and those that are exempt from registration.
Part 11 Animal material depots		
63 Application of this Part **64 Animal material depots**	Minor drafting changes.	New clauses to be added to improve the transparency and robustness around the listing requirements for killed mammal material and fish depots. The requirements contained in the Animal Material Depots Statement of Policy which are currently in effect will be included in the specification and the statement of policy will be cancelled. This includes the need to have an initial verification visit by the recognised verification agency to check compliance with the requirements of the notice before listing can be applied for. The statement of policy can be seen at the following link: http://foodsafety.govt.nz/elibrary/industry/Animal_Products-Statement_Policy.pdf The operational requirements for animal material depots remain unchanged.
64A Application for listing of an animal material depot **64B Listing of animal material depots** **64CRenewal of listing**	Add new clauses around the listing and delisting if animal material depots. **64A Application for listing of an animal material depot** (1) An application for listing must be made in writing to the Director-General, in the form and manner approved by the Director-General. (2) The application for listing must be accompanied by: a) an initial verification report prepared by a recognised agency not more than 3 months before the date of the application for listing to verify compliance with the requirements for clause 65 to 67, as appropriate to the type of animal material depot; and	

Clause	Proposed Amendment	Reason
64D Delisting	b) the fee prescribed in regulations made under the Act (if any). **64B Listing of animal material depots** (1) On receipt of a properly made application, accompanied by any prescribed fee, the Director-General will list the applicant as an animal material depot. (2) The Director-General will may decline to list an applicant of he or she considers that: a) there has in the past, been a serious or repeated failure by the applicant to comply with the requirements specified in this Part; or b) there are grounds for considering that the applicant is likely in the future to fail to comply with the requirements specified in this Part; or c) the initial verification report accompanying the application concludes that the depot does not comply with the requirements of clauses 65 or 67. (3) Listing is valid for a period of one year from the date of listing after which period, an operator must renew his or her listing as set out in clause 64C. (4) The Director-General must, as soon as practicable after listing an operator, advise the operator, in writing, of the listing and the expiry date of the listing. (5) Once listed, an animal material depot operator must promptly inform the Director-General in writing in the event of a change to any of his or her listing details. **64C Renewal of listing** (1) An application for renewal of listing of an animal material depot must be made by the operator in writing to the Director-General, in the form and manner approved by the Director-General, and received by the Director-General at least one month	

Clause	Proposed Amendment	Reason
	before the expiry of the operator's current listing. (2) The application for listing must be accompanied by the fee (if any) prescribed in regulations made under the Act. (3) If the Director-General fails to determine the application for renewal before the date the current listing expires, the operator will remain listed under this scheme until the date the Director-General notifies the operator of his or her determination of the application. (4) Clause 64B(2)-(5) apply, with necessary modifications, to an application for renewal of listing. **64D Delisting** (1) The Director-General may remove an animal material depot operator from the list if: a) the listed animal material depot operator so requests; b) the Director-General is satisfied that the criteria referred to in clause 64B(2) applies, or the person no longer operates as an animal material depot operator; or c) the operator fails to meet any of the conditions of their listing; or d) there is a failure to pay the listing fee by the due date which has persisted for more than 30 days. (2) Before delisting an animal material depot operator on any of the grounds referred to in subclause (1)(b)-(d), the Director-General must: a) notify the animal material depot operator in writing of his or her intention; and b) give the animal material depot operator a reasonable opportunity, within the time specified in the written notice, to explain why he or she should not be delisted, or pay the unpaid fee.	

Clause	Proposed Amendment	Reason
	c) the delisting of an animal material depot under this section does not affect the right of the person to make further application for listing under clause 64[A].	
Part 12 Control of primary processing operations		
71 Ante-mortem examination	Delete clause	It is not necessary to require compliance with another Notice in this Notice.
72 Slaughter	Amend subclause (1) and add a new subclause. New wording (1) Slaughter must be carried out without unnecessary delay and in a way that ~~minimises~~ manages the distribution and proliferation of contaminants. (2) Slaughter must only be performed at a rate at which bodies of animals can be accepted for dressing.	As part of the review the Slaughter and Dressing Code of Practice with the aim to use smarter regulation, this clause has been changed to better reflect the New Zealand domestic expectation. In addition the wording has been chosen to better reflect the intent of the clause.
73 Suspect animal material	Delete most of clause and include a new subclause. New wording (1) Where an animal has been deemed suitable for slaughter but designated as a suspect animal by the ante-mortem examiner, the operator must follow: a) appropriate hygiene requirements; and b) specific hygiene requirements issued by the ante-mortem examiner. (2) When processing suspect animal material, the operator must ensure the suspect animal material is identified.	As part of the review the Slaughter and Dressing Code of Practice with the aim to use smarter regulation, this clause has been changed to better reflect the New Zealand domestic expectation. In addition the wording has been chosen to better reflect the intent of the clause.
74 Handling and	Reword the clause.	As part of the review of the Slaughter and Dressing Code of Practice with the aim to use smarter regulation, this clause has been changed to

Clause	Proposed Amendment	Reason
processing	New wording (1) Traceability between all parts of the animal material, or group of animal material in the case of batch processing, must be maintained until post-mortem examination is completed. (2) Opening cuts and the process of hide and pelt removal and disposal must be carried out in a manner that manages contamination of the carcass from the hide or pelt. (3) Cross contamination between carcasses or within the same carcass must be managed. (4) Evisceration must be performed in a manner that manages contamination of the carcass and viscera. The technique used must take into account the consistency of the faecal material associated with the type of animal material. (5) Dressing must be carried out hygienically and in a way that manages the actual and potential distribution and proliferation of contaminants. (6) Subclause (2) does not apply to poultry.	better reflect the New Zealand domestic expectation. In addition the wording has been chosen to better reflect the intent of the clause.
75, 82, 89, 97 Post-mortem examination	Delete clauses	It is not necessary to require compliance with another Notice in this Notice.
76, 83, 90, 98 Chilling and freezing	Include reference to the Food Act 2014 and food control plans under that Act.	When the Food Act 2014 comes into effect, manufacturers of meat, poultry and fish products that operate under that Act will be required to have food control plan. At that time any existing food safety programmes will become deemed food control plans. Adding this wording to the specification will address these changes where animal product is transferred between the APA and Food Act regimes.
85 Reception (of game estate animals)	Amend clause (1)(a)i) to refer to the species listed in amended clause 50(1) rather than the Notice of game estate animals. New wording:	The list of species that can be accepted for processing from a game estate will be moved into clause 50(1) and the original game estate Notice is to be revoked. The operator will then just need to confirm that only those species listed in clause 50 are accepted for processing.

Clause	Proposed Amendment	Reason
	(1) The operator must — a) confirm that the animal material — i) is of a species, or kind or description listed in subclause 50(1)	
Deer velvet and deer antler		
100 Reception	Amend clause (1)(a) to refer to registered veterinary medicines and those that are exempt from registration.	The terminology is to be updated to align with that used under the ACVM Act in relation to the registration of veterinary medicines. This is a technical change only as the term approved had previously been used to refer to registered veterinary medicines and those that are exempt from registration.
	Add a new clause which will require the traceability of deer antler as either of New Zealand origin or imported. New wording (3) An operator of a primary processing premises who is processing deer antler must be able to trace the antler as being of either New Zealand or imported origin.	Hard antler is an area of increasing activity as new markets open up. Concerns have been raised about the source of antler and its certification as being of New Zealand origin. This clause will apply to product that has not previously been specifically regulated under this notice, as the focus has been on deer velvet. The proposed wording does not state how the outcome should be achieved. It will be the up to the individual processor, based on their sources/suppliers to determine the most appropriate methods to use. Where necessary processors will need to improve their supplier programme to ensure that traceability is achieved. This may for example include only accepting materials only from certain suppliers, requiring suppliers to complete supplier statements and/or improved records. The Animal Products Regulations 2000, regulation 18 Identification system requirements, requires: (1) All operators of risk management programmes, all exporters, and all other categories of person required by specifications to do so, must

Clause	Proposed Amendment	Reason
		have a tracking system that— (a) allows for the identification of animal material and animal product; and (b) enables the movement of the animal material or animal product to be traced— (i) where required by specifications, from the origin, through the supplier and the operator's business premises to the next recipient of the animal material or product; or (ii) where specifications do not require tracing from origin, from the supplier and the operator's business premises to the next recipient of the animal material or product. The proposed specification will amplify the manner in which the regulation is to be achieved.
Fish		
103 Handling and processing	Revoke subclause (2) which specifies a limit for histamine in fish or fish product.	This is covered in the Food Standards Code.
	Add a new subclause. New wording: (2) Paua, kina, crabs, or other species as determined by the Director-General, harvested from areas likely to be contaminated with biotoxin must be processed in such a way as to minimise relevant risk factors.	This is an existing requirement addressed in Technical Directive 99-125. The TD will be cancelled as a result of this amendment. The term “biotoxin event” has been used to address both marine biotoxin events and freshwater biotoxin events, for example contamination of the waterway by cyanotoxin, or events that may affect species that may inhabit fresh water such as eels. See proposed definition for “biotoxin event” in the definitions section.
104 Chilling and freezing	Include reference to the Food Act 2014 and food control plans under that Act.	When the Food Act 2014 comes into effect, manufacturers of meat, poultry and fish products that operate under that Act will be required to have food control plan. At that time any existing food safety programmes will become deemed food control plans. Adding this

Clause	Proposed Amendment	Reason
		wording to the specification will address these changes where animal product is transferred between the APA and Food Act regimes.
	(2) Amend Table 5 to reduce the maximum loadout temperature for brine frozen fish from -15°C to -9°C.	Fishing vessel operators using a brine freezing process need to increase the temperature of the brine frozen fish to assist with discharge from the vessel hold. The alternative is to use explosives to remove the fish. This proposal will allow for an increase in the temperature of the brine frozen fish so that they can be floated out of the hold without the use of explosives. Product can then be removed in a safe manner without impact on food safety.
	Amend subclause (5) which currently allows a brief temperature fluctuation during transportation of frozen fish to specify that the temperature fluctuation is limited to a maximum of 3°C. (5) A brief temperature fluctuation up to a maximum temperature of -15°C during transportation is permitted for frozen fish and fish product (including shellfish) but not for brine frozen fish. The temperature must be reduced to maximum temperature of -18°C or colder without unnecessary delay.	To improve clarity around acceptable temperature fluctuations during frozen fish transportation and the products to which this clause applies.
Avian eggs		
105 to 107B Avian eggs	Replace the current wording with the following: **105 Application of clauses 106 to 107C** Clauses 106 to 107C apply to any operator of a processing premises who processes avian eggs for human consumption. Clause 107B also applies to operators of a processing premises processing products containing egg products.	New Zealand opted out of compliance with clause 2.2.2 of the Food Standards Code (FSC) when it was promulgated in November 2012. New Zealand's view was that it placed unnecessary restrictions on the sale of cracked eggs. In particular NZ did not support the requirement that cracked or dirty eggs or unprocessed egg pulp could not be supplied for catering purposes. It was NZ's view that provided the caterer had processes in place to control the hazards of concern they should be permitted to use these eggs. Consequently, regulatory requirements need to be developed to address the issues that would otherwise have been dealt with by the FSC.

Clause	Proposed Amendment	Reason
		Also aspects of the Australian only standard, contained within standard 4.2.5 of the FSC, are equally applicable to NZ egg processors. It is appropriate that they be included in this specification. The application is to be amended to apply to both primary and secondary processors. Additional requirements are proposed to be added in relation to secondary processing.
	106 General requirements for avian eggs An operator must ensure that — a) the layer flock is subject to and complies with a whole flock health scheme; and b) if he or she knows or suspects that a layer flock does not comply with the whole flock health scheme, the eggs from that layer flock must not be traded for human consumption; and c) to the extent practicable, he or she has records to enable traceability of the date of lay of shell eggs to ensure the accuracy of the best before date.	Subclause (a) has been reworded as the technical requirements of the whole flock health scheme have been moved to the definition. This subclause now only needs to require compliance with that scheme. Subclause (b) has been added so that there is legal underpinning to ensure that egg producers take appropriate action if there is a problem (e.g. issues with compliance with a withholding period for a veterinary treatment or if there is a disease outbreak), and to ensure that the eggs are managed appropriately. Subclause (d) has been proposed to ensure that the best before dates are as accurate as possible. The operator needs to have records to demonstrate that the date of lay is linked to the best before date. This should overcome some of the concerns held about the accuracy of best before dates.
	107 Table eggs (1) An operator must ensure that table eggs — a) are candled and appropriate actions taken if defects are identified; b) show no evidence of embryo development, putrefaction, or significant blood clots; c) are not incubated; d) are handled and stored under conditions that minimise	Clause 107 applies a number of requirements to table eggs. The requirements remain largely unchanged from the current specification except: - There is no longer a requirement to comply with standard 2.2.2 of the FSC. The requirements of that standard will now be contained in this Notice - The restriction on the sale of cracked and broken eggs which was in standard 2.2.2 have been moved to this clause.

Clause	Proposed Amendment	Reason
	condensation on the surface of the egg; e) are assessed for cleanliness to the extent practicable and dirty eggs washed, processed in accordance with clause 107B, or downgraded as not fit for human consumption; f) are not cracked or broken; and g) are stored out of direct sunlight. (2) Any processing of table eggs that could compromise the integrity of the shell, must be minimised.	It is noted anecdotally that dirty eggs are being sold at retail and that this needs to be improved upon. Dirt can be a source of contamination to the egg content and cross contamination to foods and surfaces when being prepared for consumption. Additional requirements have been specified for dirty eggs, but this does not entirely address the issues of concern. This wording will require dirty eggs to be downgraded if they are not clean but does not provide a clear delineation between what is a visibly clean and dirty egg. Attempts to address this internationally have often resulted in complex descriptions, which MPI would prefer to not duplicate. Feedback is sought from industry about approaches to address this so that the requirements are more transparent and to ensure that table eggs are visibly clean. Questions: 1. Do you think all table eggs should be visibly clean? 2. Should stricter requirements be placed in this notice or in guidance around the cleanliness of eggs? 3. Do you have suggestions about how this could be addressed either in the notice or guidance material? 4. Would additional guidance on what constitutes a clean egg assist in improving on the cleanliness of table eggs? 5. If possible, please provide data on your acceptance rate for unclean eggs, and the amount dirt that would be considered acceptable on table eggs.
	New wording **107A Cleaning of table eggs or processing grade eggs** (1) An operator must ensure that if any table egg or processing grade egg is washed: a) potable water and an approved egg washing chemical must be	This clause is being proposed to provide legal underpinning for good manufacturing practice to apply when washing eggs. The proposed egg washing parameters have been taken from the MPI technical annex of the Egg COP.

Clause	Proposed Amendment	Reason
	used, and the wash water must not be a source of contamination; and b) the wash water temperature must be at least 12°C warmer than the egg temperature; and c) the wash water temperature must not exceed 45°C; and d) the egg must not be soaked in the wash water; and e) the egg must be dried promptly after washing; and f) the egg must not be cracked prior to washing; and g) the washing equipment must be cleaned and sanitised at least daily or more frequently if necessary to ensure that it is not source of contamination. (2) An operator must ensure that if any table egg or processing grade egg is — a) wet wiped; clean sanitised cloths, potable water, and an approved egg washing chemical is used; or b) dry buffed; clean sanitised dry cloths, or another material that is not a source of contamination, is used.	Currently, egg washing is not permitted in the EU and is required by the US. This demonstrates the lack of general consensus about the benefits versus the risks of egg washing. The EU concerns are around the very porous nature of the egg shell and the potential for contaminants to enter the shell and potentially to spread the contamination across batches. The US have a number of concerns including if the shell is allowed to remain dirty there is greater risk of cross contamination to other surfaces when being used by the consumer. NZ has taken the view that washing can be of benefit, but where used there must be good controls around the methods employed. Clean water alone has little impact and merely spreads the contaminants and so the use of an approved chemical is needed if washing is to occur. The water needs to be changed at sufficient frequencies to prevent cross contamination between batches. Eggs must not be soaked as this makes the surface more susceptible to the entrance of micro-organisms and cleaning chemicals. It is also important to ensure that the internal temperature of the egg is cooler than the wash water temperature to avoid contaminants being sucked into the air space in the eggs. Dry buffing can only occur where clean, sanitised, dry clothes are used. This is to prevent the reuse of damp, dirty clothes to wipe eggs. The clause would prevent cracked eggs from being washed.
	New wording **107B Processing grade eggs** (1) An operator must ensure that a processing grade egg — a) is assessed to ensure that it is not defective including not	Processing grade eggs are eggs that are used to produce egg products, including those that are sold in the shell such as shell on boiled eggs.

Clause	Proposed Amendment	Reason
	leaking, excessively dirty, rotten or mouldy; and b) shows no evidence of embryo development, or significant blood clots; c) is not incubated; and d) is handled and stored under conditions that minimise condensation on the surface of egg. (2) The operator must ensure that — a) if eggs are washed prior to breaking, only dry eggs are broken for processing; and b) cracked or broken processing grade eggs are not washed and are held at 6°C or less prior to processing.	This clause requires processing grade eggs to be assessed and defective eggs removed, but does not specifically require the use of candling to make this assessment. This clause allows broken and cracked eggs to be used to make egg products, but does not allow the use of broken eggs where the contents are leaking. Broken (but not leaking) and cracked eggs must be held at 6°C or less prior to processing. Questions: 1. Should broken eggs be available for use in egg products? (Note: the proposal is that broken eggs that are also leaking must not be used for products intended for human consumption). 2. If broken eggs can be used, should this be limited to eggs that are broken at the facility undertaking the further processing only? This would mean that broken eggs from layer farms that do not undertake further processing would need to be downgraded as not fit for human consumption. They would not be eligible for further processing. 3. Feedback is sought from layer farms about whether they are currently selling broken eggs for further processing (including to caterers or cafes). Where this occurs information is sought about the conditions under which the eggs are stored and transported to the further processor (e.g. times and temperatures). See the Egg RMP template at the following link. http://www.foodsafety.govt.nz/elibrary/industry/template-eggs/template.pdf
	New wording **107C Egg product**	A definition for egg products has been proposed (see definitions section). Egg products include egg powders, pulps, fried, boiled or

<table>
<tr><th>Clause</th><th>Proposed Amendment</th><th>Reason</th></tr>
<tr><td></td><td>(1) Egg product must be heat treated or otherwise processed so that it meets the microbiological criteria specified in Standard 1.6.1 of the Australia New Zealand Food Standards Code; but does not need to be so treated if the egg product is to be used in another product and that product is heat treated or otherwise processed so that it meets the microbiological criteria for processed egg product specified in Standard 1.6.1 of Australia New Zealand Food Standards Code.
(2) Egg product that has not been heat treated or otherwise processed to meet the microbiological criteria specified in Standard 1.6.1 of the Australia New Zealand Food Standards Code must not be sold by way of retail.
(3) Egg product must be processed without unnecessary delay and in a manner that minimises the transfer, proliferation, and redistribution of contaminants.
(4) Egg product that is preserved by refrigeration must —
a) be chilled or frozen without unnecessary delay in a manner that minimises any potential microbial proliferation and contamination of the egg product; and
b) if chilled, be reduced to a temperature of 5°C or less prior to release from the processing premises.</td><td>poached eggs, smoked or pickled eggs.

This clause requires that egg products must be processed to meet the microbiological criteria specified in Standard 1.6.1 of the Australia New Zealand Food Standards Code:
Processed egg product: Salmonella/25 g, n=5, c=0, m= 0

It is not proposed to specify the time and temperature processing parameters if eggs are to be pasteurised. Rather it is proposed that this be included in guidance. MPI welcomes comments on this approach.

If processing parameters were to be included for pasteurisation of egg pulps, those in std 4.2.5 of the FSC are likely to be used:

<table>
<tr><th>Egg product</th><th>Retention temp to be no less than (°C)</th><th>Retention time to be no less than (minutes)</th><th>Maximum temp to be immediately rapidly cooled to (°C)</th></tr>
<tr><td>Egg pulp (without any sugar or salt)</td><td>64</td><td>2.5</td><td>≤7</td></tr>
<tr><td>Liquid egg yolk</td><td>60</td><td>3.5</td><td>≤7</td></tr>
<tr><td>Liquid egg white</td><td>55</td><td>9.5</td><td>≤7</td></tr>
</table>

Processing to meet the microbiological criteria in standard 1.6.1 could either be undertaken by the egg processor, or by another secondary processors (e.g. caterer or cafe making dips or dressings, processors or pavlovas or egg mixes such as scrambled eggs).</td></tr>
</table>

Clause	Proposed Amendment	Reason
		Standard 1.2.3 of the Food Standards Code requires unpasteurised egg and egg products to be labelled with an advisory statement that the product is unpasteurised. Unpasteurised egg or egg products will only be eligible for sale to secondary processors (including food service operators), and so this requirement would not apply to retail products. Subclause (2) will prevent untreated egg product from being sold at retail and aligns with the requirements of the Food Standards Code. It should be noted that egg processor's manufacturing ready to eat product that falls within the definition as proposed in Part 14 "*Listeria* requirements or processors of certain ready to eat products" will also be required to meet Part 14. Refer to Part 14 for details.
Part 13 Specific animal material and animal product requirements		
112 Casings	Delete subclauses (1) and (2) and replace with a new clause that also allows for the use of static water for the cleaning of green runners, provided the water is replaced between batches. (1) The potable water used in tanks to condition and clean green offal used for casings must be either — (a) continuously replenished throughout the process; or (b) emptied and replaced between processing batches.	Runners are held for around 24 hours in tanks with running water for washing and conditioning to soften the casings and to allow for easier removal of the mucosa. Currently the specification prohibits the use of static water to condition and clean casings unless a processing aid is used to limit the proliferation of micro-organisms. Water used in conditioning tanks does not necessarily need to be flowing to achieve the required operator defined or regulatory limits. Problems are more likely to arise if the water is allowed to become very contaminated and is not replaced between batches. The option of allowing the use of static water will be added to the clause.
113 Mechanically separated	Add a new subclause that requires the operator to document in their RMP operator defined limits for the mechanically separated meat.	Due to the source of mechanically separated meat (MSM) and its processing operations, it tends to have high levels of micro-organisms. This can impact on the safety and wholesomeness of products that are manufactured from it. In addition, although the Animal Products (Risk

Clause	Proposed Amendment	Reason
animal product	(5) The operator must document an operator defined limit, including actions to be taken if the limit is exceeded, for aerobic plate count and another for *Escherichia coli* for the purpose of microbiological process control for mechanically separated animal product.	Management Programme Specifications) Notice 2008 requires any operator defined limits to be documented in the RMP, MPI generally does not require limits to be documented for raw animal products that are intended to be cooked prior to consumption. The high microbiological levels observed in MSM, makes it appropriate that operator defined limits are documented in the RMP, with actions to be taken if the limits are exceeded. MPI had considered specifying microbiological limits for MSM but at this stage believes it would be preferable for each processor set their own limits based on the capability of their operation. If it is found that operators are setting limits that are unreasonably high, this position will be reviewed.
117 Thermal processing of low-acid canned products	Replace the reference to regulation 14 of the Food Safety Regulations 2002 (SR2002/396) with the specific codes that must be complied with. Remove the Code of Practice for the Thermal Processing of Low-acid Canned Food, as published by the Australian National Health and Medical Research Council. Add a new clause that specifically applies to aseptic processing operations and add the reference for the Codex document for aseptic processing. New wording: (1) Operators who manufacture, process or pack thermally processed low-acid canned products must do so in accordance with the principles in one of the following codes: a) the current edition of the Code of Hygienic Practice for Low and Acidified Low Acid Canned Foods, as published by the	Reference to regulation 14 of the Food Safety Regulations 2002 is to be replaced with the applicable codes listed on that regulation to make it simpler for operators to determine their legal requirements. To view regulation 14, go to the following link: http://www.legislation.govt.nz/regulation/public/2002/0396/latest/DLM174544.html The Australian code is being deleted as it is difficult to get copies of the code and MPI is not aware of any processors who have adopted this as the basis of their canning operations. The Codex documents for aseptic processing (see subclause (2)) is to be included as it is appropriate that aseptic operators follow those codes and this will align with the requirements for dairy aseptic processors under the APA. Aseptic processors will need to comply with either:

Clause	Proposed Amendment	Reason
	Codex Alimentarius Commission: (CAC/RCP 23-1979): or b) the current addition of the United States Food and Drug Administration Requirements for Thermally Processed Low-acid Foods Packaged in Hermetically Sealed Containers, as contained in 21 CFR Part 113, and Acidified Foods as contained in 21 CFR Part 114, as appropriate. (2) Operators of aseptic processing and packaging operations must do so in accordance with the principles detailed in the codes in either paragraph (2)(a) or (2)(b): a) the current edition of the: i) Code of Hygienic Practice for Low and Acidified Low Acid Canned Foods, as published by the Codex Alimentarius Commission: (CAC/RCP 23-1979): and ii) Code of hygiene Practice for Aseptically Processed and Packaged Low-acid Foods, as published by the Codex Alimentarius Commission: (CAC/RCP 40-1993): or b) The current edition of the United States Food and Drug Administration Requirements for Thermally Processed Low-acid Foods Packaged in Hermetically Sealed Containers, as contained in 21 CFR Part 113, and Acidified Foods as contained in 21 CFR Part 114, as appropriate.	- the two Codex codes of hygienic practice listed in paragraph (2)(a), or - the United States Food and Drug Administration Code of Federal regulations in paragraph (2)(b); but not a combination of the Codex and FDA codes. A definition of aseptic processing and packaging is to be included so that it is clear who the clause applies to (refer to definitions section for the proposed definition).
Bivalve Molluscan Shellfish		
120 Reception	(1)(e) add the specific requirements for temperature control that shellstock need to comply with. These requirements are contained in Schedule 4 of the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. New wording: (e) the temperature control requirements in Schedule 4 of the Animal Products (Specifications for Bivalve Molluscan Shellfish)	To clarify where the temperature requirements can be found.

Clause	Proposed Amendment	Reason
	Notice 2006 have been complied with.	
	(2)(b), (c) and (3) Replace the term “regional shellfish specialist” with “animal products officer”.	This role can be handled adequately by the animal products officer. Involvement of the regional shellfish specialist adds an unnecessary layer of administration.
121 Raw harvested bivalve molluscan shellfish	Delete the microbiological requirement for salmonella from Table 8. Reword clause (3) and delete Table 9. New Wording (3) The operator must also ensure that bivalve molluscan shellfish comply with the maximum permissible levels for marine biotoxins set out in Table 6B of the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006.	*Escherichia coli* is used as an indicator for Salmonella and this criteria is not necessary. The requirements contained within subclause (3) and Table 9 have been duplicated in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. Having the same requirements in 2 places is confusing and not good regulatory practice. The subclause will now refer to the BMS Notice for the biotoxin maximum permissible levels.
122 Processing bivalve molluscan shellfish	(2)(b) amend the wording: New wording b) inspected and cracked, broken, or dead shellstock removed; and	To improve readability.
126 Continuous flow through wet storage system	(1) change wording to refer to the BMS notice rather than the BMS regulated control scheme. (2) minor wording changes. New wording: (1) Water from a growing area classified as approved or conditionally approved in the open status may be used without disinfection, if the bacteriological criteria for a growing area as set out in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006 are met at all times while the shellstock are in wet storage.	Reference correction and drafting change.

Clause	Proposed Amendment	Reason
	(2) The operator must document procedures in the risk management programme for handling shellstock in the event that the quality of non-disinfected water, taken from areas described in subclause (1) changes during a wet-storage process so that the bacteriological criteria for an approved growing area status are no longer met.	
128 Depuration	(1) change wording to refer to the BMS notice rather than the BMS regulated control scheme. New wording: (b) have been harvested from a restricted or conditionally restricted growing area that is open for harvesting, or from a conditionally approved growing area that is closed for harvesting but which meets the bacteriological criteria for harvest from a restricted growing area as stated Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006.	Reference correction.
	(2) and (5) change the microorganisms of concern from faecal coliforms to *Escherichia coli.* New wording for clause (2): (2) The maximum level of *Escherichia coli* (*E.coli*) in shellfish entering a depuration plant must be established by the operator and must not exceed 14,000 *Escherichia coli*/100 g of flesh, unless the risk management programme provides that the depuration system can manage higher levels. (5) The procedures to be undertaken when unplanned events occur during depuration must be documented in the registered risk management programme including: a) if spawning occurs to the extent that the water quality criteria in	To reflect the microbial criteria in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006.

Clause	Proposed Amendment	Reason
	clause 130(1)(a) or the criteria for turbidity or dissolved oxygen, are not met in the units during depuration, the process must be stopped and — ii) the process started again at zero hour and, on completion of the process, a minimum of three end-point shellfish samples taken and tested for *Escherichia coli*; and then the depuration process may continue, but a minimum of three end-point shellfish samples must be taken and tested for *Escherichia coli*. The shellfish must not leave the plant until the sample results are available and the results demonstrate that the depuration plant performance standards set out in Table 10, clause 134 have been complied with.	
130 Depuration process water: water standards	(1)(g) Delete the paragraph that requires recirculated process water to be dumped after each depuration batch	The requirement for recirculated water to be dumped after each batch is not necessary and places extra expense on the industry that cannot be justified. The USA Model Ordinates which this standard is based on does not require this water to be dumped, (see Section II Chapter XV Depuration. 02 A (4)). Any risk is mitigated by requirement for treatment of process water and the ongoing testing requirement in clause 129(b) and 130(1)(c). Daily coliform testing.
132 Depuration unit: Loading and unloading	(2) Amend wording to allow trays and containers to be used for wet storage as well as depuration. New wording: (2) Trays or containers used in the depuration process must not be used for purposes other than depuration or wet storage.	This clause is unnecessarily restrictive. Making this change will improve flexibility in depuration premises so that trays and containers can be used for depuration or wet storage. Any risk is controlled by clause 133 (a) which requires cleaning and sanitation of trays and containers between depuration operations.
134 Depuration process operator verification	(b) and (c) change the microorganisms of concern from faecal coliforms to *Escherichia coli.* New wording: (b) determine daily, or as results become available, the	To reflect the microbial criteria in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006.

Clause	Proposed Amendment	Reason
	depuration performance indices defined as the geometric mean and the 90th percentile of *Escherichia coli* from test data of the most recent 10 consecutive harvest lots for each species depurated: Table 10: Depuration Plant performance Standards (*Escherichia coli* per 100 gms)	
	(e) change the classification terminology in relation to the water source. New wording: (e) if the depuration performance indices for a specific species from a specified growing area fail to meet the depuration plant performance standard set out in Table 10, or if a new growing area that meets the requirements of clause 128(1)(b)is used as a source of shellfish for depuration, or if a new depuration process has generated less than 10 process batches of data, the process is considered to be not confirmed and the following must be met:	To reflect the wording in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006.
	(f) replace faecal coliforms with *Escherichia coli* (g)(ii) and (j)(i) replace shellfish regulated control scheme with Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006 New wording: (f) shellstock which are depurated during the process in paragraph (e) must meet the following criteria before they are released to the market, namely, the *Escherichia coli* geometric mean from 3 samples (hard clams, mussels, or oysters) must not exceed 45 *Escherichia coli* per 100g, and no single sample is to exceed 100 *Escherichia coli* per 100g:	To reflect the microbial criteria in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006. Reference correction.

Clause	Proposed Amendment	Reason
	(g) if the depurated lot fails to meet the release criteria specified in paragraph (f), the operator may choose to subject the shellstock to additional depuration processing and after that the shellstock can be resampled for release criteria or the disposition of the shellfish must be as follows: ii) if the shellfish are to be relayed in accordance with shellfish relay requirements in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006: (j) the operator must ensure that all microbiological tests of performance standard samples of shellstock : i) are analysed in accordance with the laboratory requirements stated in the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006:	
136 Shucking, processing, and packing	(9) Reword subclause to allow for live shellfish to be despatched from the processing premises at temperatures greater than 10°C provided they are stored for no longer than 12 hours. New wording: (9) Despite subclause (8) chilled live shellfish may leave the premises when the temperature is greater than 10°C, if they are stored at the originating premises for less than 12 hours and are maintained under temperature control at all times while in that premises.	Live shellfish die if held at 10°C or less so this amendment provides for higher storage temperatures to minimise the likelihood of this occurring.
	(10) delete the second sentence of subclause (10). New wording: (10) Shellfish that are to be frozen must be arranged to ensure rapid freezing and must be frozen at a temperature of –18°C or	Clause 104(2), Table 5 specifies the freezing temperatures for shellfish. Subclause 10 will be reworded to remove the duplication with information contained in Table 5.

Clause	Proposed Amendment	Reason
	colder, with shellfish frozen solid within 12 hours from the start of the freezing process.	
138 Repacking	(1) and (3)(b) Remove reference to Meat Act 1981.	This regime is no longer in effect.
Part 14: *Listeria* requirements for processors of certain ready to eat products		
Part 14 General comments	This Part is to be revoked and replaced with a requirement for all processors of ready to eat animal products to have a *Listeria* management programme. This includes processors of ready to eat fish, poultry, red meat and egg products. It is proposed that this Part only applies to retail butchers (which includes dual operator butches) who sell product by both wholesale and retail. Whether this will be applied to retail butchers who sell by retail only may be reviewed at a later time, e.g. as the requirements under the Food Act 2014 are developed.	*Listeria monocytogenes* is a foodborne pathogen which can cause the infection listeriosis. Listeriosis can be particularly harmful to vulnerable populations, such as the young, old, immune impaired and pregnant woman. Certain ready to eat products, which are not cooked prior to consumption can present a significantly higher risk of transmitting *L. monocytogenes* than foods which are cooked prior to consumption. Through expert elicitation, MPI has determined that over 80% of cases of listeriosis are associated with the consumption of food, and in particular foods that: • are ready-to-eat (RTE), i.e. are consumed in the same state as they were purchased • are able to support the growth of *L. monocytogenes* • are stored under refrigeration temperatures; and • have an extended shelf-life. MPI has been actively working with industry to address this issue and has delivered a series of guidance documents and workshops to assist processors implement measures to minimise the likelihood of *L. monocytogenes* contamination during the processing of RTE products. Whilst the guidance documents and workshops have been well

Clause	Proposed Amendment	Reason
		received, the uptake by individual operators has been variable due to their voluntary nature. Findings from MPI systems audits and microbiological surveys of RTE foods/processors have also provided further evidence that the current risk management controls applied by industry in many cases may be inadequate. MPI is proposing to amend Part 14 to provide a consistent approach for the management of *Listeria* in ready-to-eat animal products. This also aligns with the requirements of standard 1.6.1 of the Food Standards Code and will ensure a proactive approach is taken to meet the microbiological criteria in that standard. It is proposed that all operators processing chilled RTE animal products with an extended shelf life (non-dairy) will need to document and implement procedures for the management of *Listeria*. This will include making any improvements to GOP, meeting minimum competency requirements and implementing a microbiological testing programme for the environment and product, to verify the effectiveness of the *listeria* controls. Currently RTE seafood and dairy processors have a specific legal requirement to manage *L. monocytogenes* as part of the RMP. However, any product processed under an RMP where *L. monocytogenes* has been identified as a hazard that is reasonably likely to occur is required to have controls in place to manage this, regardless of the sector the business operates in. Therefore, for most operators mandating a plan to manage *Listeria* is expected to improve the transparency of existing requirements.

Clause	Proposed Amendment	Reason
Definitions	New wording for definitions: (These definitions will be moved to the definitions section of the notice during final drafting). **environmental samples** means swabs or other sample types taken from high care areas for the purpose of testing product contact surfaces or materials for the presence of *Listeria*. **exposed ready to eat animal product** means ready to eat animal product which has the potential to be contaminated by any Listeria present in the high care area before it is packaged **high care area** means any area used for processing product after a critical control point for *Listeria monocytogenes* or after the final microbiological hurdle has been applied, before the ready to eat animal product is packaged **indirect product contact surface** means surfaces in the high care area which do not directly come into contact with exposed ready to eat product but have the potential to introduce contamination, for example internal surfaces of a slicer which may periodically introduce contamination **listericidal treatment** means an agent or process (i.e: heat treatment, antimicrobial agent etc) that is capable of reducing counts of *Listeria monocytogenes* by a defined level, as appropriate to the product **product contact surface** means a surface in the high care area	It is proposed that Part 14 be applied to operators processing chilled and extended shelf life RTE animal products. This includes retail butchers (including DOBs) who also sell product by wholesale. The application is further defined to include and exclude certain product groups. The proposed specification will **define ready to eat animal product** as: *"means chilled animal product that is ordinarily consumed in the same state in which it is sold or distributed (and does not require further preparation prior to consumption, other than washing, thawing, or warming or portioning);"* The definition includes certain products that wouldn't naturally fit within this definition, that is: • heat shocked bivalve molluscan shellfish that are sold frozen and raw fish that is intended to be consumed raw. These have been included because they don't receive a validated heat treatment but are often consumed without further cooking; • product that is stored frozen and then thawed for sale, or that is used as an ingredient in another RTE product which is not subject to a further listercidal process; and that is intended to be consumed more than five days after thawing. These have been included for clarity. RTE products are often used in further processed products and it is important that operators processing intermediary material where the product is ready to eat are covered by this Part. Examples include smoked salmon used for sandwiches or other similar products.

Clause	Proposed Amendment	Reason
	that exposed to ready-to-eat product comes in contact with prior to being packaged and includes indirect product contact surfaces **ready to eat animal product** means, for the purpose of Part 14, chilled animal product that is ordinarily consumed in the same state in which it is sold or distributed (and does not require further preparation prior to consumption, other than washing, or warming or portioning); and includes — a) heat shocked bivalve molluscan shellfish sold frozen and raw fish that is intended to be consumed raw, but not live molluscan shellfish; b) ready to eat animal product that is stored frozen and then thawed for sale, or for use as an ingredient in another ready to eat product that is not subject to a listercidal process; and that is intended to be consumed more than five days after thawing. **stated shelf life** means the period of time established under the intended conditions of distribution, storage and use, that the product remains safe and suitable as indicated by the date mark.	Certain products are to be specifically excluded as *Listeria* is not a hazard that is reasonably likely to occur. Examples are: • products that receive a valid listericidal treatment after being sealed in their final packaging; • products that have been formulated to prevent the growth of *Listeria*; • products that are frozen until consumption; • products that are ready to heat (rather than ready to eat) on the proviso that they are labelled with adequate cooking instructions. Questions: 1. Should this Part apply to frozen ready to eat products that would not be cooked before consumption? 2. Should only certain clauses in this Part apply to frozen ready to eat products that would not be cooked before consumption, e.g. all clauses except clause 141B?
140 Application of this Part	New wording: (1) This Part applies to risk management programme operators who are processing ready to eat animal products for human consumption but this Part does not apply to retail butchers (including dual operator butchers) who sell ready to eat animal product by way of retail only. (2) This Part does not apply to an operator processing ready to eat animal product, where that product: a) receives a validated listericidal treatment after being sealed in the final packaging where that packaging ensures prevention of	The operators covered by this proposal include RTE meat, seafood, poultry and egg processors as well as certain retail butchers operating under the APA (including dual operator butchers (DOBs)). DOBs are retail butchers that process regulated meat and unregulated homekill or recreational catch at the same place. Currently there are approximately 140 registered DOBs. DOBs differ from other retail butchers in that they process homekill or recreational catch animal carcasses and cuts in the regulated meat processing environment. Most DOBs sell their product through their retail outlet only. However some also sell product by wholesale for

Clause	Proposed Amendment	Reason
	recontamination until opened by the consumer or until the packaging is otherwise compromised: b) is subject to aseptic processing and packaging: c) is sold frozen (other than heat shocked mussels). (3) Clause 141B (Products testing programme) does not apply to an operator processing ready to eat animal product that has: a) a shelf life of 5 days or less; or b) a pH of less than 4.4; or c) a water activity (aw) of less than 0.92; or d) a combination of pH less than 5 and water activity (aw) of less than 0.94; or e) been validated that the level of *Listeria monocytogenes* will not increase by greater than 0.5 log cfu/g over the products stated shelf life; or f) contains a component that prevents the growth of *Listeria monocytogenes* or ensures rapid inactivation of the pathogen if re-contaminated. (4) The requirements in this Part apply to any species of *Listeria* unless specifically limited to *Listeria monocytogenes*.	further processing or immediate use e.g. to food service outlets, other retail outlets, cafes, hospitals, aged care facilities or to other processors. Selling by wholesale adds a level of complexity and additional handling to the distribution chain. For this reason MPI is proposing that the requirements of this Part be applied only to DOBs who also sell ready to eat animal product by wholesale. Latest feedback to MPI indicates that this may affect 15-20 of the registered DOBs, and of these businesses a number already have some form of *Listeria* management plan in place. Detailed consideration has been given to applying this Part to all retail butchers. However, for butchers who sell by retail only MPI will focus its attention on making improvements to good operating practices and the knowledge held DOBs by way of guidance and advice. This decision will be reviewed as part of the ongoing work being undertaken by MPI as the Food Act 2014 is implemented. As part of this consultation, MPI is seeking feedback on the accuracy of the number of retail butchers (including DOBs) that will be affected by this proposal, the ready to eat animal products produced and whether they are being sold to vulnerable population groups such as to hospitals or aged care facilities. Processors who manufacture products in which *Listeria* maybe present but which will not support its growth or where growth would be limited during its stated shelf life will not be required to implement a product testing programme (clause 141B). These operators are still required to implement the other clauses of this Part. At this time MPI does not intend to apply more rigorous regulatory

Clause	Proposed Amendment	Reason
		requirements to processors manufacturing RTE products for vulnerable populations. These manufacturers must be aware of the added risks when processing for this sector and design and implement their programmes accordingly. This is likely to require a more intensive programme than would be expected for operators processing for the general population.
141 Procedures for *Listeria* Management	New wording: (1) An operator processing animal product to which this Part applies must review, document and implement procedures in the risk management programme for the management and control of *Listeria* in the premises. (2) The documented procedures must include — a) the name and position of the person with overall responsibility for *Listeria* management within the premises; b) the name and position of the person(s) responsible for developing and implementing the documented procedures for *Listeria* management; c) a description of the product covered by the *Listeria* management procedures; d) a description of the transmission routes for *Listeria* into and within the processing areas; e) a description of the specific control measures within the good operating practices and the process itself that control *Listeria monocytogenes*; f) the procedures to ensure the competency of personnel as described in clause 142B g) an environmental testing programme as described in clause 141A; and h) product testing programme as described in clause 141B.	This clause will require operators to document procedures for the management of *Listeria* in their RMP. As part of this work they will be expected to review their specific control measures within their good operating practices (GOP) and process to manage *Listeria*. Review and improvement of GOP and process controls is a critical aspect of *Listeria* management. Whilst this proposal focuses on the improvement of practices for *Listeria* management, MPI is aware that systems audits have highlighted varying standards of food hygiene across the sector. Improvements in the management of *Listeria* would give the added benefit of improved hygiene generally. To assist in analysing the controls, the transmission routes for *L. monocytogenes* into and within the processing areas, harbourage sites (hot spots) and areas that present a potential for cross contamination, are to be documented. It is expected that an operator will review their current GOP and process controls (including data generated to validate processes such as cooking steps) to ensure that they are robust. The *Listeria* guidance can be used to assist with this assessment. Any area where the controls are inadequate (either in GOP or process controls) would require the operator to make improvements.

Clause	Proposed Amendment	Reason
	(3) The procedures for the environmental testing programme referred to in subclause (2)g) must — a) include a site plan for each area where ready to eat animal product is processed showing the: i) position of drains, doorways and other access points, equipment and the process flows for each product; ii) high care area(s); iii) environmental (including product contact surface) sampling sites in the high care area that specifically target areas: 1) that are most likely to be contaminated: 2) that are hard to access and clean, for example where waste product may accumulate: 3) where there is a high frequency of people, product or equipment movement within the processing area. (4) The procedures for the environmental testing programme and product testing programme referred to in subclauses (2)g) and (2)h) must — a) set out the number of samples to be taken during each sampling period and when each sampling period will occur; b) provide the name or designation of personnel responsible for carrying out sampling, including a back-up person to ensure coverage is available when needed; c) set out procedures for sampling, sample handling and sample delivery to the laboratory; d) set out procedures for communicating with the laboratory, including the key contact at the laboratory, and who the laboratory will immediately notify of a detection of *Listeria* species or *Listeria*	The clause will also require documented procedures for the environmental and product testing programmes required by clauses 141A and 141B. This clause does not specify sample numbers, frequencies, locations or any other details of a sampling plan. However, it does guide the operator to select environmental sample locations in the high care area that are most likely to detect contamination. The environmental testing programme would need to cover all processing shifts and days when RTE product processing occurs. The operator will be required to document a plan that describes the actions that will be taken if *L. monocytogenes* is detected in the environmental or product samples and will include immediate notification of the recognised verifier. It is proposed that detections of *Listeria* spp be managed by the operator without involvement of MPI. But it is expected that an operator would have a documented action plan that they would follow if *Listeria* spp. was detected. Questions: 1. Do you support the proposal of no MPI involvement if *Listeria* spp is detected? 2. Should the recognised verifier be notified if *Listeria* is detected in the environmental or product samples? The name or designation of the people responsible for sampling and managing a response are to be identified in the programme. Laboratory notification procedures must also be documented and arrangements

Clause	Proposed Amendment	Reason
	monocytogenes; e) provide for a system for recording and reporting laboratory results in a way that allows for easy review of the results; f) set out an action plan that will be implemented immediately in the event of a detection of *Listeria monocytogenes* in the environmental samples or product samples, which includes — i) the name or designation of the person who will be responsible for managing the response to the detection; ii) procedures for the immediate notification of the recognised verifier if *Listeria monocytogenes* is detected; iii) the investigations to be undertaken to help identify the source of the detection and to identify any products that maybe affected but the detection; iv) management of any affected product including product disposition; v) corrective actions taken and confirmation that the actions were effective; vi) response review and reporting; vii) consideration of actions to prevent reoccurrence. (5) The operator must regularly review the documented procedures — a) at least annually; and b) in response to any matter or event that could impact on the effectiveness of the controls for *Listeria monocytogenes*, including but not limited to: i) a product: ii) a process: iii) the premises, facilities or equipment: iv) the risk management programme: or	made to ensure that the operator is notified immediately if there is a detection. All results must be analysed in a way that trends or patterns are easily identified e.g. to identify new or continuing contamination events, and appropriate actions taken and documented. The programme will need to be reviewed periodically and whenever critical changes are made within the premises or problems occur.

Clause	Proposed Amendment	Reason
	v) the person with overall responsibility for *Listeria* management: and vi) after the detection of *Listeria monocytogenes* in environmental samples or on product.	
141A Environmental testing programme	New wording: The operator must design a programme for environmental sampling and testing that — a) proactively looks for *Listeria monocytogenes* to minimise the likelihood of *Listeria monocytogenes* contaminating product; and b) confirms that any controls for *Listeria monocytogenes* are effective.	This clause will require operators to set up an environmental microbiological testing programme to verify that the effectiveness of the controls to minimise *L. monocytogenes* contamination. When properly set up this programme can be used for both verification purposes and also as an early warning to identify if *Listeria* is present so that corrective and preventative actions can be taken before it is able to contaminate product. MPI will develop a guidance document to assist DOBs who sell by wholesale to develop their environmental testing programme.
141B Product testing programme	New wording: The operator must design a product testing programme to confirm that any controls for *Listeria monocytogenes* set out in the risk management programme are effective.	This clause will require operators to verify the effectiveness of their GOP and process controls by setting up a microbiological testing programme for the RTE products covered by this Part. Processors of products listed in clause 140(2) will not be required to implement a product testing programme. MPI will develop a guidance document to assist DOBs who sell by wholesale to develop their product monitoring programmes.
142 Testing	New wording: An operator must use a laboratory with an International Accreditation New Zealand (IANZ) accreditation for the analysis of *Listeria monocytogenes* in respect of the product type to be tested.	To have confidence in the results, given the serious implications of a detection it is proposed that only IANZ accredited laboratories be used for the microbiological testing required by this Part. The operator would be required to ensure that the laboratory they select is IANZ accredited for the required tests and food product.

Clause	Proposed Amendment	Reason
142B Competencies	New wording: (1) The person responsible for *Listeria* management within the risk management programme premises, processing RTE products to which this Part applies must — a) ensure that personnel involved in processing RTE products have sufficient knowledge and skills to carry out their tasks effectively; b) ensure that sufficient trained personnel are present during the processing of RTE products; c) have knowledge of — i) *Listeria monocytogenes*; what it is, its sources, transmission routes and harbourage sites, and resistance to various environment conditions and the illness it causes; ii) the legislation and penalties for trading in animal products that is not fit for its intended purpose; iii) the guidance material issued by MPI for *Listeria* management; iv) the specific *Listeria* control measures for the products processed, to reduce the risk from *Listeria monocytogenes* during processing, distribution, marketing, storage and use; v) how to develop and implement an environmental and product testing programme; vi) how to analyse the test results and review the results; vii) how to manage a response following a detection of *Listeria* or *Listeria monocytogenes* in the environmental or product samples. (2) Training records must be kept. (3) Personnel responsible for carrying out *Listeria* sampling must	A good level of knowledge held by those who will be responsible for the implementation and ongoing operation of the proposed Part will be critical to its success. Past experience identifies that effective *Listeria* management requires that everyone has a role to play and that inappropriate behaviour by an individual who does not understand the consequences of their behaviour can undermine all the good work done by others. When implementing standards previously, problems have been encountered where there is a gap in the competency and understanding of those who are responsible. The management of *Listeria* is complex and MPI has consistently received stakeholder feedback that unless a requirement for competencies is put in to the legislation, this is likely to be an issue for the implementation of this Part. The situation has been likened to the canning industry, which for many years have required certain competencies to be met for retort operators and people involved in the validation of commercial sterilisation processes. This has ensured that a minimum competency is held by key personnel involved that sector. MPI is proposing to require competencies in relation to *Listeria* management that are appropriate to the role to be undertaken. The two key roles that have been identified are: • the person with responsibility for *Listeria* management within the premises; and • personnel responsible for carrying out sampling. It is proposed that the areas where knowledge is required will be specified but not the method by which this is to be achieved. Training may for example be provided 'in-house' by the RMP operator or by

Clause	Proposed Amendment	Reason
	be competent in — a) the identification of sampling sites; b) interpreting the requirements of the sampling plans (when, where and what to sample); c) the correct techniques for taking samples; d) the correct method for labelling samples and completing the sample submission form; e) the correct method for the storage and dispatch of samples to the laboratory; f) the significance of following correct procedures; and g) how and when samples may be composited. (4) The person responsible for *Listeria* management within the premises must ensure that personnel involved in processing animal products or entering areas used to process animal products to which this Part applies, including process workers, cleaners and engineers and maintenance staff must have an understanding, that is appropriate to their role, of — a) the risks to the operation and consumers from *Listeria* contamination; b) basic information about *Listeria monocytogenes*; what it is, sources, how it may be carried into the premises, the illness it causes; c) the specific task instructions for each control measure they are responsible for.	external providers. Effort will be needed by the operator to ensure that personnel are appropriately trained and that their knowledge is maintained. The person with responsibility for *Listeria* management is responsible for ensuring that other personnel involved in the processing of RTE products have the appropriate skills for their role. Investigations by MPI have indicated that there are limited training options available in relation to *Listeria* management. Given this, MPI is proposing to develop training materials to assist in filling this gap. It is hoped that in the longer term, industry will work with training providers to develop a more robust solution
142C Implementation	Wording (1) This Part comes into effect 6 months after the notice comes into force.	Many operators covered by this Part will already have some form or *Listeria* management programme. However, for some the requirement to develop and implement a programme and undertake any improvements to the premises and general hygiene may require greater resource. A transition period of 6 months from the date this Notice comes into effect is proposed to allow processors time to

Clause	Proposed Amendment	Reason
		implement the new *Listeria* requirements in this Part.
Part 14 Transportation		
143 Application and commencement of this Part	Delete reference to the Meat Act.	This regime is no longer in effect.
145 Hygiene and maintenance	Reword clause (3). New wording (3) The transport operator must take reasonable measures to ensure that exposed animal material or product is not handled by any person who is — a) confirmed or suspected, to be suffering from, or to be a carrier of a disease as described in Section A, Part 1, of the First Schedule of the Health Act 1956, that is likely to be transmitted through animal material, animal product or associated things; or b) confirmed or suspected, to be suffering from, or to be a carrier of, another disease or condition of public health concern including verocytotoxin producing or shiga-toxin producing Escherichia coli, that is likely to be transmitted through animal material, product or associated things; or ~~c) suffering from acute respiratory infection; or~~ d) suffering from boils, sores, infected wounds, or any other condition that cannot be adequately prevented from becoming a source of contamination.	To update the terminology and align with the proposed changes to Part 3, Health of personnel

Clause	Proposed Amendment	Reason
146 Operation	Include reference to the Food Act 2014 in clause (4)a). Delete reference to the Meat Act in clause (4)b).	To allow for alignment with requirements in the Food Act 2014. This regime is no longer in effect.
Part 16 Revocations		
148 Revocations	Revoke the following: - Animal Products (Specifications for Products Intended for Human Consumption) Notice 2013 issued on the 20th day of December 2013: - Notice of animals to be treated as game estate animals issued on the 26th day of May 2003. - Approved Testing Methodologies Animal Products (Specifications for Products Intended for Human Consumption) Notice 2004 issued on the 14th of May 2004. Approved Laboratories Animal Products (Specifications for Products Intended for Human Consumption) Notice 2004 issued on the 14th of May 2004.	
Schedule 1: Specification for potable water supplied by an operator		
Part 1, 6, Tables 1 and 2. Part 2, B1	Add *Escherichia coli* to the micro-organisms that can be tested for.	To improve flexibility.
Schedule 2: Clean seawater specification		
3	a) Replace *E. coli* with *Escherichia coli*	Technical drafting change.
Schedule 3: Competency specifications		

Clause	Proposed Amendment	Reason
1 Ante-mortem and post-mortem examiners of mammals	Add a new subclause to align competencies for detain rail activities with export notice via the following amendment: New wording: (4) If the post-mortem examiner is only conducting detain rail activities as defined in the Animal Products (Export Requirement: Company Ante-Mortem and Post-Mortem Inspection) Notice 2013: (a) subclause (1) does not apply; and (b) the post-mortem examiner must instead meet the competencies specified in subclauses 5(8) and 5(9) of that notice.	When disease or a defect in an animal or animal product is identified, a post mortem examiner with specified qualifications needs to assess whether areas can be trimmed or removed to ensure the resulting product is fit for its intended purpose, and if appropriate what areas should be removed. The product is then put on the “detain rail” and trimmed as specified. Currently in this notice, a person with the same qualifications then needs to check that all trimming occurred before the product can be returned to the main processing line. For the second assessment, the person is just assessing whether the trimming occurred as specified. In the export notice there is a lower qualification threshold for the person doing the subsequent assessment. There would be efficiencies for processors if the requirements for detain rail activities were the same for both the domestic and export product. Amendments to this notice are needed to align with the export notice.
3 Supervisors of thermal processing of low-acid canned products	(1)(c) Add a new qualification that MPI has been accepted as meeting the requirements for demonstrating competency as a supervisor of thermal processing operations for the thermal processing of low acid canned products under clause 25(1)(b). New wording (1)(c) NZ Retort Supervisors and Process Control School, Food Processing Specialists Pty Ltd, Australia.	Clause 25(1)(b) of the Notice requires a risk management programme operator to ensure that people who supervise thermal processing operations for low-acid canned products, meet the competency set out in Schedule 3 of the notice. Schedule 3, clause 3(1) lists the qualifications which have been accepted as meeting the competency specification. Schedule 3, clause 3(2) allows the D-G to recognise alternative qualifications. The competency requirement is in place to ensure that this technically complex process is under the control of a person who has been trained in the critical aspects of the operation. A new qualification for retort operation supervisors has been developed by an Australian training provider. Following a thorough assessment of

Clause	Proposed Amendment	Reason
		the qualification this new course has been accepted by MPI.
4 Qualified ~~cannery~~ person (thermal processing)	(1)(c) Add a new qualification that MPI has been accepted as meeting the requirements for demonstrating competency as a qualified person (thermal processing) for aseptic processing and packaging of low acid canned products under clause 25(2). New wording: (1)(c) Approved Persons Course for the Aseptic Processing and Packaging of Low-Acid Foods, DWC FoodTech Pty. Ltd Melbourne, Australia:	Clause 25(2) of the Notice requires a risk management programme operator to ensure that people who develop aseptic processing and packaging operations for low-acid canned products, meet the competency set out in Schedule 3 of the Notice. Schedule 3, clause 4(1) lists the qualifications which have been accepted as meeting the competency specification. Schedule 3, clause 4(2) allows the D-G to recognise alternative qualifications. The competency requirement is in place to ensure that processes that are developed and validated in this technically complex area is undertaken by a person who has been trained in the critical aspects of the operation. Following a thorough assessment of the qualification this new course has been accepted by MPI.
5 Depuration of bivalve molluscan shellfish	Add a list of qualifications that are acceptable to MPI as meeting the requirements for persons who directly supervise depuration processes for bivalve molluscan shellfish operations under clause 25(3). New wording: (1) The training courses referred to in clause 25(3) include any of the following courses: a) SIS Training and Consulting Limited Depuration course, Solutions in Seafood Ltd, New Zealand; or b) Aquabio Consultants Depuration Training course, AquaBio	Clause 25(3) of the Notice requires a risk management programme operator to ensure that people who directly supervise processes involving the depuration of BMS, meet the competency set out in Schedule 3 of the notice. To provide greater clarity about which courses are currently acceptable to MPI it is proposed that Schedule 3, clause 5 will list the qualifications which have been accepted as meeting the competency specification. These courses have been provided for many years. A thorough assessment of the course content has been undertaken by MPI to come to this decision.

Clause	Proposed Amendment	Reason
	Consultants Ltd, New Zealand.	
Schedule 5: Supplier statements and forms		
Supplier statements and forms	Delete the sentence: "The particulars required in these forms are prescribed as the particulars required under this Notice."	Legal drafting change.
Statements	The following statements will be amended to delete reference to the clauses in the notice under which they have been made. A more generic reference will be applied where possible to future proof the statements and minimise unnecessary. - Certified Supplier Statement for the Supply of Wild Mammal Material for Human Consumption. - Certified Supplier Statement for the Supply of Live Possums for Human Consumption. - Certified Game Estate Supplier Statement for the Supply of Game Estate Mammals for Human Consumption. - Supplier Statement for the Supply of Poultry for Slaughter for Human Consumption. - Supplier Statement for the Supply of Farmed Fish for Human Consumption (other than Bivalve Molluscan Shellfish). - Poison Use Statement.	As a consequence to reformatting the specification, changes may be needed to cross referencing in the statements. These will be updated where necessary. Feedback is sought on how much transition time would be needed to bring the amended statements into effect so that any pre-printed stock can be used. Note that there are no plans to amend the ASD or ASD for pigs as part of this amendment.
Poison Use Statement	Amend the sentence under the table to include the word "person presenting the form". Proposed wording: " I agree to notify any changes to this statement that may occur within the three months from the date of signing to (please print name of person presenting the form) _____for whom this statement is provided."	To view the current statement, please go to the following link: http://www.foodsafety.govt.nz/elibrary/industry/landowner-manager-poison-use-statement/index.htm Industry feedback has indicated that a number of landowners (responsible persons) are writing their own name in this space rather than the name of the hunter (certified supplier) to whom the information is being provided. The form will be amended to clarify that it is the

Clause	Proposed Amendment	Reason
		name of the person presenting the form that is to be written here. Consideration had been given to using the statement "please print name of hunter" but this form may be used for purposes other than hunting and this wording would keep the form more generic in its application.
Approved Testing Methodologies		
Approved Testing Methodologies	Revoke the approved methodologies for *Salmonella* and *Escherichia coli* made pursuant to clause 121(2) of this notice.	This approval has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006 which provides for approved methods for BMS. The approval to be revoked can be viewed here: http://www.foodsafety.govt.nz/elibrary/industry/Approved_Testing-3_Salmonella.pdf
Approved Laboratories		
Approved Laboratories	Revoke the approval for laboratories made pursuant to clause 119 of this notice for laboratories to perform marine biotoxin assays to confirm compliance with clauses 120 – 139.	This approval has been superseded by the Animal Products (Specifications for Bivalve Molluscan Shellfish) Notice 2006 which provides for approved laboratories for BMS. The approval to be revoked can be viewed here: http://www.foodsafety.govt.nz/elibrary/industry/Approved_Laboratories-Food_Evaluation.pdf