

**June 2014 Submissions on the proposed
Animal Products (Specifications for Products Intended for Animal Consumption) Notice 2014**

Points MPI would like feedback on		MPI Response	
1.	Further petfood processors listing changes that include: •re-applying for listing every two years; and •the introduction of cost recovery fees in 2016. Refer to Part 9.	No issues; the current list is inaccurate and out-of-date.	Noted.
2.	There is no transition period suggested for implementing this new notice. If stakeholders have any concerns around having no transition period or have a preference for a transition period please note this here.	No issues. There is no need for a transition period.	Noted.
		Suggests transition period may be appropriate for suppliers of deer and goats where qualifications have not been a feature for them to date.	Many suppliers are already qualified to include deer and goats, thus the preference is not to have a transitional period.
3.	Removing the requirement for the poison use statement for farmed mammals, farmed ostriches and farmed emus.	No issues.	Noted.
		Supports the removal of requirements such as the Poison Use Statement, where such requirements are shown to be unnecessary or ineffectual.	Noted.

Part	Clause	Comment	Proposed amendment	MPI Response
Forms		Supports the separation of the forms from the Notice for ease of amendment in future.		Noted.
1		Deer - notes that even though a new definition is foreshadowed, it has not been added.		This was made in error - it should have just been goats (chamois and thar) and there is no intent to define deer.
1	1.7(1)	Suggest amending the definition of the term "ruminant" to align with the definition in the current version of the Biosecurity (Ruminant Protein) Regulations 1999	Ruminant means an animal of the suborder <i>Ruminantia</i> that chews the cud regurgitated from its rumen, for example, cattle, sheep, deer, and goats	Agreed and amended.
1	1.7(1)	Suggest amending the definition of the term "ruminant protein" to align with the definition in the current version of the Biosecurity (Ruminant Protein) Regulations 1999.	<p>ruminant protein—</p> <p>(a) means protein derived from the tissue (including blood) of a ruminant; but</p> <p>(b) does not include—</p> <p>(i) milk, cream, butter, or cheese, or any other product of milk or cream;</p> <p>(ii) tallow if the maximum level of insoluble impurities does not exceed 0.15% by weight;</p> <p>(iii) any derivative of the tallow described in subparagraph (ii);</p> <p>(iv) rennet;</p> <p>(v) dicalcium phosphate if it contains no trace of protein or fat;</p> <p>(vi) peptides with a molecular weight of less than 10 000 daltons;</p> <p>(vii) amino acids.</p>	Agreed and amended.
Contents	8.9	In 8.9.1, references incorrect.	Should read "8.9.2 and 8.9.3"	Agreed and amended.
Contents	7.7.3	Format error.	Page number should align right	This is a template problem and has been manually fixed.
Contents	7.7.8	Format error.	Page number should align right	This is a template problem and has been manually fixed
3	3.3.5(2)	Notes that under certain circumstances, and in relation to non-complying water, the animal product operator must cease operations and complete an assessment of water quality. As originally intended, this should be limited to those operations involving water where there are any and not to ALL operations, such as chilling and freezing for		Agreed and amended.

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		example.		
3	3.7.1(3)	Notes the requirement for animal product operators to ensure their approved suppliers of killed animals have attained the relevant qualifications that are outlined in Schedule 2. Since this clause now includes the approved suppliers of goats and deer, it is suggested that a transition period for qualifications be provided.		Many suppliers are already qualified to include deer and goats and thus the preference is not to have a transitional period.
4	4.7(2)(c) 4.7(3)	The amendments are intended to provide further clarification concerning and Clause 4.7(3) denaturing and tamper-evident bins/containers. However, because both clauses deal with exceptions to denaturing and the specific is dealt with first (in Clause 4.7(2)(c)), it is not clear if clause 4.7(2)(b) applies to clause 4.7(3) since only the provision in Clause 4.7(2)(a) has been repeated in Clause 4.7(3)(b). It would therefore improve clarity and remove duplication if Clauses 4.7(2)(a) and (b) appeared first as general 'dispatch' requirements and Clause 4.7(2)(c) was combined with Clause 4.7(3) as exceptions to denaturing.	All animal material or product dispatched in accordance with paragraph (2) must be denatured unless it is: (a) dispatched to premises operating under a risk management programme and contained in tamper-evident leak-proof bins/containers; or (b) dispatched for rendering and has been derived from sources referred to in subclause 10.3.2(2)(a)-(e); or (c) minimal risk material derived from fish.	Agreed and amended.
6	6.2(4)(a)	The reference in this clause needs correcting as subclause 7.2.1(2) does not exist.		Agreed and amended.
7	7.3.2	Recommends this subclause be reinserted in order to preserve the opportunity to seek an exemption should one be required.	The Director-General may issue an exemption from subclause (1)(a) or (b), for certain classes or descriptions of animal material, where the Director-General is satisfied that the risk to animal health is negligible.	It would not be acceptable to permit product for export to be within a withholding period. Also, the exemption was removed from this subclause as there is concern that there is no legal basis to provide an exemption in this way.
7	7.3.3	The title of this clause should read:	Supplier statements for farmed animals <u>for</u> petfood slaughter and killing.	Agreed and amended.
7	7.3.3(3)	Several additions have been made to this clause, in part, presumably to address the deletion of Clause 43 in the 2006 Notice. However, the subclause 7.3.3(3)(e), which reads "whether the animals have been exposed to poisons or chemical contaminants" seems to be asking for information that it has been recognised the farmer has difficulty with in relation to animals that may have		The actual requirements are described as questions in the Animal Material Supplier Statement which requires the supplier to declare that the animal(s) have not been harvested from areas of poisoning operations and that they are not showing any signs of illness or disease. MPI believes that the Supplier Statement clarifies these

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		wandered onto adjacent areas, and defining those areas for the purposes of determining whether poisons had been laid on them. It is not clear what level of knowledge the farmer is intended to present in responding to this information requirement. Similarly, it is unclear what the expectation is for describing the health status of the animals as required by the new provision in subclause 7.3.3(3)(i). Appreciates the removal of the provisions relating to Poison Use Statements.		issues.
7	7.4	The words "for humane reasons" are redundant, and Clause 7.4.1 should reference the requirements specified by the Director-General for on-farm killing.	The requirements specified by the Director-General for on-farm killing are specified in the <i>Requirements for the On-farm Killing of Farmed Mammals to be Supplied for Petfood 2013</i> , which is referenced in 1.6 (1) (e). It does not contain the words "for humane reasons". The majority of animals killed on-farm are now not for humane reasons. Therefore the words "for humane reasons" are redundant, misleading and should be removed. The words "for humane reasons" occurs in 7.4, 7.4.1, 7.4.1 (1) and also in 7.3.1 (10) and twice in the Index. Clause 7.4.1 should have an additional subclause to reference the Director-General's specification.	MPI is retaining the 'killing farmed mammals in the field for humane reasons' provision for the occasions it is required.
7	7.4.1(1)	Inconsistency between "on-farm" and "in the field"	To be consistent with the rest of the document the words "in the field" should be replaced by "on-farm"	MPI is retaining the term "in the field" as appropriate for the occasions on public land i.e. not necessarily on-farm e.g. 2.2(1)(c). 7.4.4(1) has been amended to "on-farm".
7	7.5(1)	Placement of the bracketed information in relation to the primary processor is unnecessarily confusing.	Recommends that the bracketed information revert to its position immediately following the reference to "flock health scheme", since this is what the information refers to.	Agreed and amended.
7	7.7		The title of this clause should read "Supply of killed wild rabbits, hares, wallabies, goats and deer"	Agreed and amended.

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			since the relevant clauses have been amended to extend to wild goats and deer.	
7	7.7.2(b)	It is unclear if the examination is approved in writing by the Director-General or if the training booklet is approved in writing.		Agreed and amended.
7	7.7.2(c)	The clause refers to "Gun Licence".	The reference should be to "Firearms Licence".	Agreed and amended.
7	7.7.3(2)(b) and (2)(c)	In the definitions, goat includes chamois and thar. In 7.7.3 (2) b) thar is itemised separately, which gives the impression chamois has been left out.	In 7.7.3 (2) (c) "Goats" should read "Goats (including chamois)"	Agreed however this has been amended to "Goats (excluding thar)" as chamois in the definition of goat (1.7) and thar has been used separately in the table cell above.
7	7.7.4, Table 1	In the definitions, goat includes chamois and thar. In table 1 thar is itemised separately, which gives the impression chamois has been left out	In table 1 "Goats" should read "Goats (including chamois)"	Agreed and amended.
7	7.6	Inconsistency between 7.6 (1) and 7.6 (2)	Clause 7.6 (1) includes killed wild animals, game estate animals and farmed animals that become feral. Clause 7.6 (2) should have the same wording to be clear of the scope of the clauses that follow. Should "that become feral" be "that have become feral"?	Agreed and amended.
8	8.9.1	References incorrect	Should read "8.9.2 and 8.9.3"	Agreed and amended.
9	9.8(1)	Clauses 9.5, 9.6 and 9.7 all cover elements of the listing requirement. Clause 9.8(1) refers to "An application for renewal of registration of a processor...". NZGC will submit on fees and charges at the appropriate time.	This should more properly read "An application for renewal of listing of a processor...".	Agreed and amended.
10	10.3.2(2)(f)	The reference in this clause may need amending if Clause 4.7(3) is redrafted as suggested above.		Agreed and amended.
11	11.7	Suggest amending the title of the section heading from "Ruminant animal material" to "Ruminant protein". The words "Ruminant protein" has a legal meaning, while "ruminant animal material" does not such legal standing.	Amend as proposed in the comment box.	Agreed and amended.

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		There will be no ambiguity if the term "ruminant protein" is used in the AC Specs.		
11	11.7(3)	Suggest deleting this sub-clause as tallow is defined under "ruminant protein". If this sub-clause is not deleted then it is best re-phrased into one of the two ways given in the proposed amendment box.	(a) For the purposes of paragraph (2), tallow is considered to be ruminant protein if the level of insoluble impurities in the tallow exceeds 0.15% by weight. Or, (b) For the purposes of paragraph (2), tallow is not considered to be ruminant protein if the level of insoluble impurities in the tallow does not exceed 0.15% by weight.	Agreed and amended.
11	11.7(4)	When ruminant protein and non-ruminant protein material are processed in the same premises separate dedicated lines for each animal material must be used.	Suggest replacing the words "ruminant animal material" by "ruminant protein".	Agreed and amended.
11	11.7(5)	Suggesting amending the sub-clause to replace "ruminant animal material" by "ruminant protein", and also include the specific statement the product must be labelled with.	Despite paragraph (4), ruminant protein and non-ruminant protein material may be processed in a common processing line, provided all resulting animal product is labelled with the following regulatory statement: "Notice: Do not feed to sheep, cattle, deer, goats, buffaloes, or other ruminant animals. This product contains or may contain ruminant protein." The labelling details must comply with the requirements in Clause 14 of the Biosecurity (Ruminant Protein) Regulations 1999.	Partially agreed. Have amended 11.7(5) as: Despite subclause (4), ruminant protein and non-ruminant protein material may be processed in a common processing line, provided all resulting animal product is clearly labelled as containing ruminant animal material as required under the Biosecurity (Ruminant Protein) Regulations 1999.
Schedule 2		Under the heading "Approved suppliers", reference is made to "subclause 7.7.3(2)".	This should refer to subclauses 3.7.1(3) and 7.7.3(1).	Agreed and amended.