

**Ministry of Agriculture and Forestry
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WELLINGTON**

**ACVM –
STANDARD FOR
CODES OF PRACTICE**

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Endorsement:

Date:

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ACVM - STANDARD FOR CODES OF PRACTICE

1 INTRODUCTION

This standard specifies the minimum requirements for approval of a code of practice under section 28 of the Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM Act). It is intended to provide direction to any party intending to propose a code of practice as a means of meeting conditions on registered trade name products or exempted agricultural compounds. It also forms the basis for assessment of proposed codes in accordance with ACVMGP-0? procedure: *Approval of Codes of Practice under Section 28 of the ACVM Act 1997*.

1.1 Scope

This standard contains specifications for:

- approval of a code of practice by the Director-General of MAF;
- the required content; and
- the maintenance of an approved code.

1.2 Definitions

Approved code of practice

A collection of specifications governing particular actions and decisions approved under section 28 of the ACVM Act by the Director-General of MAF.

1.3 References

Agricultural Compounds and Veterinary Medicines Act 1997

ACVMGP-0? procedure: *Approval of Codes of Practice under Section 28 of the ACVM Act 1997*

2 SPECIFICATIONS

2.1 Approval specifications

2.1.1 A copy of the code of practice must be provided with the application for approval. The application may take the form of a letter to the Director-General of the Ministry of Agriculture and Forestry requesting approval under section 28 of the ACVM Act. The letter must provide sufficient direction to allow the request to be considered in the context of the ACVM Act and any unique characteristics about the code must be explained to facilitate its assessment.

2.1.2 In order to be approved by MAF, a code of practice must be designed to manage risks relevant to the ACVM Act.

- 2.1.3 Where a code covers additional matters not directly relevant to the ACVM Act, the approval will be specific about which part of the code has been approved and why.
- 2.1.4 The title of the document will remain as dictated by the owner/sponsor. It can be called a standard, guideline or code of conduct, but the approval will refer to it as a code of practice.
- 2.1.5 If the code is written specifically for a particular group/use/crop/species the approval will specify the purpose for which it has been approved. Use of the code for any other purpose will not be recognised as meeting a statutory obligation to act in accordance with an approved code of practice.

2.2 Content specifications

- 2.2.1 To be approved, a code must specify the owner/sponsor of the code and a point of contact. It must also provide identification and document control information for the code itself.
- 2.2.2 The code must specify its purpose and the scope of activities that are to be governed by the specifications.
- 2.2.3 The consequences of not complying with the code must be explained and the reader of the code must be warned where non-compliance would result in breaches of statutory conditions. In its review of a proposed code, MAF will advise the owner/sponsor where non-compliance would have statutory implications.
- 2.2.4 The code must specify who would be subject to the code and what their responsibilities are.
- 2.2.5 The code must specify what actions must be taken and to what standard.
- 2.2.6 The code must specify what risk reduction outcomes would be expected from each action or the collective outcome when a series of actions must be taken.
- 2.2.7 Where the code provides for discretion or points of decision, the decision criteria must be specified. It must also specify any contingency actions that must be taken and under what circumstances.
- 2.2.8 The code must specify how actions and decisions must be documented and the obligations in regard to documentation and record keeping.

2.3 Maintenance specifications

- 2.3.1 Once approved, the title of the code of practice will be placed on a public register. A copy will be held for public inspection. Copies of the code will not be distributed by MAF and the official copy will not be released from MAF's custody. Members of the

public may examine the official copy during normal working hours at the Head Office of MAF in Wellington.

- 2.3.2 The code of practice will remain the property of the owner/sponsor. Any requests for copies of the code will be directed to the owner/sponsor.
- 2.3.3 The owner/sponsor will be responsible for maintaining, reviewing and amending the code. MAF will not modify the code in any way.
- 2.3.4 The owner/sponsor or agent of the owner/sponsor will be responsible for promoting the use of the code and implementing whatever training may be necessary to give effect to the code.
- 2.3.5 The owner/sponsor will be responsible for making arrangements for any monitoring of practices specified in the code.
- 2.3.6 Compliance with an approved code will be monitored/audited by MAF in cases in which compliance to that code is a specific statutory condition. MAF will not monitor/audit compliance with a code in cases in which compliance to a code would be deemed to be taking adequate measures to meet statutory conditions. However, MAF will investigate suspicions or allegations of non-compliance with statutory conditions where compliance with an approved code could be used as evidence of compliance with those statutory conditions.
- 2.3.7 Amendments to the code or any approved part of the code must be notified to MAF. MAF will determine whether or not the code as amended should still be approved.
- 2.3.8 If, after amendment, the code is no longer appropriate the owner/sponsor will be advised of what changes would be required to make it acceptable. If the changes are unacceptable to the owner/sponsor, approval will be withdrawn and the code will be removed from the public register.