



NEW ZEALAND
nzfa
FOOD SAFETY
AUTHORITY
Te Pou Oranga Kai O Aotearoa

ACVM Act

Changes and implications



Parallel initiatives

- Implementation of changes in the ACVM Act
- Implementation of changes in ACVM operational policy
- Refinement of Business As Usual processes
- Revision of ACVM Standards and information requirements
- Maintenance of ACVM Regulations
- Amendment of ACVM cost recovery Regulations

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Changes in the ACVM Act (57 clauses)

- New public health risks area
- Ability to manage uncleared or unauthorised goods
- Two new mechanisms for exemption from registration
- Suspension of registration
- Recall of agricultural compounds
- Certificates of compliance
- Issue Notice related to Regulations

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Areas of Work

- Cost recovery principles
- Regulation making power to prescribe procedures, processes, and requirements
- Control of manufacture or import
- Recognise persons
- Approve operating plans

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Operating plans and recognised persons

Operating plan

Regulated party's description of how they will comply

Code of practice

Regulated party's description of best practice

All currently approved CoPs deemed Ops; some are a bad fit

Recognised persons -

Recognised to carry out a function for the purpose of the ACVM Act

Formal recognition (s62) from NZFSA

(eg, manufacturers, traders, prescribers, users)

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ACVM Regulatory Framework

The Agricultural Compounds and Veterinary Medicines Act 1997, section 4A

Act is only relevant to substances that fit the definition of an agricultural compound

(Section 2 and operational interpretation)

No person may import, manufacture, sell or use in New Zealand any agricultural compound without authorisation (Section 8)

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Purpose of ACVM Act

Manage risk to:

- public health
- trade in primary produce
- agricultural security
- animal welfare

Avoid non-compliant residues in food

Ensure provision of sufficient consumer information

Always in relation to agricultural compounds

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Definition of agricultural compound

Substance, mixture, biological compound

Used to manage animals or plants

Applied directly or to the surroundings

For a listed purpose

NB Amendment to Act changed definition slightly

The intended outcome is not limited

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Possible new product groups

- Domestic and public health insecticides
- Antifouling paints
- Industrial, home garden and turf products
- Cleaners, disinfectants and sanitisers
- Timber products

Just because they are agricultural compounds does not mean they will have to be registered

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Authorisation of ag cpds

Three types of authorisation: (i.e. 'approval')

1. Registration (s21)
2. Provisional registration (s27)
3. Exemption from registration (s8A)
 - Exempt under s75(1)(a)
 - Listed as GRAS (s8B)
 - Approved in special circumstances (s8C)

Agricultural compounds are authorised if the relevant risks can be managed by applying conditions

Refer ACVM risk thresholds and criteria

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Risk thresholds and criteria

Agricultural Security

- Relates to Biosecurity Act
- Also in the management of undesirable pests

Animal Welfare

- Relates to the Animal Welfare Act
- Prevent unnecessary and unreasonable pain or distress

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Risk thresholds and criteria

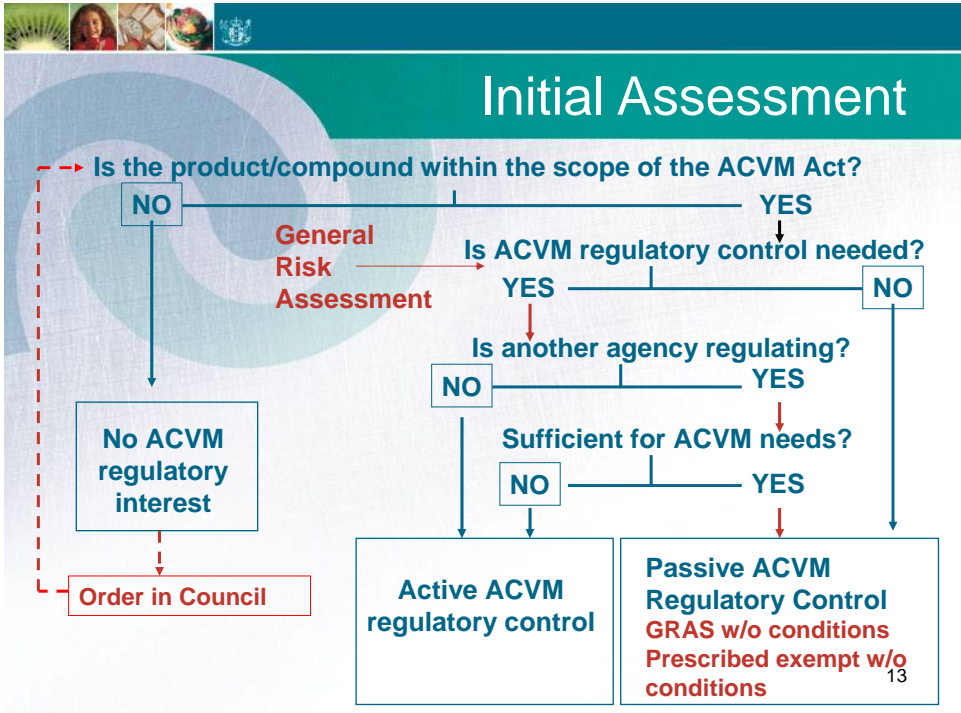
Trade

- Current in relation to export
- Future – include domestic

Public Health (new risk area)

- Relates to health of people and community
- Not intended to cover areas already managed by other legislation

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Implications for industry



Antifouling Paints

What does this cover?

- Boat surfaces?
 - Fishing nets?
 - Physical type coatings?
- } Control unwanted organisms on submerged surfaces

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Antifouling Paints *contd.*

What is the level of Regulatory control needed?

Need to consider against risks and their thresholds

- Biosecurity?
- Trade?
- Residues (aquaculture)?

Perhaps only in selected circumstances

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Water Treatment Products

What does this cover?

- Water quality eg herbicides for waterways, irrigation channels, ponds?
- Water storage

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Water Treatment Products *contd.*

What is the level of Regulatory control needed?

Need to consider against risks and their thresholds

- Residues?
- Biosecurity?

Perhaps only under certain circumstances
eg, didymo control

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Timber Products

What does this cover?

- Post harvest vs processing aid
- Insect and disease (pests)
- Treated crates used to store produce?

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Timber Products *contd.*

What is the level of Regulatory control needed?

Need to consider against risks and their thresholds

- Trade?
- Biosecurity?
- Residues (contamination from treated timber to produce)?

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Disinfectants and sanitisers

What does this cover?

- Used to manage plant and animal pests in environment and buildings etc
- Cover post-slaughter and post-harvest

Does not cover

- Use in water systems

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Disinfectants and sanitisers *contd.*

What is the level of Regulatory control needed?

Need to consider against risks and their thresholds

- Trade (Government to Government Certification)?
- Biosecurity?
- Residues in food (commercial establishments such as restaurants, meat and dairy premises)
- Public Health?

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Public health insecticides

What does this cover?

- Household fly sprays?
- Products used in buildings/structures to control crawling and flying insects?
- Products used in environment such as for wasp, mosquito and ant control?

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Public health insecticides *contd.*

What is the level of Regulatory control needed?

Need to consider against risks and their thresholds

- Residues in food (commercial establishments such as restaurants, meat and dairy premises)
- Public health – many insects vectors of diseases
- Commercial vs Household (any differences)

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Speciality ag chemicals

What does this cover?

- Non-agricultural/horticultural products such as turf and lawn care products

Does not cover

- Use in water systems

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Speciality ag chemicals *contd.*

What is the level of Regulatory control needed?

Need to consider against risks and their thresholds

- Trade?
- Biosecurity?

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Transitional

What if my product requires registration?

- What data do I need to supply?
- When is registration required by?
 - Updating of labels?
- Will there be data protection?
- What are the costs?

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Transitional

What data do I need to supply?

- Chemistry, Efficacy and Residues (if around food)

When is registration required by?

- Between 1-3 years from when a decision is made that they require registration
- Product will still be allowed to be sold, BUT there will be a cut off date
- Existing labels can be used until end of transitional period

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Transitional

Data Protection?

- Yes if innovative active ingredient

What are the regulatory costs?

- Between \$1000-\$2000
- Annual renewal fee

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Where to from here?

Public Discussion Documents:

- Fundamentals and Framework
- Regulations (multiple)
- Cost Recovery

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