



Animal Products (Specifications for Products Intended for Human Consumption) Amendment Notice (No.3) 2005

Under sections 81A, 159 and 167, and section 167(1) (h), of the Animal Products Act 1999 I issue the following notice for the purpose of amending the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2004.

Signed at Wellington this 7th day of September 2005

Tim Knox
Director (Animal Products)
New Zealand Food Safety Authority
(Acting under delegated authority)

Certified in order for signature

Solicitor
Legal Services

7/ 9 / 2005

Published by the Ministry of Agriculture and Forestry (New Zealand Food Safety Authority)

PO Box 2835, Wellington

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Notice

1 Title

- (1) This notice is the Animal Products (Specifications for Products Intended for Human Consumption) Amendment Notice (No.3) 2005.
- (2) In this Notice the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2004 is called the “principal notice”.

2 Commencement

- (1) This notice comes into force on 1 January 2006.
- (2) Part 9A will apply to farmed pigs from 1 March 2006.

3 Interpretation

Clause 3 of the principal notice is amended by revoking the definitions of “animal status declaration”, and “animal status declaration for pigs” and substituting the following definitions:

animal status declaration means a declaration relating to farmed ostriches, farmed emus and farmed mammals other than pigs in a form approved by the Director-General

animal status declaration for pigs means a declaration relating to farmed pigs in a form approved by the Director-General

Clause 3 of the principal notice is amended by inserting, in alphabetical order, the following definition:

person in control means, for the purposes of Part 9A, a person who has control of the animals and the knowledge and authority to complete the supplier statement, including farmers, primary producers, owners, farm managers, or saleyard operators, of farmed mammals, ostriches and emus, but does not include transport operators; and person in charge has the same meaning

Clause 3 of the principal notice is amended by revoking the definition of “bobby calf”.

4 New Part 9A inserted

The principal notice is amended by inserting, after Part 9, the following heading and clauses:

“Part 9A Movement of Farmed Animals

36A Application of this Part

- (1) This Part applies to the movement of farmed animals described in subclause (2) to a new premises, property or to a saleyard, but does not apply to the movement of farmed animals to primary processing premises.
- (2) For the purposes of this Part, farmed animals means farmed cattle, farmed deer, farmed sheep, farmed goats, farmed alpacas, farmed llamas, farmed pigs, farmed ostriches and farmed emus.

36B Supplier statements for the movement of farmed animals

- (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, and

supply it to the new person in control when those animals are moved to a new premises, property or saleyard.

- (2) No animal status declaration (or animal status declaration for pigs) is required where farmed animals are moved to a new premises, property or saleyard and there is no change to the person in control.
- (3) The animal status declaration (or the animal status declaration for pigs) must be completed in accordance with its stated requirements as approved by the Director-General.
- (4) The person in control must complete the animal status declaration (or the animal status declaration for pigs) to the best of their knowledge, and using any supplier statements supplied by previous persons in control of the farmed animals.
- (5) The person in control may supply the animal status declaration (or the animal status declaration for pigs) to the new person in control by electronic transmission.
- (6) Any person who is in control of —
 - (a) farmed pigs, farmed ostriches or farmed emus 63 days or more prior to the movement of those farmed animals; or
 - (b) other farmed animals 91 days or more prior to the movement of those farmed animals;

may consider the withholding periods of any treatments administered by any previous person in control to have expired.

- (7)
 - (a) A copy of the animal status declaration (or the animal status declaration for pigs) must be kept by the supplier and recipient of the farmed animals for a period of 1 year after the animal movement is completed and it must be made available for audit.
 - (b) The supplier of the farmed animals must keep —
 - (i) any records and other information used to complete the animal status declaration (or the animal status declaration for pigs); and
 - (ii) manufacturer's declarations relating to the composition of animal feeds fed to farmed ruminants;

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.

- (8) 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) and records must be kept at the premises, property or saleyard to which the declarations relate.
- (9) Where this clause is inconsistent with the Biosecurity (National Bovine Tuberculosis Pest Management Strategy) Order 1998 the requirements of the Order prevail."

5 Clause 39 revoked and replaced

The principal notice is amended by revoking clause 39 and substituting the following clause:

"39 Supply of farmed animals and live possums

- (1) This clause applies to farmed mammals, farmed birds and farmed fish (other than bivalve molluscan shellfish) supplied directly to a primary processor.
- (2) Suppliers must present farmed mammals and farmed birds live for processing.
- (3) Suppliers must not present animal material for processing if it:

- (a) has been treated with or exposed to a registered agricultural compound and is within the relevant withholding period stated on the label of the compound:
- (b) has been treated with or exposed to a registered agricultural compound 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, 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.
- (4) Despite subclause (3), suppliers may present animal material for processing within the specified periods if a veterinarian registered by the Veterinary Council of New Zealand has prescribed 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 or exposed to an approved veterinary medicine in a manner that differs from the conditions on the prescription issued by a veterinarian registered by the Veterinary Council of New Zealand.
- (6) Suppliers must not present any animal material for processing if it has been treated with or exposed to an unapproved veterinary medicine 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 any animal material for processing if the supplier reasonably suspects that any resulting animal material would exceed any MRL or MPL.”

6 Clause 40 revoked and replaced

The principal notice is amended by revoking clause 40 and substituting the following clause:

“40 Supplier statements for farmed animals

- (1) Suppliers of the following farmed animals must provide a completed and signed supplier statement to the primary processor on presentation of the animal material for primary processing:
 - (a) cattle (excluding bobby calves), deer, sheep (including lambs), goats, alpacas, llamas, horses, ostriches, emus;
 - (b) pigs;
 - (c) poultry, fish (other than bivalve molluscan shellfish).
- (2) No supplier statement is required for poultry or fish (other than bivalve molluscan shellfish) that are supplied by a specified supplier within, and in compliance with, the operator’s supplier guarantee programme.
- (3) The supplier must complete the statement to the best of their knowledge, and using any supplier statements supplied by previous persons in control of the animal material.
- (4) The supplier may supply the supplier statement to the processor by electronic transmission.
- (5) A copy of the supplier statement must be kept by the supplier for a period of 1 year after the supply of the animals is completed and it must be made available for audit.

- (6) 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;

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.

- (7) If a supplier ceases to be engaged or employed at a premises, property or saleyard, the supplier statement records must be kept at the premises, property or saleyard to which the statement relates.”

7 Clause 70 revoked and replaced

The principal notice is amended by revoking clause 70 and substituting the following clause:

“70 Reception

- (1) An operator must not accept any animal material for processing if the supplier statement required by this Notice has not been supplied or is incomplete.
- (2) Despite subclause (1) an operator may hold animal material pending the supply of a completed or replacement supplier statement.
- (3) If any animal material is submitted for processing accompanied by a poison use statement the operator must confirm that the animal material is suitable for processing before processing that material.
- (4) An operator must not accept animal material for processing if the operator reasonably suspects that the information in the accompanying supplier statement is fraudulent, and must inform the New Zealand Food Safety Authority within one day of forming the reasonable suspicion.
- (5) Despite subclause (1), an operator may accept farmed poultry if —
 - (a) the supplier is a specified supplier within the operator's supplier guarantee programme; and
 - (b) the supplier has provided information in accordance with the supplier guarantee programme at least 6 monthly; and
 - (c) the animal material is of the type that is described in the supplier guarantee programme.
- (6) The operator must document procedures to deal with situations where the supplier statement does not confirm the status of the animal material as suitable for processing.
- (7) An operator must keep a copy of every supplier statement for 4 years.”

Issued under section 167 of the Animal Products Act 1999.

Date of notification in Gazette: []

This notice is administered in the Ministry of Agriculture and Forestry in the New Zealand Food Safety Authority.
