



Animal Products (Harvest Statement and Tulin Requirements for Export Bee Products) Notice 2009 No 2

Pursuant to section 60 of the Animal Products Act 1999, I, Carol Barnao, Director Standards issue the following notice for the purposes of facilitating access to overseas markets, and safeguarding assurances provided by New Zealand.

Signed at Wellington this 28th day of July 2009

[Signed]

Carol Barnao
Director Standards
New Zealand Food Safety Authority
(Acting under delegated authority)

Certified in order for signature

[Signed]

Solicitor
Legal Services

21 / 07 / 2009

Published by the New Zealand Food Safety Authority
PO Box 2835, Wellington

Contents

Notice

- 1 Title
- 2 Commencement
- 3 Revocation

Part 1 Preliminary Provisions

- 4 Application
- 5 Interpretation

Part 2 Requirements for Export Bee Products

- 6 Harvest Statements
- 7 Harvest Statement non-compliance
- 8 Records
- 9 Verification

Part 3 Tutin Requirements for Honey Products

- 10 Food (Tutin in Honey) Standard 2008 applicable
- 11 Notification of non-compliance with Food (Tutin in Honey) Standard 2008
- 12 Eligibility for official assurance
- 13 Verification of harvest statements
- 14 Transfer statements
- 15 E-cert transfer documents
- 16 Control of non-complying honey products

Schedule 1

Notice

1 Title

This notice is the Animal Products (Harvest Statement and Tutin Requirements for Export Bee Products) Notice 2009.

2 Commencement

This notice comes into force on 1 August 2009.

3 Revocation

This notice revokes the Animal Products (Harvest Statement and Tutin Requirements for Export Bee Products) Notice 2009 dated 29 June 2009.

Part 1 Preliminary Provisions

4 Application

- (1) This notice applies to—
- (a) all bee products intended for export for which an official assurance is required, and
 - (b) all bee product RMP operators and registered exporters of bee products; and
 - (c) apiarists who supply bee products to RMP operators processing bee products for export for which an official assurance is required, and
 - (d) verifiers who verify honey RMPs, and
 - (e) authorised persons who sign official assurances for honey.
- (2) The requirements in this notice that relate to tutin are additional to the requirements of the Food (Tutin in Honey) Standard 2008 and any amendment to, or replacement of, that standard.

5 Interpretation

- (1) In this notice, unless the context otherwise requires.—

Act means the Animal Products Act 1999

FSP means a Food Safety Programme registered under the Food Act 1981

harvest statement means the Apiarist and Beekeeper Statement for the Harvest of Honey and Other Bee Products for Human Consumption set out in the Schedule to this notice

honey product means honey, comb honey, and products made from honey

Human Consumption Specifications means the Animal Products (Specifications For Products Intended For Human Consumption) Notice 2004 and any amendment to, or replacement of, that notice

identifier means the RMP identifier, or other identifier indicating that an animal product business holds the relevant registration or listing under the Animal Products Act 1999

NZFSA means the New Zealand Food Safety Authority

NZFSA website refers to <http://www.nzfsa.govt.nz>

RMP means a risk management programme registered under the Animal Products Act 1999

routine verification means a normal RMP verification carried out in accordance with set verification frequencies

transfer statement means the Statement for the Transfer of Export Bee Products, or equivalent operator documentation used for the same purpose

- (2) Any term or expression that is defined in the Animal Products Act 1999, or any regulations made under the Act, and is used but not defined in this notice, has the same meaning as in that Act or those regulations.

Part 2 Requirements for Export Bee Products

6 Harvest Statements

- (1) Apiarists and beekeepers must complete and sign the harvest statement set out in the Schedule of this notice, whenever they supply bee products to an RMP operator who is processing the bee products for export with an official assurance.
- (2) The apiarist or beekeeper must send the original harvest statement with the bee products to the RMP operator who receives the bee products for processing.
- (3) Despite sub-clause (1), if an apiarist or beekeeper operates a secondary processing RMP, the apiarist or beekeeper may keep records containing the information required by the statement instead of completing and signing the statement for products they are processing which are derived from their apiaries.
- (4) When completing a harvest statement, an apiarist or beekeeper must ensure—
 - (a) the owner or the day-to-day manager of the apiary, as at the time the statement is being completed, signs the statement; and
 - (b) the statement is dated with the actual date on which the statement is being completed; and
 - (c) all parts of the statement relevant to the bee product being supplied to the RMP are completed; and
 - (d) the statement template is not modified in any way from the form in which it appears in the Schedule of this notice; and
 - (e) the “Apiarist name” and “Apiarist Physical Address” is completed using name and address details as they appear in the RMP or FSP register if the apiarist or beekeeper is operating a primary processing RMP or FSP.

7 Harvest Statement non-compliance

- (1) If an apiarist or beekeeper does not provide a completed and signed harvest statement to the RMP operator to whom he or she is supplying bee products, the bee products will be ineligible for an official assurance.
- (2) If the harvest statement provided by an apiarist or beekeeper is found to be in error for any reason, the associated bee products are ineligible for an official assurance.
- (3) Despite subclauses (1) and (2), the affected bee products may regain eligibility for an official assurance if—
 - (a) a replacement (or new in the case of sub-clause (1)) harvest statement is provided, or the original harvest statement is amended and the amendments are countersigned by the person who originally signed the harvest statement; and

- (b) the harvest statement confirms that the bee product is compliant with all relevant requirements.

8 Records

- (1) The records held by an apiarist or beekeeper under clause 34(2) of the Human Consumption Specifications must be made available to verifiers, animal product officers and the Director-General on request.
- (2) An RMP operator who has received a harvest statement must retain the original (or equivalent records in the case of clause 6(3)) for a period of 4 years (commencing on the date on which the last product to which the statement relates left the RMP premises).
- (3) An apiarist or beekeeper must retain a copy of each harvest statement they sign for a period of 4 years. Retaining a copy can include electronic storage of a scanned copy of the signed original.

9 Verification

- (1) At every routine RMP verification, a verifier must examine a proportion of all incoming harvest statements or transfer statements to check for compliance with this notice.
- (2) A verifier must verify compliance with the Food (Tutin in Honey) Standard 2008 (see clause 9 below for application of the standard).
- (3) A verifier must also examine outgoing transfer statements to ensure they are adequately supported by the information on incoming documentation.

Part 3

Tutin Requirements for Honey Products

10 Food (Tutin in Honey) Standard 2008 applicable

The Food (Tutin in Honey) Standard 2008 applies to the persons covered by this notice to the extent that they are covered by the Food (Tutin in Honey) Standard 2008.

11 Notification of non-compliance with Food (Tutin in Honey) Standard 2008

- (1) An operator must notify his or her verifier of any tutin test result that exceeds any applicable limit set in the Food (Tutin in Honey) Standard 2008.
- (2) An operator must notify his or her verifier of any tutin test result that exceeds applicable tutin limits set under the Animal Products Act 1999, if any.
- (3) Operator requirements to notify under this clause are irrespective of whether a test is taken to demonstrate regulatory compliance or for commercial purposes.
- (4) Operators must make all harvest statements (or equivalent records) associated with the affected batch of honey product available to the verifier on request.
- (5) If part of a batch of honey product that exceeds any tutin limits is located at other premises, the verifier must inform an animal product officer. The animal product officer must commence a trace on all affected honey products and ensure testing and control measures are, or have been, put in place.

12 Eligibility for official assurance

A honey product is eligible for an official assurance if—

- (a) the honey product is harvested and produced in accordance with the Food (Tutin in Honey) Standard 2008; or
- (b) the honey product has been produced and harvested during a time of the year when the Food (Tutin in Honey) Standard 2008 does not apply (being 1 July to 31 December in any year, and prior to 25 January 2009).

13 Verification of harvest statements

- (1) At every routine RMP verification, a verifier must select at least one harvest statement and obtain all records from the apiarist or beekeeper necessary to demonstrate that the tutin attestation made on the statement is adequately supported.
- (2) A verifier must notify the Director-General if he or she determines that the records supplied under sub-clause (1) are inadequate to support the information on the harvest statement.
- (3) If a verifier notifies the Director-General under sub-clause (2), all honey products sourced from the hive sites indicated on the harvest statement are deemed suspect.
- (4) The Director-General must (in consultation with the verifier and other affected parties) determine the course of action in all cases where honey products are deemed to be suspect.

14 Transfer statements

- (1) A transfer statement for honey products must confirm that the honey products comply with clause 12 of this notice.
- (2) Honey products are ineligible for an official assurance if the associated transfer statement does not adequately confirm compliance with clause 12 of this notice.
- (3) Despite sub-clause (2), eligibility for an official assurance may be restored if the honey product has been tested for the presence of tutin in accordance with the Food (Tutin in Honey) Standard 2008; and
 - (a) found to be in compliance with the limit in the Food (Tutin in Honey) Standard 2008; and
 - (b) the applicable limit (if any) for the market or markets for which the product is destined (as specified in an overseas market access requirement relating to that market).

15 E-cert transfer documents

Operators must ensure E-cert transfer documents include the clause “eligible for human consumption subject to tutin testing” in the corresponding item comments field for honey products intended for human consumption, unless—

- (a) the honey product is sourced from apiaries that have met one of the honey production options in the Food (Tutin in Honey) Standard 2008, or
- (b) the honey product was produced and harvested during a time when the Food (Tutin in Honey) Standard 2008 does not apply, or
- (c) the honey product has been tested and the results show it to be compliant with relevant tutin limit(s).

16 Control of non-complying honey products

- (1) If honey products are exported and are subsequently found to be not fit for intended purpose due to non-compliant tutin levels, the operator to whom the non-compliant tutin level was reported must immediately notify the exporter.
- (2) If sub-clause (1) applies, the exporter must immediately make arrangements for the return to New Zealand of all suspect honey product.
- (3) If sub-clause (1) applies and the suspect honey product has arrived in the importing country, the operator must immediately notify the Director-General and must not take any action until instructed by the Director-General. (Note the exporter has existing duties under section 51 of the Act to notify the Director-General, this sub-clause does not affect those duties.)
- (4) If the product is in the operator's control, the operator must—
 - (a) identify, segregate, and hold honey products that are not currently fit for intended purpose due to non-compliant tutin levels; and
 - (b) notify the verifier that the honey products have been identified and segregated in accordance with agreed procedures.
- (5) The operator can only transfer the honey to another location with prior agreement from his or her verifier.
- (6) The operator may elect to blend the non-complying honey product with other honey product and test the new lot for tutin.
- (7) To be eligible for an official assurance, the operator must send a written blending plan to the verifier.
- (8) The blending plan must include—
 - (a) the quantity of affected honey product; and
 - (b) the level of tutin in the affected honey product; and
 - (c) the amount of compliant honey needed to achieve a tutin compliant blend; and
 - (d) the place where the blending will occur; and
 - (e) confirmation that the blending facility has the necessary equipment to carry out effective blending and a description of the blending process to be undertaken; and
 - (f) the intended date for blending to occur.
- (9) The requirement to re-test after blending can be waived where the tutin level of all batches used for blending is known, and the post-blending tutin level has been accurately calculated and recorded as part of the blending plan.
- (10) An operator must have a blending plan approved by his or her verifier before it is implemented.
- (11) If the non-complying honey product is to be transferred to another RMP operator for blending—
 - (a) the blending plan must be prepared with input from the sending RMP operator and receiving RMP operator; and
 - (b) the blending plan must be sent to the verifiers of both RMP operators; and
 - (c) the transfer statement must include the statement “transferred for blending under blending plan dated: [insert date]”.
- (12) The operator must notify his or her verifier of when, how, and where any honey products which will not, or cannot, be blended and brought into compliance with tutin limits has been disposed. The notification must include copies of documents confirming the stated method of disposal.

Schedule 1

Please see the PDF document accompanying this notice.

The form is also available at the following web page:

[Apiarist and Beekeeper Statement](#)

Explanatory Note: *With respect to sub-clause 11(2), at the time of publication NZFSA has not set any tulin limits under the Animal Products Act 1999. However, this situation is subject to change at any time in response to changes in overseas market conditions.*

This notice has been amended to revise clause 15 for the purposes of clarity.

Issued under section 60 of the Animal Products Act 1999.

Date of notification in Gazette: []

This notice is administered in the New Zealand Food Safety Authority.
