



Animal Products (Control of Specified Substances) Notice 2007

Pursuant to sections 38(2)(b) and 167(1)(f) of the Animal Products Act 1999, I, Tony Zohrab, Director (Market Access) issue the following notice for the prime purpose of establishing a regulated control scheme for the control of specified substances in food producing animals, which is necessary or desirable to meet overseas market access requirements that have been notified or made available under section 60 of the Act.

Signed at Wellington this 25th day of July 2007

Tony Zohrab
Director (Market Access)
New Zealand Food Safety Authority
(Acting under delegated authority)

Certified for signature

Solicitor
25/7/2007

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Schedule 1

Specified Substances

Notice

1 Title

This notice is the Animal Products (Control of Specified Substances) Notice 2007.

2 Commencement

This notice comes into force on the date on which it is signed.

Part 1 Preliminary Provisions

3 Application

- (1) This notice applies to:
- (a) registrants, distributors, wholesalers and retailers of agricultural compounds and veterinary medicines; and
 - (b) veterinarians and other persons able to use or administer agricultural compounds and veterinary medicines; and
 - (c) primary producers and primary processors
- (2) The requirements of the Animal Products (Hormonal Growth Promotant Specifications) Notice 2004 remain applicable to any specified substances which are authorised for use as hormonal growth promotants and which are exempt from any of the requirements of this notice under clause 9(1).

4 Interpretation

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

Act means the Animal Products Act 1999

agricultural compounds has the meaning given in the Agricultural Compounds and Veterinary Medicines Act 1997

animal product has the meaning given in the Act, but excludes germplasm and live animals not exported as food

food-producing animal means an animal intended to be used in whole or part, including secretions, for human consumption

HGP notice means the Animal Products (Hormonal Growth Promotant Specifications) Notice 2004 or any successor

NZFSA means the New Zealand Food Safety Authority

registrants has the meaning given in the Agricultural Compounds and Veterinary Medicines Act 1997

specified substance means a substance listed in Schedule 1 to this notice and includes any formulation or compound product containing that substance

veterinary medicines has the meaning given in the Agricultural Compounds and Veterinary Medicines Act 1997

Part 2 General Obligations

5 Administration of specified substances

- (1) No person may administer a specified substance to the species of food-producing animals corresponding to the substances listed in Schedule 1.
- (2) No person may administer a specified substance to any food-producing animal unless that use is specifically permitted in the label instructions on or within the packaging of the product comprising of or containing the specified substance.
- (3) Food-producing animals administered with specified substances in breach of this notice must not be used for the supply of food for human consumption.

Part 3 Obligations for Registrants

6 Labelling of Agricultural Compounds and Veterinary Medicines

- (1) Labels of products comprising of or containing specified substances must clearly show that administration to food-producing animals of the species corresponding to the substances listed in Schedule 1 is prohibited.
- (2) In the case of proprietary products containing specified substances with non-complying labels, registrants must:
 - (a) apply amended labels to products under their control; and
 - (b) supply distributors, wholesalers and retailers with labels for attachment to packaging of products containing specified substances or recall the products from these businesses

Part 4 Obligations for Distributors, Wholesalers and Retailers

7 Labelling of Agricultural Compounds and Veterinary Medicines

Distributors, wholesalers and retailers must not supply specified substances to any person other than the manufacturer of the products comprising of or containing the specified substance or persons acting under the authority of the manufacturer until the labels required by clause 6 have been applied.

Part 5 Obligations for Veterinarians and Other Users

8 Administration of specified substances

Veterinarians and other legal users of any specified substance or product containing a specified substance must administer the substance strictly in accordance with the conditions of registration of the product under the Agricultural Compounds and Veterinary Medicines Act 1997.

Part 6 Exemptions

9 General exemption

- (1) Proprietary products containing specified substances and registered under the Agricultural Compounds and Veterinary Medicines Act 1997 solely as growth promotants for use in bovine animals and labelled accordingly are exempt from the requirements of clause 5(1) and 6(1).

10 Specific exemption

- (1) This sub-part applies to research institutes including research programmes undertaken at tertiary institutes.
- (2) The Director-General may exempt research institutes or programmes from the requirements to comply with Parts 2 and 5 of this notice.
- (3) Applications for exemption in accordance with clause 10(2) must be made in writing by the person responsible for the research institute or programme.
- (4) The application must describe the controls to be applied by the research institute or under the programme to ensure that no animal treated with a specified substance will leave its place of residency, be on-sold or submitted for slaughter other than in accordance with the terms described in these controls.
- (5) Any exemption granted under this Part may include any conditions deemed necessary by the Director-General to ensure compliance with the provisions of this notice or any other requirement under the Act.

Schedule 1
Specified Substances

<i>Specified substance</i>	<i>Prohibited species</i>
17 β -oestradiol and its esters	Bovine, ovine, caprine, cervine and ratite