



## Animal Products (Specifications for Limited Processing Fishing Vessels) Notice 2005

Under sections 40 and 167 (1) (g) of the Animal Products Act 1999, I, Tim Knox, Director (Animal Products), issue this notice for the purpose of setting specifications that:

- (a) are specified or contemplated by or necessary or desirable to give effect to the regulated control scheme for limited processing fishing vessels; and
- (b) are necessary or desirable to amplify the manner in which the requirements of that scheme are to be met.

Signed at Wellington this 13th 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

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## Notice

### 1 Title

This notice is the Animal Products (Specifications for Limited Processing Fishing Vessels) Notice 2005.

### 2 Commencement

This notice comes into force on 31 October 2005

## Part 1 Preliminary Provisions

### 3 Application to vessels, operators and operations

- (1) This notice applies to all limited processing fishing vessels operating under the Animal Products (Regulated Control Scheme - Limited Processing Fishing Vessels) Regulations 2001.
- (2) This notice applies to the operators of such vessels who must comply with, and ensure compliance with, the relevant provisions of this notice.
- (3) Parts 3 to 11 of this notice apply to the processing operations as specified in each of those Parts.

### 4 Interpretation

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

**amenities** includes toilets, wash rooms, locker rooms, change rooms, lunch rooms, and cafeterias

**approved maintenance compound** means any maintenance compound approved by the Director-General or listed in specifications made under the Act

**clean**, when used as a verb, means to remove visible contaminants from any surface

**clean seawater** means seawater that —

- (a) is free of excessive turbidity, colour, offensive odours, and any contaminants; and
- (b) complies with the requirements of clause 20(1)

**container** means any barrel, box, bag, bin, crate, carton or drum, but does not include any transportation outer or a container used for bulk transportation on a ship or aircraft

**fishing vessel** or **vessel** means a limited processing fishing vessel

**label** includes any wording, tag, brand, symbol, picture, or other descriptive matter written, printed, stencilled, marked, embossed, impressed on, appearing on, attached to, or enclosed within any fish material or fish product

**lot** means a quantity of fish material or fish product of a single species that has been produced and handled under uniform conditions and within a limited period of time

**lot identification** means an identifier that is sufficient to enable the source of a lot to be traced

**NZFSA** means the New Zealand Food Safety Authority

**operator verification process** includes operator verification procedures as well as the corrective actions procedures to deal with unforeseen circumstances, and in all other circumstances involves —

- (a) the operator verification activities to be undertaken; and
- (b) corrective action to restore control; and
- (c) any actions to be undertaken when corrective actions are not effective; and
- (d) management of product disposition; and
- (e) preventive actions; and
- (f) follow-up actions to ensure control is maintained.

**packaging** —

- (a) means any material that is intended to protect and that comes into immediate contact with the fish material or fish product; and
- (b) includes rigid materials such as cartons and containers where fish material or fish product is filled directly into the carton or container; and
- (c) includes any other material contained with, in, or attached to, the fish material or fish product (such as labels, satay sticks, and heat sensors)

**potable water** has the same meaning as “potable water” in the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2004, clause 3 (1) Interpretation

**protective clothing** means special garments, intended to preclude the contamination of fish material or fish product, that are used as outer wear by persons; and includes head coverings and footwear

**recognised person** means a person currently recognised under section 103 of the Animal Products Act 1999 or a person previously accredited as an accredited verifier under section 103 of the Animal Products Act 1999, for the purposes of the regulations

**regulations** refers to the Animal Products (Regulated Control Scheme - Limited Processing Fishing Vessels) Regulations 2001

**regulatory requirement** means any requirement of the Animal Products Act 1999, associated regulations and specifications that apply, and the registered vessel's operator documented systems

**sanitary design** —

- (a) in relation to any fishing vessel facility, internal structure, equipment, or conveyance, means designed, constructed, and located so that it —
  - (i) meets the requirements appropriate to the type of fish material or fish product and process, and which includes consideration of the movement of people, access, and process flow; and
  - (ii) can be readily maintained, cleaned, sanitised, and sterilised where required, to ensure that risk factors from contaminants and pests are minimised; and
- (b) in relation to any equipment or accessway in any processing area, means that the equipment or accessway is designed, constructed and located so that it —
  - (i) is easily accessible for maintenance, cleaning, operation, checking, and inspection; and
  - (ii) minimises the contact of contaminants with any fish material or fish product or other equipment; and
  - (iii) precludes the harbouring or accumulation of any contaminants or pests

**sanitise** means the application of an approved maintenance compound or physical agent with the intention of reducing microbial contamination to a level that will avoid the creation of a hazard in the product

**suitably skilled person** means a person who, in the opinion of the operator, is skilled in a particular activity or task through training, experience, or qualifications

**transportation outer** means a package (other than a shipping container used for bulk transportation, including those used on aircraft) that —

- (a) encases any packaged or unpackaged fish material or fish product for the purpose of transportation and distribution; and
  - (b) is either removed before the fish product is used or offered for retail sale, or is not taken away by the consumer of the product.
- (2) Any term or expression that is defined in the Animal Products Act 1999, Animal Products (Ancillary and Transitional Provisions) Act 1999, or Animal Products (Regulated Control Scheme - Limited Processing Fishing Vessels) Regulations 2001, used, but not defined, in this notice has the same meaning as in those Acts or regulations.

## **Part 2**

### **Design, Construction and Essential Services**

#### **5 Application of this Part**

This Part applies to landing and reception areas on vessels, and those processing areas where fish material or fish product is processed for human consumption.

*Design, Construction and Facilities etc.*

#### **6 Design and construction of landing areas**

- (1) The landing area must be designed and constructed to facilitate the easy drainage of water and to enable easy cleaning.
- (2) Any area that may come into contact with fish material must be easily cleaned and sanitised as required.

#### **7 Design and construction of reception areas**

- (1) The reception area must be designed and constructed so that fish is processed in order of catch.
- (2) Where the operator documented system has identified hazards with the equipment or internal structures in the reception area that may affect the suitability for processing of fish material, then the reception area must comply with the requirements in clause 8(2)(a) to (d).

#### **8 Design and construction of reception and processing areas**

- (1) The facilities, equipment, and internal structures in the reception and processing areas that may affect the suitability for processing of fish material or the fitness for intended purpose of fish product, must be of sanitary design.
- (2) Any material or exposed internal surface finish used in the reception or processing area of the fishing vessel, or in the manufacture, or maintenance of facilities, equipment, or internal structures, that may affect the suitability for processing of fish material or the fitness for intended purpose of fish product, must —
  - (a) be impervious, non-absorbent, and free from depressions, pits, cracks, and crevices that may harbour contaminants; and
  - (b) be easily cleaned and sanitised; and
  - (c) be unaffected by any corrosive substance with which it is likely to come into contact, to the extent necessary to ensure that it will not harbour contaminants and is not a source of contamination; and
  - (d) be durable, resistant to fracture, and capable of withstanding repeated exposure to normal cleaning and sanitising; and

- (e) in the case of surfaces in the processing area (other than those used for walking or standing on during operations) be smooth and minimise the accumulation of condensation; and
  - (f) in the case of floors in the processing area, be designed to facilitate the easy drainage of water; and
  - (g) in the case of materials lining the deck heads and bulkheads in the processing area, be of a colour that does not disguise contaminants having regard to the lighting arrangements.
- (3) The amenities on the vessel must not open directly into the reception or processing areas unless there is a door or hatch made of permanent material, or a separation by space sufficient to minimise the risk of contamination, or a permanent sill which is of sufficient height to prevent water or waste entering the reception or processing area.
- (4) The internal structures must be sufficient to separate the landing, reception and processing areas from any living quarters or any part of the vessel not directly used for processing of fish material or fish product. These structures may include separation by space sufficient to minimise risk of contamination.

## **9 Facilities and equipment etc.**

- (1) Cleaning and sanitation facilities, and equipment, must be provided to ensure that the hygiene of personnel, equipment and the reception and processing areas can be maintained so that the suitability for processing of fish material and the fitness for intended purpose of the fish product is not adversely affected.
- (2) Hand washing facilities must be available at the entrance or adjacent to the processing area or located so they can be readily accessed by product handlers. These facilities must have:
- (a) taps that are not hand-operated, dispensing potable water or clean sea water; and
  - (b) liquid soap in a dispenser; and
  - (c) paper towels for drying hands and a receptacle for the collection of waste towels; or provided with roller towels fitted with a timed automatic retraction device that removes the soiled piece of towel immediately after use.
- (3) Equipment used in contact with fish material, fish product, or ingredients must be made of food standard grade material, being —
- (a) stainless steel; or
  - (b) good quality galvanised iron, in the case of —
    - (i) bulk containers used for transporting or holding whole, headed or gutted fish; or
    - (ii) fish scaler drums; or
    - (iii) thawing tanks and freezer trays for a use with whole, headed or gutted fish; or
  - (c) other natural and synthetic material which is unaffected by contact with fish material, fish product and ingredients, excluding —
    - (i) metals such as cadmium, lead and all their alloys; and
    - (ii) metals whose contact with liquid or other harmful products may create harmful chemical or electrolyte action; and
    - (iii) porous materials such as cleats, sponge rubber, linoleum, or leather fabrics, except for sponge rubber where used for holding fish for stunning and killing; and
    - (iv) wood; or
  - (d) aluminum product contact surfaces except if warped, oxidised, corroded, pitted or scratched to an extent where the hygiene of the contact surfaces cannot be maintained in accordance with subclause (1).
- (4) The product contact surfaces of conveyor belts must be constructed of smooth material, be of a colour which does not disguise contaminants and have

undamaged edges. Where cleats are used for conveyor belts, they must be either an integral part of the belt, or be attached in a manner that either minimises the collection of contaminants between the cleats and the belt material or allows removal for cleaning at the end of each break in processing.

- (5) Containers, including bulk containers, that may come into contact with fish material or fish product must meet the requirements for packaging materials specified in the "US Code of Federal Regulations, Title 21, Parts 174, 175, 176, 177 and 178 (21 CFR)".

### *Miscellaneous*

#### **10 Ventilation**

- (1) The ventilation arrangements in processing areas must be such that during operations —
  - (a) steam and condensation is minimised; and
  - (b) the risk of contaminants being admitted is minimised.
- (2) Ventilation must consist of —
  - (a) natural ventilation from openings to the decks; or
  - (b) natural ventilation using air intakes, ventilated type windows and hatches; or
  - (c) mechanical ventilation.
- (3) Ventilation intakes in product areas, holds, stores and amenities must be located so that there is no contamination with odours, dust, smoke, and when necessary the intakes must be provided with effective filters.

#### **11 Lighting**

- (1) Lighting must be of sufficient intensity and quality to enable satisfactory performance of all required operations, checks and inspections that might affect the suitability for processing of fish material or the fitness for intended purpose of fish product.
- (2) Lighting must be designed, located and constructed so that—
  - (a) in the event of breakage the risk of contamination is minimised; and
  - (b) it does not significantly distort or alter the colour or appearance of processing areas, support areas, equipment, fish material or fish product.
- (3) Lights, bulbs, fixtures, skylights and other glass suspended over fish at any stage of processing, must be of a safety type or otherwise protected to prevent contamination in the event of breakage.

#### **12 Compressed air**

- (1) Compressed air must be filtered, and the source must be clean and external to the fishing vessel.
- (2) The filters for filtering air that is used in contact with fish material or fish product must comply with the current International Organisation for Standardisation Standard on "Compressed Air for General Use Part 1, Contaminants and Purity Classes": Ref. No. ISO 8573.1, 2001 or other international standards recognised by the Director General.

#### **13 Waste management equipment areas**

Equipment and storage areas used to store or contain waste must —

- (a) be clearly identified or adequately separated from processing areas; and
- (b) not be a source of contamination to other fish material or fish product.

#### **14 Seawater intakes**

The clean sea water intake on fishing vessels must be —

- (a) situated so as to minimise contamination of the clean seawater by the waste water discharges, ballast water, waste and the engine coolant outlets; and
- (b) designed so there is no backflow, cross connections, dead ends or unused pipes in close vicinity to the inlet.

#### **15 Water reticulation systems**

- (1) The design and construction of the water reticulation systems provided on board a fishing vessel must be such that there is no unintentional mixing of water of different standards.
- (2) All pipes used for water reticulation must use the international colour-code to identify potable water, non-potable water and steam pipes.

#### **16 Calibration and measuring equipment suitability**

Measuring equipment, such as scales, thermometers, pH meters, and automatic temperature recorders (whether stand alone or forming part of a piece of equipment), that is used to provide critical measurements, must —

- (a) have the accuracy, precision, and conditions of use appropriate to the task performed; and
- (b) be calibrated against a reference standard showing traceability of calibration to a national or international standard of measurement (where available), or (if no such standard exists) be calibrated on a basis that is documented in, or incorporated by reference into, a documented programme; and
- (c) be uniquely identified to enable traceability of the calibrations and to identify calibration status.

### **Part 3 Operational Standards**

#### **17 Application of this Part**

This Part applies to processing operations where fish material or fish product is intended for human consumption.

#### **18 Facilities and equipment etc operational requirements**

- (1) Temperature controlled rooms (including freezers and refrigerated facilities) and equipment must be operated within their design capability and capacity, and must consistently deliver the appropriate temperature as required by clause 44.
- (2) Containers that are not being used must be held in a store or in a separate area protected from contamination. Once unwrapped, containers must be covered or otherwise protected from contamination during storage, handling and transportation. Only sufficient containers for immediate use shall be held in a processing area.

#### *Water*

#### **19 Water coming into contact with fish material or fish product**

- (1) Water (including ice and steam) that comes into direct contact or indirect contact with fish material or fish product must be potable water, or clean seawater, at the point of use.
- (2) The water supply must be sourced, inspected, and when necessary treated, and the reticulation systems operated so as to minimise the risk of contamination of the potable water or clean seawater.
- (3) When there is reason to believe that the water contained in the reticulation system is contaminated, the system must be emptied and thoroughly flushed with clean

seawater or potable water as appropriate, or treated in accordance with subclause (4).

- (4) Water that does not meet the requirements of this clause may be subjected to chlorine disinfection or ultraviolet light disinfection treatments in accordance with Schedule 2, to ensure that water meets the required standard at point of use.

## **20 Water source**

- (1) If clean seawater is used on fishing vessels for the purposes of clause 19, it must only be taken from places that are of sufficient distance offshore where the water quality is not affected by actual or potential pollution sources.
- (2) The Director-General may require the testing of —
  - (a) clean seawater to ensure the criteria in Schedule 1 are met; and
  - (b) potable water to ensure the standard in the definition of potable water is complied with.
- (3) If potable water is used for the purposes of clause 19, the water must meet the standards specified in the definition of potable water, or be desalinated clean seawater.
- (4) Fishing vessels must not take on water from a public water supply unless the operator has a written statement from the supplier that the water is potable. The operator must obtain a renewed statement from the supplier every 12 months.

## **21 Ice coming into contact with fish material or fish product**

Ice that comes into direct or indirect contact with fish material or fish product must be manufactured, stored, handled and transported in such a manner that it will not become contaminated, and if delivered to a fishing vessel, it must be inspected on arrival and rejected if delivered in a manner that may have permitted contamination or if contamination is evident.

# **Part 4 Vessel Hygiene and Maintenance**

## **22 Application of this Part**

This Part applies to processing operations where fish material or fish product is intended for human consumption.

## **23 Management of fish material or fish product not for human consumption**

- (1) Equipment or storage areas used to store or contain fish material that is not suitable for processing or fish product that is not fit for human consumption, but is suitable or fit for some other purpose, must —
  - (a) be clearly identified or adequately separated; and
  - (b) not be a source of contamination to other fish material or fish product that is intended for human consumption.
- (2) Fish material or fish product that is not suitable for processing or not fit for human consumption but is suitable or fit for some other purpose, must be kept physically separated from other fish material or fish product, and must be adequately identified in a manner that will ensure that it will not be mistakenly or fraudulently released as suitable for processing or fit for human consumption.

## **24 Waste management**

- (1) For the purposes of this clause, waste includes fish material and fish product that has been assessed by a suitably skilled person and has been adjudged unsuitable or unfit for any purpose and is awaiting disposal.

- (2) Waste must be kept under controlled conditions until adequately identified in a manner that will ensure that it will not be mistakenly or fraudulently released as suitable for processing or fit for human consumption.
- (3) Waste must be disposed of by a method that ensures that it will not become a source of contamination to other fish material or fish product.

## **25 Cleaning and sanitation programme**

- (1) Operators must develop and ensure the implementation of a documented cleaning and sanitation programme for reception and processing areas.
- (2) The programme must contain or detail the following:
  - (a) designation of the person responsible for implementing the programme:
  - (b) areas and equipment to be cleaned and sanitised:
  - (c) the approved maintenance compounds to be used:
  - (d) frequency of cleaning and sanitising:
  - (e) procedures and work instructions for the various cleaning and sanitising operations:
  - (f) records of cleaning procedures:
  - (g) personnel responsible for carrying out the programme:
  - (h) methods of verifying the cleaning and sanitation programme.
- (3) Operator verification methods for the cleaning and sanitation programme must include visual checks of the reception and processing areas during processing breaks, and visual checks of the cleaning programme in action including —
  - (a) the measurement and mixing of approved maintenance compounds used for cleaning; and
  - (b) checks on the strength of solutions of the prepared approved maintenance compounds; and
  - (c) checks to ensure correct contact times are being observed.

## **26 Cleaning and sanitation requirements**

- (1) All equipment that comes into contact with fish material or fish product must be cleaned, and sanitised —
  - (a) whenever it becomes contaminated or comes into contact with excess material; and
  - (b) at the end of the production run.
- (2) Reusable containers that come into contact with fish material or fish product must be cleaned and sanitised when heavily contaminated and be protected from further contamination prior to reuse.
- (3) Equipment used for conveying excess fish material or fish product or waste must be cleaned and sanitised at the end of each production run.
- (4) Sanitising must be carried out using chemical sanitisers that are approved maintenance compounds, or hot water that is at least 82°C.
- (5) Cleaned and sanitised portable equipment must be kept so it is protected from contamination.
- (6) Cleaning and sanitising equipment must be stored in a designated area in a manner that prevents contamination of fish material, fish product, ingredients, additives, packaging, equipment, or other associated things.
- (7) Any hosing or high pressure water cleaning must be carried out so that water splash that could spread contaminants and micro-organisms is minimised.

## **27 Pest control**

- (1) Operators must ensure each fishing vessel has a documented pest control programme that aims to prevent infestation with pests and ensure the safe use of compounds used for pest control.

- (2) The programme must contain or detail the following:
  - (a) the designation of the person responsible for implementing the programme:
  - (b) any approved maintenance compounds that are to be used:
  - (c) methods of use and storage of approved maintenance compounds:
  - (d) personnel responsible for carrying out the programme:
  - (e) the frequency and records of pest control procedures:
  - (f) the actions taken to kill pests that are present, prevent pests from breeding, and prevent pests from entering the fishing vessel.

## **28 Approved maintenance compounds**

- (1) Only approved maintenance compounds may be used during processing operations or in the maintenance of the reception and processing areas.
- (2) When not in use, the approved maintenance compounds must be stored in a designated area used for that purpose, separate from reception and processing areas, and stored in a manner to prevent contamination of fish material, fish product, ingredients, additives, or equipment or associated things.
- (3) All containers of approved maintenance compounds must be labelled with the name or names of the maintenance compound as so approved, or as they appear in the list of approved maintenance compounds contained in specifications.

## **Part 5 Health of Personnel**

### **29 Application of this Part**

This Part applies to processing operations where fish material or fish product is intended for human consumption.

### **30 Health**

- (1) The operator must take reasonable measures to ensure that a person (including any visitor or contractor) who is —
  - (a) infected with, or a carrier of, an infectious disease in a communicable form as described in Section A, Part 1, of the First Schedule of the Health Act 1956 and that is likely to be transmitted through fish material, product or associated thing; or
  - (b) suffering from acute respiratory infection; or
  - (c) suffering from boils, sores, infected wounds, or any other condition that cannot be adequately protected from becoming a source of contamination;

does not work as a product handler in, or enter, an area where he or she may adversely affect the suitability for processing of fish material or the fitness for intended purpose of fish product.

- (2) A product handler, or any other person who may affect the suitability for processing of fish material or fitness for intended purpose of fish product, after suffering from an illness described in subclause (1) (a), must provide a certificate from a registered medical practitioner confirming that the person is no longer likely to contaminate the fish material or fish product, prior to resumption of work in that role.
- (3) A product handler, or any other person who may affect the suitability for processing of fish material or fitness for intended purpose of fish product, who suffers from a condition described in subclause (1)(b) or (c) must, before resuming work, be assessed by a suitably skilled person, nominated by the operator, to confirm that the condition is no longer likely to contaminate the fish material or fish product, or that the handler or other person is adequately protected from being a source of contamination. If there is not a suitably skilled person on board the vessel, the operator must ensure the product handler or other person does not resume work.

## **Part 6 Competency of Personnel and Associated Requirements**

### **31 Application of this Part**

This Part applies to processing operations where fish material or fish product is intended for human consumption.

### **32 Competency for fish handling and hygiene**

- (1) Every fishing vessel must have a documented programme for the education and instruction of product handlers in correct fish material and product handling, personal hygiene and sanitary practices.
- (2) The programme must specify the type of training undertaken, who undertakes the training, and when the training is carried out.

## **Part 7 Calibration**

### **33 Application of this Part**

This Part applies to processing operations where fish material or fish product is intended for human consumption.

### **34 Calibration and measuring equipment suitability**

- (1) Minimum frequencies of calibration carried out in accordance with clause 16(b), must be documented by the operator for each piece of measuring equipment used to provide critical measurements, or used as reference standards, taking into consideration the following (as appropriate):
  - (a) the stability of the piece of equipment:
  - (b) the nature of the measurement:
  - (c) the manufacturer's instructions.
- (2) Safeguards must be in place to prevent unauthorised adjustments to the calibration of the measuring equipment, including movement of the equipment where this may invalidate the calibration.
- (3) Despite subclause (2), automatic temperature recorders must be either calibrated, or, physical checks carried out to compare product temperature and chiller, hold or cold store temperature, at least once a year from the anniversary date of the vessel registration under this scheme.

## **Part 8 Packaging**

### **35 Application of this Part**

This Part applies to packaging that comes into contact with fish material or fish product intended for human consumption.

### **36 Packaging**

- (1) The composition and where appropriate, the conditions of use of packaging must —
  - (a) comply with the requirements specified in the current “US Code of Federal Regulations, Title 21, Parts 170–199 (21 CFR 170–199)”, which applies equally to coatings and linings of containers and cartons where these are the direct product contact surface; or

- (b) comply with the requirements specified in the current "Australian Standard for Plastics Materials for Food Contact Use, Australian Standard AS2070–1999"; or
  - (c) be determined by the operator to be suitable for use, based on an analysis of hazards and other risk factors from the packaging.
- (2) If compliance with this specification is achieved through meeting the requirements of subclause (1) (a) or (b), the operator must document the full reference to the regulation, part, section or standard with which the packaging complies.
  - (3) Packaging that comes into contact with fish material and fish product intended for human consumption must be sufficiently wrapped to minimise contamination and kept dry.
  - (4) Packaging must be held in a store or in an area protected from contamination. Only sufficient packaging required for immediate use may be unwrapped, stored or handled in a processing area.

## **Part 9 Labelling**

### **37 Application of this Part**

This Part applies to labelling of fish material or fish product intended for human consumption, except as otherwise specified in clause 38(4).

### **38 Labelling**

- (1) Labelling must be provided on transportation outers and must state —
  - (a) the fish material or fish product name or description; and
  - (b) storage directions, where necessary to maintain the fish material as suitable for processing or fish product as fit for intended purpose; and
  - (c) lot identification (except that this requirement is optional if the application of lot identification to the retail packaging is a mandatory requirement under other legislation and that legislation is complied with); and
  - (d) the scientific name of the fish as specified by the Director-General in clause 32 (3) (d) of the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2004
- (2) Mandatory labelling must be clear, legible, indelible, and use terms that are commonly used in the English language.
- (3) In the case of transportation of unpackaged bulk materials that cannot practicably be labelled, the information specified in subclause (1) must be contained within the accompanying documentation.
- (4) The transportation outer of fish material or fish product that is not intended for human consumption but has the appearance of, or could be mistaken for, fish material or fish product that is intended for human consumption, must be labelled to clearly indicate that the fish material or fish product it contains is not intended for human consumption.
- (5) If the status of a fish material's suitability for processing, or the fitness for intended purpose of the fish product, changes and the fish material or fish product has been labelled, this labelling must be amended to reflect the new status prior to its release for trade.

## **Part 10 Record Keeping**

### **39 Application of this Part**

This Part applies to all processing operations on board the fishing vessel.

### **40 Record keeping requirements**

- (1) All records required under this scheme must be kept by the operator, at a place in New Zealand and in a manner approved by the Director-General, for a period of not less than 4 years from the date on which the records came into being.
- (2) Despite subclause (1) of this regulation, the Director-General may, either by notice in writing to an operator or by specifications, reduce the period for which records are to be kept.
- (3) All records kept by the operator must, when requested, be retrievable within two working days.

## **Part 11 Control of Limited Processing Operations**

### **41 Application of this Part**

This Part applies to processing operations where fish material or fish product is intended for human consumption.

### **42 Reception of fish material**

- (1) Every operator must develop and ensure the implementation of a documented programme for the reception of fish, to ensure that only fish material that is suitable is processed.
- (2) The programme must include checks, either when the fish arrives on the vessel or at the start of processing, to assess whether the fish material —
  - (a) is contaminated with foreign matter that cannot be completely removed during processing; or
  - (b) is contaminated with chemicals (e.g. fuel oil, cleaning compounds, filth); or
  - (c) has the presence of strong odours or other indication of significant spoilage; or
  - (d) was dead prior to being caught.
- (3) The operator must ensure assessments are carried out to confirm that from the time of catching to the time of processing, the fish has been handled, held, and stored so as to minimise deterioration and has been protected from contamination.

### **43 Handling and processing**

Handling and processing procedures must be carried out without unnecessary delay, and in a manner that minimises contamination and deterioration of the fish material and product.

### **44 Chilling and freezing**

- (1) Any chilling or freezing must be conducted without unnecessary delay and in a manner that minimises any potential microbial proliferation and contamination of the fish material or product.
- (2) Fish material or product that is preserved primarily by refrigeration must be reduced to the maximum chilled or frozen temperatures specified in Table 1, prior to release from the fishing vessel.

**Table 1: Maximum Critical Preservation (Loadout) Temperatures.**

Product Type	Chilling/Freezing Temperature
Chilled whole fish	-1°C to 1°C
Chilled fish product	-1°C to 4°C
Frozen fish or fish product (including shellfish)	-18°C
Brine frozen fish	-15°C

- (3) A brief temperature fluctuation up to a maximum temperature of -15°C during transportation is permitted for any frozen fish, but the temperature must be reduced to -18°C or colder without unnecessary delay.
- (4) Where temperatures for chilling or freezing are not recorded by a calibrated automatic temperature recorder, the recording interval for taking these temperatures must not be longer than 6 hours, and the record kept must show the actual air temperature in the chiller, freezer or hold.

### *Specific Processing Activities*

#### **45 Processing fish**

- (1) Where fish material is gutted or otherwise processed, this must be carried out in a manner that minimises contamination of the fish material or fish product.
- (2) Wet fish must be stored chilled or frozen unless they are to be processed immediately.
- (3) Fish material that has been thawed must be processed without unnecessary delay or must be held under chilled conditions.

#### **46 Glazing of fish material**

- (1) Potable water or clean seawater used for glazing fish material must be changed every four hours during use or when the water is visibly contaminated.
- (2) All water filters used in the glazing process must be cleaned regularly to minimise contamination.

#### **47 Loadout requirements**

On commencing loadout of fish material or fish product from a fishing vessel, the operator must ensure —

- (a) the temperature of that fish material and fish product taken at that time is recorded; and
- (b) the packaging of the fish material or fish product, if any, is still intact.

### *New Hazards*

#### **48 New hazards**

An operator must document procedures for notifying the Director-General of any emerging, new, or exotic biological hazards or new chemical hazards that come to the operator's notice in relation to the processing operations without unnecessary delay.

### *Miscellaneous Provisions*

#### **49 Processing environment for fish**

Processing rooms used for the processing of unpreserved fish material or fish product must be operated in such a manner that the microbial proliferation is minimised.

#### **50 Process inputs**

All process inputs, including ingredients, additives, processing aids, and packaging, must be stored, handled, and transported so as to minimise any potential contamination or deterioration.

#### **51 Additives, processing aids, vitamins, minerals, nutrients and other ingredients**

- (1) The identity, quantity, and purity of additives, processing aids, vitamins, minerals, and other added nutrients must comply with the current Australia New Zealand Food Standards Code 2001, Part 1.3 “Substances added to Food”, Standard 1.3.4 “Identity and Purity”.
- (2) Additives and other ingredients must be stored and handled in a manner to minimise contamination, and must be identified at all times.
- (3) Sulphur dioxide or sodium and potassium sulphites must not be added to scampi (*Metanephrops challengeri*) in a proportion exceeding 100mg/kg (calculated as sulphur dioxide).

### **Part 12**

#### **Operator Documented System Requirements**

#### **52 Scope**

This Part sets out the requirements relating to the content of an operator documented system and associated obligations of the operator.

#### **53 Recognised Person’s freedom and access to carry out verification functions**

Every operator documented system must include provisions authorising recognised persons to have the freedom and access necessary to allow them to carry out verification functions and activities, including —

- (a) having access to all parts of the fishing vessel and facilities associated with processing operations; and
- (b) having access to all documentation, records and information relating to, or comprising, the operator documented system (including records held in electronic or other form); and
- (c) having the freedom to examine all things necessary and open any containers, packages and other associated things to inspect the contents; and
- (d) having freedom to identify or mark any fish material, fish product, equipment, package, container or other associated thing; and
- (e) having freedom to —
  - (i) examine and take samples of any fish material, fish product or any other input, substance, or associated thing that has been, is, or may be in contact with, or in the vicinity of, any fish material or fish product: and
  - (ii) test, or analyse, or arrange for the testing, or analysis of such samples; and
  - (iii) order retention of materials including fish material, ingredients, fish products, packaging or equipment, pending testing results and decisions on disposition; and

- (f) having the authority to detain any fish material and fish product or other relevant things in the event of non-compliance with the operator documented system or requirements of the scheme where there may be significant risk to fitness for intended purpose of fish product or suitability for processing of fish material,; and
- (g) having authority to intervene and direct a temporary interruption of processing, in cases of significant risk to fitness for intended purpose of the fish product or suitability of fish material for processing, until the cause of the risk is remedied.

#### **54 Documentation and record keeping requirements**

- (1) Every document or part of a document that forms part of the operator documented system must —
  - (a) be legible; and
  - (b) be dated or marked to identify its version; and
  - (c) clearly indicate any changes made to the system; and
  - (d) be identified as comprising part of the system; and
  - (e) be signed, either directly or within the document control system, by the operator or the person shown on the register under regulation 31 (b) of the regulations as responsible for the day-to-day management of the processing operations on the vessel; and
  - (f) be made available when required to any person with responsibilities under the system.
- (2) The operator must ensure that the operator documented system and all reference material relating to that system is readily accessible.
- (3) The operator must have an effective document control system that includes recording changes to the operator documented system, including changes to cross-referenced documents and parts of cross-referenced documents that form part of the system.
- (4) In relation to hard copies of an operator documented system under a document control system as required by subclause (3), the operator must ensure that —
  - (a) one hard copy of any obsolete system or obsolete part of a system is archived in accordance with subclause (5); and
  - (b) all obsolete documents or parts of documents are removed as soon as practicable from all distribution points; and
  - (c) all relevant parts of the system are replaced as soon as practicable after any change is made to the system.
- (5) The operator must retain for 4 years one copy of all obsolete documents from an operator documented system and make it available as required under clause 40(3).

#### **55 Instructions to personnel**

The operator must ensure the set of instructions kept on board a vessel for processing personnel are consistent with the operator documented system and the scheme.

### **Part 13 Initial Verification**

#### **56 Scope**

This Part sets out the requirements relating to the initial verification report to be completed by a recognised person.

#### **57 Contents of initial verification report**

Every initial verification report must include –

- (a) the name of the recognised person and his or her accreditation identifier; and
- (b) the name and address of the operator of the fishing vessel; and
- (c) the name and registration number of the fishing vessel; and
- (d) the types of processing carried out on the vessel; and
- (e) a list of all the documents that comprise the operator documented system, and that were reviewed during the initial verification; and
- (f) the completion date and location of the initial onboard assessment, or in relation to the initial verification of a renewal or re-registration, the reason why the recognised person decided that an onboard assessment was not necessary, and a statement as to the outcome of any onboard assessment; and
- (g) a statement of whether in the recognised person's opinion the operator documented system has been adequately validated, and is acceptable.

#### **58 Recognised person recommendations, endorsements and statements**

- (1) The recognised person must recommend to the Director-General in the initial verification report –
  - (a) whether the fishing vessel is suitable for registration; and
  - (b) the conditions, if any, that the Director-General should consider imposing on the registration.
- (2) All initial verification reports that recommend a vessel is suitable for registration must contain the following statement, and be signed by the recognised person if satisfied that the information contained in the initial verification report is accurate —

*I confirm that an assessment of the operator documented system (title, date and identified by version) and suitability of the fishing vessel has been undertaken. I am satisfied that this documented system and the vessel comply with the requirements imposed by the Animal Products (Regulated Control Scheme - Limited Processing Fishing Vessels) Regulations 2001 and the relevant specifications.*

*Name*

*signed*

*date*

- (3) The recognised person who signs the initial verification report must endorse the list of documents that form the operator documented system to confirm that it accurately represents the documented system assessed, by initialling or signing each page of the hard copy of the list, or by any other means acceptable to the Director-General.

#### **59 Recognised person competencies**

An initial verification must be carried out by a recognised person currently recognised or previously accredited to carry out initial verification of fishing vessels.

### **Part 14 External verification**

#### **60 Application and scope**

- (1) This Part applies to all processing operations on board the fishing vessel.
- (2) This Part outlines principles and mechanisms that will enable the frequency of external verification to be based on an individual operator's ongoing compliance with the requirements of the scheme and the operator documented system.

**61 External verification**

- (1) The following tables set out the external verification assessment steps, and the switching rules that apply to changing the frequency of external verification as specified in clause 62.

**Verification frequency**

Verification Step	Verification Frequency
Step 1	Every port visit
Step 2	Every second port visit
Step 3	Every fourth port visit

**Change in verification frequency**

Verification Step	Number of consecutive acceptable outcomes required to move to a higher step	Number of unacceptable outcomes to move to a lower step
1	2 (move to step 2)	1 (requirements or sanctions as provided in clause 64)
2	2 (move to step 3)	1 (move to step 1)
3		1 (move to step 2)

- (2) The assessment frequency for each step is as follows:
- at step 1, the operator must ensure an external verification is conducted at each visit to port by the fishing vessel;
  - at step 2, the operator must ensure an external verification is conducted at every second visit to port by the fishing vessel;
  - at step 3, the operator must ensure an external verification is conducted at every fourth visit to port by the fishing vessel.
- (3) In the case of an emergency port entry, the recognised person will assess the activities undertaken and determine whether an external verification should be conducted.
- (4) Despite subclause (2), the operator must ensure that an external verification is conducted on a vessel's processing operations, not less than once every six months from the date of the last external verification report.
- (5) The external verification frequency for all fishing vessels upon registration is step 1.
- (6) The external verification frequency for all vessels after renewal of registration continues at the step assigned to that vessel prior to expiry of registration, where that application for renewal has been made prior to the expiry of registration.

**62 External verification criteria and procedure**

- (1) When conducting an external verification, the recognised person must assess the operator's ongoing conformance to regulatory requirements in accordance with the following criteria:
- compliance with the requirements of this scheme; and
  - compliance with the operator's documented system; and
  - the complete, accurate and timely record-keeping of the operator; and
  - the identification and effective management of non-compliances.
- (2) The recognised person must assign one of the following outcomes on the completion of a verification visit—
- An acceptable outcome, where the recognised person is satisfied that —
    - the operator is substantially complying with regulatory requirements; and
    - where there have been any departures from requirements, the operator's corrective actions have been, or are being applied appropriately and are effective.
  - An unacceptable outcome, where the recognised person has determined that the operator is not in substantial compliance with regulatory requirements.

- (3) An operator is considered to be not in substantial compliance where —
  - (a) the operator verification process repeatedly fails to identify deficiencies; or
  - (b) the operator verification process is being implemented in a manner that is ineffective; or
  - (c) the required records are absent or are incomplete or have been altered, to a degree that prevents the recognised person having confidence in the system being verified.
- (4) The recognised person must document the assessment of the outcome achieved by the operator, including any change to the operator's assigned external verification frequency determined in accordance with clause 63. This report must be made available to the operator and recognised verifying agency that undertakes external verification for that vessel, as soon as practicable.

### **63 Changes to frequency of external verification**

The frequency of external verification changes according to the following switching rules, as shown in the tables in clause 61, which are based on the operator's performance outcomes:

- (a) At steps 1 and 2, if two consecutive acceptable verification outcomes are achieved, the operator is assigned to the next step of reduced verification frequency.
- (b) At steps 2 and 3, if an unacceptable verification is achieved, the operator is immediately assigned to the next step of increased verification frequency.
- (c) At step 1, if an unacceptable verification outcome is assigned, the appropriate requirements or interventions as provided in clause 64, must be imposed on the operator.

### **64 Recognised person intervention**

- (1) The recognised person may intervene and impose requirements on an operator when an external verification results in an unacceptable outcome. The requirements imposed must be appropriate to the non-compliance or unacceptable performance of the operator.
- (2) The recognised person must keep a record of the interventions and requirements imposed, and supply a copy as soon as practicable to the operator and the recognised verifying agency that undertakes external verification for that vessel.

### **65 Operator obligations**

- (1) Except in the case of an emergency port entry, the operator of a fishing vessel must give at least 24 hours advance notice of each visit to port to the recognised verifying agency that undertakes external verification for that vessel, and the recognised verifying agency must advise the operator within that 24 hour period whether a routine verification is to be conducted.
- (2) The operator must ensure on entry to port for the purposes of discharge, that no cargo is discharged from the vessel until the recognised person has given their approval.
- (3) The operator must ensure the fishing vessel does not return to sea following an external verification assessment until the recognised person has recorded in writing that the fishing vessel is cleared to recommence fishing.
- (4) The operator must keep a record of all visits to port by the fishing vessel and must make these records available, when requested, to a recognised person, animal product officer, the Director-General and any other person authorised by the Director-General.

**66 Recognised person competencies**

An external verification must be carried out by a recognised person currently recognised or previously accredited to carry out verification functions and activities in relation to —

- (a) risk management programmes for fish processing; or
- (b) this scheme for limited processing fishing vessels.

**67 Responsibilities of recognised verifying agencies and recognised persons**

- (1) All external verification activities of a recognised person must be transparent and traceable, and the results must be fully recorded and made available, as required, to the Director-General, animal products officer and any other person authorised by the Director-General.
- (2) The recognised person must notify the Director-General, as soon as practicable, of any unacceptable outcome of an operator's performance on the external verification frequency, step 1, where that outcome is a result of significant failures in the operators performance that relates to repeated failures by the operator to apply corrective actions set out in the operator documented system, or as advised by the recognised person.
- (3) The recognised person must notify the Director-General in writing, as soon as practicable of the following significant issues related to the operator's performance —
  - (a) any repeated failure by the operator to apply the corrective actions set out in the operator documented system, or as advised by the recognised person; and
  - (b) any interference with, or obstruction of the recognised person in carrying out verification activities; and
  - (c) any other matter, which in the opinion of the recognised person requires notification to the Director-General.
- (4) When a recognised verifying agency is notified by an operator of a recall, under regulation 42(1) (f) of the regulations, the agency must direct a recognised person as soon as practicable to investigate the circumstances of the recall and assess whether the actions taken by the operator are appropriate. The agency must ensure a report is completed on the investigation that identifies the fish material or product recalled, the reasons for the recall, the disposition of the material or product, and the conclusions of the recognised person on the appropriateness of the operator's actions, and that report must be sent to the Director-General.

## **Part 15 Revocations**

**68 Revocation**

- (1) The Animal Products (Specifications for Limited Processing Fishing Vessels) Notice 2001 issued on the 20th of November 2001 is revoked.
- (2) The revocation in subclause (1) does not affect —
  - (a) the validity, invalidity, effect, or consequences of anything done or suffered;
  - (b) an existing right, interest, title, immunity, or duty;
  - (c) an existing status or capacity;
  - (d) the previous operation of the notice revoked or anything done or suffered under it.
- (3) The revocation of subclause (1) does not revive —
  - (a) a notice that has been revoked;
  - (b) any other thing that is not in force or existing at the time the revocation takes effect.

- (4) The revocation in subclause (1) does not affect a liability to a penalty for an offence or for a breach of the notice revoked, committed before the revocation.
  - (5) The revoked notice continues to have effect as if it had not been revoked for the purpose of —
    - (a) investigating the offence or breach;
    - (b) commencing or completing proceedings for the offence or breach;
    - (c) imposing a penalty for the offence or breach.
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**Clause 20****Schedule 1  
Specification for Clean Seawater****Clean seawater specification****1 Clean seawater supply criteria for limited processing fishing vessels**

Table 1 sets out the criteria for the supply of clean seawater to limited processing fishing vessels

**Table 1: Microbiological Quality of Clean Seawater**

Organism	Criterion
<i>Escherichia coli</i>	Must not be detectable in any 100ml sample
Total coliforms (in treated water)	Must not be detectable in any 100ml sample

**2 Point of use compliance criteria**

- (1) If the clean seawater is chlorinated, a minimum of 0.2mg/l (ppm) free available chlorine must be maintained at all times during processing.
  - (2) If the pH of the water is in the range of 6.5-8.0, the chlorine must have a minimum contact time of 20 minutes.
  - (3) The turbidity must not exceed 5 NTU but should not routinely exceed 1 NTU except as allowed for in the current New Zealand Drinking Water Standards.
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**Clause 19****Schedule 2  
Water Treatments****1 Disinfection or treatment apparatus**

Disinfection or treatment apparatus for chlorination or ultraviolet light treatment may be installed in the water reticulation system on fishing vessels for use when —

- (a) water supplied is found to be not potable, or
- (b) seawater used is not clean seawater due to microbiological contamination at levels above the quality criteria specified in Table 1 of Schedule 1.

**2 Chlorine disinfection.**

- (1) Where water is treated with chlorine, sufficient residual chlorine must be maintained throughout the water reticulation system and the following residual chlorine levels apply at point of use:
  - (a) minimum of 0.2mg/l (ppm) free available chlorine must be maintained at all times during processing:
  - (b) provided the water pH is in the range 6.5 - 8.0, the chlorine must have a minimum contact time of 20 minutes:
  - (c) the turbidity must not exceed 5 NTU but should not routinely exceed 1 NTU except as allowed in the New Zealand Drinking Water Standard.
- (2) The operator must undertake sufficient monitoring of the water to demonstrate there has been adequate disinfection by —
  - (a) fitting automatic water chlorination systems with alarm devices that indicate when they have ceased to function correctly; or
  - (b) manual checking of the system and keeping records of checks carried out.

**3 Ultraviolet light disinfection**

- (3) Where water is treated with ultraviolet light treatment systems, those disinfection systems must be fitted with monitoring and alarm systems to automatically shut down the water supply to the ultraviolet treatment unit, in the event of —
  - (a) power failure to the treatment unit; or
  - (b) lamp failure of the treatment unit; or
  - (c) excessive water turbidity.
- (4) The ultraviolet disinfection unit used must be adequate to disinfect the maximum flow of water for the system it is to serve on the fishing vessel.

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

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