

Animal Products Act 1999

STATEMENT OF POLICY

Farmed Mammals gone Feral: Supply for processing

This statement of policy is to provide:

- (a) the procedure to be followed by persons seeking written approval to kill farmed mammals which have become feral and to supply the resulting animal material for processing into regulated animal product; and
- (b) the criteria to be applied by MAF when assessing applications for approvals.

Dated at Wellington this 13th day of December 2001.

(Signed)

Tony Zohrab
Director Animal Products
Ministry of Agriculture and Forestry

Background

1. The Animal Products (Specifications for Products Intended for Human Consumption) Notice 2000 (the Notice), clause 56, prohibits the supply for primary processing of animal material from previously farmed mammals which have become feral and then been killed, unless the intending supplier has obtained written approval from the Director-General prior to the killing of the mammals.
2. Regulation 6 of the Animal Products (Ancillary and Transitional Provisions) Regulations 2000 applies the same policy to the acceptance of such animal material at a game packing house licensed under the Meat Act 1981.

Objective

3. The objective of the procedures described in this statement of policy is to allow the killing for trade of previously farmed mammals which have become feral, while managing the associated risks:-
 - to fitness for intended purpose of resulting products:
 - to overseas market access:
 - of evading the rules governing the supply of farmed animal material for processing and associated assessments at the primary processing stage.

Principles

4. The following principles underlie this policy:
 - (a) Ante-mortem examination is a key procedure in determining the suitability of farmed mammals for processing into products for human consumption.
 - (b) Mammals that were farmed and have gone feral are not the same as mammals which are wild (ie game), and they present different risks.
 - (c) Farmed mammals that have become feral may be killed and then supplied for processing only with the prior written approval of the Director-General.
 - (d) Specific approvals, procedures and conditions will be applied to manage the associated risks.
 - (e) To ensure compliance the animals must be killed by or under the direct supervision of competent persons meaning certified suppliers (including certified game estate suppliers).

Application for approval

5. In all cases, approval must be obtained before steps are taken to kill the mammals concerned. No approvals will be given for the supply of mammals that are already dead.
6. The application must be made on the attached form (see Annex A).

7. Applications are to be sent to:

Agency Technical Manager
 MAF VA
 C/- Ministry of Agriculture and Forestry
 PO Box 2526
 Wellington

Fee

8. Each application must be accompanied by an administrative fee of \$130 (including GST). Cheques are to be made payable to the *Ministry of Agriculture and Forestry* and crossed "not transferable".
9. The fee is charged under section 120 of the Animal Products Act 1999. It has been calculated so as to recover the estimated costs of salaries of the MAF staff involved plus administrative and other associated overheads. It has been assumed that, on average, each assessment will take approximately one hour (any additional time spent may be charged to the applicant by invoice).
10. The fee is not refundable in the event of an approval being refused.

Assessment of applications

11. Applications are to be assessed and approvals given by the person appointed in writing to the position of Agency Technical Manager (ATM) in the MAF Verification Agency (or to act in that position).
12. The ATM may seek from the applicant further information concerning the assessment criteria (below) or any other matter considered necessary to make a decision on whether to grant an approval.

Assessment Criteria

13. When considering applications the ATM is to take into consideration the following criteria:
- (a) The application form must be completed in full:
 - (b) There is no reason to doubt the credibility of the applicant:
 - (c) The circumstances described in the application appear to be genuine:
 - (d) The animal material will not be procured from an area where poisons or Tuberculosis are likely to be present, and the conditions specified in clauses 39 and 44 of the Notice can probably be met at the time of supply:
 - (e) There is no apparent intent to evade the requirements relating to supply of farmed mammals, or suspect mammals e.g. conditions of supply, movement control restrictions, administration of veterinary medicines, ante-mortem examination etc:
 - (f) The application does not appear to form part of a longer term intent to harvest a continuing feral population.

14. Approval will not be given for single mammals, recent escapees, or mammals which can reasonably be mustered and transported live for slaughter unless exceptional circumstances apply.
15. The ATM has discretion to determine whether a situation qualifies as "exceptional circumstances". Examples would include mammals which are a danger to the public or to property, or which hamper animal health control.
16. The ATM, at his/her discretion, may require MAFVA staff to be present during the kill. The associated actual and reasonable costs will be charged to the approval holder.

Approvals

16. The ATM is to use the model approval shown in Annex B to construct the letter granting approval. Additional conditions will be added to manage any particular risks or procedures not covered by the standard phrases.
17. When setting the expiry date of the approval, the ATM should allow the applicant a maximum of one month from the date he/she intends the killing to commence and take into consideration the logistics of having VA staff present if that is to be a condition.
18. The ATM may approve the animal material being handled through a listed animal material depot for wild mammal material, or a licensed game depot, provided this is with the prior knowledge and agreement of the primary processor concerned and the depot to be used has been specified with the application. Any such arrangement must be stated explicitly on the letter of approval.
19. A copy of the approval is to be attached to the application form and the form and all related documentation is to be retained by the ATM in a readily retrievable manner for at least 4 years.
20. In the interests of continuity and consistency, a written record of the justification for granting an exceptional approval is to be attached to the application and copy of the approval.

Conditions of supply

21. The following conditions will apply to all approvals:

General

- (a) Each approval is valid only for the supply of the animal material (i.e. from the killed mammals) described in the approval and within the date limits stated on the approval.
- (b) The assessment of applications is restricted to the criteria described in paragraph 13 above and does not include investigating the applicant's entitlement to do as he/she proposes in relation to the mammals and land.

concerned. Therefore all approvals are given subject to the condition that MAF has no responsibility in respect of the approval holder's rights –

- to kill the mammals; or
- to present them for processing; or
- to enter the location where the mammals are living.

Procedural

- (a) The mammals are to be killed and prepared for supply in accordance with the requirements of the Notice by or under the direct supervision of a person who is a certified supplier;
 - (b) The approval holder is to notify the primary processor at least 24 hours in advance of the intended presentation of the animal material;
 - (c) The approval holder is to ensure that a copy of the approval is provided to the primary processor at the time of first delivery of the animal material;
 - (d) All deliveries to the primary processor of animal material under the approval are to be accompanied by —
 - (i) game estate supplier statement (Form 3) as described in clause 53 of the Notice signed by the certified supplier responsible for the kill; and
 - (ii) landowner statement (Form 5) as described in clause 52 of the Notice; and
 - (e) The animal material must be supplied in accordance with clauses 54(2) and (3), and 57 to 60 of the Notice.
22. The approval holder may opt to supply the approved kill in a number of consignments over the period between the granting and expiry of the approval.
23. He/she may also opt to split supply of the approved kill between several processors in which case separate approvals will be needed to provide to each processor (only one application form is required and one administrative fee will be charged).
24. The processor is to retain his/her copy of the approval at the processing premises for at least 4 years.

ANNEX A**Application Form: Supply of animal material from farmed mammals
that have become feral**

Use AP24 (sample on next page).



Application Form AP24: Supply of animal material from farmed mammals that have become feral

- This application for supply of animal material from farmed mammals that have become feral, is made to the Director-General of Agriculture and Forestry, under clause 56 of the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2000.
- Send the completed application form together with the fee to Agency Technical Manager, MAF VA, c/- Ministry of Agriculture and Forestry, PO Box 2526, Wellington.
- If there are any changes to the details provided on this form subsequent to application, it is the responsibility of the applicant to inform the Agency Technical Manager, MAF VA promptly in writing.

1. Applicant Name:

Registered company name or partnership names (including the trading name) or sole trader name.

Full legal name of the applicant:

2. Address and Contact Details of the Applicant:

| | |
|-----------------------------|---|
| Physical (for service): | Phone No: |
| | Fax No: |
| Postal (for communication): | E-mail: |
| | <input checked="" type="checkbox"/> [] tick for consent to being provided electronic information. |

3. Location of feral mammals and controls on mammals escaping elsewhere:

Description of mammal location sufficient to enable location on map, or attach a map with relevant area defined:

Brief description of state of fencing or geographical boundaries confining mammals:

4. Legal interest in mammal location:

Briefly describe your legal interest in the **land** where mammals are situated (e.g. owner, leaseholder etc.):

5. Poison use status of the land from which the mammals are to be taken:

Will the mammals be procured from an area of land that is free from poisoning operations in accordance with clause 44 of the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2000? (Circle one)

Yes/No

If no, provide details.

6. Description of mammals involved:

| | | |
|--|--|---|
| Species: tick relevant categories ✓ and/or complete other as appropriate: | Maximum number of mammals to be killed: | Do you intend to kill all mammals at the location specified in 3? (Circle one) |
| [] Cattle | _____ | Yes / No |
| [] Deer | _____ | Yes / No |
| [] Goat | _____ | Yes / No |
| [] Pig | _____ | Yes / No |
| [] Sheep | _____ | Yes / No |
| Other (specify): _____ | _____ | Yes / No |

7. Legal interest in mammals involved:

Tick category ✓ or complete other, as appropriate:

[] Owner of the mammals
[] Owner, lessee, tenant of land which mammals previously occupied
[] Owner of land on where mammals now located and as specified in 3
Other: _____

8. If you do not have ownership of mammals involved:

1. Do you know who owns the mammals?

2. Do you have the owner's written permission to shoot the mammals? (if not also state reason)?

3. If ownership unknown what steps have you taken to find the owner?

4. Describe any identifying marks: brands, tags, earmarks etc.: _____

5. Are the mammals subject to any legal claim (e.g. from neighbour)?

Note: MAF does not accept any responsibility in any legal action that may occur as a consequence of killing the mammals or entering the land.

9. History of mammals' presence:

Approximately how long have the mammals been in their present location?

Where did they come from? _____

Have you tried to muster them? _____

What was the result of the muster? _____

Date of last attempt at muster: ____ / ____ / ____

10. TB status of original herd and district: (Cattle and deer only).

| | |
|----------------|-----------|
| Original herd: | District: |
|----------------|-----------|

11. Prior treatment(s) of the mammals:

To your knowledge have the mammals been treated with any animal remedy or exposed to any other chemical substance within the last 180 days? (Circle one) Yes/No

If Yes, state the:

Product/chemical substance _____

Method of treatment/exposure _____

Date used/exposed ____ / ____ / ____

12. Objective of killing mammals:

What is the objective of killing the mammals relating to this application (e.g. disease control, prevent damage to forestry etc.)?

13. Timing of planned kill:

Note: If granted, the approval will allow a specified period of time in which mammals can be killed and removed.

When do you intend to kill the mammals? Estimate start / completion dates:

From: ___ / ___ / ___ until ___ / ___ / ___

14. Parties intended to be involved in the handling and processing of the animal material:

Certified supplier / Certified game estate supplier to be used for the kill (if known):

Name: _____ Listing number: _____

Do you intend to use a licensed game depot or listed killed wild mammal material depot? Yes/No

If Yes, state the name of depot operator and the depot number: _____

Name of primary processor/ licensee to whom this animal material will be supplied: _____

Identifier of primary processor/licensee (Licence number, RMP number): _____

15. Applicant Declaration: To be completed by applicant (Refer Animal Products Act, section 127)

I declare I am authorised to make this application and that the information supplied in this application is accurate to the best of my knowledge.

Name: _____ Date: _____

Designation: _____ Signature: _____

16. MAF Fees: Attach cheque to application form, payable to 'Ministry of Agriculture and Forestry'

Application Fee attached: \$130 inc. GST [] GST No. 64-558-838

MAF Administration:

Date _____ Receipt No. _____

Name _____ Signature _____

Collection of Personal Information on Individuals

In regard to any information being collected on this application for the supply of animal material from farmed mammals that have become feral, pursuant to the Animal Products Act 1999 and the Animal Products (Ancillary and Transitional Provisions) Act 1999 and regulations and notices made under those Acts (that is personal information identifying or being capable of identifying an individual person), notification is hereby provided in accordance with principle 3 of the Privacy Act 1993, to individuals of the following matters:

1. This information is being collected for purposes relating to the supply of animal material from farmed mammals that have become feral and the administration of those Acts, regulations and notices.
2. The recipient of this information, which is also the agency that will collect and hold the information, is the Ministry of Agriculture and Forestry, P O Box 2526, Wellington.
3. The collection of information is authorised under clause 56 of the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2000. The provision of this information is voluntary however failure to provide information may result in the Ministry refusing to process this application form.
4. You are reminded that under Principles 6 and 7 of the Privacy Act 1993, you have the right of access to, and correction of, any personal information, which has been provided.

ANNEX B

(Insert Date)

To
(Insert Name)
Insert Address)

Dear *(Insert Name)*

Approval for supply of animal material from farmed mammals that have become feral

This letter grants you approval to supply:

(Insert no./species)

From: *(insert location of kill)*

To: *(insert name and location of primary processor/licensee - note, this approval must be limited to processors of product for human consumption)*

Also insert animal material depot ID if appropriate.

Note: *Where the applicant wishes to split supply between two primary processors, issue a separate approval for each (under a single fee)*

Conditions of approval

This approval:

is valid only for the number and species of mammals described above and expires on *(insert expiry date)*; and

is given on the basis that MAF has no responsibility in respect of the approval holder's rights –

- (i) to kill the mammals; or
- (ii) to present them for processing; or
- (iii) to enter the location where the mammals are living; and

(a) relates only to the presentation for processing of animal material from the mammals concerned.

Conditions of Supply:

- (a) The animals are to be killed and prepared in accordance with the requirements of the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2000 (the Notice) by a person who is a certified supplier of wild mammals (or a certified game estate supplier);
- (b) The approval holder is to notify the primary processor at least 24 hours in advance of the intended presentation of the animal material;
- (c) The approval holder is to ensure that a copy of this approval is provided to the primary processor at the time of first delivery of the animal material;
- (d) All deliveries to the primary processor of animal material covered by this approval are to be accompanied by;
 - (i) game estate supplier statement (Form 3 of Schedule 5 of the Notice) as described in clause 53 of the Notice signed by the certified supplier responsible for the kill; and
 - (ii) landowner statement (Form 5 of Schedule 5 of the Notice) as described in clause 52 of the Notice; and
- (e) The animal material must be supplied in accordance with clauses 54(2) and (3), and 57 to 60 of the Notice.

Additional Conditions: *(ATM to insert - if any)*

Yours sincerely,

(Insert Name)
Agency Technical Manager
MAF VA
(Acting under delegated authority)