

**NEW ZEALAND
FISHING INDUSTRY
AGREED GUIDELINES**

AMENDMENT COVER SHEET

To: Fish Premises
Fish Exporters
Authorised Persons
Circuit Inspectors
Agency Technical Manager
Technical Service Managers

Subject: Issue 4 of the Fishing Industry Agreed Guidelines

Enclosures: Amendment Cover Sheet
Issue 4 of the Guidelines

Background

The Guidelines were issued in June 1997. This circular contains an amendment to the Guidelines.

The Fishing Industry Agreed Guidelines have been revised to replace the General Information section that was issued in 1997.

This revision has been undertaken to define the role of the New Zealand Seafood Standards Council.

The revision has also been done to incorporate the Animal Products Act 1999 into the General Information section of the Fishing Industry Agreed Guidelines.

Procedure

Please **sign off** and **date** the Amendment record, and file this update letter in the back of your manual for quick reference.

Remove Old Pages	Insert New Pages
Fishing Industry Agreed Guidelines, General Information. Pages P.1 - .4 Pages 1.1 - 1.3 Pages 2.1 - 2.3	Fishing Industry Agreed Guidelines, General Information. Pages P.1 - .4 Pages 1.1 - 1.12 Pages 2.1 - 2.2

Regulatory Statement

This circular:

- Is issued pursuant to **Regulation 19** of the Fish Export Processing Regulations 1995.

Dated at Wellington this 31 day of January 2001.

(Signed)

Tony Zohrab
Director Animal Products

General Information

**New Zealand Seafood Standards Council
MAF Food Assurance Authority
Wellington
January 2001**

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Amendments

Suggestions are welcomed for alterations, deletions or additions to this section to improve it or to make it better suited to the needs of the fishing industry and inspection staff. Suggestions should be forwarded to the co-ordinator, together with reasons for the change.

Amendments do not become part of this section until they have been issued with an amendment form. Amendments are numbered in sequence.

Amendments to these guidelines can be identified by the issue number in the page header and a hatch by the changes which have been made.

The co-ordinator of these guidelines is:

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Amendment Record

It is important that these guidelines are kept up-to-date by the prompt incorporation of amendments.

To update these guidelines when you receive an amendment, remove the appropriate outdated pages, destroy them, and replace them with the pages from the new issue. Complete instructions will be given on the covering letter accompanying the amendment. File the covering letter at the back of the guidelines and sign off and date this page.

If you have any queries, please ask your local MAF VA.

Issue No.	Date	Initials	Issue No.	Date	Initials
1	June 1997	MAF RA	11		
2			12		
3			13		
4	January 2001	MAF FAA	14		
5			15		
6			16		
7			17		
8			18		
9			19		
10			20		

Contents

	Page
Amendments	P.2
Amendment Record	P.3
Contents	P.4
1. New Zealand Seafood Standards Council	
1.1 Terms of Reference	1.1
1.2 Overarching Commitments and Principles	1.4
1.3 Strategic Plan 2000-2005	1.6
1.4 Council Members and Regular Attendees	1.11
2. Legislation and Standards	
2.1 Animal Products Act 1999	2.1
2.2 Fish Export Processing Regulations 1995	2.1
2.3 Industry Agreed Implementation Standards	2.1
2.4 Technical Directives	2.2
2.5 Guidelines	2.2

1. New Zealand Seafood Standards Council

1.1 Terms of Reference

1.1.1 Purpose

To be the consultative forum between the New Zealand seafood industry and government (Ministry of Agriculture and Forestry) in the preparation of food safety standards, other technical standards, and protocols that are necessary for market access of seafood.

To provide leadership, analysis and advice that contribute to the development of cost effective sustainable standards and risk-mitigating strategies that achieve performance comparable to international best practice in risk management and consumer protection.

1.1.2 Role

To ensure delivery of efficient and practical strategic direction, policy formulation and priority setting that meets the seafood industry's needs.

To assist in the establishment of industry standards, specifications and codes of practice based on full industry consultation and advice to decision-making bodies taking full account of commercial and other risks to marketing, and innovation in products and processing.

To help achieve practical solutions of relevant technical issues, factors that impinge on processing costs and efficiency, and non-MAF regulatory requirements.

To foster open communication with the seafood industry and seek practical and cost effective solutions to seafood food safety problems.

1.1.3 Functions

A. Industry Standards

To act as the consultative organisation, representing people and businesses in the NZ seafood industry in relation to MAF's administration of the Meat Act 1981 and the Animal Products Act 1999.

To develop seafood handling and processing codes of practice and strategies to address risks to the industry, including any requirements imposed by importing countries.

To act in an advisory capacity to government in the formulation of agreed strategies to be pursued in the negotiation of requirements with importing countries regulatory authorities.

To give advice and take part, where practicable, in negotiations with importing country's regulatory authorities, and participate where possible, in multilateral organisations when international standards are being set or agreed.

To provide policy advice to government on seafood food safety, and other associated market access issues, and on risk management strategies.

To keep industry informed of developments in national and international food safety standards, and market access issues.

B. General

To participate in the development of risk management strategies.

To agree, on behalf of the seafood industry, operational plans of MAF Food Assurance Authority.

To communicate with the seafood industry on developments and trends in food safety and other market access issues, that could be relevant to strategy formulation and forward planning by seafood farmers, harvesters and processors.

To evaluate special projects that may arise during the contract year and recommend appropriate actions.

1.1.4 Composition

The Council will consist of:

- SeaFIC Director (1)
- SeaFIC Executive (1)
- Seafood industry members (5)
- MAF Food Assurance Authority (1)
- Consumers representative (1)

An independent Chairman appointed by SeaFIC.

Observers

- The Council is responsible for establishing observer status of organisations and may invite participation by organisations to address specific issues.
- MAF Verification Agency is awarded permanent observer status while it remains the sole provider of verification services.
- The Ministry of Health is awarded permanent observer status until the time that a single Food Agency is established.
- Seafood industry members are offered 2 observer places at each meeting, to be allocated on a first come first served basis.

SeaFIC will provide the secretariat for the Council.

1.1.5 Authority

The Council and its role are agreed by the New Zealand Seafood Industry Council and the Ministry of Agriculture and Forestry who are the parties to these Terms of Reference.

Council recommendations for significant amendments the *modus operandi*, in relation to industry standards and risk management strategies, will be submitted for agreement by the SeaFIC Board of Directors.

The Council will not be a party to the resolution of differences between individual seafood processors and MAF Food Assurance Authority or MAF Verification Agency.

1.1.6 Funding

The Council's reasonable expenses will be met by SeaFIC, and confirmed in the SeaFIC Business Plan each year.

Industry members of Council will be reimbursed for travel, accommodation and meals, in accordance with SeaFIC policy.

The Chairman will receive a separate fee approved by SeaFIC.

1.1.7 Review

The Council's terms of reference may be reviewed at any time if requested by SeaFIC Directors, the SeaFIC Policy Council or MAF Food.

1.2 Overarching Commitments and Principles

1.2.1 MAF Food Commitment

MAF Food is committed to maximising industry involvement in the regulatory process and encouraging industry ownership. MAF Food is committed to working in a partnership relationship with industry to the maximum extent possible. MAF Food will consult with the New Zealand Seafood Standards Council over the development and formulation of:

- (a) The regulatory standards, specifications and codes of practice to be promulgated under the Animal Products Act and
- (b) The generally accepted means of meeting the regulatory requirements
- (c) The interpretation and definition of the official market access requirements of importing countries.

In each case the intent of the consultation is to reach agreement so that the sum of the published documents and their interpretations can genuinely be described as “Industry Agreed Implementation Standards”. It is not expected that there will be failure to agree but in that event, and provided that best endeavours have been made to reach agreement, MAF Food reserves the right to ensure that it’s statutory responsibilities are met where the issues involve food safety or the credibility of New Zealand’s regulatory systems.

MAF Food is committed to ensuring that the standards, specifications and codes of practice are limited to the scope defined within the Animal Products Act. Standards, specifications and codes of practice will be scientifically based and incorporate risk analysis philosophy. Cost efficiency and cost effectiveness will be key features in the process of designing standards, specifications and codes of practice and the accepted means of meeting them.

MAF Food is equally committed to the concept of performance based verification whereby high performance receives less direct audit involvement, while poor performance increases audits.

MAF Food is committed to enterprises having the greatest autonomy appropriate to discharging their obligations to produce clean, safe and truthfully labelled fish and fish products.

MAF Food is committed to ensuring that sanctions required to respond to non compliance are applied consistently and fairly.

1.2.2 SeaFIC Commitment

SeaFIC is committed to ensuring that the provisions of the Animal Products Act are observed and maintained with respect to seafood and seafood products.

SeaFIC will provide a consultative committee (NZ Seafood Standards Council) which enables appropriate representation from the industry, to facilitate the consultation process necessary to maintain the commitments noted above.

1.2.3 Agreed Principles

MAF Food and SeaFIC have agreed to the following principles and will endeavour to apply them at all times:

(a) Maximum benefits will accrue to the seafood industry and New Zealand by MAF Food working in a partnership relationship with industry and the parties are committed to working in this manner to the maximum extent, consistent with MAF Food's statutory responsibilities.

(b) MAF Food and SeaFIC are committed to ensuring the profile of the NZ seafood Standards Council is such that industry has a sense of ownership of the standards and systems that operate to ensure compliance with the standards.

(c) Where practicable circulars, directives and IAIS's will be issued by the Seafood Standards Council and jointly signed by Director Animal Products and the Chairperson of the Council.

(d) For market access, MAF Food will involve the Seafood Standards Council to the maximum extent possible, including participation in "government to government" and multilateral negotiations, providing this is not deemed prejudicial to the direct outcome nor New Zealand's more general interests.

(e) The MAF Food Compliance and Investigation Unit, which audits the delivery agencies to ensure industry compliance with standards and regulatory requirements, will provide the Seafood Standards Council with regular status reports.

(f) Regulatory costs and mechanisms for their recovery will be negotiated and recovered in accordance with the provisions of the Animal Products Act.

(g) Verification of operations by verification agencies will be adjusted according to agreed performance criteria.

(h) In standard setting and in the enforcement of requirements, MAF Food will endeavour to operate in such a way as to maintain food safety and truthful certification while seeking to maximise returns to industry

(i) MAF Food and the Seafood Standards Council may agree on the general rules that verification agencies will apply in terms of sanctions in various non-compliance situations.

1.3 New Zealand Seafood Standards Council Strategic Plan 2000-2005

1.3.1 The Seafood Standards Council's Business

The Seafood Standards Council is in the business of assuring seafood safety*.

* Safety is defined in relation to “fitness for intended purpose” as per the Animal Products Act 1999.

The Seafood Standards Council will be an Advisory Council to Government and act as the NZ "Officially recognised technical authority" in:

- Setting standards of seafood safety.
- Specifying competence and diligence requirements.
- Identifying training requirements and facilitating the provision of training.
- Keeping the industry well informed on seafood safety.
- Developing negotiating strategies for access to overseas markets.
- Providing policy advice to Government and industry organisations on seafood safety.
- Specifying compliance regimes and use of sanctions at the delivery level.
- Advising MAF Food Assurance Authority on the sanctions required under the Animal Products Act.

The Seafood Standards Council is a committee of the NZ Seafood Industry Council. It has adopted the following operating Principles and Policies:

1. Beyond specified delegated authorities its role is advisory to the Fishing Industry Board.
2. Standards will be the minimum required to meet accepted international standards and guidelines.
3. Common standards will be set for domestic and export trades.
4. Commitment, competence and diligence must be demonstrated to retain the right to certify product.
5. Industry ownership of the Seafood Standards Council system will be encouraged and maintained in partnership with MAF Food.
6. Costs of audit will be recovered directly from companies by the contractor.
7. The standards required should be clear and the criteria for compliance should be transparent.

8. Comprehensive, cost effective and auditable outcome based standards will be used to ensure the safety of all seafood products.

1.3.2 Situation Analysis

During the period 2000 - 2005, the Seafood Standards Council expects assuring seafood safety to be influenced by the following changes.

1. Consumer Changes

Increased public awareness and expectations of the purity and safety of seafood.

- Consumers will demand safety guarantees of the food they purchase.
- Credibility of safety assurance systems will be under constant media scrutiny especially if breakdowns occur.
- Breakdowns will produce prolonged buyer resistance across the whole seafood sector.
- Consumers will demand more information about the products they are purchasing.

2. Controlling Authorities

Government administration of food safety has been reorganised.

- Delivery of seafood safety audit will become contestable.
- Domestic and export market standards will be progressively aligned.
- Harmonisation of New Zealand / Australian domestic food standards will be achieved.
- New standards and systems will require higher competency levels of controlling authority staff.
- Responsibility for designing, operating and maintaining risk management systems has shifted to processors and is subject to performance based verification.

3. Food Safety Environment

Increasing awareness of the risks in seafood safety breakdowns has shifted the focus towards integrated process control and risk management systems.

- Importing countries (especially the more affluent) will continue to develop more sophisticated safety assurance systems including HACCP, and demand equivalent standards of exporting countries.
- Political intervention can be expected if public health risks are perceived.
- There will be an expectation of increased competence and diligence of all parties involved in seafood processing and marketing.
- Large multiple retailers further processors and branch owners are setting 'non-regulatory' food safety process control criteria of their own.

4. International

The World Trade Organisation SPS Committee Agreement will enable the adoption of international food safety standards and their use in equivalence assessments.

- Zero risk policies are no longer sustainable under the SPS agreement.
- Opportunities now exist to influence the setting of international standards especially through Codex.
- New Zealand will have to invest further in research and databases required to justify its own 'science based' standards and defend equivalence.

5. Industry

The range of products, markets and processing technologies will increase and become more complex.

- Processing at sea will stabilise at present levels.
- Declining state of available charter vessels will continue to create compliance problems.
- Illegal operations will threaten certification credibility.
- Small operations will continue to be significant and will face rising cost pressures.
- Industry will need to keep up with technical change.

- Industry will need to remain aware of public perceptions of environmental, sustainability and welfare issues.
- Increased acceptance and responsibility for risk management systems by industry will be required.
- There will be an increasing need for processed product to move up the “value chain” and this will result in an increased proportion of ready-to-eat products and more sophisticated processing.
- Competency based training will play an increasing role in seafood processing operations.
- Industry will increase market development into non-traditional markets.

6. Quality Management Environment

- Financial and human resources for systems and their development will remain scarce.
- Keeping industry informed of developments/changes will be an increasing need.
- Electronic documentation is rapidly replacing paper systems.
- Implementation of the Animal Products Bill will require a shift of responsibilities and changes to current systems.

The Seafood Standards Council will need to respond by:

a. Standards

- Developing codes of practice to support outcome based standards and the risk management regime.
- Ensuring domestic and/or common New Zealand/Australian standards harmonise with those met by NZ’s export industry.

b. Risk Management Systems

- Ensuring maintenance of risk management systems.
- Facilitating the transfer of operational experience between companies.

c. Compliance

- Ensuring that personnel involved in certification have the required competency.
- Developing fair and credible procedures with MAF Food and MAF VA.
- Ensuring sanctions fairly reflect the level of performance.

d. Industry Training

- Specifying the maintenance of industry seafood safety training and competency requirements.
- Maintaining close liaison with the Seafood ITO.

e. International Equivalence

- Working with MAF Food to influence Codex Standards.
- Working with MAF Food in the development of bilateral equivalence agreements and other market access issues.
- Encouraging industry to participate in further research and database building to justify New Zealand standards.

f. Communication

- Keeping industry informed of all relevant aspects of the Seafood Standards Council Seafood Safety Programme.
- Providing opportunities for industry feedback on seafood safety.
- Increasing awareness of the Seafood Standards Council Seafood Safety Programme.
- Working with MAF and Industry to develop and implement a strategy for Risk Communication.

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1.4 NZ Seafood Standards Council Members and Regular Attendees

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Callum McCallum Industry	C/- Pakihi Marine Farms RD 5 Papakura Auckland	Kawakawa Bay Rd Clevedon RD 5 Papakura	09 292 8017 09 292 8023 025 786 113	09 292 8389	oyster@voyager.co.nz
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Regular Attendees	Postal Address	Courier Address	Phone/ Mobile	Fax	Email
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Alastair Macfarlane SeaFIC	Private Bag 24 901 Wellington	74 Cambridge Tce Wellington	04 385 4005 021 687 537	04 385 2727	Alastair@seafood.co.nz

2. Legislation and Standards

2.1 Animal Products Act

The animal Products Act 1999 reforms the New Zealand law that regulates the production and processing of animal material and products. The Animal Products Act potentially applies to all animal material and products that are traded and used in New Zealand or exported from New Zealand.

The Act makes provision for the making of regulations and the promulgation of circulars and penalties for offences under the Act.

2.2 Fish Export Processing Regulations 1995

The Animal Products Act 1999 is supported by the Fish Export Processing Regulations 1995. These regulations cover the following:

- Standards for the construction, plant and equipment in fish premises, the operation of fish premises, storage and transportation of seafood, and some particular seafood products;
- Requirements that any seafood accepted at a fish packing house is fit for human consumption;
- Requirements for the certification of seafood products;
- Providing Inspectors with power to examine and sample fish, and to remove and dispose of unfit fish, and to prohibit the use of equipment or premises;
- Providing for exemption from licensing for certain types of premises.

2.3 Industry Agreed Implementation Standards (IAISs)

The regulations contain the standards that need to be met by companies, e.g. in relation to construction of premises or operation of the fish premises. The IAISs contain a means of meeting those standards. Companies may, if they wish, apply to the Director-General for an alternative approval to meet a particular standard.

The IAISs are issued as circulars under the Regulations (Regulation 19) and have legal backing. The IAISs, including amendments are available to all currently licensed premises and exporters on the MAF website www.maf.govt.nz

Printed copies of the IAISs, please contact MAF Food Assurance Authority for the supplier.

2.4 Technical Directives

Technical directives contain the same type of requirements and information that is contained in IAISs, but they can be issued in a very short time frame.

Technical directives will be issued in the following situations:

- When it is necessary to issue changes to or clarification of specifications within a short time frame;
- When it is necessary to provide information to the industry or Inspectors within a short time frame.

Changes to or clarification of specifications will be followed up by an amendment to the relevant IAISs.

Information issued by technical directives will be incorporated into the FIIC Newsletter where appropriate.

Technical directives automatically expire 3 years after the date of issue, unless previously cancelled or incorporated into an IAIS or some other official notification.

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Technical directives are available to all currently licensed premises and exporters on the MAF website www.maf.govt.nz. If you have any queries, contact your local Inspector.

The technical directives issued by MAF are sequentially numbered. The directives cover both the seafood and meat industries, but the seafood industry will only receive those that relate to seafood.

2.5 Guidelines

Guidelines on various topics have been developed by FIIC to assist companies with particular issues.

Guidelines are intended as recommendations for companies. The guidelines are available to all currently licensed premises and exporters on the MAF website www.maf.govt.nz

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