

**Ministry of Agriculture and Forestry  
P O Box 2526, Wellington, New Zealand**

**MAF Food: Dairy & Plants**

**Circular number 63**  
*Dairy Industry Regulations 1990*

***D105.2 Milking Animal Health***

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## Issue of Circular

Regulation 59 of the *Dairy Industry Regulations 1990* allows the Director-General of the Ministry of Agriculture and Forestry to issue circulars setting out criteria for matters which must be approved by, or done to the satisfaction of, the Director-General pursuant to the *Dairy Industry Regulations 1990*.

This Circular number 63, containing 'MAF Standard D105.2 "Milking Animal Health"', is issued in accordance with that regulation 59.

Circular number 42 "Milking Animal Health" issued on 23 December 1999 is revoked.

This Circular number 63 takes effect on 21 December 2000.



Tim Knox  
**Director, Dairy and Plant Products**  
**MAF Food Assurance Authority**

21 December 2000

*(Signed under authority delegated by the Director-General of MAF, pursuant to regulation 59 of the Dairy Industry Regulations 1990.)*

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## **1 Background**

The MAF Standard on Milking Animal Health (D105.1) was promulgated by Circular 42 on 23 December 1999 to:

- outline regulatory requirements specified in New Zealand dairy legislation for animal health;
- describe acceptable criteria (means for satisfying MAF that the requirements are being achieved);, and
- outline relevant importing country requirements.

MAF has identified that revision of the MAF Standard on Milk Animal Health is required as a consequence of the following events:

- implementation of MAF Standard D105.1 “Milking Animal Health”;
- implementation of other MAF standards;
- recent amendments to the *Dairy Industry Act 1952*;, and
- actions identified as a result of the audit of MAF by the European Commission in May 2000.

The MAF Standard on Milk Animal Health has been revised. MAF Standard D105.2 “Milking Animal Health” is attached. A line in the right hand margin marks the changes to the standard.

## **2 Summary**

This standard specifies requirements relating to the health of milking animals that must be managed by farm dairy occupiers to ensure that the raw milk produced is satisfactory for the manufacture of dairy products.

Appendix One outlines acceptable criteria for demonstrating that the outcomes in the standard are achieved, including:

- identifying, and if necessary, isolating sick and diseased animals;
- withholding milk from:
  - sick and diseased animals;
  - animals being treated with veterinary medicines for the time specified by the supplier of the remedy or the veterinarian;
  - animals that have ingested, or are affected by toxic or milk-tainting substances; and
  - animals that have recently given birth.

Proposals for alternative criteria will be approved by MAF, provided it can be demonstrated to MAF's satisfaction that the required outcomes will be achieved.

Appendix Two of this standard provides references to importing country requirements relating to the health of milking animals, which have been officially confirmed.

### **3 Outcome**

Every farm dairy supplies raw milk from healthy milking animals that is satisfactory for the manufacture of dairy products, and keeps relevant records, in compliance with sections 11(a), 11 (b), 14 (b) and 16 of the *Dairy Industry Act 1952* and regulations 3, 4, 6, 7(c) and 7(d) of the *Dairy Industry Regulations 1990*.

Where MAF provides official assurances to the competent authority of an importing country, the relevant requirements of that importing country are demonstrated to be met.

### **4 Effective changes**

This standard introduces the following changes from the previous version of the MAF Standard on Milking Animal Health (D105.1).

#### **4.1 Significant Changes**

The following are significant changes. PSPs will require review and where revisions are made, the change evaluated and approved:

- 4.1.1 Milk from animals that have given birth within 4 days, i.e. colostrum, must be withheld unless there is an agreement with the dairy manufacturer to supply the colostrum.

## **4.2 Minor Changes**

The following are minor changes. These changes can be included at the next review and revision of the PSP:

- 4.2.1 The definition of colostrum is added.
- 4.2.2 Sick and diseased animals and animals showing clinical signs of, or diagnosed with infectious diseases communicable to humans through milk are required to be identified prior to isolation.
- 4.2.3 Where an animal's mammary gland is inflamed or injured, the affected quarter(s) are required to be identified to enable milk from them to be withheld.
- 4.2.4 Withheld colostrum may be fed to calves or other animals.

## **4.3 No Change**

These changes require no changes to PSPs although the clarification provided by the commentary may indicate that changes are required to the PSP at the next review and revision:

- 4.3.1 References to information and forms referenced in the standards and available from MAF Food: Dairy and Plant Products or its website have been provided.
- 4.3.2 MAF/TPA is responsible for verifying:
  - that the records and test results confirm that relevant importing country requirements are being delivered;
  - that the records and test results of dairy produce certified by MAF confirm the produce complies with the attestations contained in official assurances.
- 4.3.3 Commentary has been provided to assist understanding of:
  - utilisation of withheld milk;
  - determination of a suitable period for the retention of records;
  - record-keeping associated with date of parturition (calving).
- 4.3.4 The requirements of importing countries have been moved from Appendix Two to the MAF website.

## 4.4 Importing Country Requirements

The following changes to importing country requirements have been made. Refer to the MAF website ([www.maf.govt.nz/Dairy](http://www.maf.govt.nz/Dairy)) for further details:

- 4.4.1 For PSPs covering the operation of farm dairies, the operators of farm dairies are responsible for ensuring milk from animals treated with hormonal growth promotants (HGP) is withheld from supply for the manufacture of dairy products destined for the EU. This is a minor change and can be incorporated into PSPs at the next review.

*Note: Guidelines will be developed to identify what HGPs are and how the animal health records may be used to demonstrate compliance. The guidelines will also show how the MAF Animal Products HGP identification system may be used when considering the status of new animals introduced into the herd.*

## 5 Implementation

All PSPs must comply with this standard by 31 May 2001.

For new PSPs, this standard will apply from the date of promulgation.

To allow the orderly evaluation and approval of previously approved PSPs the implementation has been split:

- For **EU listed plants and registered stores who store product destined for the EU**, any previously approved PSP shall be deemed to be approved until 31 March 2001. These previously approved PSPs must be reviewed and, where necessary, revised to comply with the EU related requirements contained in this standard. Where the revisions result in significant changes, the changes are evaluated by MAF /TPA and approved again by MAF. By 31 March 2001 all existing PSPs of EU listed plants and registered stores who store product destined for the EU must comply with the EU related requirements in this standard and significant changes to the PSP submitted to MAF/TPA for evaluation. By 31 May 2001, all existing PSPs of EU listed plants and registered stores who store product destined for the EU must comply with this standard and significant changes to the PSP submitted to MAF/TPA for evaluation.
- For **all plants excluding the EU listed plants and registered stores who store product destined for the EU**, any previously approved PSP shall be deemed to be approved until 31 May 2001. These previously approved PSPs must be reviewed and, where necessary, revised to comply with this standard. Where the revisions result in significant changes, the changes are evaluated by MAF /TPA and approved again by MAF. By 31 May 2001, all existing PSPs must comply with this standard and significant changes to the PSP submitted to MAF/TPA for evaluation.

This standard has been written to enable continuation of the evaluation and verification of PSPs under the existing system and under the ORM system. During this transition period, PSPs will continue to be evaluated and verified by a National Assessor, MAF Compliance. When the party moves to the ORM system, the PSP will be evaluated and verified by approved individuals employed by an approved Third Party Agency (TPA). This change is indicated in the standard by the use of "MAF/TPA" in appropriate places.

## **6 Effect on compliance costs**

Additional compliance costs are anticipated as follows.

6.1 For operators of farm dairies, costs associated with the identification of:

- sick and diseased animals;
- animals with diseases communicable to humans; and
- inflamed or injured mammary glands.

6.2 For companies purchasing and collecting colostrum the cost associated with:

- putting supply agreements in place with operators of farm dairies;
- reviewing and revising PSPs to manage the collection, transport, storage and processing of colostrum and colostrum products.

# MAF Standard D105.2 “Milking Animal Health”

## 1.0 SCOPE

This standard contains the outcomes for the health of milking animals (cows, goats and sheep) that affect the safety of raw milk, and the keeping of relevant records. All farm dairy occupiers managing milking animals producing milk intended for the manufacture of dairy product must comply with this standard.

## 2.0 PURPOSE

This standard sets out the outcomes that are specified in the *Dairy Industry Regulations 1990* relating to the health of milking animals that must be managed by farm dairy occupiers to ensure that the raw milk produced is satisfactory for the manufacture of dairy product.

The acceptable criteria outlined in Appendix One of this standard were developed in consultation with industry to establish clear rules for judging whether or not a proposed PSP is satisfactory, and to assist parties to achieve the outcomes described in the standard. Proposals for alternative criteria will be approved by MAF, provided it can be demonstrated to MAF’s satisfaction that the required outcomes will be achieved.

Appendix Two of this standard provides references to importing country requirements, which have been officially confirmed, relating to the health of milking animals producing milk intended for the manufacture of dairy products.

## 3.0 OUTCOME

Every farm dairy supplies raw milk from healthy milking animals that is satisfactory for the manufacture of dairy products, and keeps relevant records in compliance with sections 11(a), 11(b), 14(b) and 16 of the *Dairy Industry Act 1952* and regulations 3, 4, 6, 7(c) and 7(d) of the *Dairy Industry Regulations 1990*.

Where MAF provides official assurances to the competent authority of an importing country, the relevant requirements of that importing country are demonstrated to be met.

## 4.0 INTERRELATED REQUIREMENTS

The following standards must be read in conjunction with this standard:

- MAF Standard D101 “Product Safety Programmes”. Dairy and Plant Products Group, Food Assurance Authority, New Zealand Ministry of Agriculture and Forestry.

The following information and forms are available from MAF Food: Dairy and Plant Products or its website ([www.maf.govt.nz/Dairy](http://www.maf.govt.nz/Dairy)):

- Importing Country Requirements (Overseas Market Access Requirements).

## 5.0 ADDITIONAL RESOURCES

The following documents are useful resources:

- *Dairy Products Safe and True*. Dairy and Plant Products Group, Food Assurance Authority, New Zealand Ministry of Agriculture and Forestry, 1999. Website address: [www.maf.govt.nz/Dairy/](http://www.maf.govt.nz/Dairy/);
- MAF Standard D107 “Dairy Product Safety”. Dairy and Plant Products Group, Food Assurance Authority, New Zealand Ministry of Agriculture and Forestry;
- MAF Standard D206 “Dairy Sanitary and Related Export Certification”. Dairy and Plant Products Group, Food Assurance Authority, New Zealand Ministry of Agriculture and Forestry;
- NZCP 1 “Farm Dairy Code of Practice” third edition. New Zealand Dairy Board, 1998.

## 6.0 DEFINITIONS

These definitions must be read in conjunction with the interpretations in the *Dairy Industry Act 1952* and the *Dairy Industry Regulations 1990*.

MAF Food: Dairy & Plant Products Group definitions of terms can be found in their “Glossary of Terms”, available on the Dairy & Plants website ([www.maf.govt.nz/Dairy/](http://www.maf.govt.nz/Dairy/)).

**Agricultural compound**—substance used in agriculture, as defined by the *Agricultural Compounds and Veterinary Medicines Act 1997*, including pesticides as defined by the *Pesticides Act 1979*.

**Colostrum**—milk given by a milking animal within four days after giving birth.

**Critical situation**—any situation which in the professional judgement of the Inspector, places public health, animal welfare, market access, official assurances, national good, or MAF’s credibility at risk, or where an offence is suspected.

**Dairy produce**—milk, cream, butter, cheese and any other product of milk or cream.

**Dairy product**—dairy produce intended for sale in, or export from New Zealand for human consumption. This:

- (a) includes raw milk or cream intended for sale in New Zealand for human consumption as raw milk or cream;
- (b) does not include raw milk or cream intended to be processed before sale in New Zealand for human consumption.

**Days**—unless specified otherwise, “days” refers to calendar days. “Working days” means Monday to Friday inclusive, excluding statutory holidays.

**Disease**—any illness which has the potential to make the raw milk unsatisfactory for the manufacture of dairy products.

**Inspector**—a person appointed under Section 4 of the *Dairy Industry Act 1952* with powers under that Act, the *Animals Act 1967* and the *Food Act 1981*. This includes the Director-General of MAF.

**MAF Compliance**—the Compliance and Investigation Group of MAF Food, reporting to the Director, Compliance and Investigation Group.

**MAF Food**—the Food Assurance Authority of the Ministry of Agriculture and Forestry.

**MAF Food: Dairy & Plants**—the Dairy and Plant Products Group of MAF Food, reporting to the Director, Dairy and Plant Products.

**Milking animals**—dairy cows, goats or sheep during their milking-life, from the start of commencement of first lactation onwards until they are withdrawn from the milking herd, including the non-lactating periods.

**Non-compliance**—any failure to comply with regulatory requirements.

**Non-conforming**—in relation to dairy produce, any that is suspected or known not to meet regulatory requirements.

**Product Safety Programme (PSP)**—a programme of conditions, processes, procedures, measures, and standards to be complied with, performed, undertaken, taken or met in relation to:

- (a) any process or activity related to dairy produce, ingredients used in the manufacture of dairy products, or both; and
  - (b) sampling, examination, inspection, and testing, or any of those actions, relating to any such process or activity; and
  - (c) the recording and inspection (by persons with qualifications and experience approved by the Director-General for the purpose) of information relating to any such action;
- and (without limiting the generality of the foregoing) may include conditions, processes, procedures, measures, or standards relating to the production, manufacture, storage, or transport of dairy produce.

**Safe**—in relation to any dairy product, “safe” means satisfactory, fit for human consumption, and not having in it or on it any pathogenic organisms

- (a) that are present in an amount that makes the product harmful or injurious to the health of the people who may eat or drink it; or
- (b) that
  - (i) are not present in an amount that makes the product harmful or injurious to the health of the people who may eat or drink it; but
  - (ii) by virtue of their ability to reproduce, to produce toxins, or both, make the product potentially harmful or injurious to the health of the people who may eat or drink it.

In relation to any dairy produce that is not a dairy product, “safe” means satisfactory, and fit for the manufacture of dairy products.

**Sale**—the transfer of property in goods by a seller to a buyer for a consideration, normally money but in the case of barter, also goods.

**Sanction**—official response to regulatory non-compliance.

**Satisfactory**—in relation to any dairy produce, means:

- (a) not having in it or on it any harmful or injurious substance in an amount that makes it harmful or injurious to the health of people who may eat or drink it or dairy products made from it;
- (b) not being, or containing anything that is, decomposed, dirty, rotten, spoiled or diseased;
- (c) not affected by disease;
- (d) not affected by any objectionable taint or smell;
- (e) not containing any foreign matter; and
- (f) not condemned under Section 9 of the *Dairy Industry Act*.

**Third Party Agency (TPA)**—organisation approved by MAF to carry out evaluation and/or verification services.

**Veterinary medicine**—any substance, mixture of substances, or biological compound used or intended for use in the direct management of an animal.

**Withheld**—excluded permanently from delivery or sale.

**Withholding time**—the minimum time that must elapse between the end of the treatment period of a milking animal with a veterinary medicine, and when the milk is permitted to be offered for processing for human consumption.

## **7.0 REQUIREMENTS**

Farm dairy occupiers must operate in compliance with a MAF-approved Product Safety Programme which documents procedures to ensure that:

- the milk that they supply comes only from animals that are outwardly healthy and show no clinical signs of diseases capable of contaminating milk with pathogenic microorganisms and/or toxic substances;
- they identify and, if necessary, isolate diseased stock;
- they withhold milk in accordance with labelling on agricultural compounds and veterinary medicines to ensure that milk is not contaminated by these products;
- they withhold milk which is tainted or impure;
- They withhold milk from animals that have given birth within 4 days unless there is a supply agreement; and
- they keep records relevant to the above requirements.

## **8.0 VERIFICATION**

Verification of compliance with this standard is undertaken by MAF or a MAF-approved TPA as part of a PSP assessment.

### **8.1 Criteria**

The criteria for assessing compliance with this standard are as follows:

- the means to deliver the requirements of this standard are documented in a MAF-approved PSP;
- the party operates in accordance with that MAF-approved PSP;
- the records and test results of dairy produce covered by official assurances provided by MAF, confirm the produce complies with the official assurances.

### **8.2 Decision**

The party is non-compliant if one or more of the criteria for assessing compliance is not met.

## 8.3 Result

### 8.3.1 Compliant parties

Compliant parties operating in accordance with MAF-approved PSPs are entitled to:

- produce milk or cream intended for the manufacture of dairy products;
- transport or store dairy produce; and/or
- manufacture, transport or store dairy products.

### 8.3.2 Non-compliant parties

Non-compliance with a MAF-approved Product Safety Programme (including selling or exporting dairy products not manufactured in accordance with an approved PSP) constitutes an offence under regulation 49 of the *Dairy Industry Regulations 1990*.

If a party does not operate in accordance with an approved PSP:

- an Order may be issued by a MAF Inspector to remedy any defects;
- export certification and/or use of any MAF marks may be suspended;
- approval of the PSP may be withdrawn; and/or
- prosecution for offences may occur.

## 9.0 VERSION CONTROL

| Version | Date             | Status   | By                                 | Approved |
|---------|------------------|--|------------------------------------|----------|
| 105.1   | 23 December 1999 | Promulgated by Circular number 42. Revoked by Circular number 63 | Director, MAF Food: Dairy & Plants |          |
| 105.2   | 21 December 2000 | Promulgated by Circular number 63                                | Director, MAF Food: Dairy & Plants |          |

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# Appendix One

## ACCEPTABLE CRITERIA

Following are criteria by which a Product Safety Programme may be judged to satisfactorily achieve the requirements described in section 7 of this standard. A Product Safety Programme which includes procedures for ensuring that each of these criteria is satisfied, and meets all other relevant PSP requirements, will be approved by MAF.

Proposals for alternative criteria will be approved by MAF, provided it can be demonstrated to MAF's satisfaction that the required outcomes will be achieved. A guide to the information required in these proposals and the procedures used by MAF to assess proposals can be obtained from MAF Food.

### 1.0 Sick and diseased animals

The farm dairy occupier obtains veterinary supervision or advice when problems with milking animal health are suspected.

Animals which are sick or diseased are treated to ensure resolution of the condition and to alleviate unnecessary pain and distress. All treatments used have known evidence of efficacy and safety for the condition being treated. For any veterinary medicine used, milk is withheld for the specified product withholding time. If treatment fails to cure the clinical signs of infection, the animal is identified and if necessary kept isolated from the milking herd, and veterinary advice is sought.

Animals suffering from the following conditions are identified and isolated from the herd and their milk is withheld until the clinical signs have resolved. The withheld milk is not used for human consumption. The withheld milk is not fed to calves or other animals intended for slaughter for human consumption within 28 days following feeding:

- severe diarrhoea with depression and dehydration;
- severe weight loss and emaciation of non-nutritional origin;
- severe injury and/or abscess of any body part;
- non-metabolic nervous diseases;
- fever, including those associated with retained foetal membranes and parturition difficulty;
- severe infection of the genital tract with discharge, resulting in udder contamination;
- clinical signs of a systemic illness or disease.

Animals showing clinical signs of, or diagnosed with, infectious diseases communicable to humans through milk are identified and isolated from the herd and their milk is withheld until the clinical signs have resolved. The withheld milk is not used for human consumption. The withheld milk is not fed to calves or other animals intended for slaughter for human consumption within 28 days following feeding.

Infectious diseases communicable to humans include:

- tuberculosis;
- listeriosis;
- brucellosis;
- salmonellosis;
- yersiniosis;
- leptospirosis.

If the animal's mammary gland is inflamed or injured, the affected quarter(s) are identified and milk from them is withheld until healing and/or resolution of clinical signs.

Dairy cows suffering from enzootic bovine leukosis should be culled. Dairy goats suffering from caprine arthritis encephalitis should be culled.

Milk containing toxic substances or milk-tainting substances is withheld.

## **2.0 Colostrum**

Colostrum is withheld or is supplied under a supply agreement with the dairy manufacturer. Withheld colostrum may be fed to calves or other animals.

## **3.0 Veterinary medicines**

Where milking animals are treated with veterinary medicines:

- the use is appropriate, and recognised for the condition being treated in milking animals;
- the farm dairy occupier accurately follows the instructions on the label, or provided by a veterinarian; and
- the farm dairy occupier uses the medicine appropriately, to avoid violative residues.

The milk from animals which have been treated with veterinary medicines is withheld for the time specified by the supplier of the remedy, or the veterinarian. The withheld milk is not used for human consumption. The withheld milk may be fed to calves or other animals intended for slaughter for human consumption, on condition that the withholding times specified for the remedy in meat and the domestic market food residue standards, are not violated.

When mastitic animals are treated with veterinary medicines, milk is withheld from all quarters for the specified withholding time.

#### **4.0 Veterinary inspections**

Farms supplying milk for the manufacture of dairy products undergo routine veterinary visits to ensure that they are managing animal health to produce raw milk that is satisfactory.

#### **5.0 Management of withheld milk**

Milk that is subject to a withholding time is harvested and stored in such a way that there is no risk of mixing it with, or cross-contaminating milk destined for human consumption. Withheld milk is disposed of as outlined in sections 1.0, 2.0 and 3.0 above.

##### *Commentary*

*Milk withheld by farm dairies is utilised in accordance with the requirements above. Withheld milk is not required to be disposed of in accordance with D108 "Non-conforming Dairy Produce".*

#### **6.0 Records**

The farm dairy occupier keeps records, using a unique animal identifier, which show:

- the date that sick/diseased animals were identified and, if necessary, isolated from the herd;
- the type of disease;
- details of the treatment given to provide sufficient information for traceback purposes;
- the date the milk was withheld;
- the date the animal was returned to the milking herd; and
- the name of the veterinarian consulted, if one was consulted.

The records are kept for as long as is necessary for traceback purposes.

*Commentary*

**A**     ***Paturition (calving) records***

*Records are not required to be kept for animals' date of paturition (calving). The PSP may require this information to be recorded as a means of demonstrating the segregation of colostrum from white milk.*

**B**     ***Retention of records***

*The length of time before the dairy product made from the milk is consumed determines the period records have to be kept for traceback purposes. In some instances, e.g. dried milk products, the product may be stored for several years and then blended with other ingredients before it is consumed.*

## Appendix Two

### IMPORTING COUNTRY REQUIREMENTS

It is the responsibility of exporters to identify and comply with all importing country requirements; non-compliance is at their commercial risk.

Importing country requirements, which have been officially confirmed, can be obtained from the Dairy and Plant Product Group of MAF or its website ([www.maf.govt.nz/Dairy](http://www.maf.govt.nz/Dairy)).

Where MAF provides official assurances to competent authorities of importing countries, the statements to which MAF attests must be verifiable. Relevant requirements are described in MAF Standard D206 “Dairy Sanitary and Related Export Certification”.