

Ministry of Agriculture and Forestry
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MAF Food: Dairy & Plants

Circular number 67
Dairy Industry Regulations 1990

D112.2 MAF Approved for Export Mark

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112.1	23 December 1999	Promulgated by Circular number 48. Revoked by Circular number 67	Director, MAF Food: Dairy & Plants	
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Issue of Circular and Implementation

This Circular, number 67, containing 'MAF Standard D112.2, "MAF Approved for Export Mark"' is issued to set out requirements for the use by the New Zealand dairy industry of the MAF Approved for Export Mark.

Circular number 48 containing 'MAF Standard D112.1, "MAF Approved for Export Mark"', issued on 23 December 1999 is revoked.

This Circular, number 67, takes effect on 14 September 2001.

The amendments to currently approved Product Safety Plans (PSPs) that are necessary to incorporate the requirements of this Standard can be included at the next review and revision of the PSP and consequently evaluated by MAF/the TPA and approved by MAF.

The MAF Approved for Export Mark must not to be applied to packaging after three months from the date of issue of this Circular.

All dairy product packaging bearing the MAF Approved for Export Mark must be managed in accordance with the outcomes described in this Standard.

At 31 May 2003, the MAF Approved for Export Mark on any unused packaging must be removed or permanently and completely obliterated in accordance with this Standard.

At 31 May 2006, dairy product packaging must not bear the MAF Approved for Export Mark.

This Circular is revoked effective from 31 May 2007.



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

19 September 2001

Foreword

The MAF Standard on the MAF Approved for Export Mark was developed to:

- outline requirements for the use and control of the MAF Approved For Export Mark, the authorisation of users and the verification of compliance;
- describe acceptable criteria (the means for satisfying MAF that the outcomes are being achieved); and
- outline relevant importing country requirements.

Specifically, this Standard describes the outcomes that MAF require to be met to allow for the use of the MAF Approved for Export Mark. This Standard satisfies the requirements of MAF's "Corporate Policy for the Use of MAF Devices" and the associated MAF "Corporate Code of Practice for the Use of MAF Devices".

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 achieve the outcomes described in this Standard.

Users of the MAF Approved for Export Mark may offer proposals to MAF for alternative criteria that deliver the outcomes described in this 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. A guide to the information required in these proposals and the procedures used by MAF to assess proposals can be obtained from MAF Food.

Appendix Two of this Standard outlines importing country requirements relating to official assurances provided by MAF concerning the MAF Approved for Export Mark.

Appendix Three of this Standard depicts the authorised version of the MAF Approved for Export Mark.

Preface

RESOURCES

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

- MAF Standard D101, “Product Safety Programmes”
- MAF Standard D103, “Labelling of Dairy Products”
- MAF Standard D107, “Dairy Product Safety”
- MAF Standard D108, “Non-conforming Dairy Produce”
- MAF Standard D109, “Dairy Product Conformance”
- MAF Standard D202, “Registration of Dairy Premises”.

EFFECTIVE CHANGES

This Standard will introduce the following changes to the previously existing situation:

- The MAF Approved for Export Mark is no longer required on the packaging of dairy products being exported to the member states of the European Union.
- After 3 months of issue of this Standard by Circular the MAF Approved for Export Mark:
 - is not to be applied to packaging; and
 - must be destroyed **except** where it appears on pre-printed packaging material or packaging containing dairy products.
- At 31 May 2003, any unused packaging bearing the MAF Approved for Export Mark must have the MAF Approved for Export Mark removed or permanently and completely obliterated in accordance with this Standard.
- At 31 May 2006, dairy product packaging must not bear the MAF Approved for Export Mark.

All dairy product packaging bearing the MAF Approved for Export Mark must continue to be managed in accordance with the outcomes described in this Standard.

Amendments to currently approved PSPs that are necessary to incorporate the requirements of this Standard can be included at the next review and revision of the PSP and consequently evaluated by MAF/the TPA and approved by MAF.

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MAF Standard D112.2, “MAF Approved for Export Mark”

1. SCOPE

This Standard contains the outcomes for the use and control of the MAF Approved for Export (AFE) Mark (the Mark), the authorisation of users and the verification of compliance.

All users of the Mark and Third Party Agencies (TPAs) must comply with the outcomes described in section 3 of this Standard.

2. DEFINITIONS

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

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

3. OUTCOME

The Mark only appears on the packaging of dairy product that meets the requirements of the *Dairy Industry Act 1952* and the *Dairy Industry Regulations 1990*.

The Mark is the property of MAF and must only be used under the conditions specified in this Standard.

Authorised users of the Mark must operate in compliance with a MAF-approved product safety programme (PSP) which documents procedures to ensure the following:

- The Mark is borne only by the packaging of dairy product that conforms to regulatory requirements, as specified by MAF Standards D101, “Product Safety Programmes”; D103, “Labelling of Dairy Products”; D107, “Dairy Product Safety”; D108, “Non-conforming Dairy Produce”; D109, “Dairy Product Conformance”; and D202, “Registration of Dairy Premises”.
- The Mark used must be the latest authorised version, as provided in Appendix Three to this Standard, and must not be changed or modified in any manner.
- Translations of the Mark must have been approved in writing by MAF.
- The Mark must be located in an appropriate position on the package.
- The Mark must be clear, legible, durable and not easily detached.
- The Mark must not be located in close proximity to any words except the registered factory number.

- The packaging of dairy product that does not conform to regulatory requirements must not bear the Mark.
- The packaging of dairy product that is not fit for human consumption must not bear the Mark.
- Used packaging bearing the Mark must not be reused.
- Unused, damaged and surplus packaging that is being disposed of must not bear the Mark.
- Any delegation of the use of the Mark for the purposes of printing packaging materials must be in writing.
- Parties to whom the authorised user has delegated the use of the Mark for the purpose of printing packaging materials must meet the outcomes described in this Standard.
- The Mark must be controlled under conditions to ensure that the outcomes described in this Standard are met. This includes, and is not limited to, control of stamps, bromides, images in electronic form, printing, and distribution and use of printed material.
- Three months after the date of issue of this Standard the Mark:
 - must not be applied to packaging; and
 - must be destroyed **except** where it appears on pre-printed packaging material or packaging containing dairy products. This includes, and is not limited to, stamps, bromides, images in electronic form, and printed material.
- At 31 May 2003, any unused packaging bearing the Mark must have the Mark removed or permanently and completely obliterated.
- At 31 May 2006, dairy product packaging must not bear the Mark.

4. VERIFICATION

Verification of compliance with the outcomes described in section 3 of this Standard is undertaken by MAF or a MAF-approved TPA as part of a PSP assessment.

Printers and packaging manufacturers are also subject to compliance verification assessment by MAF/the TPA.

4.1 Compliance

The user of the Mark is compliant with the outcomes described in section 3 of this Standard if:

- the means to deliver the requirements of this Standard are documented in a MAF approved PSP; and
- the party operates in accordance with that MAF approved PSP.

Parties operating in compliance with the outcomes described in section 3 of this Standard and a MAF approved PSP 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 for sale and/or export.

4.2 Non-compliance

Non-compliance with the outcomes described in section 3 of this Standard (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*.

The user of the Mark is non-compliant if one or more of the criteria in section 4.1 for assessing compliance is not met.

If a user of the Mark does not operate in accordance with the outcomes described in this Standard:

- 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.

Appendix One: Acceptable Criteria

Following are criteria by which a user of the Mark may be judged to satisfactorily achieve the outcomes described in section 3 of this Standard. A Product Safety Programme (PSP) that 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. USE

1.1 Authorisation

The user is authorised by MAF Food to use the Mark.

1.2 Suitable products

Dairy products bearing the Mark conform to the requirements of MAF Standards D101, "Product Safety Programmes"; D103, "Labelling of Dairy Products"; D107, "Dairy Product Safety"; D108, "Non-conforming Dairy Produce", D109, "Dairy Product Conformance"; and D202, "Registration of Dairy Premises."

1.3 Packaging

The Mark is located in an appropriate position on the package; i.e. same face and in close proximity to the registered factory number.

No words other than the registered factory number are located in close proximity to the Mark.

The Mark is clear, legible and durable and cannot easily be detached.

Used packaging bearing the Mark is not reused. This is accomplished either by:

- the Mark being destroyed when the package or container is opened or the product used; or where this is not practical
- used packaging being controlled so that the Mark is protected.

1.4 Unsuitable product and packaging

Prior to sale or disposal off-site, the Mark is removed or permanently obliterated from the packaging of product that does not conform to regulatory requirements or is not fit for human consumption.

Where product that does not conform to regulatory requirements or is not fit for human consumption is being stored, quarantined, relabelled, repacked or reprocessed on-site, the product is controlled to ensure that the Mark is protected in compliance with the outcomes described in this Standard.

The Mark is removed or permanently and completely obliterated from unused, damaged or surplus packaging that is being disposed of.

2.0 CONTROL

The authorised user has adequate systems in place for the control of the Mark.

The Mark used is the latest authorised version and has not been modified or changed in any manner.

Any translations of the Mark have the written approval of MAF Food.

The Mark is controlled under conditions to ensure that the outcomes described in this Standard are met. This includes, and is not limited to, control of stamps, bromides, images in electronic form, printing, distribution and use of printed material.

Procedures to phase out the use of the Mark are established¹ to ensure that:

- Three months after the date of issue of this Standard the Mark:
 - is not applied to packaging; and
 - is destroyed **except** where it appears on pre-printed packaging material or packaging containing dairy products. This includes, and is not limited to, stamps, bromides, images in electronic form, and printed material.
- At 31 May 2003, the Mark on any unused packaging is removed or permanently and completely obliterated.
- At 31 May 2006, dairy product packaging must not bear the Mark.

Where preprinting of packaging material or contract manufacture and packing of product occurs, the delegation to apply the Mark is in writing and the delegated party has suitable systems for the control of the Mark.

Printers do not apply the Mark unless they hold an authority from their client to do so. Printers maintain records of the number of packaging items marked and the use or disposition of marked items.

¹ The amendments to currently approved PSPs that are necessary to incorporate the requirements of this Standard can be included at the next review and revision of the PSP and consequently evaluated by MAF/the TPA and approved by MAF.

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 Products Group of MAF or its website (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”.

Appendix Three: Authorised Version of the MAF Approved for Export Mark

