



**New Zealand Food Safety Authority  
P O Box 2835, Wellington, New Zealand**

**NZFSA: Dairy & Plants Group**

**Circular number 84**  
*Dairy Industry Regulations 1990*

***D206.3 Dairy Sanitary and Related Export  
Certification***

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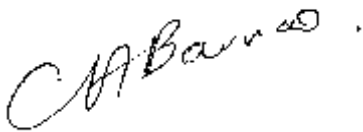
## Issue of Circular

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 84, containing ‘NZFSA Standard D206.3 “Dairy Sanitary and Related Export Certification”’, is issued in accordance with that regulation 59.

Circular number 65 “Dairy Sanitary and Related Export Certification (D206.2)” issued on 21 December 2000 is revoked.

This Circular number 84 takes effect on 15 November 2004.



Carol Barnao  
**Director, Dairy and Plant Products**  
**New Zealand Food Safety Authority**

15 November 2004

*(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 NZFSA Standard on Dairy Sanitary and Related Export Certification (D206.3) was developed to:

- specify requirements for exporters requesting provision of official assurances by NZFSA, in the form of sanitary and related export certification of dairy produce, to the competent authorities of importing countries;
- describe acceptable criteria (means for satisfying NZFSA that the requirements are being achieved); and
- outline relevant importing country requirements.

## 2 Summary

This standard specifies the provision of information by parties applying for certification, to enable NZFSA to verify compliance with New Zealand's regulatory requirements, attestations and importing countries requirements, as a prerequisite to the provision of sanitary and related certification by NZFSA, in compliance with the requirements of the *Dairy Industry Regulations 1990*.

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

- applications for certification;
- certificate selection;
- information required for identification; and
- information required for verification.

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

Appendix Two provides references to specific importing country requirements relating to the sanitary and related export certification of dairy produce.

## 3 Outcome

Where NZFSA provides any official assurance to the competent authority of an importing country, including export certification of dairy produce, the Director-General is satisfied that the produce, for which the assurance is sought, complies with the following:

- for dairy products, the product has been produced, manufactured, stored and transported in accordance with the *Dairy Industry Act 1952*, the *Dairy Industry Regulations 1990*, and any MAF / NZFSA standards promulgated by circular

pursuant to regulation 59 of the *Dairy Industry Regulations 1990*, by verification in accordance with regulation 58 of the *Dairy Industry Regulations 1990*; or

- for dairy produce not intended for human consumption, the produce complies with the *Dairy Industry Act 1952* section 14 subsections a, b, c, and g; or
- for dairy produce not for human consumption, the produce complies with the *Dairy Industry Act 1952* section 14 subsections a, b, and g and each package bears the words “Not for Human Consumption”; and
- the attestations contained in the official assurance; and
- specific requirements of the importing country, where these are defined in official assurances to the competent authority of the importing country.

#### **4 Effective changes**

This standard will introduce the following changes to the previously existing situation. The changes include clarification of definitions and business rules, and a change in the manner in which supplementary certificates and certified copies of certificates will be issued.

- Port of discharge – definition change from “The port of discharge is where the consignment is discharged from the vessel or aircraft” to “The port of discharge is the port where the consignment is discharged from the vessel or aircraft for the first leg of the journey from New Zealand”. (Section 6.0 – Definitions, Clause 3.3.19)
- Port of inspection – additional definition. “the port where the sanitary export certificates are presented to the importing country’s competent authority for the purpose of clearing consignments for entering into or through a country”. (Section 6.0 – Definitions, Clause 3.3.20)
- Certificate expiry dates. Clarification that all export certificates processed manually contain an expiry date of four months from the date of issue, unless specified otherwise in the importing country requirements. Clarification is provided that certificates issued through the E-cert system do not require an expiry date as the original certificate can be validated against the certificate data in the E-cert system. (Section 8.4.1).
- Last date for issue of a certificate. With the addition of the ‘port of inspection’ definition as the port where the sanitary certificates are to be presented for consignment clearance into a market, it is logical that the last date for issue of a certificate be the day before the product reaches the port of inspection instead of the port of discharge. Any specific importing country requirements for last date of issue will apply where these are known. (Section 8.4.3).
- Issue of original and certified copies of certificates. The manner in which original and copies of certificates are issued is changed. Where both the original and certified copies of certificates were manually hand-signed, only the original

certificate will be manually hand signed. A hand-signed copy, marked as “copy” may be issued for those countries specified in the importing country requirements as requiring two hand-signed certificates.

Where a certified copy is requested by the exporter, for example for commercial reasons, e.g. contracts or bank arrangements, the exporter must provide a statement with an explanation and supporting documentation for the request. Certifying officers may, if satisfied with the statement, explanation and supporting documentation provided, issue a certified copy of the original export certificate by;

- (a) endorsing the photocopied original or copy of the certificate with the words: “I certify that this document is a true and accurate copy of the original.”, and
- (b) signing, dating and sealing the endorsed photocopy.

Copies shall be printed on plain white paper GSM not that used for original certificates or supplementary certificates.

(Section 8.0, 8.4.3)

- Supplementary certificates.

The previously existing standard only allowed for supplementary certificates to be issued at the time the original sanitary certificate was issued. This standard now provides for supplementary certificates to be issued up to 12 months from the date the original sanitary certificate was issued, where the product had not expired, to provide for situations where product is then re-exported or used as an ingredient in product that is then re-exported to another country. Sometimes at the time product is originally exported from New Zealand, the exporter may be unaware that this will occur in future. The previously existing standard prohibited supplementary certificates to be issued if the original certificate had been issued. The business rules around the purpose and issue of supplementary certificates has been provided (Appendix 1 – Acceptable Criteria, Section 2.0 – Certificate Selection, Point D - Supplementary Certificates.)

- The Certification Unit’s contact details (Annex A), and the NZFSA website address has been updated.

## **5 Implementation**

This Standard will apply from its date of issue.

## **6 Effect on compliance costs**

No additional compliance costs are anticipated.

## **7 Future intentions**

It is NZFSA's intention that when the dairy industry is incorporated into the Animal Products Act that there will be a Dairy Products Official Assurance Specification. The specification will be sent out for consultation prior to its implementation.

# NZFSA Standard D206.3 "Dairy Sanitary and Related Export Certification"

## 1.0 SCOPE

This Standard contains the outcomes for sanitary and related export certification of all dairy produce. "Dairy produce" includes both dairy product and dairy produce for uses other than human consumption.

All parties requesting NZFSA sanitary and related export certification of dairy produce 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 dairy produce intended for export, that must be met for NZFSA to provide official assurances, in the form of sanitary and related export certification, to the competent authorities of importing countries.

The acceptable criteria outlined in Appendix One of this standard were developed in consultation with industry to achieve the outcomes described in the standard. Proposals for alternative criteria will be approved by NZFSA provided it can be demonstrated to NZFSA's satisfaction that the required outcomes will be achieved.

Appendix Two of this standard provides references to importing country requirements relating to sanitary and related export certification notified by NZFSA, which have been officially confirmed.

## 3.0 OUTCOME

Where NZFSA provides any official assurance to the competent authority of an importing country, including export certification of dairy produce, the Director-General is satisfied that the produce, for which the assurance is sought, complies with the following:

- for dairy products, the product has been produced, manufactured, stored and transported in accordance with the *Dairy Industry Act 1952*, the *Dairy Industry Regulations 1990*, and any MAF / NZFSA standards promulgated by circular pursuant to regulation 59 of the *Dairy Industry Regulations 1990*, by verification in accordance with regulation 58 of the *Dairy Industry Regulations 1990*; or
- for dairy produce not intended for human consumption, the produce complies with the *Dairy Industry Act 1952* section 14 subsections a, b, c, and g; or
- for dairy produce not for human consumption, the produce complies with the *Dairy Industry Act 1952* section 14 subsections a, b, and g and each package bears the words "Not for Human Consumption"; and

- the attestations contained in the official assurance; and
- the specific requirements of the importing country where these are defined in official assurances to the competent authority of the importing country.

#### **4.0 INTERRELATED REQUIREMENTS**

The following documents must be read in conjunction with this standard.

- MAF Standard D101 “Product Safety Programmes”. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MAF Standard D102 “Product Safety Programme Reporting Requirements”. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MAF Standard D103 “Labelling of Dairy Products”. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- NZFSA Standard D107 “Dairy Product Safety”. Dairy and Plant Products Group, New Zealand Food Safety Authority.
- NZFSA Standard D108 “Non-conforming Dairy Produce”. Dairy and Plant Products Group, New Zealand Food Safety Authority.
- MAF Standard D109 “Dairy Product Conformance”. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MAF Standard D112 “MAF Approved for Export Mark”. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- NZFSA Standard D121 “Dairy Heat Treatments”. Dairy and Plant Products Group, New Zealand Food Safety Authority.
- MAF Standard D202 “Registration of Dairy Premises”. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MAF Standard D301 “MAF-Approved Dairy Test Methods”. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MAF Standard D302 “Registration of Dairy Laboratories”. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MRD-Stan 3 “Standard for Pasteurising Heat Treatments”. Dairy Group, Regulatory Authority, Ministry of Agriculture and Forestry.
- MRD-Stan 4 “Standard for Checking the Operation of Pasteurisers”. Dairy Group, Regulatory Authority, Ministry of Agriculture and Forestry.

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

- List of Dairy Classes, Descriptions and Product Descriptions;
- Templates for Summaries of Records and commentary to assist in the selection and completion of each template;
- Importing Country Requirements (Overseas Market Access Requirements);
- Form: “Advice of Change: Accountable and/or Designated Persons”.

## 5.0 ADDITIONAL RESOURCES

The following documents are useful resources:

- *Dairy Products Safe and True*. Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry. World Wide Web address: [www.nzfsa.govt.nz/dairy/](http://www.nzfsa.govt.nz/dairy/);
- “Policy for the Resolution of Regulatory Non-Compliances and the Application of Sanctions.” Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.

## 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*.

NZFSA: Dairy & Plants definitions of terms can be found in their “Glossary of Terms,” available on the Dairy & Plants website ([www.nzfsa.govt.nz/dairy/](http://www.nzfsa.govt.nz/dairy/)).

**Accountable person**—the person named in a NZFSA-approved programme (e.g. PSP, QCP) who is responsible for all operations covered by the programme, and for ensuring that those operations comply with regulatory requirements.

**Approved individual**—a person who has demonstrated that they meet NZFSA competency standards for qualifications and experience, and has subsequently been approved by the Director-General of MAF pursuant to the *Dairy Industry Regulations 1990*.

**Assessment**—systematic examination of an individual, organisation, plan, programme, or system against regulatory requirements.

**Certification**—procedure by which official certification bodies or officially recognised certification bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a

range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.

**Consignment**—the goods identified in one bill of lading.

**Corrective action**—action taken to rectify, eliminate the causes of, and prevent recurrence of any problem/failure/non-compliance identified in a plan, procedure, process, product, programme, or system.

**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; and

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

**Designated person**—an employee of the organisation covered by a NZFSA-approved programme (e.g. PSP, QCP) who is authorised by the accountable person to sign summaries of records and copies of records and test reports on the accountable person's behalf.

**Date of final control**—the date the dairy produce is loaded at the premises of final control, e.g. the date the produce is packed into the container and the container sealed.

**Evaluation**—assessment of an individual, plan, programme, or system to determine compliance with regulatory requirements. This will involve review of documentation and, in some cases, review of operations or observation of practice. It is undertaken by a competent individual contracted to an impartial agency (e.g. TPA or National Assessor, NZFSA Compliance Group).

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

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

**Manufacture**—in relation to dairy product, means all activities involved with converting dairy produce into dairy product (with or without other substances or ingredients), and its preparation in a product factory for sale. This includes receipt or deposit of the dairy produce from which it is manufactured. (Note: includes packaging for final sale.)

**Milk**—the milk of cows, goats, and sheep.

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

**Official assurance**—statement made by NZFSA to a foreign government, or an agent of a foreign government, attesting that, as appropriate, any one or more of the following applies in respect of any product:

- (a) any specified process has been completed under the relevant legislation with respect to the product concerned;
- (b) the product concerned meets the standards set under the legislation for that product;
- (c) any market access requirements of the importing country, which New Zealand has agreed to meet, that are stated in the assurance have been met by the system under which the product was produced or processed; and/or
- (d) the situation in New Zealand, in relation to any matter concerning animal material or animal products, is as stated in the assurance.

**Parcel**—the produce in a consignment made by one manufacturer. A parcel may consist of all or part of a lot or several lots.

**Premises of final control**—the NZFSA registered dairy premise where dairy produce is dispatched to be loaded on a vessel or aircraft. This would normally be a store.

**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.

**Repacking**—manufacturing operation whereby dairy produce is removed from its packaging and packed into new packaging for sale as dairy product.

**Reprocessing**—manufacturing operation whereby processed dairy produce is used as an ingredient in the manufacture of dairy product.

**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.

**Standard of identity**—a standard which defines the meaning of a term or designation used to describe a product. Such a standard typically includes the name of the product, its definition, and essential composition and quality factors.

**Summary of records**—a report, prepared and signed by a person designated by the accountable person, that provides to NZFSA a summary of the records, test results and declarations pertaining to a specific lot of dairy produce. This is to enable verification of compliance for the purpose of the provision of official assurances.

**Test report**—report prepared by a NZFSA-registered Category 1 dairy laboratory in accordance with ISO Guide 25/ISO Standard 17025, which accurately, clearly and unambiguously presents test results and other relevant information.

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

**Validation**—assessment of a plan, programme or system to ascertain that it is complete, being implemented as documented, and delivering the expected outcomes. It is undertaken by the owner of the plan, programme or system.

**Verification**—application of methods, procedures, tests and other checks, in addition to monitoring, to determine compliance with NZFSA-approved plans, programmes and systems, and to confirm the ongoing applicability of those.

## 7.0 REQUIREMENTS

Where NZFSA provides any official assurance to the competent authority of an importing country, including export certification of dairy produce, the Director-General is satisfied, by verification of records and test results in accordance with regulation 58 of the *Dairy Industry Regulations 1990*; that the produce, for which the assurance is sought, complies with the following:

- for dairy products, the product has been produced, manufactured, stored and transported in accordance with the *Dairy Industry Act 1952*, the *Dairy Industry Regulations 1990*, and any MAF / NZFSA standards promulgated by circular pursuant to regulation 59 of the *Dairy Industry Regulations 1990*; or
- for dairy produce not intended for human consumption, the produce complies with the *Dairy Industry Act 1952* section 14 subsections a, b, c, and g; or
- for dairy produce not for human consumption, the produce complies with the *Dairy Industry Act 1952* section 14 subsections a, b, and g and each package bears the words “Not for Human Consumption”; and
- the attestations contained in the official assurance; and
- the specific requirements of the importing country, where these are defined in official assurances to the competent authority of the importing country.

## 8.0 VERIFICATION

NZFSA routinely verifies all applications for certification of produce using information provided by the applicant in accordance with this standard and information held by NZFSA.

NZFSA may undertake further verification to confirm compliance. This further verification may require the provision of additional verification information by the applicant and may include on-site inspection, by NZFSA or the TPA, of test results, records and the produce for which certification is sought.

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

## **8.1 Criteria**

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

- For dairy product, the product has been produced, manufactured, stored and transported in accordance with the *Dairy Industry Act 1952*, the *Dairy Industry Regulations 1990*, and any standards promulgated by circular pursuant to regulation 59 of the *Dairy Industry Regulations 1990*; or
- For dairy produce not intended for human consumption, the produce complies with the *Dairy Industry Act 1952* section 14 subsections a, b, c, and g; or
- For dairy produce not for human consumption, the produce complies with the *Dairy Industry Act 1952* section 14 subsections a, b, and g and each package bears the words “Not for Human Consumption”.
- The dairy produce complies with the attestations contained in the official assurance.
- The dairy produce complies with the specific requirements of the importing country, where these are defined in official assurances to the competent authority of the importing country.

## **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**

NZFSA will provide official assurances in the form of sanitary and related export certification for dairy produce which complies with these criteria. Refer to section 8.4 below.

### **8.3.2 Non-compliant parties**

NZFSA will not provide official assurances for dairy produce which does not comply with these criteria.

Any party making false or misleading statements or material omissions may be prosecuted.

## **8.4 Provision of sanitary and related export certification**

### **8.4.1 Format and content of certificates**

NZFSA maintains a database of authorised certificates for specific purposes and/or importing countries. Where a certificate is required that varies from these authorised certificates, NZFSA may authorise a new or modified certificate based on written confirmation of these requirements from the competent authorities of the importing country.

All export certificates processed manually contain an expiry date of four months from the date of issue, unless specified otherwise in the importing country requirements.

*Commentary: Certificates issued through the E-cert system do not require an expiry date as the original certificate can be validated against the certificate data in the E-cert system.*

### **8.4.2 Verification**

NZFSA verifies that produce for which certification is sought complies with regulatory requirements, attestations and importing country requirements, based on the information provided in accordance with this standard or held by NZFSA.

### **8.4.3 Preparation and issue of the certificate**

In accordance with NZFSA: Dairy and Plants' Dairy Certification Procedures, the certificate is:

- prepared using the authorised master and the information provided;
- signed by a dairy officer warranted by the Director, Dairy and Plant Products, and, where required, an authorised veterinary officer;
- dated the date of signing; and
- marked with the New Zealand Ministry of Agriculture and Forestry Warranted Dairy Official Seal, by the warranted dairy officer.

Pre-dating or post-dating of certificates is not permitted. Unless there are specific importing country requirements (refer Appendix Two), the last date for issue of a certificate is the day before the product reaches port of inspection.

Only one hand-signed original export certificate may be issued by a certifying officer as a single certificate or in a document set. A hand-signed copy, marked as “copy” is to be issued for those countries specified in the importing country requirements as requiring two hand-signed certificates.

Where for commercial reasons, e.g. contracts or bank arrangements, a certified copy of a certificate is requested, the exporter must provide a statement with an explanation and supporting documentation for the request. Certifying officers may, if satisfied with the statement, explanation and supporting documentation provided, issue a certified copy of the original export certificate by;

- (c) endorsing the photocopied original or copy of the certificate with the words: “I certify that this document is a true and accurate copy of the original.”, and
- (d) signing, dating and sealing the endorsed photocopy.

Copies shall be printed on plain white paper 80 GSM not that used for original certificates or supplementary certificates.

#### **8.4.4 Replacement certificates**

Replacement certificates are only issued, based on evidence of the need, in the event of:

- inaccurate details being provided and included on the certificate;
- changes in circumstances beyond the control of the exporter, e.g. change of vessel;
- the original certificate being lost or unable to be retrieved;
- an error by NZFSA in the preparation of the certificate.

Replacement certificates are endorsed as such, reference the original certificate, and are dated the day of re-issue.

Replacement certificates, where required, are issued on application and NZFSA authorisation. This is after the original and all certified copies of the previously-issued certificate have been returned to NZFSA.

##### *Commentary*

*To facilitate the provision of replacement certificates, the original certificate and copies may be provided to a New Zealand Embassy who then confirm to NZFSA that they hold these documents. NZFSA issues the replacement certificates on receipt of this confirmation. Where the competent authority holds the original certificate until the replacement is provided, a New Zealand Embassy member of staff confirms that the competent authority is holding the certificate and advises NZFSA, before the replacement certificate is issued.*

Where a certificate is lost the application must be accompanied by a statutory declaration that the certificate has been lost and detailing the circumstances of the loss.

### *Commentary*

*Details provided are to include the name of the courier or other party that had control of the certificates at the time of the loss, and any relevant reference numbers, e.g. courier pack number.*

Replacement certificates are not issued to replace certificates that have expired.

#### **8.4.5 Records**

Copies of all certificates and information used for the purposes of verification of produce compliance are securely retained for the period specified by NZFSA: Dairy and Plants.

### **9.0 VERSION CONTROL**

Version	Date	Status	By
206.3	15 November 2004	Promulgated by Circular number 84	Director, Dairy and Plant Products
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# Appendix One

## ACCEPTABLE CRITERIA

Following are criteria by which information provided to NZFSA by a party requesting official assurances, in the form of sanitary and related export certification of dairy produce, may be judged by NZFSA to achieve satisfactorily the requirements described in section 7 of this Standard. NZFSA will issue sanitary and related export certificates for the dairy produce concerned where each of these criteria is satisfied.

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

### 1.0 APPLICATIONS FOR CERTIFICATION

Applications by the exporter for sanitary and related export certification must be made in writing to NZFSA at the address provided in Annex A or, where available, on the Dairy E-cert system.

Applications are made at least two days before the final date for issue. The application provides the information for identification specified in section 3.0 below. Where verification information, as specified in section 4.0, is provided separately, it arrives at least two days before the final date of issue.

Where certificates are desired at shorter notice, this must be agreed with NZFSA on an individual basis.

#### *Commentary*

*Unless there are specific importing country requirements (refer Appendix Two), the last date for issue of a certificate is the day before the product reaches port of inspection.*

### 2.0 CERTIFICATE SELECTION

NZFSA will select the appropriate certificate(s) for the specific importing country, produce and situation. Details of the certificate(s) and the information required for verification is provided by NZFSA to the exporter on request.

## **Commentary**

*The following sanitary and related certificates are provided by NZFSA.*

### **A Product registration certificates**

*Product registration certificates are issued by NZFSA solely for the purpose of registering a product with the appropriate authority in the designated importing country, prior to initial import. The importing country's requirement for the supply of a certificate for the purpose of product registration is demonstrated by the provision of evidence. The registration certificate is endorsed as such.*

*The application form for Product Registration Certificates can be sourced from the NZFSA Dairy & Plant Products Group's website ([www.nzfsa.govt.nz/dairy/](http://www.nzfsa.govt.nz/dairy/)).*

### **B Proforma certificates**

*Proforma certificates are provided by NZFSA to demonstrate to the authorities of the importing country the type of certificate that will be provided with an intended consignment of produce. Proforma certificates are endorsed as such.*

### **C Sanitary certificates**

*Sanitary certificates are provided by NZFSA for the purpose of satisfying the border officials of the importing country that the parcels of produce specified in the certificate(s) meet the health and biosecurity requirements of that country and can be admitted. Sanitary certificates include health, sanitary, radionuclide/radioactivity and animal health certificates.*

### **D Supplementary certificates**

*Supplementary certificates are provided by NZFSA where produce enters a country of first import and is used as an ingredient in a product, reprocessed and/ or repackaged which is then exported to another country, or where all or part of the consignment is re-exported to another country. Supplementary certificates are provided by NZFSA for the purpose of demonstrating to the competent authorities of the third country that:*

- the product was certified by NZFSA to enter the country of first import and that the product complied with the requirements of the country of re-export at the time the product left New Zealand.*

*Supplementary certificates are provided to enable the appropriate controlling authority of the importing country to certify the dairy products exported from New Zealand onto the third country.*

*Supplementary certificates are endorsed as such. Where a sanitary certificate is issued for the first country of import the supplementary certificate will reference the original export certificate. Where a supplementary certificate is requested for a consignment for which an export certificate has been raised exporters must ensure that the exporter reference and exporter identifier relates to an existing export certificate(s). The supplementary certificate will be issued under the same Exporter Identifier.*

*Supplementary certificates will contain the consignment and transportation details of the original consignment when it was exported from New Zealand to the first country of import.*

*Where a sanitary export certificate was not issued for the first country of import a supplementary certificate may be requested. Supplementary certificates for such consignments will contain the consignment and transportation details of the original consignment when it was exported from New Zealand to the first country of import.*

*Requests for supplementary certificates can be made up to 12 months from the date of export from New Zealand where the shelf life of the product has not expired. Supplementary certificates are not to be issued once the 12 month period has lapsed or where the shelf life of the product has expired during this time period.*

*Supplementary certificates may be issued for consignments transiting through one country onto the country of final destination. Supplementary transit certificates will contain the consignment and transportation details of the original consignment when it was exported from New Zealand to the country of final destination and will reference the original export certificate issued for the country of final destination.*

### **3.0 INFORMATION REQUIRED FOR IDENTIFICATION**

The exporter provides information to enable NZFSA to verify produce compliance and identify the consignment in the certificate. This ensures traceability, and prevents misuse of the certificate.

#### **3.1 Identification information supplied with the application**

The exporter supplies the following information with the application for certification:

- consignor;
- final consignee;
- product description;
- marks, brands and/or other commercial details;
- intended use;
- total number of packages;
- type of package;
- package weight or volume;
- quantity of produce;
- manufacturer's registration number;
- lot identification;
- container number;
- container seal number;
- exporter's consignment reference number;
- place or port of loading;
- vessel/airfreight;
- voyage number/airfreight waybill number;
- intended date of export;
- port of discharge;
- country of destination;
- premises of final control; and

- date of final control.
- port of inspection

### **3.2 Identification information supplied on request**

On NZFSA's request, the exporter supplies the following information:

- place of border crossing and countries of transit;
- location of produce.

### **3.3 Explanation of terms**

#### **3.3.1 Consignor**

The consignor is the full name and physical address of the organisation or person responsible for exporting the produce.

#### **3.3.2 Final consignee**

The final consignee is the full name and physical address of the organisation or person who will receive the exported produce.

#### **3.3.3 Product description**

The product description is the description of the produce selected from the NZFSA List of Dairy Classes, Descriptions and Product Descriptions provided on the NZFSA website ([www.nzfsa.govt.nz/dairy](http://www.nzfsa.govt.nz/dairy)). Copies of the current list can be obtained from the Dairy and Plant Products Group of NZFSA.

Where a suitable description is not available on the NZFSA List of Dairy Classes, Descriptions and Product Descriptions, applications can be made to NZFSA, refer Annex A, for the descriptor to be added to the list. Applications provide evidence:

- that the descriptor is required by the competent authority of the importing country; and
- of the importing country's standard of identity for the descriptor.

#### **3.3.4 Marks, brands and/or other commercial details**

The exporter provides commercial details to be included on the certificate in addition to the product description, e.g. marks, brands, tariff codes, commercial descriptions, trade names.

##### *Commentary*

*Commercial details advised by the exporter will be included on the certificate either in brackets after the product description or under the heading "Marks or Brands". This information will not be verified by NZFSA.*

### **3.3.5 Intended use**

The intended use is a statement of the whether the produce is for “human consumption” or “not for human consumption.” Certificates of produce “not for human consumption” will be endorsed as such.

*Commentary*

*This is an optional field. If left blank, NZFSA will automatically provide a certificate for human consumption and verify that appropriate product safety standards are met.*

### **3.3.6 Total number of packages**

This is the number of packages in the consignment covered by this certificate.

### **3.3.7 Type of package**

This is a brief description of the package, e.g multiwall bag.

### **3.3.8 Package weight or volume**

The weight or volume is declared on the package.

### **3.3.9 Quantity of product**

Quantity of product is the total quantity of produce in the consignment covered by this certificate and includes the unit of measure.

### **3.3.10 Manufacturer’s registration number**

The manufacturer’s registration number is the NZFSA registration number of the **final** premises of manufacture, i.e. the premises registration number of manufacturer identified on the produce packaging.

*Commentary: Note that “manufacture” includes reprocessing and repacking.*

### **3.3.11 Lot identification**

The identifier(s) specifically identify the lot(s) of produce for which certification is sought. The lot identifier may be the manufacture date in plain or code, e.g. cypher.

### **3.3.12 Container number**

The container number is assigned to the container by the owner of the container, i.e. the owner’s prefix and serial number, including check digit.

### **3.3.13 Container seal number**

This is the number inscribed on the one-use seal affixed to the container by the exporter.

### **3.3.14 Exporter's consignment reference number**

This is a discrete number assigned by the exporter to link all documents with the consignment.

### **3.3.15 Place or port of loading**

The place or port of loading is where the produce is loaded on the vessel or aircraft.

### **3.3.16 Vessel/airfreight**

This is the name of the vessel, or if conveyance is by aircraft, state "Airfreight".

### **3.3.17 Voyage number/air freight waybill number**

For seafreight, this is the number assigned to the voyage. For airfreight, this is the number from the airfreight waybill or an alternate reference number suitable for tracing the consignment.

### **3.3.18 Intended date of export**

For seafreight, provide the "deep sea date". For airfreight, provide the date of departure.

#### *Commentary*

*This information is provided for the purposes of verification and is not entered onto the certificate.*

### **3.3.19 Port of discharge**

The port of discharge is the port where the consignment is discharged from the vessel or aircraft for the first leg of the journey from New Zealand". For example, if a consignment is exported from New Zealand, discharged in Sydney then onward shipped to Singapore where it is finally despatched, the port of discharge for the purposes of this standard is Sydney. The format used in E-cert is the UNECE LOCODES.

### **3.3.20 Premises of final control**

The premises of final control is the NZFSA registered dairy premise where the dairy produce is dispatched to be loaded the vessel or aircraft. This would normally be a store.

### **3.3.21 Date of final control**

This is the date the dairy produce is loaded at the premises of final control, e.g. the date the produce is packed into the container and the container sealed.

#### *Commentary*

*If the produce has not yet been loaded at the premises of final control, provide the date the dairy produce is expected to be loaded at the premises of final control.*

### **3.3.22 Country of destination**

This is the country of destination.

### **3.3.23 Location of produce**

The location of produce is where NZFSA or the TPA inspects the produce. If in transit, specify the destination and the estimated time of arrival.

### **3.3.21 Place of border crossing and countries of transit,**

The border crossing is where the consignment is presented for entry to the country of destination and where the export certification is provided to the officials of the competent authority of that country. The countries transited are the countries crossed from port of discharge to place of border crossing.

*Commentary: This information is required to be provided on some certificates, e.g. for Russia.*

### **3.3.22 Port of inspection**

The port of inspection is the port where the sanitary export certificates are presented to the importing country's competent authority for the purpose of clearing consignments for entering into or through a country". The format used in E-cert is the UNECE LOCODES.

## **4.0 INFORMATION REQUIRED FOR VERIFICATION**

The following information is required for verification by NZFSA that the produce for which certification is being sought complies with regulatory requirements, attestations and importing country requirements.

### **4.1 Information provided by the exporter/manufacturer**

The exporter must obtain the verification information for each parcel of produce in the consignment from the manufacturer and provides it to NZFSA. Where verification information is provided separately from the application for certification, it is provided to NZFSA at least two days before the final date of issue.

#### **4.1.1 Source**

All information provided for the purposes of verification is provided by the final manufacturer, i.e. the manufacturer identified on the produce packaging. The exporter is responsible for ensuring the supply of adequate verification information to NZFSA.

#### **4.1.2 Delegation of authority**

The manufacturer's accountable person designates an employee or employees as a "designated person" and authorises them in writing to sign on their behalf and provide the verification information to NZFSA for the purpose of certification.

The accountable person advises NZFSA of the names and signatures of all designated persons authorised by them to sign and provide information.

##### *Commentary*

*A form to advise additions and deletions to NZFSA's accountable person and designated person database is available from the Dairy and Plant Products Group of NZFSA or its website ([www.nzfsa.govt.nz/dairy](http://www.nzfsa.govt.nz/dairy)).*

#### **4.1.3 Form and content**

Verification information consists of one or more of the following:

- summary of records;
- records; and
- test reports.

##### **A Summary of records**

A summary of records provides a summary of the information required by MAF for verification.

Templates are available for a range of summaries of records. Copies of the latest versions of the templates and associated commentary can be obtained from the Dairy and Plant Products Group of NZFSA or its website ([www.nzfsa.govt.nz/dairy](http://www.nzfsa.govt.nz/dairy)).

##### *Commentary*

*Manufacturers can obtain guidance from NZFSA on the template to be used and also the content of market-specific summary of records required for verification of particular certificate. NZFSA can be contacted using the details provided in Annex A*

## **B Records**

Manufacturer's records are provided to NZFSA when requested by NZFSA.

Records consist of any record that exists in written form, and can be either paper based or electronic. Copies of records may be provided to NZFSA for the purposes of verification, provided the copy is marked as such and annotated with the following declaration signed and dated by the designated person.

*"I hereby declare that this is a true, complete and accurate copy of this record of the product in the parcel being certified."*

## **C Test reports**

Test reports held by the manufacturer must be provided to NZFSA when requested by NZFSA.

Copies of test reports may be provided to NZFSA for the purposes of verification, provided the copy is marked as such and annotated with the following declaration signed and dated by the designated person.

*"I hereby declare that this is a true, complete and accurate copy of this record."*

## **4.2 Information provided by NZFSA**

The following information is held by NZFSA and used to verify compliance with the *Dairy Industry Act 1952*, the *Dairy Industry Regulations 1990*, and any standards promulgated by circular pursuant to regulation 59 of the *Dairy Industry Regulations 1990*:

- registration of premises;
- approval of PSPs;
- compliance with approved PSPs.

Specific information to verify compliance must be provided by the exporter/TPA/manufacturer/ store/transporter when requested by NZFSA.

## Annex A

### ADDRESS FOR APPLICATIONS FOR CERTIFICATION

Certification Team, NZFSA Dairy and Plant Products

For current details refer to: <http://www.nzfsa.govt.nz/dairy/about/contact.htm>

Email: [dairycerts@nzfsa.govt.nz](mailto:dairycerts@nzfsa.govt.nz)

Website: [www.nzfsa.govt.nz/dairy/](http://www.nzfsa.govt.nz/dairy/)

Up until 10<sup>th</sup> December 2004:

69 Beach Road

PO Box 3540,

Auckland CBD

Telephone: 09 306 6250

Fax: 09 377 3625

From 13<sup>th</sup> December 2004:

Level 15, 48 Emily Place

PO Box 3540

Auckland CBD

Telephone: 09 306 6250

Fax: 09 377 3625

## 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 NZFSA or its website ([www.nzfsa.govt.nz/dairy](http://www.nzfsa.govt.nz/dairy)).

Where NZFSA provides sanitary and related export certification to competent authorities of importing countries:

- the statements to which NZFSA attests must be verifiable; and
- the produce and certification must comply with the specific requirements of the importing country, where these are defined in official assurances to the competent authority of the importing country.