

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

MAF Food: Dairy & Plants

Circular no. 52

Dairy Industry Regulations 1990

***Technical Competency of Third Party
Agency Individuals***

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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, no. 52, containing 'MAF Standard D501.1, "Technical Competency of Third Party Agency Individuals,"' is issued in accordance with that regulation 59.

This Circular, no. 52, takes effect on 23 December 1999.



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23/12/99

(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 Technical Competency of Third Party Agency Individuals was developed to describe acceptable criteria (means for satisfying MAF) for the technical competency of individuals working within Third Party Agencies (TPAs), who provide evaluation and verification services to the New Zealand dairy industry.

Internal MAF Food Standards will be developed to further elaborate the criteria set in this Standard.

Upon the introduction of the Optimal Regulatory Model (ORM)-based regulatory system, a system of accreditation and approval of TPAs and their associated individuals will operate at the same time as the existing system, wherein MAF assesses and recognises individuals within recognised service providers.

2 Summary

This Standard specifies requirements relating to the approval of Third Party Agency individuals 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:

- skills, knowledge, experience and qualifications,
- training,
- minimum performance criteria, and
- performance reviews.

MAF Food will develop checklists to further elaborate the criteria set in this Standard.

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

3 Outcome

MAF is confident that all individual assessors working within approved TPAs, providing evaluation and/or verification of Product Safety Programmes and their components, on behalf of MAF, in compliance with regulation 6 of the *Dairy Industry Regulations 1990*, are technically competent, and the performance of these individuals is consistent across the TPAs servicing the dairy industry.

4 Effective changes

This Standard will introduce the following changes from the previously existing situation.

- Accreditation bodies will assess individuals, with MAF Food providing technical experts for the assessment.
- Expanded outcome-based requirements in relation to the skills, knowledge, experience and qualifications of individual assessors working within the TPAs, without prescription.
- Introduction of a MAF Food “Checklist for Technical Competency of TPA Individuals” to further elaborate these requirements.

5 Implementation

This Standard applies from the date of its issue by Circular.

6 Effect on compliance costs

Previously recognised individuals may incur costs in upgrading their competencies to meet the new requirements.

MAF Standard D501.1, "Technical Competency of Third Party Agency Individuals"

1.0 SCOPE

This Standard contains the outcomes for the technical competency of Third Party Agency Individuals who provide evaluation and verification services to the New Zealand dairy industry. All Third Party Agencies and their associated approved individuals 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 performance criteria against which individuals working within Third Party Agencies (TPAs) will be assessed and, as appropriate, approved by MAF.

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 an approved individual is technically competent, and to assist parties to achieve the outcomes described in the Standard. Individuals meeting the acceptable criteria appended to this Standard and further detailed in the MAF Food "Checklist for Technical Competency of TPA Individuals," will be approved by the Director-General of 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.

3.0 OUTCOME

MAF is confident that all individual assessors working within approved TPAs, providing evaluation and/or verification of Product Safety Programmes and their components, on behalf of MAF, in compliance with regulation 6 of the *Dairy Industry Regulations 1990*, are technically competent, and the performance of these individuals is consistent across the TPAs servicing the dairy industry.

4.0 INTERRELATED REQUIREMENTS

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

- *Accreditation Policies and Procedures Manual.* JAS-ANZ.
- *Accreditation Services Manual.* IANZ.
- MAF Food “Checklist for Technical Competency of TPA Individuals.” Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MAF Standard D502, “Accreditation and Approval of Third Party Agencies.” Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MAF Standard D503, “Third Party Agencies’ Responsibilities.” Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.
- MAF Standard D504, “Performance Measurement of Third Party Agencies and Approved Individuals” (once promulgated). Dairy and Plant Products Group, Food Assurance Authority, Ministry of Agriculture and Forestry.

5.0 ADDITIONAL RESOURCES

The following document is a useful resource.

- *Dairy Products Safe and True.* Dairy and Plant Products Group, Food Assurance Authority, New Zealand Ministry of Agriculture and Forestry, 1999. World Wide Web address: www.maf.govt.nz/Dairy/

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 & Plants definitions of terms can be found in their “Glossary of Terms,” available on the Dairy & Plants website (www.maf.govt.nz/Dairy/).

Accreditation body – An internationally recognised, independent organisation which is authorised to accredit organisations to certain ISO standards. Currently, only IANZ and JAS-ANZ are accreditation bodies in New Zealand.

Approved individual – A person who has demonstrated that they meet MAF 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.

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, MAF Compliance Group).

IANZ – International Accreditation New Zealand. An accreditation body.

JAS-ANZ – Joint Accreditation System of Australia New Zealand. An accreditation body.

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 & Plant Products.

Non-compliance – Any failure to comply with regulatory requirements.

NZQA – New Zealand Qualifications Authority.

Product Safety Programme - 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.

Third Party Agency (TPA) – Organisation approved by MAF to carry out evaluation and/or verification services.

Verification – Application of methods, procedures, tests and other checks, in addition to monitoring, to determine compliance with MAF-approved plans, programmes and systems, and to confirm the ongoing applicability of those.

7.0 REQUIREMENTS

7.1 Requirements for approved individuals

To be approved by MAF to provide services in specific categories, individuals providing evaluation and verification services must:

- be competent in the skills of assessment,
- have relevant knowledge of, and experience in, the specific aspect of the dairy industry in which they provide assessment services,
- demonstrate an understanding of relevant dairy industry legislation and MAF Standards,
- understand and effectively apply the quality system and procedures of the TPA(s) for which they have signatory status, and
- be granted signatory status as part of an accredited TPA.

For approval to continue, approved individuals must demonstrate continued competency in all the above areas.

7.2 Assessment and approval of individuals

Assessment of individuals must:

- follow the assessment, by the accreditation body, of the TPA by which they are employed;
- include assessment, at least annually, by the accreditation body and MAF Food, of compliance with the criteria stated in this Standard and the MAF Food “Checklist for Technical Competency of TPA Individuals,” (refer to MAF Standard D504, “Performance Measurement of Third Party Agencies and Approved Individuals,” for the frequency of assessment);
- include annual internal management reviews and peer reviews; and
- include an assessment of the consistency of the work of all approved individuals working within and across TPAs.

MAF Food is responsible for approving individuals and maintaining the Register of Approved Individuals. The register will be available on the MAF Food: Dairy & Plants website.

7.3 Subcontracted assessors

Individuals who subcontract their services to TPAs must comply with the requirements stated in 7.1 and 7.2 above.

8.0 VERIFICATION

Verification of compliance with this Standard is undertaken by MAF and the accreditation body.

The approval status of an individual is confirmed by consulting the “Register of Approved Individuals” on the MAF Food: Dairy & Plants website.

8.1 Criteria

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

- the approved individual meets all of the requirements of this Standard,
- at the annual internal management and peer reviews, the approved individual is judged to be competent, and
- at the external performance assessment by the accreditation body and MAF Food, the approved individual is judged to be competent.

8.2 Decision

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

8.3 Result

8.3.1 Compliant individuals

Compliant individuals are approved by MAF to provide assessment services within an approved TPA.

8.3.2 Non-compliant individuals

- Individuals seeking approval who are non-compliant are not approved by MAF.
- Approved individuals who are subsequently found to be non-compliant have their signatory status changed or withdrawn by the accreditation body.
- If the signatory status of an approved individual is changed or withdrawn as a result of an assessment, the accreditation body advises MAF, who may:
 - withdraw approval, or
 - impose conditions on approval.
- Services previously provided by individuals who have had approval withdrawn or conditions imposed on approval, are reviewed by the TPA.
- MAF may choose to review any work previously performed by an individual who has had approval withdrawn or conditions imposed on approval.

9.0 VERSION CONTROL

| Version | Date | Status | By | Approved |
|---------|------------------|--------------------------------|---------------------------------------|----------|
| 501.1 | 23 December 1999 | Promulgated by Circular no. 52 | Director, MAF Food: Dairy & Plants | |

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Appendix One

ACCEPTABLE CRITERIA

Following are criteria by which an individual may be judged to satisfactorily achieve the requirements described in section 7 of this Standard. Individuals who have demonstrated that they meet each of the criteria will be approved by MAF.

Proposals for alternative criteria will be accepted 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 Requirements for approved individuals

Specific details of qualifications required for approval in categories are outlined in the MAF Food "Checklist for Technical Competency of TPA Individuals", which is available on the MAF Food: Dairy & Plants website.

Approved individuals:

- are trained in the skills of assessment and have successfully completed an NZQA-recognised training course within the previous three years. If training was completed more than three years previously, active involvement in assessment over the intervening years is demonstrated. The person has carried out two or more assessments under the supervision of an approved individual or the accreditation body.
- have some formal technical training in the field for which recognition is sought, for example a tertiary qualification such as a degree or dairy diploma, or other industry-recognised training programme.
- have a thorough understanding of the specific aspect of the dairy industry in which recognition is sought. Normally, this would mean at least two years of recent involvement in a relevant area in the industry.
- demonstrate an understanding of the requirements of relevant dairy industry regulations and MAF Standards.
- have a thorough knowledge of the quality system and procedures of the TPA(s) for which they are granted signatory status.

The individual's technical competency is determined by review of training records, experience, and on-site assessment. A MAF Food technical specialist, operating in conjunction with the accreditation body, assesses the technical competency of the individual.

Approved individuals are granted signatory status as part of an accredited TPA, by the accreditation body.

2.0 Assessment of continued competency of approved individuals

In order for approval to continue, the approved individual demonstrates continued competency in both internal and external assessments.

2.1 Internal assessments

The approved individual's continued competency is internally assessed, by management review and peer review, at least annually, by the TPA by which the individual is employed. Where internal peer review is not possible, peer review is by an accreditation body or an approved individual working for another approved TPA.

TPAs have minimum criteria against which each individual's competency is internally assessed. The following areas are included in the criteria:

- knowledge of relevant dairy industry legislation and MAF Standards,
- knowledge and demonstrated use of the TPA's quality system and procedures,
- appropriate technical background and current knowledge,
- adequate experience in a relevant area of industry,
- demonstrated skills and competencies,
- adequacy of evaluation and verification services carried out, and
- accurate, unbiased, uncensored and timely reporting of client details.

Approved individuals carry out at least one assessment in each approved category each year, or they demonstrate continued competency in assessing in that category.

As part of the management review, the TPA checks that the work done by all approved individuals working for it is of a consistent standard.

2.2 External assessment

The approved individual's continued competency is assessed by the accreditation body and MAF Food, at least annually. Initially, this is a full assessment. The extent of re-assessment will be reviewed, based on performance, in accordance with MAF Standard D504, "Performance Measurement of TPAs and Approved Individuals". Subsequent annual assessments may be full or surveillance assessments. More frequent full assessment may be required if the accreditation body or MAF Food determines non-compliance.

As part of the external assessment, the accreditation body and MAF Food check that the work done by approved individuals across all TPAs, is of a consistent standard.

3.0 Subcontracted assessors

Individuals who subcontract their services to TPAs comply with all of the requirements listed in sections 1.0, 2.0, 2.1 and 2.2 above.

Subcontracted individuals may be approved to provide assessment services for more than one TPA. In this case, their knowledge of the quality systems and procedures used by all the TPAs to which they subcontract, is assessed by the accreditation body. If they are supplying the same assessment services to all TPAs, a full re-assessment of their technical knowledge may not be necessary.

When an individual has applied for approval in more than one category, their performance in all categories may be assessed at the same time, if appropriate.

4.0 Categories for approval of individuals

Approval is available in one or more of the following service areas:

4.1 Service

- Product Safety Programme Evaluation
- Product Safety Programme Verification
- HACCP Plan Evaluation
- Pasteuriser Evaluation
- Pest Management Plan Evaluation
 - Stores only
 - All premises
- Environmental Pathogen Management Plan Evaluation
 - All premises
- Farm Dairy Assessment System Evaluation
- Premises Evaluation
 - All premises

4.2 Product groups

Individuals approved for:

- Product Safety Programme Evaluation,
- Product Safety Programme Verification, or
- HACCP Plan Evaluation

are approved in one or more of the following product groups:

- Cream Products (includes butter, frozen cream, PEF),
- Cheese (includes hard and soft cheeses),
- Milk Powder (includes baby foods based on milk powder, buttermilk powder, whey powder),
- Casein and Caseinates,
- Whey Protein Concentrate (and other ultrafiltration and microfiltration processes),
- Liquid Milk Processing Plants (including UHT),
- Cultured Foods (cream cheese, cottage cheese, quarg, ricotta etc, yoghurt and other cultured foods),
- Ice Cream, or
- Specialist category (Alamin, co-packers, lactose, dairy whip etc.).