Standard Management Rule 11a: Crustaceans - lobsters, crabs, bugs and their products

From the 1st July 2009 NZFSA replaced this SMR with a standardised format for all Imported Food Requirements.

For the current version refer to the Imported Food Requirement for crustaceans – lobsters, crabs, bugs and their products.

Recent Updates:

Date	Location	Information
1 July 2009	All	Made obsolete refer to the Imported Food Requirement for crustaceans – lobsters, crabs, bugs and their products.
15 September	Section 2.1	Removal of Singapore Pathology Laboratory, Singapore General Hospital, for testing purposes.
20 July 2007	Section 3.4	Sampling and Inspection costs have been updated
24 November 2005	Section 2.1	New certification option for products from the European Union.

Background Information:

SUMMARY OF HAZARD:

Lobsters, crabs, bugs (Morton Bay Bug) and their products are prescribed (high risk) foods because they have been linked to illnesses caused by *Listeria monocytogenes* and *Salmonella*.

These types of crustaceans graze on the sea floor, which increases their susceptibility to contamination from their environment.

Products that are retorted (heat treated) in cans or jars are not included under this Rule as the heat process kills the pathogens. Raw products are not included as they are cooked before being consumed and again, the heat process kills any pathogens present.

GENERAL INFORMATION ON AGENCY ROLES:

The following descriptions have been included to clarify the roles of the New Zealand Food Safety Authority and Ministry of Agriculture and Forestry in imported food.

New Zealand Food Safety Authority (NZFSA):

NZFSA was established on 1 July 2002 as a semi-autonomous body attached to the Ministry of Agriculture and Forestry (MAF). The Authority has responsibility for the food functions previously managed by MAF and the Ministry of Health. Establishment of the NZFSA provides a more integrated approach to food safety in New Zealand. NZFSA is the controlling authority for imports of food and sets policies, criteria and procedures to monitor the safety of imported food for human consumption and for food containers (see www.nzfsa.govt.nz).

- **Auckland Central Clearing House (ACCH):**
  ACCH is part of the Auckland Regional Public Health Service, and is contracted by the NZFSA to carry out day to day operational procedures. The ACCH provides the initial point of contact for information to importers and customs brokers throughout New Zealand. It facilitates the inspection and clearance services of identified imported products.

- **Public Health Units (PHU):**
  Food and Health Protection Officers (Food/HPOs) employed by the various public health services are responsible for the inspection and sampling of high-risk imported foods under the coordination of the ACCH.

Biosecurity New Zealand:
Biosecurity NZ is the lead agency in New Zealand's biosecurity system. 'Biosecurity' is the protection of New Zealand's economy, environment and people's health from pests and diseases. It includes trying to prevent new pests and diseases arriving. Established in November 2004 (replacing MAF Biosecurity), it has been tasked with a 'whole of system' leadership role, encompassing economic, environmental, social and cultural outcomes. Importers should contact Biosecurity NZ directly to check their requirements http://www.biosecurity.govt.nz/.

Import Criteria Applying to Lobsters, Crabs, Bugs and Their Products

1.0 Products targeted:

Prescribed foods are targeted at the border using the New Zealand Customs tariff code system. Products classified with the following tariff codes are captured under this rule:

Tariff codes targeted for lobsters, crabs, bugs and their products	
0306 Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption	
0306.11.00.01F	Frozen Whole Rock Lobster Etc
0306.11.00.11C	Frozen Rock Lobster Etc Tails
0306.11.00.19J	Other Frozen Rock Lobster Etc
0306.12.00.00B	Lobsters Frozen
0306.14.00.00A	Crabs Frozen
0306.19.00.00D	Other Frozen Crustaceans
0306.21.02.00D	Rock Lobster And Other Sea Crawfish Not frozen Whole Cooked
0306.21.08.09F	Rock Lobster And Other Sea Crawfish Not frozen Other
0306.22.02.00J	Lobsters Not Frozen Whole Cooked
0306.22.08.09L	Lobsters Not Frozen Other
0306.24.02.00H	Crabs Not Frozen Whole Cooked
0306.24.08.09K	Crabs Not Frozen Other
0306.29.02.00L	Other Crustaceans Etc Not Frozen Whole Cooked
0306.29.08.09B	Other Crustaceans Etc Inc Flours Meals And Pellets Etc Not Frozen Other
1603 Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates	

1603.00.01.19G	Crustacean Or Mollusc Extracts
1603.00.09.00G	Extracts Etc Of Other Aquatic Invertebrates
1605 Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved	
1605.10.01.00F	Crab Pastes
1605.10.09.01E	Crab Pate
1605.10.09.09L	Other Crab Preparations
1605.10.19.09F	Other Crab Preparations Otherwise Packed
1605.30.01.00C	Lobster Pastes
1605.30.09.01B	Lobster Pate
1605.30.09.09H	Other Preparations Of Lobster
1605.30.19.11E	Other Lobster Preparations Viz: Rock Lobster Otherwise Packed
1605.30.19.19L	Other Lobster Preparations Other Otherwise Packed
1605.40.01.00G	Pastes Of Other Crustaceans
1605.40.09.01F	Pate Of Other Crustaceans
1605.40.09.09A	Other Preparations Of Other Crustaceans
1605.40.19.09G	Other Preparations Of Crustaceans Other Otherwise Packed

INCLUDES:

Cooked lobsters, crabs, bugs and their products, including any product that is prepared or preserved

EXCLUDES:

Raw lobsters, crabs and bugs.

INADVERTENT CAPTURES:

As the tariff classification system is not designed specifically around the imported food regime, some food products may be inadvertently captured by the targeted tariff codes above. If this is the case, products will not be subject to the sampling and testing protocol outlined in this rule.

2.0 Clearance options:

The following 3 options are available to clear consignments captured under this rule:

2.1 Acceptance of recognised certification:

Where the NZFSA (or Ministry of Health prior to July 2002) has negotiated certification arrangements with other governments or specific manufacturers then approved certification may be accepted for a prescribed food. Importers should check specific certification requirements with their local PHU prior to importing a prescribed product.

For lobsters, crabs bugs and their products approved certification may be accepted from:

- Australian Quarantine Inspection Service (AQIS)
- Canadian Food Inspection Agency (previously the Dept. of Fisheries and Oceans)
- Malaysia - Ministry of Health
- Thailand Department of Fisheries
- Thailand Centre of Export Inspection and Certification for Agricultural Products (CEICAP).
- EU - Animal and Public Health Certificate: New Zealand has a Veterinary Agreement with the European Union (EU) to facilitate trade of live animal and animal products. The standard verification testing rate outlined below does not apply in this case; a reduced level of sampling/testing of 2% applies. Importers must obtain an MRP in order for this reduced rate to be implemented. Refer to http://www.nzfsa.govt.nz/imported-food/eu-nz-vet/index.htmfor more information.

NOTE: USA products will not be accompanied by any certification and are to be monitored at the rate of 1 in every 10 shipments as they are covered by a Mutual Recognition Arrangement between New Zealand and USA.

In all cases certification is required with **each consignment.**

Consignments imported under certification are required to be tested at intervals. The standard testing rate used to verify certification which applies to most prescribed foods is 1 in every 20 where consignments are more frequent than 20 in a six month period. Where consignments are less than 20 in a six month period, they are tested every six months.

2.2 Multiple Release Permits (MRPs):

MRPs are issued on a case by case basis to importers with the technical skill and experience to manage a quality imports system. They are specific to importer, broker, product and supplier and are issued for a defined time period. MRPs enable importers to bypass the normal import clearance procedure for prescribed foods saving time and clearance costs. Where testing is required, the sampling and testing protocol applied is specified below, unless a different protocol is a specific condition of the MRP.

MRPs are issued for imported food products that are:

- Inadvertently captured by the tariff codes monitored by the NZFSA
- From particular suppliers under an arrangement agreed to by the importer and NZFSA. This includes the importer maintaining an agreed imported food surveillance programme for the products covered by the MRP.

MRPs have been issued for product covered by this Rule. Importers wishing to apply for a MRP for this product should contact the NZFSA to discuss their situation prior to completing a MRP application form.

2.3 Clearance sampling and testing on arrival in New Zealand:

In the absence of approved certification or a MRP, lobsters, crabs, bugs and their products are sampled and tested in New Zealand according to the sampling and testing protocol in the table below.

3.0 Sampling and testing protocol:

3.1 Microbiological criteria:

In order to ascertain if a consignment is safe the consignment is inspected and samples taken for laboratory testing. The following criteria are used when deciding if a consignment captured by this rule is safe to be released:

- Nil tolerance for *Listeria monocytogenes* per 25g
- Nil tolerance for *Salmonella* per 25g

3.2 Sampling requirements:

3.2.1 When to sample consignments:

ACCH identifies which consignments are to be sampled and tested. Sampling frequencies depend on whether certification is used as a clearance option:

In the absence of certification:

The frequency of sampling is based on the sampling and testing history developed by each importer for a specific product. A "specific product" means a product that is exactly the same i.e. the same size bottle/packet, variety, brand, and is manufactured by the same company. As a compliant history is developed, the frequency of sampling and inspection is reduced for the importer for that specific product. This reduction is governed by the "switching rule", which follows the steps below:

- Sampling initially starts out at the *tightened* level (where 100% or every consignment is sampled and tested) until 5 compliant consignments have been cleared, when:
- Sampling is then lowered to the *normal* level (where 20% or 1 consignment in 5 is sampled and tested), until another 20 compliant consignments have been cleared (or 100 consignments imported since day 1), when:
- Sampling is then lowered to the *reduced* level (where 10% or one consignment in 10 is sampled and tested).

The frequency of sampling returns back to the *tightened* when a product is tested and found not to comply.

ACCH selects the frequency of sampling that is to apply to an imported product at any particular time using the *Switching Rule*. However, application of the S*witching Rule* may also be affected by the difficulty of managing the hazards applying to particular food product. Importers can contact their local PHU to discuss application of switching rules and, where they have a compliant history

that meets the requirements above, can request a reduction in testing. Importers can also present a case if they wish to deviate from the switching rule applied. This is considered by the NZFSA on a case by case basis. Special approval may be given for specific products to be advanced to a further reduced level of testing (1 consignment in 20).

Certification:

Where testing is required to verify certification the sampling frequency does not follow the Switching Rule but is 1 in 20 consignments – see point 1 in 'Clearance Options'.

MRPs:

Where sampling is a requirement of a MRP, the MRP will specify the sampling frequency.

3.2.2 Who samples consignments:

Sampling must be carried out by PHUs, who will arrange for one of their Food/HPOs to inspect and sample any consignment identified as requiring testing.

3.2.3 Products to be sampled:

Samples should be taken for each type of product. For example – size, species, how prepared, packaging, etc.

3.2.4 Number of lots to be sampled per consignment:

Food/HPOs select the lot(s) to be inspected and sampled. Where a consignment contains more than one lot, the number of lots to be sampled is calculated using the table below. This table is standard for all prescribed foods.

Number of lot codes in consignment	Number of lots to sample	Reject lots if *n* samples fail
1	1	*n* = 1
2 -8	2	*n* = 1
9 -15	3	*n* = 1
16 – 25	5	*n* = 1
> 26	8	*n* = 1

3.2.5 Number of samples to take per lot:

Each product has its own sample requirements. For lobster, crabs, bugs and their products the number of samples to take per lot is stated below:

Number of samples – 5 per lot

Samples from within the same lot shall be identified by the same sampling officer sample number, with each of these samples being identified by a letter (A - E) e.g. where an officer has the sample number 751, the first sample from within the same lot will be identified as 751A, the second 751B, and so on.

3.2.6 Sample weight

- 100g per sample
- Individual units or packets should be sampled if these are available.

3.3 Testing requirements:

3.3.1 NZFSA approved laboratories:

Samples of imported food can only be tested by laboratories approved by the NZFSA. At present only laboratories that are accredited by International Accreditation New Zealand (IANZ) to do the relevant test are approved by the NZFSA. NZFSA is currently updating its list of approved laboratories.

3.3.2 Methodology to be applied by laboratories:

The preferred methods of MICROBIOLOGICAL ANALYSIS are described in the *Compendium of Methods for the Microbiological Examination of Foods, American Public Health Association,* and most up-to-date version. A minimum of 25g of each sample must be analysed.

3.3.3 Compositing samples:

A maximum of five samples (of approximately equal weight) may be composited per lot.

3.4 Sampling and testing costs:

All sampling and testing is at the importers expense. Permit and sampling costs are listed below, are in New Zealand dollars and include GST:

- Permit application assessment : $48 per line assessment + $96/hour
- Sampling and inspection: $96 per hour payable in 15-minute units

For laboratory costs, contact NZFSA approved laboratories.

3.5 Reject criteria:

PHUs will apply the following criteria to lots after inspection and sampling:

REJECT lots that test positive for *Listeria monocytogenes*

REJECT lots that test positive for *Salmonella*.

- When lots fail the import criteria, those lots and any untested lots in the same consignment are rejected.
- Lots that fail the import criteria are not re-tested.
- Importers have the option of having any untested lots sampled and tested, and if any of these lots pass they can be cleared. Any untested lots in the same consignment of a reject lot must be sampled for clearance at the rate detailed in *Inspection Requirements* and *Testing Requirements* above.

3.6 Special conditions that may apply:

In unique or out of the ordinary situations, the NZFSA reserves the right to either stop trade or replace the above sampling regime with a special elevated programme of testing in order to regain confidence in a product.