

Imported Food Requirements: Fish - manufactured fish products (surimi and marinara mix)

Recent Updates:

Date	Location	Information
November 2009	Section 1.5 Section 3.2	Clarification of products included and excluded. Clarification of verification of recognised assurances/certification.
1 July 2009	Section 1.0	Imports of marinara mix containing BMS must meet the Imported Food Requirements: Bivalve Molluscan Shellfish Structure revised

1.0 Scope

1.1 The purpose of this Imported Food Requirement is to provide administrative guidance to a Food Act Officer (FAO) as to the matters they may take into consideration when determining whether they have been satisfied by a person who imports food into New Zealand that the food complies in all respects with-

- (a) All relevant provisions of the Food Act 1981; and
- (b) All relevant provisions of any regulations made pursuant to the Food Act 1981; and
- (c) All applicable food standards.

Nothing in this Imported Food Requirement limits the powers of a FAO appointed under the Food Act 1981.

1.2 Legislative requirement: [Food \(Prescribed Foods\) Standard 2007](#)

- Products covered under the scope of these requirements are Prescribed Foods for the purpose of import into New Zealand (Section 11P, Food Act 1981).
- No person may import these products into New Zealand unless that person has satisfied an officer that the food complies.

1.3 This Imported Food Requirement sets out clearance options and procedures for importers of prescribed foods that an importer may follow when aiming to satisfy a FAO that the food complies with the Food Act 1981.

1.4 These clearance options and procedures apply in addition to and after a prescribed food has gained clearance from MAF Biosecurity New Zealand. Importers should check those requirements at: [MAF Biosecurity New Zealand](#).

1.5 Products include:

- Ready-to-eat manufactured and minced fish products, eg, surimi (processed, dehydrated fish with added flavouring), fresh or frozen squid
- Ready-to-eat marinara mix, eg, mixtures of various sea foods.

Products excluded:

- Products that will be cooked before consumption eg, raw squid, raw minced fish.

1.6 Imports of marinara mix containing a mixture of seafood which includes crustaceans, certain species of fish and / or bivalve molluscan shellfish (BMS) **must also** meet [NZFSA Import Requirements](#) for those specific foods.

1.7 [Tariff codes targeted](#)

1.8 **Food safety hazard:** pathogenic organisms, specifically *Listeria monocytogenes*.

1.9 **Import permitted with conditions from:** All countries. However where the product contains bivalve molluscan shellfish, the [BMS Imported Food Requirements](#) apply.

2.0 Importer Clearance Options

2.1 The clearance options and procedures in this Imported Food Requirement apply to **manufactured fish** products and are in addition to clearance requirements detailed in the [Import Clearance Procedure](#).

2.2 Importers must also meet the requirements of the Food (Importer Listing) Standard 2008 and the Food (Importer General Requirements) Standard 2008. Importers should also read and understand the [Food Importer Standards Guidance](#) before sourcing products to import.

2.3 For **manufactured fish** products, importers have a responsibility under the Food (Importer General Requirements) Standard 2008 to ensure that imports are not contaminated with pathogens. The processing method used in the manufacture of manufacture fish products can provide opportunities for *Listeria* contamination. Good manufacturing practices during processing can greatly reduce the likelihood of contamination. Manufactured fish products may not be heat treated prior to consumption, which would inactivate the pathogenic bacteria.

2.4 The following three options are available to importers when they are aiming to satisfy a FAO that the food complies with the Food Act and can therefore be cleared:

Option 1 - Acceptance of recognised assurances / certification

For **manufactured fish products**, recognised assurances / certification may be accepted from:

- Australian Quarantine Inspection Service (AQIS)
- Canadian Food Inspection Agency (previously the Dept. of Fisheries and Oceans)
- Ministry of Health, Malaysia
- Thailand Department of Fisheries
- Thailand Centre of Export Inspection and Certification for Agricultural Products
- European Union - Animal and Public Health Certificate.

Requirements to be met: Certification is required with each consignment. A recognised assurance or certification is a guarantee or proof in writing that the product is free of pathogens and does not contain *Listeria monocytogenes*.

Option 2 - Clearance sampling and testing on arrival in New Zealand

In the absence of recognised assurance / certification or a multiple release permit (MRP), **manufactured fish products** are sampled and tested in New Zealand.

Products will be tested for *Listeria monocytogenes*.

Sampling and testing is to be in accordance with [NZFSA's sampling and testing protocol](#), except for products from the USA which will be sampled and tested at the rate of 1 in every 10 shipments (covered by a Mutual Recognition Arrangement between New Zealand and USA).

Option 3 - Multiple Release Permits (MRPs)

MRPs are issued for imported food products that are:

- Inadvertently captured by the tariff codes monitored by the NZFSA and/or
- From particular suppliers under an arrangement agreed to by the importer and NZFSA.

Importers wishing to apply for a MRP should contact the Advisor (Food Service, Sale and Import) in the NZFSA Approvals Group at (04) 894 2500 or email approvals.fssi@nzfsa.govt.nz to discuss their situation prior to completing a MRP application form.

3.0 Clearance Procedures

3.1 Certification checks

All consignments accompanied by NZFSA recognised assurances / certification from the relevant competent authority are subject to 100% documentation checks.

3.2 Physical inspections

Verification of recognised assurances/certification

Recognised assurances/certification may be verified by physical inspection of the consignment. Consignments imported with assurances or certification are verified by identity check and/or sampling and testing at intervals.

- The standard rate used to verify assurances/certification which applies to most prescribed foods is 1 in every 20 consignments 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 verified every six months.
- Imports with certification from the European Union (EU) are verified at 1% rate (1 in every 100 consignments).

3.3 Clearance sampling and testing on arrival in New Zealand

Sampling and testing is to be in accordance with [NZFSA's sampling and testing protocol](#) except products from the USA which will be sampled and tested at the rate of 1 in every 10 shipment.

Samples:

- Number of samples per lot = 5.
- Each sample per lot must weigh a minimum of 100g.
- Individual units or packets should be sampled if these are available.
- The laboratory may composite 5 samples per lot.

Clearance criteria: The following criteria should be used when deciding if a consignment captured by these requirements is safe to be released:

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

- Imports of marinara mix containing a mixture of seafood which includes crustaceans, certain species of fish and / or bivalve molluscan shellfish (BMS) must also meet NZFSA import requirements for those specific foods.

Reject criteria:

- FAO may REJECT lots that test positive for *Listeria monocytogenes*.
- FAO may reject any untested lots in the consignment.
- Procedures for rejected lots and untested lots are described in [NZFSA's sampling and testing protocol](#).

3.4 Multiple Release Permit (MRP)

For holders of an MRP, the import agent will use the permit number to clear the products. Holders of an MRP should maintain an agreed imported food surveillance (sampling and testing) programme for the products covered by the MRP.

3.5 Management of non-compliant consignments

When clearance cannot be given because of non-compliance with import requirements, all determinations on disposition of non-complying consignments should be made in full consultation with NZFSA (or a representative nominated by NZFSA). This will facilitate appropriate corrective action and communication with relevant entities.

3.6 Contact details for border clearance agency

First stop for importers seeking more information.

Central Clearing House

NZFSA Verification Agency

Level 1, 96 New North Road, Eden Terrace, Auckland

PO Box 3540, Eden Terrace, Auckland

Email: imported.food@nzfsa.govt.nz

Fax: 09 909 6208

Phone: 09 909 6210 or 09 909 6211

To be notified of changes and updates to the NZFSA website including import requirements, go to the [NZFSA website Notifications page](#).

4. 0 Tariff Codes Targeted

Prescribed foods are targeted at the border using the New Zealand Customs tariff code system.

A tariff code is a number used for Customs purposes to classify goods. An import agent or customs broker may be able to assist with interpretation of the tariff code.

Importers who are importing **manufactured fish** products under tariff codes not listed below should notify NZFSA Central Clearing House. CCH will notify NZFSA of the need to review the tariff codes targeted.

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 document. Importers may apply to NZFSA for a multiple release permit (MRP) to facilitate clearance.

Products classified with the following tariff codes are captured under this requirement:

Tariff codes targeted for surimi and marinara mix	
0304 Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen	
0304.99.00.15E	Hoki Surimi Fresh Frozen Or Chilled
0304.99.00.18K	Southern Blue Whiting Surimi Fresh Frozen Or Chilled
0304.99.00.21K	Other Surimi Fresh Frozen Or Chilled
0304.99.00.24D	Other Chilled Fish
0307 Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs	
0307.49.00.39J	Other Frozen Squid