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# Imported food requirements: Peanut butter

## Recent Updates:

Date	Location	Information
17 August 2009		Removal of import clearance requirements for product exported from Australia.
1 July 2009	<a href="#">Section 1.0</a>	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:

- Peanut butter

1.6 [Tariff codes targeted](#)

1.7 **Food safety hazard:** mycotoxic contamination and pathogenic bacteria, specifically *Salmonella*.

1.8 **Import permitted with conditions from:** All countries.

- Peanut butter products imported into New Zealand from Australia are not subject to NZFSA import clearance requirements. Importers do not need to apply for a Single Use Permit for clearance. This applies to food produced in Australia and to food imported into Australia.

## 2.0 Importer Clearance Options

2.1 The requirements in this document apply to **peanut butter** 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 **peanut butter** products, importers have a responsibility under the Food (Importer General Requirements) Standard 2008 to ensure imports are of minimal risk for mycotoxin and *Salmonella* contamination. Mycotoxins are toxic substances produced by moulds that can grow on nuts. Contamination of nuts by mycotoxins, moulds and insects can occur prior to and during harvest, during post-harvest handling and in storage. Good manufacturing practices can greatly reduce the likelihood of the most common mould (*Aspergillus flavus*) and the level of toxin (aflatoxin) it produces. The processing of nuts into peanut butter increases the likelihood of contamination by *Salmonella*. Good manufacturing practices during processing can greatly reduce the likelihood of *Salmonella* contamination. Peanut butter does not normally receive a heat treatment 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 **peanut butter** products, recognised assurances / certification may be accepted from:

- Singapore: Department of Scientific Services, Institute of Forensic Medicine
- Australia: manufacturer's declaration where the manufacturer must declare that the product is of Australian origin.

**Requirements to be met:** Certification is required with each consignment. Certification should state that the consignment is free of *Salmonella* and state the level of aflatoxins.

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

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

Products may be tested for *Salmonella* and Aflatoxins.

Sampling and testing should be in accordance with [NZFSA's sampling and testing protocol](#).

## **Option 3 - Multiple Release Permit (MRP)**

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](mailto:approvals.fssi@nzfsa.govt.nz) to discuss their situation prior to completing a MRP application form.

## **3.0 Clearance Procedures**

### **3.1 Documentation checks**

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

### **3.2 Physical inspections**

#### **Acceptance of recognised assurances / certification**

Recognised assurance / certification may be verified by physical inspection of consignment. Consignments imported under certification are verified by testing at intervals. The standard testing rate used to verify 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 tested every six months.

### 3.3 Clearance sampling and testing on arrival in New Zealand

Sampling and testing should be in accordance with [NZFSA's sampling and testing protocol](#).

**Samples:**

- Samples should be taken for each product type, eg salted, crunchy, smooth, added flavour etc.
- Number of samples per lot for *Salmonella* testing = 5.
- A minimum of 100g per sample for *Salmonella* testing.
- Number of samples per lot for aflatoxin analysis = 2.
- A minimum of 500g per sample for aflatoxin analysis.
- Individual units or jars should be sampled if these are available.
- The laboratory may composite 5 samples per lot for *Salmonella* and 2 samples per lot for aflatoxin analysis.

**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 *Salmonella* per 25g.
- Levels of aflatoxin not exceeding 0.015ppm.

**Reject criteria:**

- FAO may REJECT lots that:
  - Test positive for *Salmonella*.
  - When any one sample from that lot show that the level of aflatoxin exceeds 0.015ppm.
- 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 must 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](mailto: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 NZFSA's 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 **peanut butter** products under tariff codes not listed below should notify NZFSA Central Clearing House. CCH will notify NZFSA of the need to review 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 listed. If this is the case, products will not be subject to the requirements outline 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 peanut butter	
2008 Nuts, ground-nuts and other seeds, whether or not mixed together:	
2008.11.00.01D	Peanut Butter