

Imported food requirement: Raw milk cheeses

Recent Updates

Date	Location	Information
1 July 2009	All	Layout 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: Raw milk including:

- Roquefort and raw milk extra-hard hard grating cheeses
- Gruyere, Sbrinz and Emmental cheese manufactured from raw milk.

1.6 **Products excluded:** Pasteurised cheeses.

1.7 [Tariff codes targeted](#)

1.8 **Food safety hazard:** pathogenic bacteria.

1.9 **Import permitted with conditions from:** European Community.

1.10 All other countries are able to apply for a pre-clearance arrangement. Information on how a competent authority can apply is [available online](#).

2.0 Importer Clearance Options

2.1 The clearance options and procedures in this Imported Food Requirement apply to **raw milk cheese** 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 **raw milk cheese**, importers have a responsibility under the Food (Importer General Requirements) Standard 2008 to ensure imports are of minimal risk for contamination by pathogens. Good manufacturing practices can greatly reduce the likelihood of the contamination by pathogens.

2.4 Consignments captured under these requirements may be cleared by pre-clearance arrangement ONLY. Such arrangements confirm that raw milk cheeses are produced under a programme that manages the hazards associated with raw milk cheeses and meets New Zealand's requirements for raw milk cheeses. All conditions of the pre-clearance arrangement must be met before a product may be cleared for entry.

2.5 For the purposes of this document, origin includes where the raw milk and raw milk cheese was harvested/collected, processed, manufactured and exported from.

2.6 NZFSA has pre-clearance arrangements with the countries listed below, which permit import of raw milk cheeses into New Zealand and will satisfy a FAO that the food complies with the Food Act and can therefore be cleared:

European Community – Agreement covers Roquefort under this requirement originating and exported from the EC. **Requirements to be met:** Agreed certification issued by competent authorities of EC member states must accompany all imported consignments.

Switzerland – Arrangement covers Gruyere, Sbrinz and Emmental cheeses manufactured from raw milk and originating and exported from Switzerland. **Requirements to be met:** Agreed

certification issued by the competent authorities of Switzerland must accompany all imported consignments.

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 unless otherwise stated in the arrangement with the exporting country. The certification will be specified under each pre-clearance arrangement.

3.2 Physical inspection

Certification may be verified by physical inspection of consignment. The rate applied is specific to each pre-clearance arrangement.

3.3 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.

3.4 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 NZFSA's website, including import requirements, go to the [NZFSA website Notifications page](#).

4.0 Information for Exporting Countries

Raw milk cheeses are a permitted import into New Zealand ONLY where the product originates from countries where NZFSA has negotiated a pre-clearance arrangement with the country's competent authority.

4.1 Review of import standard and requirements for raw milk cheese

NZFSA has carried out risk assessments on a small number of raw milk cheeses.

Background information is available:

- [Consultation information](#)
- [WTO notification](#)

The countries listed below have a pre clearance arrangement with NZFSA which recognises the consumer safeguards provided to manage the human health risks of raw milk cheese as complying with or equivalent to New Zealand's requirements.

European Community / European Union

(Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, The Netherlands, United Kingdom)

Council Decision 97/132/EC of 17 December 1996 on the conclusion of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products, specifically in accordance with Council Directive 64/432/EEC, Council Directive 2002/99/EC, Regulation (EC) No 852/2004, (EC) No 853/2004, (EC) No 854/2004 and (EC) No 2073/2005.

Roquefort cheese must be produced in compliance with European Commission (EC) Directive 2073/2005.

Switzerland

Emmental, Gruyere and Sbrinz cheeses manufactured from raw milk and processed according to the method set out in the *Ordinance on Quality Assurance in the Dairy Industry* of the Swiss

Federal Council of 18 October 1995 have been recognised as equivalent to New Zealand standards and requirements.

4.2 Process to apply for pre-clearance

Pre-clearance arrangements confirm that raw milk cheeses are derived from a regulated environment in the exporting country which manages hazards and meets New Zealand's requirements. Arrangements with exporting countries may vary according to the scope of the application and are specific to the recognised programme in operation in the exporting country.

The competent authority of an exporting country can apply to NZFSA for determination of a pre-clearance arrangement or for an equivalency assessment and determination of pre-clearance arrangement. Equivalency arrangements may or may not consider the country's import control system.

The application should be sent to:

Director Standards

New Zealand Food Safety Authority

PO Box 2835

Wellington 6140

New Zealand

Attention: Programme Manager (Import Systems)

Email: import.systems@nzfsa.govt.nz

Applications should be made in English in order to facilitate prompt assessment. Submissions in other languages can be accepted, however, delays in assessment may be experienced with third party translation services.

The application must be submitted as one of the three types of arrangement considered by NZFSA:

1. Overseas country / commercial entity applies measures equivalent to New Zealand Standards.
2. Overseas country / commercial entity comply with a food control system that NZFSA has determined as equivalent to New Zealand Standards.
3. Overseas country / commercial entity meets New Zealand Standards.

NZFSA will require that the competent authority of the exporting country provides assurances, through certification, as to the compliance or equivalence with New Zealand food safety requirements. NZFSA may undertake audits to review the arrangements. However, confidence could also be based on assessment of these systems by other competent authorities.

Note: Importers are encouraged to request their supplier to contact the competent authority in the exporting country to apply to NZFSA for assessment for a pre-clearance arrangement.

4.3 Contact point for SPS

One of the principal innovations of the World Trade Organisation Sanitary and Phytosanitary (WTO SPS) agreement (the agreement on the application of sanitary and phytosanitary measures) is a requirement for prior notification of SPS measures. Each WTO member is required to designate a single central government authority as responsible for implementing, on a national level, the notification requirements of the SPS agreement. In addition, each Member is required to establish an Enquiry Point, which is responsible for the provision of answers to all reasonable questions as well as the provision of relevant documents.

The Contact Point for New Zealand can be contacted at:

NewZealand.SPS@maf.govt.nz

5.0 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 **raw milk cheeses** 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 listed. If this is the case, products will not be subject to the sampling and testing protocol outlined in these requirements. 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 permitted raw milk cheeses	
0406 Cheese and curd	
0406.20.00.01A	Cheddar Cheese Grated Etc
0406.20.00.09G	Colby Cheese Grated Etc
0406.20.00.11J	Cheshire Cheese Grated Etc
0406.20.00.19D	Egmont Cheese Grated Etc
0406.20.00.21F	Gouda Cheese Grated Etc
0406.20.00.29A	Other Cheese Grated Etc
0406.90.00.01G	Other Cheese In Tins
0406.90.00.39D	Other Cheese Other
0406.40.00.00L	Blue-veined cheese and other cheese containing veins produced by <i>Penicillium roqueforti</i>