
Importing - Food Importer Standards Guidance

Introduction

This guide has been prepared to explain the requirements of two Standards for importers of food for sale. These Standards have been developed to ensure that imported food is safe and suitable. They have been issued by the Minister for Food Safety under Section 11C of the Food Act 1981. They are:

- The Food (Importer Listing) Standard 2008, and
- The Food (Importer General Requirements) Standard 2008.

Importers have direct responsibility under the Food Act 1981 to ensure that the products imported by them for human consumption are safe and suitable.

[Food \(Importer Listing\) Standard 2008](#) [PDF 66.8 KB]

[Food \(Importer General Requirements\) Standard 2008](#) [PDF 70.4 KB]

What does this mean for importers?

From April 2009, all importers of food for sale must be listed with NZFSA before importing food into New Zealand. We strongly recommend that importers read and understand the Food Importer Standards Guidance before sourcing products to import.

When selecting products to import, importers need to:

- Ensure compliance with the New Zealand Standards, such as ingredient listing, obtaining supplier assurances and product specifications.
- Ensure appropriate arrangements are made for storage and transport to New Zealand, such as incorporating temperature check requirements into contracts with carriers.
- Obtain and keep records of all the steps taken during the ordering and transportation of the products.

This guide does not specify how importers **must** comply with the requirements of the Standards, but provides examples to help identify ways to comply.

For definitions of terms used in this document, refer to the 'Helpful terms' section at the end of this document. If you have any suggestions that would improve this guide or believe further guidance would be helpful please email: import.systems@nzfsa.govt.nz

Importers are required to comply with the Standards, which they are encouraged to read in order to fully understand their legal obligations. They can be found online or for more specific information refer to the summary of legislation applying to imported foods.

Information about import clearance procedures is available online.

Where foods are subject to additional requirements they are detailed in the import requirements for the specific foods that are available online under Import Requirements for Specific Foods.

[Helpful Terms](#)

[Imported food legislation](#)

[Food standards](#)

[Import clearance procedures](#)

[Import Requirements for Specific Foods](#)

Transition period

The Importer Standards came into effect on 16 October 2008. A six month transition (change over) period:

- Will allow importers time to list with NZFSA,
- To put arrangements into place to get the required information,
- To develop systems to ensure this information can be kept.

Importers have until 16 April 2009 to list with NZFSA and to comply with all general requirements.

Importer Listing

Why is listing needed?

Listing allows NZFSA to identify food importers and communicate with them directly when required.

What is listing?

All importers of food for sale are required to list with NZFSA.

Importers already registered with other NZFSA programmes, such as a Wine Standards Management Plan or Risk Management Programme are also required to list as an importer. There is no charge for listing as an importer.

NB. Importers must be resident in New Zealand.

The list of importers will not be made public. Information that makes up the list is official information and is subject to the Official Information Act 1982; consequently information may be released under this Act if it's requested.

Who must list with NZFSA?

A person who imports food into New Zealand for the purposes of sale must –

- a. be listed as an importer; and
- b. be resident in New Zealand within the meaning of sections YD1 and YD2 of the Income Tax Act 2007

How can an importer list with NZFSA?

Importers can list in any of these ways:

- complete the application form that was sent to you by NZFSA, and return it by fax or post
- print out or download the application form and return it to NZFSA by fax, post or email
- apply online

[Importer listing - application form IMP1](#)

Importers must complete all fields marked with an * .

Importers must provide all the following information when applying for listing as an importer:

- a. Full name - the full legal name of the applicant who has legal authority to act as the importer.
- b. Registered legal name - this may be the name of a company, a partnership, an individual or multiple individuals:
 - Company name - provide the name of the company as registered under the Companies Act 1993.

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- Partnership - provide the full legal names of all individuals and / or companies within the partnership and the trading name used by the partnership.
 - Individual - provide the full legal name of the individual and a trading name if applicable.
 - The registered company, partnership or individual name will appear on the listing database and on any communication between NZFSA and the company or individual.
- c. Trading name.
- d. Physical address for service – a full street address, where the business is operating from.
- e. Postal address for service - a postal address or addresses.
- f. New Zealand Customs Service client code number - a client code is a unique number issued by Customs New Zealand that identifies the importer. Client codes are only issued to New Zealand entities (such as registered New Zealand companies).
- g. Company registration number (if applicable).
- h. Contact person's name and contact details - contact details provided for the person who is responsible for the food imported. This ideally should include postal address (if different from above), email address, phone and fax number. Please provide the most efficient way for us to contact you with updates. By providing an email address you consent to being sent electronic email from NZFSA from time to time.
- i. Other NZFSA approval or registration numbers, for example exporter registration, food safety programme registration (FSP), risk management programme (RMP), wine standards management plan (WSMP) or multiple release permit (MRP).
- j. Indicate the major source(s) of the products that the importer imports. Importers may tick as many of the boxes as required. Providing this information will allow NZFSA to contact importers more effectively when there are particular issues, or information that may be of value to importers.
- k. Applicants are required to confirm the details given on this form are correct.

When does listing need to be done?

Importers have until 16 April 2009 to list with NZFSA. After this date, all importers must be listed with NZFSA before importing food into New Zealand.

Removal of importer listing

An importer may, at any time, request to be removed from the database by giving notice via email, fax or letter to NZFSA.

A removal of listing takes effect on the date when the importer's name is removed from the listing database, or a later date advised by the importer.

The consequence of being removed from the listing database is that the importer can no longer import food for sale.

Changes to information

Importers must contact NZFSA within 10 working days if any of their details change. Notification must be in writing and can be via email, fax, or letter.

Who to contact for listing enquiries:

Write and send by email, fax or letter to:

Advisor (Food Service, Sale and Import), Approvals & ACVM Group

New Zealand Food Safety Authority

South Tower, 68-86 Jervois Quay

PO Box 2835, Wellington 6011

Email: approvals.fssi@nzfsa.govt.nz

Or telephone

Ph: (04) 894 2500, fax: (04) 894 2566

Requirements for sourcing imported food

What does the Standard require?

All importers of food for sale must take all reasonable steps to ensure that the food imported complies with all applicable legislation.

The importer must document the following:

- how the food product has been produced and managed in a manner that enables the food to be safe for human consumption; and
- a description of the product's passage including the product flow (ie, port of entry, the carrier, and if applicable the import broker); and
- a supplier list and relevant supplier information.

Importers must keep purchase records (the quantity, the product code, the date and the buyer) for all products.

Why is this required?

Importers need to be confident that their products are safe and comply with all applicable New Zealand legislation. This relies on production and processing procedures and controls in place at the point of production and/or manufacture as well as during any further production, manufacture, transport and storage before it arrives in New Zealand. Traceability records for each consignment are important as in the event of a recall they allow importers to track the product to the next person in the food chain and back to their immediate supplier.

How can this requirement be met?

Importers must be able to provide evidence that their products comply with all applicable New Zealand legislation including the Food Act 1981, the Wine Act 2003, and the Animal Products Act 1999. Importers must be able to provide evidence from their supplier that food has been produced and managed in a way that ensures it is safe and suitable. The type and amount of evidence that importers request from their suppliers should be appropriate for the level of risk posed by the particular food.

NZFSA adopts a risk-based approach towards ensuring food safety. Food products identified as having a high potential health risk or a history of poor food safety are placed under strict import control (high regulatory interest). Specific evidence may be required to demonstrate that these products meet New Zealand standards.

Relevant product information

Importers must hold:

- Relevant product information such as product specifications and lists of ingredients.

- Traceability information including: product code, brand name, common name for product, container size, Lot ID, batch code and date marking eg, Best Before or Use by Date or other shelf life information.

Many of these may be recorded as part of purchase information and product specifications. All products should enter the country with identifying code marks or lot number on the label or container.

Other relevant product information may include:

- A certificate of conformance (CoC) stating that the product complies with the agreed specification.
- A certificate of analysis (CoA) detailing testing results of the specific batch of product. CoAs should only be accepted from laboratories accredited to ISO 17025, which is an international standard for testing laboratories.
- A completed Product Information Form (PIF) for each product eg, Product Information form issued by Australian Food and Grocery Council.
- Where specific international or relevant domestic codes exist in the country of origin, importers should obtain evidence the food is produced in accordance with these, eg, canned foods manufactured under the relevant Codex Alimentarius Commission code of practice.

The product's passage to New Zealand

Key information about how the product got from point of purchase to New Zealand (including port of despatch, port of entry, carrier and import broker) should be readily available to assist with an investigation in the event of a recall.

Parts of this information may be recorded on the Bill of Lading and Biosecurity Authority/Clearance Certificate (BACC), eg, supplier – transport by truck – consolidator warehouse – transport by truck to port – port of despatch – transport by ship – port of entry into New Zealand.

Relevant supplier information

Importers must maintain a list of suppliers and their contact information, including but not limited to, each supplier's company name, address, phone numbers, email address, contact person and products supplied.

Relevant information can be used by an importer to determine the appropriateness of a supplier:

- supply contract/or purchase agreement stipulating the agreed food safety measures.
- documented details of supplier's procedures, quality assurance measures and food safety systems, eg. Supplier Questionnaire.
- documentation that the supplier has any relevant legal approval to operate in the country of production and certification that the products are made in premises verified by a competent authority as meeting hygiene standards, controlling hazards and following controlled procedures to ensure production of safe food.
- documented details of manufacturing processes and conditions that demonstrate that hazards have been identified and critical steps of the manufacturing process are adequately controlled to ensure safety and prevent misrepresentation and fraud.
- verification by a recognised third party that products are manufactured to internationally recognised standards, such as Codex Standards, Hazard Analysis Critical Control Point (HACCP), British Retail Consortium(BRC), Safe Quality Food (SQF) etc. Third party auditors should be accredited to internationally recognised standards and accredited certification bodies. Certification should be specific product or process and for a specific site.
- independent external audits of premises, processes and food safety systems. The evaluation may be carried out by a technically competent person working on behalf of the importer.
- a consistent and good history of sampling and testing or increased product controls such as sampling, laboratory testing, third party review etc.
- official assurances, eg, export certificates that contain statements made by a foreign government or agent of that government attesting that one or more things have occurred in relation to the food product.

Purchase records

Purchase records and invoices which provide proof of ownership and traceability information.

Purchase records should include:

- The quantity of the food imported in each transaction / consignment

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- The product code or other traceability information such as product name and batch code or date marking
 - Date of purchase from the supplier, wholesaler or manufacturer
 - Buyer information is important where the buyer is not necessarily the importer such as a wholesaler in an exporting country or where an importing company has more than one buyer.

Other useful information that may be recorded on the purchase records could include:

- Supplier information
- Date of despatch
- Date of receipt
- Country of origin
- Country of export
- Transport details.

Storage and transport requirements

What does the Standard require?

All importers of food for sale must take all reasonable steps to ensure that the food has been appropriately stored and handled during shipping and import clearance. Food must be maintained as safe, having taken account of the type of food concerned and any applicable storage instructions. Food must be prevented from deteriorating and must be protected from contamination.

Imported food must be stored and handled in a manner which ensures it is within a safe temperature range for the storage of food. Food that is subject to temperature control must be transported in a manner that ensures the required temperatures are achieved and maintained throughout transportation.

Storage facilities and any equipment used for handling imported food must be suitable for that purpose. Bulk cargo containers and loading equipment must be suitable and operated to ensure the food is safe. Food that is transported together with any other food, chemical or substance that may be a source of contamination must be protected from the potential source of contamination. Bulk cargo containers used to transport unpackaged food in bulk must be

thoroughly cleaned where the previous shipment contained any other food, chemical, or substance that may be a source of contamination.

Why is this required?

It's important to protect imported food from contamination and deterioration during **all** stages of the food chain, including storage **before and during** transportation to New Zealand.

The import storage and transport requirements do not duplicate requirements in the Food Hygiene Regulations 1974 or other applicable legislation that applies to people who are responsible for the food after it has been cleared by Customs.

How can this be achieved?

Importers must take all reasonable steps to ensure that the safety and suitability of their food products is maintained in storage prior to and during transportation to New Zealand.

Reasonable steps may include, but are not limited to:

- Obtaining documented terms and conditions of business from the storage company or facility, transport company or freight forwarder. This could include:
 - written acknowledgement or indication that the company operates either a documented programme of food safety procedures for storage and transportation of food or complies with international standards.
 - details of any safety assurance programmes that are in place or food safety specific guarantees such that in the event of refrigeration failure that the importer will be notified.
- Requesting that products are separated during storage and transport to protect against contamination. For example:
 - appropriate packaging
 - policy for separate storage / transportation of certain foods such as ready-to-eat (RTE) and raw products
 - separate storage / transportation for food and non food items (eg, chemicals) where these are potentially a source of contamination.
- Using storage facilities and bulk cargo containers that are capable of maintaining food within the required temperature range. Temperatures of foods should be consistent through storage and transport so that chilled products remain chilled and frozen

products remain frozen. Temperatures could be monitored and recorded in a number of ways, for example:

- using continuous data loggers
 - indicator or integrator device
 - by manually recording temperatures at regular intervals, or
 - using calibrated temperature monitoring equipment and maintaining records of temperatures and alarms.
- Requesting documented assurances that bulk cargo containers are clean and fit for purpose prior to use.
 - Inspecting bulk cargo containers upon receipt of products and documenting actions taken if the bulk cargo containers are not clean or if products are contaminated or have deteriorated.
 - Requesting documented evidence that storage facilities, transportation equipment and facilities are fit for purpose prior to use.

Record keeping requirements

What does the Standard require?

An importer of food for sale must keep all relevant documentation relating to imported food. These include but are not limited to the following:

- all applicable food safety certification documentation relating to the importation of food including any applicable temperature records, any relevant test results, any appropriate certificates where the food is a returned New Zealand food product and any relevant food safety risk analysis work that may have been completed due to the product being re-processed.
- supplier contact details, details of products supplied for all suppliers and a supplier list kept in a form that makes the information readily available for tracking and recall purposes.
- sufficient inventory records in order to determine what imported food is held by the importer at any given time and what imported food has been on-sold and to whom to enable tracking of food.

A food importer must

- store the records in a way that protects them from damage, deterioration or loss.
- correct errors and make changes to the records in a way that identifies the changes so that the original record remains clear.
- keep the records for four years.

A food importer must, if asked, provide records within 24 hours or within an alternative timeframe mutually agreed between the chief executive and the importer. Sections 12, 17, and 41 of the Food Act 1981 still apply. These sections relate to powers of officers, power of medical officer of health or director to require information and records.

Why is this required?

Record keeping is essential to confirm the importer's control over biological, physical or chemical hazards, representation, composition and quality. Tracing a product's record of sale and distribution is necessary when a product is recalled. Importers must maintain accurate records of consignments, including Customs entries, processes, procedures and copies of required documentation from the overseas country and/or manufacturer.

How can this be achieved?

Food importers must keep the following records:

- all documents related to the imported food ie, relevant product, supplier, storage and transport information, importation product flow, and purchase records.
- a list of suppliers and their contact information, including but not limited to, each supplier's company name, address, phone and fax numbers, email address, contact person and products supplied.
- sufficient inventory information to be able to determine current stock held and details of stock sold. The information should be readily accessible for tracking and recall purposes.
- sufficient information to allow tracing of the food, ie, one step back and one step forward, such as purchase records and sales records.
- information related to checks done on incoming goods, such as the MAF Quarantine Service Container Log sheets which are completed when sea containers are devanned.

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- any temperature records for chilled and frozen foods, including calibration records of temperature probes.
 - any applicable test results, such as microbial and chemical testing required as import requirements for specific foods.
 - any appropriate documentation, including export certificates, for returned New Zealand food products.
 - any communication to and from any designated Officer such as a Food Act Officer, or an Animal Products Officer, or NZFSA that has been given in relation to a specific consignment or the importer's individual operation as an importer. This includes any correspondence regarding approval of food product control, rejection or release.

Records should be:

- legible, permanent and accurately reflect actual events, conditions or activities. Errors or changes should be identified so that the original record remains clear (eg, strike out with a single stroke and initial the correction/change).
- retrievable within 24 hours. Depending upon the urgency of the situation, timeframes for the retrieval of documents will be agreed between NZFSA and the importer.
- kept for four years.
- in English, but may be bilingual (ie, in the language of exporting country and English). A certified translation is permissible where required.
- where data is stored electronically, there must be documented systems to manage access to the files and appropriate back-ups made. The importer must also ensure that electronic records cannot be altered without authorisation and that any alterations are noted.
- made available to Food Act Officers, Animal Products Officers, the Chief Executive or nominated person as soon as possible after being requested to provide records.

Helpful Terms

Chief executive means the chief executive of NZFSA.

Clearance: The accomplishment of border formalities necessary to allow goods to enter New Zealand. NZFSA clearance may occur prior to importation (pre-clearance arrangement with exporting country) through to post-border clearance (product released to the importer by

NZFSA with conditions). NZFSA is in effect providing a 'Clearance' for the product to be sold, not a clearance to enter the country as occurs with Customs and Biosecurity.

Food is defined in the Food Act 1981 to mean anything that is used or represented for use as food or drink for human beings; and includes:

- a. Any ingredient or nutrient or other constituent of any food or drink, whether that ingredient or nutrient or other constituent is consumed or represented for consumption by human beings by itself or when used in the preparation of or mixed with or added to any food or drink; and
- b. Anything that is or is intended to be mixed with or added to any food or drink; and
- c. Chewing gum, and any ingredient of chewing gum, and anything that is or is intended to be mixed with or added to chewing gum.

Food safety systems: Also known as food safety control programme, food safety management systems. Food safety systems are documents which describe good manufacturing practices (GMP) or Good agricultural practice (GAP) and management practices and procedures to ensure that food products are consistently produced to meet specifications and customer expectations.

Components of a food safety system should cover design of premises and equipment, training and personal hygiene, cleaning and sanitising, purchase and acceptance of incoming materials, manufacture and process control, repairs maintenance and calibration, waste management, pest control, warehousing, transport and distribution, temperature control, etc. These systems should also have provision for handling customer complaints, product recall, documentation and record keeping.

Importer is defined in the Food Act 1981 to mean any person by or for whom any goods are imported; and includes the consignee of any goods; and also includes any person who is or becomes:

- a. The owner of any goods; or
- b. Entitled to the procession of any goods; or
- c. Beneficially interested in any goods – on or at any time after the importation of these goods and before they have ceased to be subject to the control of Customs in accordance with the Customs and Excise Act 1996.

NZFSA means the department of state known as the New Zealand Food Safety Authority.

Product Specification: the criteria to which a product must conform in terms of quality, labelling, price etc. The measurable levels and tolerances of characteristics which influence the level of risk associated with each product. Sometimes known as a Manufacturer's Declaration (of Conformity to Specification). A Product Specification may include:

- name and brief description of the product
- name and address of manufacturer
- list of ingredients, nutritional information, storage conditions and shelf life details
- physical and chemical characteristics to which the product must conform, such as composition, pH, % salt, % moisture, microbiological limits, foreign matter etc
- product declarations relating to certain parameters such as preservatives, pesticide residues, allergen presence, GMO status etc
- manufacturing food safety standards such as adherence to good manufacturing practices, operating under certified HACCP programme, operating under internationally recognised program, approved thermal processing standard etc.

Sale is legally defined in the Food Act 1981 and without being a substitute for that for sale generally means selling for human consumption or use and includes selling for resale for human consumption or use. The term 'use' means any use in connection with the preparation or packing of food for human consumption.

Supply Contract: A documented agreement between the purchaser (importer) and supplier outlining terms and conditions of supply and payment and specifying requirements related to product and delivery.

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