

New Zealand Food Safety Authority
PO Box 2835 Wellington, New Zealand

*Guide to the New Zealand Food Safety Authority
Official Organic Assurance Programme*

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Definitions

NZFSA definitions of terms can be found in their “Glossary of Terms”, available on the NZFSA website (<http://www.nzfsa.govt.nz/dairy/publications/information-papers/glossary.htm>).

Accreditation - Formal granting of recognition of competency for specified categories, following assessment against a standard, by an Accreditation body.

Accreditation body - An internationally recognised, independent organisation which is authorised to accredit organisations to certain ISO standards in New Zealand.

Accredited individual - A person who has demonstrated that they meet NZFSA competency standards, and has subsequently been formally accredited by NZFSA to undertake prescribed activities.

Assessment - Systematic examination of an individual, organisation, plan, programme, or system against regulatory requirements.

Assessor - A person who carries out an examination to determine the degree of conformity with prescribed criteria (ie documents and procedures).

Conflict of interest - Any circumstance that may undermine or detract from the impartiality and/or independence of an individual or organisation.

Contracting party - An organisation that has contracted the TPA to provide specified services as detailed in a contract.

Critical non-compliance - Any identified non-compliance is defined as critical if it affects the system’s ability to continue to provide confidence that the product meets the requirements of the relevant NZFSA Programme.

e.g. An action, event or omission which may result in:

- Failure of organic product to comply with the importing country requirements;
- Failure to identify when organic product is not conforming;
- Failure to identify or stop a non-compliance;
- Failure to keep accurate and complete records;
- Failure to provide accurate, complete and timely reports;
- Failure to identify and segregate non-conforming organic product in accordance with the requirements of the Official Organic Assurance Programme;
- Failure to comply with an Organic Management Plan;
- Failure to prevent recurrence of a non-compliance; and/or
- Failure to rectify a non-compliance within the specified timeframe.

Director - Within this Standard, this term refers to the Director, Dairy and Plant Products, New Zealand Food Safety Authority or the Director, Animal Products, New Zealand Food Safety Authority.

Facilities - Machinery, equipment, premises, packaging and transport containers used during the production, harvesting, processing and handling of organic agricultural product and foodstuffs.

HACCP - Abbreviation for Hazard Analysis Critical Control Point which is a system that identifies specific hazards and preventative measures for their control.

IANZ - International Accreditation New Zealand. An accreditation body.

JAS-ANZ - Joint Accreditation System of Australia New Zealand. An accreditation body.

MAF - Ministry of Agriculture and Forestry, New Zealand.

NZFSA – New Zealand Food Safety Authority

Non-compliance - Any failure to comply with requirements of the Official Assurance Programme.

Official Assurance - Statement made by NZFSA to a foreign government, or an agent of a foreign government, attesting that, as appropriate, any one or more of the following applies in respect of any product:

- (a) any specified process has been completed under the relevant legislation with respect to the product concerned;
- (b) the product concerned meets the standards set under the legislation for that product;
- (c) any market access requirements of the importing country, which New Zealand has agreed to meet, that are stated in the assurance have been met by the system under which the product was produced or processed; and/or
- (d) the situation in New Zealand, in relation to any matter concerning animal material or animal products, is as stated in the assurance.

Operator - A natural or legal person or business entity who has completed the registration process with a TPA and has the day to day management and/or contractual control of an organic management plan.

Organic Management Plan (OMP) - A programme of conditions, processes, procedures, measures, and standards to be complied with, performed, undertaken, taken or met in relation to:

- any process or activity related to organic products, ingredients used in the processing of organic products, or both; and
- sampling, examination, inspection, and testing, or any of those actions relating to any such process or activity; and
- the recording and inspection of information relating to any such action;

and (without limiting the generality of the foregoing) may include conditions, processes, procedures, measures, or standards relating to the production, processing, storage, and/or transport of organic products.

Surveillance assessment – A partial assessment to confirm selected components of a programme comply.

Third Party Agency (TPA) - An organisation recognised by NZFSA to carry out assessment (evaluation and/or verification) services.

Verification - Application of methods, procedures, tests and other checks, in addition to monitoring, to determine compliance with NZFSA-approved plans, programmes and systems, and to confirm the ongoing applicability of those.

Section One:

Background to the New Zealand Food Safety Authority Organic Official Assurance Programme

Background

Over the last five years, international consumer demand for organic products has increased dramatically. The increase in demand has led to concerns that the labelling of some products as organic may in fact be misleading and as a result, some international markets have developed or are in the process of developing national standards for the production of organic products.

It is possible that once countries implement their national organic programmes they will require some form of government assurance that imported organic products have been produced under an organic system which is equivalent to their own.

As New Zealand's competent authority for primary production, the New Zealand Food Safety Authority (NZFSA), formerly MAF Food, will issue these official government-to-government assurances for export consignments of organic products. To support this role, NZFSA has developed an Official Organic Assurance Programme (OOAP), with a framework of Standards. These Standards set out the requirements for organic operators and Third Party Agencies (TPAs). Compliance by organic operators with these standards is monitored by NZFSA-recognised Third Party Agencies. TPA compliance with these standards is monitored by Accreditation Bodies and NZFSA.

Any product submitted for an official assurance for its organic production status must also comply with all relevant New Zealand laws, including measures aimed at protecting human health, and biosecurity status of plants and animals, as well as relevant animal welfare provisions.

Programme framework

In addition to this guide the framework for the official organic assurance programme consists of:

- NZFSA Standard OP1, "Accreditation, Recognition and Performance Criteria for Third Party Agencies' and their Personnel - Organic Products",
- NZFSA Standard OP2, "Third Party Agency Responsibilities - Organic Products", and
- NZFSA Standard OP 3, "Registration and Performance Measurement Criteria for Operators - Organic Products".

The documents form the basis for the administration of the official assurance programme, and have been developed in consultation with interested parties. Whilst they have been promulgated they are subject to periodic review and possible amendment.

Standard format

Each NZFSA Standard is issued with an explanatory note, which includes information under the following headings:

- Background,
- Summary,
- Outcome,
- Effective changes, and
- Implementation.

The NZFSA Standards themselves are outcome based which means that the requirements within the standard are focused on the desired outcome. Specific criteria that apply to the programme participants are contained in the Appendices to the standards.

Organic rules of production

The NZFSA Technical Rules for organic production (which are contained in Appendix Two to NZFSA Standard OP3) are based on the overseas market access requirements. Explanatory notes on the application of the rules of production have been included where it has been necessary to give guidance on the application of a particular requirement.

The rules of production will be updated as necessary should overseas markets access requirements be amended, or experience indicates that further interpretation for application in New Zealand is required.

It is likely that a New Zealand national standard for organic production will be developed in the future. If this is the case it may replace the NZFSA Technical Rules for Organic Production so long as it incorporates rules of production for organic products at least equivalent to those operating in overseas markets. We acknowledge that there will be a need by control authorities in overseas markets to review and approve a New Zealand national standard prior to inclusion in the New Zealand Official Organic Assurance Programme.

Section Two: Overview of roles and responsibilities in the Official Organic Assurance Programme

Figure 1 summarises the roles and responsibilities of participants in the Official Organic Assurance Programme.

Figure 1: Roles and responsibilities

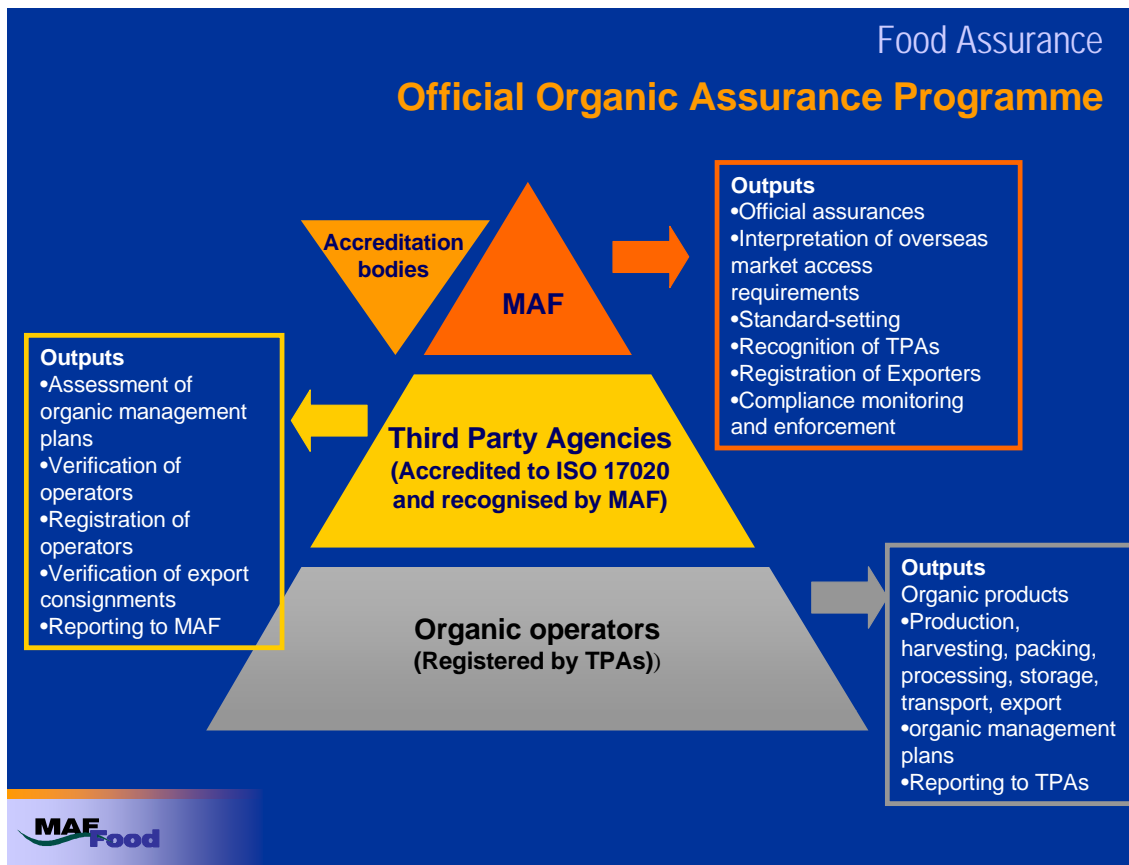
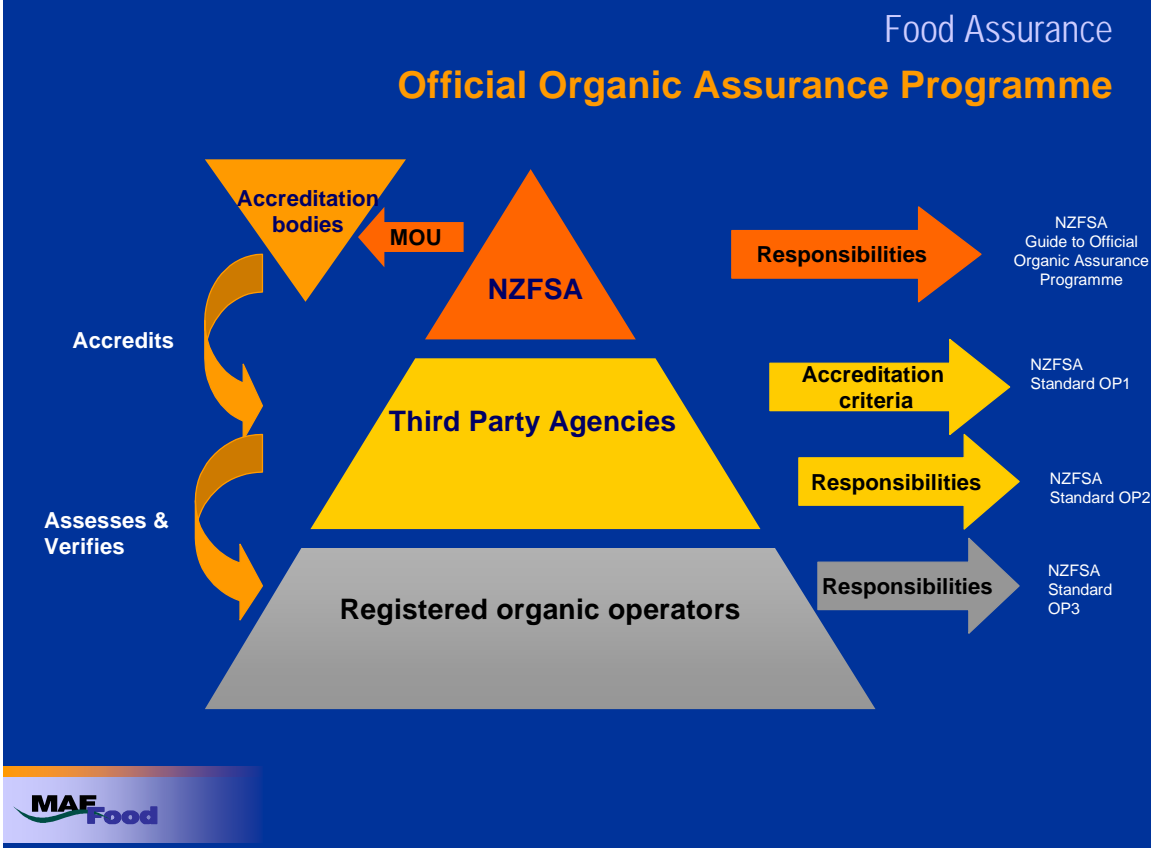


Figure 2 demonstrates the application of the programme framework and the interaction between organisations participating in the programme.

Figure 2: Programme participant interaction



The following points describe the outputs of each group of programme participants.

1.0 New Zealand Food Safety Authority

1.1 Standard-setting

Outputs are:

- Regulatory and verification standards
- Operational policy
- Interpretation of overseas market access requirements
- Performance-based verification requirements
- Informed stakeholders

NZFSA sets and interprets the regulatory and verification standards for organic operators, in consultation with affected parties. This includes interpreting requirements set by competent authorities in overseas markets. When an overseas market's access requirements change, NZFSA will revise the relevant NZFSA Standards. NZFSA will outline its own base requirements and those of overseas markets in NZFSA Standards; operators are free to choose to produce to higher standards.

NZFSA sets the assessment frequency framework for organic producers and TPAs based on performance. For transparency and consistency of application, criteria for a series of assessment frequency categories for operators and TPAs have been developed and are available from NZFSA.

NZFSA will consult interested and affected parties in relation to the development of policy and standards. All operational standards and policies will be available freely on the NZFSA website.

1.2 Approvals

Outputs are:

- Recognised Third Party Agencies
- Registered exporters

NZFSA assesses Third Party Agencies and their personnel, in conjunction with accreditation bodies. Those that meet the criteria set out in NZFSA Standards are recognised to provide assessment and verification services to organic operators. They must report to NZFSA about their own and their clients' activities.

NZFSA registers organic exporters in order to facilitate certificate issue and enhance traceability of exported organic produce. NZFSA maintains registers of recognised TPAs and their accredited individuals, exporters, and operators participating in the programme. The registers are publicly available on the NZFSA website. Organic operators will select the NZFSA-recognised Third Party Agency of their choice.

1.3 Compliance

Outputs are:

- Third Party Agencies & personnel operating in accordance with NZFSA criteria
- Dispute resolution
- Sanctions imposed where requirements are breached
- Programmes delivering required outputs

NZFSA monitors the systems involved in the OOAP), including surveillance and trending. NZFSA undertakes regular assessment and review of the Programme, which will include random “reality checks”.

NZFSA’s primary relationship is with Third Party Agencies rather than directly with organic operators. NZFSA participates in the accreditation assessments of Third Party Agencies and TPA individuals, monitors their ongoing activities, and verifies their assurances/recommendations.

NZFSA resolves any disputes relating to compliance with the Programme, and responds to signals and information received that indicate potential problems. TPAs and TPA individuals who breach requirements can lose their NZFSA recognition or accreditation status, while non-compliant organic producers can lose their registration, and hence access to NZFSA official assurances.

Further detail about NZFSA’s activities in the OOAP can be found in Section Three of this guide.

1.4 Assurance issue

Outputs are:

- Credible official assurances for organic products

NZFSA will provide government-to-government official assurances to competent authorities in overseas markets should an overseas market require such an assurance.

Official assurances will be issued for consignments of organic products upon request by registered exporters, where suitable verification evidence is provided that demonstrates the consignment is eligible to receive an assurance.

Assurances include attestations that the products within the consignment have been produced under an organic production regime that is equivalent to the overseas market’s official requirements for organic products.

2.0 ACCREDITATION BODIES

Outputs are:

- Third Party Agency organisations and personnel accredited to ISO standard 17020 and NZFSA supplementary criteria
- Recommendations to NZFSA for TPA recognition and TPA personnel accreditation
- Recommendations to NZFSA for assessment frequency categorisation of TPAs and personnel

Accreditation bodies assess TPAs against ISO standard 17020 and supplementary criteria set by NZFSA and outlined in NZFSA Standard OP1. Based on their findings, they recommend to NZFSA whether a TPA or an individual should be recognised or accredited or maintain recognition or accreditation, and recommend an assessment frequency categorisation.

Formal memoranda of understanding between NZFSA and accreditation bodies govern their relationship and the accreditation bodies' activities in the official organic assurance programme.

3.0 THIRD PARTY AGENCIES AND PERSONNEL

Outputs are:

- Maintenance of ISO standard 17020 accreditation and NZFSA recognition or accreditation
- Initial assessment of Organic Management Plans (OMP's)
- Ongoing verification of operator compliance with NZFSA criteria and OMP's
- Registration of operators
- Resolution of non-compliance issues with operators
- Assignment of operators to assessment frequency categories based on their performance
- Reports to NZFSA on own and operators' activities
- Positive verification of consignment eligibility for official assurances

Third Party Agencies and their personnel must maintain ISO 17020 accreditation and meet NZFSA requirements to be NZFSA recognised service providers to the organic industry. They assess OMP's, verify organic operators' compliance with NZFSA criteria and OMP's, register operators for participation in the programme, and manage the timely resolution of non-compliance issues. TPAs assign organic operators to assessment frequency categories, using criteria set by NZFSA, in accordance with their demonstrated performance.

TPAs report to NZFSA regularly on both their own activities, and compliance with NZFSA Standards, and the performance of their associated organic operators. This allows NZFSA to monitor performance and trends. TPAs are required to have adequate resources for

management of the reporting function and follow-up of required corrective actions. Report templates are available in Annexes to NZFSA Standard OP1.

Finally, TPAs verify that individual consignments of organic products were produced and handled in accordance with the criteria prescribed in NZFSA Standard OP3, so that NZFSA may provide official assurances to competent authorities in overseas markets.

Further detail about TPAs' activities in the OOAP are found in the two NZFSA Standards with which they must comply:

- NZFSA Standard OP1, "Accreditation, Recognition, and Performance Measurement Criteria for Third Party Agencies and their Personnel: Organic Products", and
- NZFSA Standard OP2, "Third Party Agencies' Responsibilities: Organic Products"

4.0 ORGANIC OPERATORS

Outputs are:

- Organic products
- Compliant organic management plans
- Operations in compliance with organic management plans
- Reports of pertinent information to Third Party Agencies

Organic operators at all stages of the production, handling, and export pathway operate in compliance with organic management plans, which outline both NZFSA requirements and those of the overseas markets. This includes day-to-day management of activities associated with production, harvesting, processing, packing, storage, transport and export of organic products.

Organic operators make application to Third Party Agencies for registration to participate in the programme, and provide access to TPAs to perform independent evaluation of their programmes and verification that their programmes are being followed. They report regularly on their activities, including any non-compliance, to TPAs.

Operator details are maintained in a register, which is available on the NZFSA website. The register is used in the process for verifying consignment eligibility for an official assurance.

An Exporter requesting an official organic assurance from NZFSA for a consignment of organic products must be able to demonstrate that the products are truly organic (e.g. by providing evidence from a TPA to show that relevant checks of this were performed).

Further detail about requirements for organic operators in the OOAP are found in the NZFSA Standard with which they must comply:

- NZFSA Standard OP3, "Operators' Responsibilities: Organic Products"

Section Three:

NZFSA's activities in the Official Organic Assurance Programme

NZFSA must have confidence that the OOAP is robust and that the assurances it gives to competent authorities in overseas markets are accurate. Following are details on how NZFSA maintains this confidence.

1.0 ASSESSING AND MONITORING TPAs

NZFSA's primary focus is on scrutiny of the TPAs who verify organic operators' compliance with NZFSA Standards. In conjunction with accreditation bodies, NZFSA ensures that recognised TPA's and TPA individuals are fulfilling their responsibilities to NZFSA, in compliance with NZFSA Standard OP1. This includes checking individuals' assessment skills, independence, and technical competence. This is assessed when a TPA first applies to an accreditation body for accreditation to ISO standard 17020, and to NZFSA for recognition.

Based on recommendations from the accreditation body and the NZFSA staff, who assess the organisation and its individuals, NZFSA decides whether the TPA and the TPA individuals are suitable for recognition or accreditation. The accreditation body also recommends an assessment frequency category to NZFSA, based on set risk criteria.

Subsequent to initial recognition, TPAs' and TPA individuals' compliance with NZFSA Standard OP1 is also assessed upon annual renewal applications.

Those subsequent assessments will also include checks that the TPA and TPA individuals are fulfilling their responsibilities by verifying compliance with NZFSA Standard OP2.

In addition, recognised TPAs must report pertinent information to NZFSA periodically, and notify NZFSA of any instances of critical non-compliance by organic operators. NZFSA monitors this reporting and reacts as necessary, then verifies that all pertinent information was reported during its ongoing assessment of the TPA.

2.0 SURVEILLANCE ASSESSMENTS

In addition to notified, regularly scheduled assessments of TPAs and TPA individuals, NZFSA conducts surveillance assessments or reality checks of the official organic assurance programme. These may entail surprise visits to TPAs and organic operators. TPAs' documentation will be examined on-site by NZFSA personnel. During visits to organic operators, NZFSA may inspect the premises or land, as well as documentation.

These surveillance audits are undertaken at random as part of an annual programme set by the Director.

3.0 SYSTEMS FOR ISSUING OFFICIAL ASSURANCES

NZFSA assurances for organic products are produced and controlled by the systems currently operating for the issue of **NZFSA** assurances for plant, animal and dairy products. An example of the assurance format is attached as Annex A.

An overview of the verification and issue of official assurances is provided in Figure 3.

It is envisaged that eventually, all assurances for organic products will be issued through electronic certification systems.

3.1 Plant products

Assurances are produced and controlled in accordance with the requirements in the MAF Plants Biosecurity Standard, PEO.MMR: “Design, Production, Distribution and use of MAF Plants Marks – Certificates and Seals”.

3.2 Dairy products

Assurances are produced and controlled by the NZFSA: Dairy & Plants group.

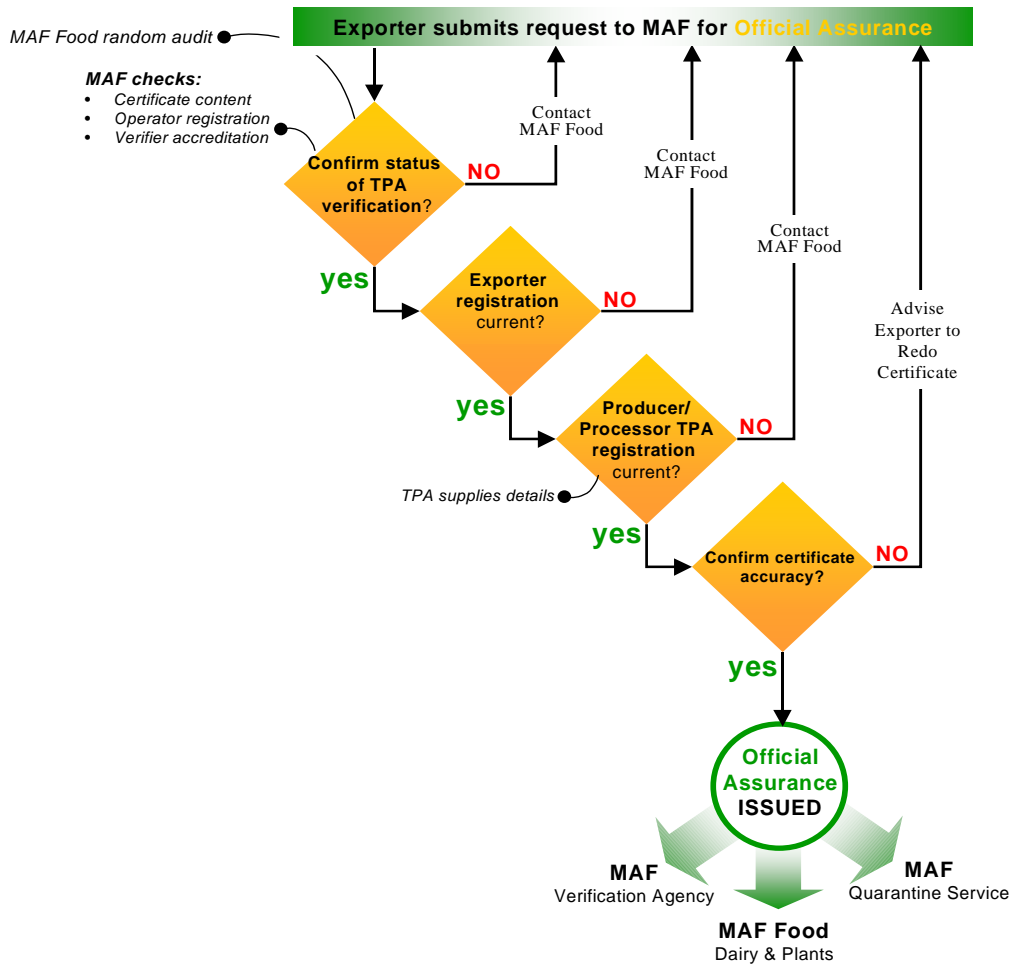
3.3 Animal products

Assurances are produced and controlled by the NZFSA animal products certification programme.

Figure 3: Verification and issue of official organic assurances

Request for Official Assurance Organic Products

MAF Fo



4.0 ARBITRATION

NZFSA will be available to arbitrate if disputes arise over the categorisation of assessment frequencies.

Section Four: Description of non-compliance

Identified non-compliance may be defined as critical depending on how severely they affect the TPA's or operator's systems' ability to continue to provide confidence that the product meets NZFSA and the overseas market access requirements.

Where a non-compliance impacts on the eligibility of any products for an official assurance, the TPA ensures such product is not verified as eligible for an official assurance.

1.0 CRITICAL NON-COMPLIANCE

A critical non-compliance is an action, event or omission that affects the system's ability to continue to provide confidence that the product meets the requirements of the relevant NZFSA Programme. Examples are:

- failure of organic product to comply with the importing country requirements;
- failure to identify when organic product is not conforming;
- failure to identify or stop a non-compliance;
- failure to keep accurate and complete records;
- failure to provide accurate, complete and timely reports;
- failure to identify and segregate non-conforming organic product in accordance with the requirements of the official organic assurance programme;
- failure to comply with an organic management plan;
- failure to prevent recurrence of a non-compliance; and/or
- failure to rectify a non-compliance within the specified timeframe.

Where a critical non-compliance is identified the TPA immediately advises NZFSA. NZFSA may suspend and/or terminate the TPA's recognition and/or the operator's registration and/or access to official assurances.

2.0 CORRECTIVE ACTION TIMEFRAME

A corrective action and time frame for its implementation are agreed between the assessor and the applicant for each non-compliance. Verification is undertaken to ensure corrective actions have been implemented and are operating effectively within the agreed time frame.

All agreed corrective actions taken to correct the identified non-compliance are recorded by the assessor. Corrective actions outline:

- what shall be done;
- by whom it shall be done;
- the time frame for implementation of the corrective action; and
- the verification activities to be undertaken to ensure that corrective action has been successfully implemented.

Correction action to resolve any non-compliance is confirmed.

Section Five: Appeals, complaints and disputes

NZFSA will have a dispute resolution process for any disputes between the TPA and an Operator on the application of the administrative or technical aspects of the programme. Examples of instances where TPAs or operators may apply to NZFSA for resolution include:

- categorisation of assessment frequency;
- assessment of organic management plans;
- verification of activities; and
- verification of consignments.

Any party requiring NZFSA's assistance in resolving a dispute should contact either the Director, Dairy & Plant Products or the Director, Animal Products, NZFSA.

Annex A

EUROPEAN COMMUNITY – CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION

Issuing body or authority (name and address)	2. Council Regulation (EEC) No 2092/91 and Commission Regulation (EC) No 1788/2001 Article 11(1) <input type="checkbox"/> or Article 11(6) <input type="checkbox"/>	
3. Serial number of the certificate of inspection	4. Reference No authorisation under Article 11(6)	
5. Exporter (name and address)	6. Inspection body or authority (name and address)	
7. Producer or preparer of the product (name and address)	8. Country of dispatch	
	9. Country of destination	
10. First consignee in the Community (name and address)	11. Name and address of the importer	
12. Marks and numbers. Container No(s). Number and kind. Trade name of the product	13. CN codes	14. Declared quantity
<p>15. Declaration of body or authority issuing the certificate referred to in box 1.</p> <p>This is to certify that this certificate has been issued on the basis of the checks required under Article 4(4) of Regulation (EC) No 1788/2001 and that the products designated above have been obtained in accordance with rules of production and inspection of the organic production method, which are considered equivalent in accordance with the provisions of Regulations (EEC) No 2092/91.</p> <p>Date</p> <p>Name and signature of authorised person Stamp of issuing authority or body</p>		

16. Declaration of the competent authority of the Member State of the European Union who granted the authorisation or its designate.

This is to certify that the products designated above have been authorised for marketing in the European Community in accordance with the procedure of Article 11(6) of Regulation (EEC) No 2092/91. Under the authorisation number mentioned in box 4.

Date

Name and signature of the authorised person

Stamp of the competent authority or its designate in the Member State

17. Verification of the consignment by the relevant authority of the Member State.

Member State:

Import registration (type, number, date and office of the customs declaration):

Date:

Name and signature of authorised person

Stamp

18. Declaration of the first consignee

This is to certify that the reception of the goods has been carried out in accordance with the provisions of Annex III. Section C, point 7, to Regulation (EEC) No 2092/91.

Name of the company

Date

Name and signature of the authorised person

Annex B

NEW ZEALAND MINISTRY OF AGRICULTURE AND FORESTRY

Control Body & Body issuing certificate: Ministry of Agriculture and Forestry PO Box 2526 Wellington New Zealand	Cert No:..... OFFICIAL ORGANIC PRODUCTION CERTIFICATE	
Exporter of the product (name and address):		
Producer or processor of the product (name and address):	Country of dispatch:	
	Country of destination:	
Consignee of the product (name and address):	Address of the place of destination:	
Marks and numbers, container no(s), number and kind	Trade name of product	Gross mass (kg), Net mass (kg), Alternative units
This is to certify that the products designated above have been obtained in accordance with the rules of production and on inspection of the organic production method, as set out and monitored by the New Zealand Ministry of Agriculture and Forestry.		
Additional declaration (if appropriate):		
Stamp of the issuing body:		
Signature and name of authorised person	Place of issue of the certificate	Date