



Wine (Recognised Laboratories) Notice 2007

Pursuant to section 120(1)(n) of the Wine Act 2003, I, Carol Barnao, Director (Export Standards), issue the following notice, for the purpose of specifying the requirements for recognition as an agency responsible for the management and supply of wine analysis functions and activities.

Signed at Wellington this 26th day of February 2007

Carol Barnao
Director (Export Standards)
New Zealand Food Safety Authority
(Acting under delegated authority)

Certified in order for signature

Veronica Hall
Solicitor
Legal Services
21 February 2007

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Notice

1 Title

This notice is the Wine (Recognised Laboratories) Notice 2007.

2 Commencement

This notice comes into force on 2 March 2007.

Part 1 – Preliminary Provisions

3 Application

- (1) This notice contains specifications that apply to any person or body recognised as an agency responsible for the testing, sampling, and chemical or biological or other analysis of wine under Part 3 Subpart 1 of the Wine Act 2003.
- (2) Agencies responsible for managing and supplying wine analysis functions and activities must be recognised agencies under section 69 of the Wine Act 2003, by 31 December 2007.

4 Interpretation

In this notice, unless the context otherwise requires—

Accreditation body means an internationally recognised, independent, not for profit organisation which is authorised to accredit organisations to certain ISO standards

Act means the Wine Act 2003, unless otherwise stated

Director-General means the Chief Executive of the Ministry of Agriculture and Forestry

Inter-laboratory Comparison Programme means a comparison programme for laboratories operated by an independent organisation that is accredited to ISO Guide 43

ISO 17025 refers to the standard AS/NZS ISO/IEC 17025:1999 which is the current edition of the Australian/New Zealand Standard on "General Requirements for the Competence of Testing and Calibration Laboratories", and at any particular time refers to the latest edition of that standard, together with any additions, amendments, and deletions made to or from that standard up to that time

NZFSA means the New Zealand Food Safety Authority which is a semi-autonomous agency under the Ministry of Agriculture and Forestry

recognised agency, in relation to any function or activity, means a person or body recognised under section 69 of the Act for the purpose of performing that function or activity

wine officer means a person appointed as a wine officer under section 55 of the Act

Part 2 Recognition of Agencies

5 Application of this Part

This Part contains specifications that apply to any person or body recognised for the analysis of wine under the Act.

6 General requirements for recognition

- (1) To be recognised, every agency must-
 - (a) be accredited by an accreditation body in accordance with ISO 17025; or
 - (b) have demonstrated performance to a standard equivalent to ISO 17025, to the satisfaction of the Director General, pending accreditation in accordance with ISO 17025; and
 - (c) comply with any conditions specified by the Director-General.

- (2) To maintain its recognition, the recognised agency must-
 - (a) at all times meet the requirements of ISO 17025; and
 - (b) be assessed by the accreditation body annually from the date of the recognition to confirm it continues to meet the requirements of ISO 17025, and a copy of this assessment must be forwarded to the Director-General, as soon as practicable; and
 - (c) participate in the Inter-Laboratory Comparison Programme or an equivalent, and report to the Director-General as soon as practicable, any variant results and corrective action undertaken; and
 - (d) use test methods approved by the Director-General; and
 - (e) meet all relevant requirements as specified by the Director-General.

- (3) If a recognised agency fails to comply with the requirements of subclause (2), the Director-General may invoke the procedures in section 79 of the Act for the withdrawal of recognition.

7 Change in management of recognised agency

Where there is a change in directorship, management, or control of a recognised agency, the agency must notify the Director-General as soon as practicable, in a manner acceptable to the Director-General, and the Director-General must be satisfied that the requirements of section 69(2) of the Act will be met.

8 Systems and processes

Every recognised agency must establish, document and maintain systems and processes to ensure that—

- (a) any relevant directions given by the Director-General under section 76 of the Act are implemented by the recognised agency; and
- (b) any persons under its management comply with the requirements of the Act, including the associated regulations, notices, directions, and conditions relevant to their functions and activities; and
- (c) all functions and activities it has responsibility for are completed as required under the Act.

9 Records management

- (1) Every recognised agency must retain records relating to its wine analysis functions and activities for 3 years from the date of performing the function.
- (2) The records retained under sub-clause (1) must be provided to the Director-General or wine officer upon request.

10 Empowerment

Every recognised agency must empower key technical personnel to be able to—

- (a) perform or direct effective and timely actions when non-compliance is identified; and
- (b) notify the Director-General regarding non-compliance events; and
- (c) disseminate the relevant legal and technical requirements of the Act regime to relevant persons engaged by the laboratory, and other affected parties as applicable.

Part 3 Revocations

11 Specification Revocations

The Wine (Recognised Laboratory) Notice 2005 is revoked and replaced by this notice.

Issued under section 120(n) of the Wine Act 2003.

Date of notification in Gazette: []

This notice is administered in the Ministry of Agriculture and Forestry in the New Zealand Food Safety Authority.