



Proposed new standards for food importers

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1 Introduction

The purpose of this discussion paper is to consult with all interested parties on two standards for importers which are proposed to be issued under the Food Act 1981. These are the Food (Importer - Listing) Standard and the Food (Importer - General) Standard. These proposed standards only apply to importers of food for sale.

The proposed standards are consistent with the recommendations adopted by the Government in response to the 2004 Imported Food Review (the Review) and are intended as an interim measure pending intended changes to the food legislation (response available on line at www.nzfsa.govt.nz).

The Food Act 1981 requires all importers to ensure the food they import and sell is safe and suitable and meets all relevant food legislation, including the Joint Australia New Zealand Food Standards Code. The proposed Food (Importer – General) Standard will provide importers with a clear indication of what the New Zealand Food Safety Authority (NZFSA) expects importers to do to ensure the food they import for sale is safe and suitable for human consumption.

The proposed Food (Importer – Listing) Standard will require importers to provide details to NZFSA to enable the development of a contact database. It is intended that the database will enable NZFSA to communicate more effectively with all food importers and so assist these importers to prepare for the future imported food regime. The database will also enhance the ability of NZFSA to respond to food incidents and emergencies.

Future Imported Food Regime

Government agreed to the implementation of a new imported food regime following a comprehensive strategic review of New Zealand’s regulatory arrangements for imported food. The future imported food regulatory regime will differ from the current regime in that there is a shift away from reliance on testing a small number of identified foods at the New Zealand border to ensure imported food is safe and suitable. This system of ‘stand-alone’ sampling and testing at the border will be replaced by a system that assesses and recognises controls in place in the exporting country where the food has been produced to an equivalent level of safety as food produced in New Zealand. The current regime focuses heavily on prescribed foods¹, with little monitoring of non-prescribed foods.

¹ Prescribed foods are food that are determined to be “high risk” and are monitored for specific hazards. Prescribed foods and associated hazards are set in regulation under the Food Act.

2 Background

The Imported Food Review was a comprehensive strategic review of New Zealand's regulatory arrangements for all imported foods. NZFSA commissioned an external review team, supported by NZFSA staff, to carry out the review and recommend cost-effective ways to improve the regime that regulates the importation of food into New Zealand. The Review was completed in 2004 and concluded that there were no major or urgent safety risks arising from the current regime. The Review made a number of recommendations for improvement with the objectives including improving efficiencies, providing greater equity among types of suppliers and products, and assisting consumer's access to a wider variety of generally safer food for consumers. The recommendations took into account feedback from interested parties.

Government responded to the Review recommendations and outlined the areas that required changes to the imported food regime. The future imported food regime was designed by NZFSA to reflect these recommendations and took in to consideration comments by interested parties. The future regime is outlined in the NZFSA document [Imported Food and Food Related Products; A Blueprint for Change – May 2007](#). This document and other background documents related to the Imported Food Review can be found on the NZFSA website – www.nzfsa.govt.nz

Proposed New Food Legislation

Since 2003 NZFSA has been conducting a major review of New Zealand's domestic food laws. This work was initiated in order to address inequities in the way the food industry is regulated across the country, clarify the roles of the regulators (NZFSA, Public Health Units and Local Authorities) with the objective of reducing the number of reported foodborne illnesses. In November 2006, the Government approved NZFSA's package of recommendations designed to update and streamline food regulation, including agreeing to the development of a new Food Act in order to fully implement these changes.

Due to the complexity regarding drafting new food legislation covering all food-related aspects the introduction of the Food Bill to Parliament has been delayed and, as a result, some of the proposed changes to the imported food regime cannot proceed at this time. The draft standards implement agreed changes that are within the scope of the existing Food Act 1981. These changes will be either carried forward or replaced under new legislation and are consistent with the intended future regulatory regime.

2.1 Interim Measures

NZFA proposes to implement as many of the Imported Food Review changes as possible under the current provisions of the Food Act 1981. Changes that have been introduced to date include the revised Prescribed Food Standards for Bivalve Molluscan Shellfish and Beef (relating to risks associated with Bovine Spongiform Encephalopathy). These revised standards include the pre-clearance requirements that were agreed following the Review for high risk foods whereby imports can only be sourced from those countries that are recognised as having appropriate production controls.

The proposed changes outlined in this document are described as 'generic standards' in the *Blueprint for Change* document outlining the high level design of future imported food regime.

Other Imported Food Review changes NZFA intends to implement under the current Food Act are: introduction of a Scanning List, which will allow NZFA to gather additional information on hazards in foods in order to better respond to emerging issues and inform decision-making on new standards; categorise imported foods into one of three regulatory interest categories (high, medium and low according to food safety risk and other factors); and then review standards for foods/hazards in light of the category in which they have been placed and the principles applying to that category.

3 Consultation process

Comments on the proposed importer standards are being sought from importers, industry, key trading partners and other stakeholders. Submissions are invited from any interested party, whether representing organisations or acting as individuals. When a submission is sent on behalf of an organisation, it should include the position that the person signing the submission holds in the organisation and the extent of internal consultation undertaken in preparing the submission. All submission formats will be accepted. Please address the questions under the subject areas detailed in Section 6 Questions and Submission Form. You are welcome to comment on any additional matter relating to the proposal.

3.1 Address for Submissions

Please send your submission on this proposal to:

Hilary Eade
Programme Manager (Technical Standards – Imports)
New Zealand Standards Group

New Zealand Food Safety Authority
PO Box 2835
Wellington
New Zealand
Facsimile: (04) 894 2643
Email: hilary.eade@nzfsa.govt.nz

3.2 Closing Date for Submissions

The closing date for submissions is 5 August 2008.

3.3 Official Information Act

The Official Information Act 1982 (OIA) states that information is to be made available unless there are grounds for withholding it. Grounds for withholding information are set out in the OIA. Submitters may wish to indicate grounds for withholding information contained in their submission. Reasons for withholding information could include that information is commercially sensitive or that the submitters wish personal information such as names or contact details to be withheld. NZFSA will take such indications into account when determining whether or not to release information. Any decision to withhold information requested under the OIA may be reviewed by the Ombudsman.

3.4 Process After Submissions

After analysing submissions, NZFSA will make recommendations to the Minister for Food Safety. If the Minister agrees, the Food (Importer - Listing) Standard and Food (Importer - General) Standard will be signed and gazetted to come into force September 2008. The new import requirements will apply from that date.

3.5 Key Dates

The following proposed timetable is subject to the Minister's approval of the standards

Process	Target Date
Consultation	5 June – 5 August 2008
Analysis of submissions & revision of proposal	5 August – 15 August 2008
Minister's consideration of proposed importer food standards	1 – 12 September 2008
Gazettal of generic food standards	18 September 2008
Implementation (28 days following gazettal)	15 October 2008

4 Legislative Framework – Current Situation

The current Food Act does not allow for implementation of all the components that Government agreed to when responding to the Imported Food Review recommendations. The Act does however allow for food standards to be made under Section 11C. Before the Minister can issue standards under Section 11C she is required to be satisfied that the requirements of Section 11 E of the Food Act – *Preconditions for issuing food standard* - (see Appendix 1) have been met. NZFSA is proposing to issue the importer standards under the current Act in order to implement some of the Government's Imported Food Review recommendations to improve the effectiveness and efficiency of the regulatory arrangements for imported food.

5 Proposed Standards

It is proposed that the following two standards are implemented under the Food Act 1981:

- Food (Importer – Listing) Standard
- Food (Importer – General) Standard.

5.1 Listing Standard

The proposed Food (Importer - Listing) Standard requires all importers of food for sale to be listed with NZFSA and specifies the information that the importer is required to provide to NZFSA when applying for listing. It provides for the listing database to be kept up-to-date and for importers to be removed at their request if no longer importing food for sale.

The following sections include the proposed Food (Importer – Listing) Standard and an explanation of this Standard.

5.1.1 Food (Importer – Listing) Standard

NZFSA is seeking comments on the proposed standard, the content of which is set out in the box below:

Requirement to be Listed

- (1) To import food into New Zealand for the purpose of sale, a person must be listed as an importer with the NZFSA.
- (2) All importers must be listed within 6 months of this standard.
- (3) After the 6 month period, all other importers must be listed before they import.
- (4) By way of explanation, a person who imports any food for the purposes of sale without being listed commits an offence in accordance with section 11O and 1Q of the Food Act 1981.

Application for Listing

- (1) An application for listing must be made to the Chief Executive in a form or manner prescribed by the Chief Executive.
- (2) Importers must provide the following information when applying for listing:
 - (a) full name of applicant
 - (b) applicants registered legal name
 - (c) trading name of applicant
 - (d) company registration number (if applicable)
 - (e) physical address for service
 - (f) postal address for service
 - (g) contact person's name and contact details
 - (h) New Zealand Customs Service client code number.

Removal of Importer Listing

- (1) A listed importer may at any time request to be removed from the listing database by giving notice in writing to that effect to the Chief Executive.
- (2) A removal of listing takes effect on the date advised by the importer or when the importer's name is removed from the listing database, as appropriate.
- (3) By way of explanation the consequence of being removed from the listing database is that the

importer can no longer import food.

Obligation to notify Chief Executive of Change in Circumstances

- (1) A listed importer must give written notice, no later than 10 working days after the change, to the Chief Executive of any change in circumstances.
- (2) A change in circumstances means a change to any of the following:
 - (a) name;
 - (b) address (physical or postal address); or
 - (c) Customs Client Code.

5.1.2 Rationale and Explanation of Listing Standard

This proposed standard has been developed as an interim measure and, if new food legislation is enacted, will facilitate the transition into the intended requirement that all importers of food for sale be registered with NZFSA. The Food (Importer – Listing) Standard will provide NZFSA with a mechanism for communicating directly with all food importers. Currently, NZFSA only has regular contact with those importers that import prescribed foods and are, therefore, required to obtain a permit from NZFSA prior to the food being cleared at the border. NZFSA therefore has details of all importers of these foods. The Listing Standard will allow that database to be expanded to include all importers of food for sale. The standard will enable NZFSA to develop and maintain an internal database of all food importers. The enhanced database will assist with communication between NZFSA and food importers, and, in particular, ensure that all importers are kept informed about both the progress of the Food Bill and the ongoing implementation of the future imported food regime.

The information that importers provide when listing will only be available for NZFSA use and will not be made public. The Listing Standard, including the information importers will be required to provide to be listed, is designed to reflect the base requirements that are likely to be required if and when registration is introduced. Listing will be free of charge. Under the future imported food regime, however, it is proposed that importers will be required to register with NZFSA, and that information will be held on a public register.

There are other differences between listing and registration. Under registration, it is intended that the Chief Executive will assess applications and have the right to refuse and decline applicants and importers will not be allowed to import food for sale if they are not registered with NZFSA. Under the Food (Importer - Listing) Standard existing importers the Chief Executive will not assess the suitability of applicants.

The Food (Importer – Listing) Standard will require all importers of food for sale to be listed six months after the Standard comes into force. If importers import food for sale after that date without being listed they will be committing an offence under sections 11O (Contravention of food standards) of the current Food Act 1981.

The Food (Importer - Listing) Standard sets out the requirement for importers to be listed and requires the following information to be provided to NZFSA:

- Full name of applicant (the legal name of the applicant as it appears on the applicant's birth certificate and / or passport);
- Legal or registered name of the business (the legal name of the business as it appears on the Companies Register, partnership agreement or any other legal document that sets out the structure of the business);
- Trading name (the name that the business is trading under, if different from the legal name).
- Physical address for service (the physical address of the business, which could be used if legal documents needed to be served on the importer);
- Postal address for service (the postal address of the business, including the new post code);
- Contact person's name and contact details (the person that NZFSA should contact directly over any matters relating to the importing of food. The address, email address and phone details in this section will be the key details used by NZFSA);
- NZ Customs Service client code number (the number issued to importers by the New Zealand Customs Service).

It is important that the listing database is kept up-to-date so that NZFSA is able to contact all food importers and communicate changes that may affect them. As a result the proposed Food (Importer – Listing) Standard includes the process of removing an importer from the listing database when they request NZFSA do so and obliges importers to keep NZFSA informed of any changes to the information they are required to provide.

5.2 General Standard

Currently importers have a responsibility under the Food Act to ensure food is safe and suitable and meets all applicable New Zealand standards. Under the current imported food regime NZFSA relies heavily on sampling and testing at the border to check whether foods identified as higher risk comply

with relevant standards. However, the future imported food regime will place more emphasis on all importers taking reasonable steps to ensure that the food they import for sale is safe and suitable and meets all relevant New Zealand food standards. This includes importers being required to keep, or have access to, records that provide assurance that the foreign manufacturers of food products they import have the necessary controls in place to ensure the food is safe and suitable and that the food meets all relevant standards, including the Joint Australia and New Zealand Food Standards Code.

The proposed Food (Importer – General) Standard will amplify existing obligations under the Food Act and sets out expectations for food importers regarding the responsibility to import food that is safe and suitable for human consumption.

This includes importers seeking appropriate assurances that the food has been produced in a way that manages the relevant hazards that could cause or lead to foodborne illness; and that transportation and storage prior to being cleared for entry into New Zealand have been managed to ensure food does not deteriorate or is not contaminated. The intention is not to duplicate regulations or systems in place for domestic food, so once food is cleared it will be regulated by the domestic food regime. This proposed standard will apply to all foods regardless of the food safety risk posed by that food or the level of regulatory interest NZFSA has in the food but the level of assurance that will be required will be commensurate with the level of risk posed.

There are three separate sections to the proposed Food (Importer – General) Standard – importer requirements related to the sourcing of the food, storage and transport, and record keeping requirements. The proposed standards are contained in boxed sections with some explanation included in each section.

The proposed Food (Importer – General) Standard provides a base-line as to what NZFSA would expect to be reasonable for importers to do to ensure the food they import for sale is safe and suitable and meets all applicable food standards. NZFSA believes that many of the requirements set out in the proposed Food (Importer – General) Standard are currently being undertaken by most importers within New Zealand.

5.2.1 Food (Importer – General) Standard – Sourcing of Food

The section of the proposed Standard relating to importer requirements when sourcing food is set out in the box below:

Requirements relating to Imported Foods

All importers of food for sale must take all reasonable steps to ensure:

- (1) Any product the importer sources for import and sale complies with all applicable legislation.
- (2) When sourcing any product to import and sell importers must document the following:
 - (i) that the food products have been produced and managed in a manner that enables the food to be safe for human consumption; and
 - (ii) a description of the products passage including the product flow (i.e the port of entry, the carrier, and if applicable the import broker); and
 - (iii) a supplier list and relevant supplier information.
- (3) Purchase records (the quantity, the product code, the date, the buyer) are available for all products.

“Relevant supplier information” has been defined in the proposed standard as set out in the box below:

Relevant Supplier Information is any documents that give the importer confidence in the safety and suitability of the food.

5.2.1.1 Rationale and Explanation of Section Related to Sourcing of Food

The proposed Food (Importer - General) Standard includes a section that requires importers to take reasonable steps to ensure food is produced in a manner that ensures that it is safe for human consumption and meets all applicable food legislation. This includes a requirement that importers document specified information when sourcing food.

This requirement aims to ensure importers are aware of food legislation with which they must comply prior to purchasing food they intend to import and sell, including any standards that apply specifically to the food they intend to import. The requirement is also intended to ensure importers are confident that the food has been produced and managed in a manner that ensures it is safe for human consumption.

This part of the proposed Standard also aims to ensure importers of food for sale are aware of how the product is to be sent to New Zealand and who is supplying the food; importers should have confidence that they have sourced imported food products from reputable and reliable suppliers. Importers should have this information prior to importing the food.

Importers may be able to demonstrate this part of the Standard in various ways, including ensuring food safety requirements are part of supplier contracts (this includes email requests) or, if appropriate, requiring suppliers to provide food safety certification for the manufacture of their products e.g. government certification. NZFSA understands that current New Zealand Customs and financial reporting requirements mean importers may already obtain many of the documents relating to suppliers and product flows that are needed to satisfy the requirements of this section of the Food (Importer – General) Standard. However, the requirement for importers to take all reasonable steps to ensure that food products have been produced and managed in a manner that enables food to be safe for human consumption may be new to some importers. Requiring importers to document information will, in the future, enable NZFSA to verify importers are meeting this section of the standard. The accurate keeping of records will also enhance NZFSA’s ability to respond to food safety incidents and emergencies concerning imported food.

5.2.2 Food (Importer – General) Standard - Storage and Transport

This section of the Standard applies only to the storage and transport of imported food products prior to their clearance into New Zealand. Currently there are no specific requirements that apply to the transport and storage of imported food prior to it being cleared in New Zealand. However, it is covered by the requirement in the Food Act that all imported food is safe and suitable. Once imported food has been cleared into New Zealand, it is covered by domestic legislation, i.e. the Food Act 1981 and the Food Hygiene Regulations 1974.

The aim of this section of the proposed Standard is to ensure importers consider and take reasonable steps to ensure the food does not deteriorate or is not contaminated during storage and transport to New Zealand. Some detail has been included in the proposed Standard to ensure importers are aware of the base-line requirements NZFSA would expect importers to meet when importing food for sale into New Zealand.

The part of the proposed Standard relating to storage and transport is set out in the box below:

Storage

- (1) All importers of food for sale must take all reasonable steps to ensure that imported food is stored and handled in a manner that will:
 - (a) maintain it as safe for human consumption taking account of the type of food concerned and any

applicable storage instructions;

(b) prevent deterioration; and

(c) prevent contamination.

(2) Imported food must be stored and handled in a manner which ensures it is within the required temperature range.

(3) Storage facilities and any equipment used for handling imported food must be suitable for purpose.

Transport

All importers of food for sale must take all reasonable steps to ensure that the food has been appropriately managed during shipping and import clearance processes. This includes ensuring:

(a) food which is subject to temperature control, must be transported in a manner that ensures the required temperatures are achieved and maintained throughout transportation; and

(b) transportation units and loading equipment is suitable and operated to ensure the food is safe; and

(c) food that is transported together with any other thing that may be a source of contamination must be protected from the potential source of contamination; and

(d) containers used to transport food in bulk (unpackaged) have been thoroughly cleaned where the previous shipment was any other thing that may be a source of contamination.

5.2.3 Food (Importer – General) Record Keeping

Record keeping is essential as it enables NZFSA to verify compliance with the Food (Importer – General) Standard and assists with traceability should this be required.

This part of the Standard includes a list of the documentation importers would be expected to keep or obtain for foods. NZFSA is not expecting all these records to be available for every food – not all may be relevant. Likewise it does not expect the importer to necessarily obtain all records for every consignment – again these should be obtained where relevant. The proposed Standard also allows for importers to either keep or be able to obtain these records. NZFSA recognises that importers may not hold all relevant records and some may be held by their supplier or Customs broker. If importers do not hold relevant records, they must know of the existence of the records and who holds them, and be able to obtain these records on request.

The record keeping section of the standard contains standard provisions that are included in other legislation. The requirement to keep records for four years is based on the time required to follow up

worst-case scenarios where there has been a food safety incident and NZFSA may need to conduct further investigations.

NZFSA has not specified what is considered to be a 'reasonable time' for importers to provide records to the Chief Executive. It is acknowledged that when considering what is a reasonable time is the urgency of the situation would be the determinant.

The part of the proposed Standard relating to record keeping is set out in the box below:

Records to be Kept

A food importer is required to keep or be able to obtain the following records—

- (a) all relevant documentation relating to imported food including but not limited to the following:
 - i. all applicable food safety certification documentation relating to the importation of food; and
 - ii. supplier contact details and details of products supplied for all suppliers and a supplier list is kept in a form that makes the information readily available for tracking and recall purposes
 - iii. 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;
 - iv. any applicable temperature records;
 - v. any relevant test results;
 - vi. where the food is a returned NZ food product, any appropriate certificates; and
 - vii. any relevant food safety risk analysis work that may have been completed due to the product being re-processed.

Manner of Keeping Records

A food importer is required to keep records in the following manner:

- (a) stored in a way that protects them from damage, deterioration or loss;
- (b) records that have been corrected or changed must have the errors or changes identified so that the original record remains clear.
- (c) be retrievable within a reasonable time; and
- (d) be kept for four years.

Provision of Records

A food importer must:

- (a) provide records as soon as practicable after being requested to do so by the Chief Executive; and
- (b) allow those persons to read and make copies of any of the records.

5.3 Guidance Material

If the Standards are introduced into legislation, guidance material detailing how importers could achieve the requirements will be available from NZFSA. The guidance material is intended to assist importers with meeting the requirements in the Standards and will include practical examples as to how the Standards may be met.

The guidance material will be developed in collaboration with importers to ensure that the content and format are useful.

6 Questions and Submissions Form

NZFSA seeks your views on the proposal in this paper. The following form has been provided to assist you in making a submission, but comments in other formats are also welcome.

If you have any queries about the NZFSA proposal or other information in this paper, please contact Hilary Eade, as detailed in section 3.1.

Name:

Organisation's Name (if applicable):

Contact Details (including phone, email if available):

Please Comment Under Any or All of the Following Headings:

1. Food (Importer–Listing) Standard
 - 6 month transition time frame
 - Content of listing standard

2. Food (Importer–General) Standard
 - Assurances
 - Transport
 - Storage
 - Record keeping

3. Please provide any other comments or information which could supplement the analysis in this discussion paper and the development of the standards and guidance material.

Appendix 1 - Requirements and Justification for Issuing the Importer Food Standards

The Food Act 1981 sets out the specific requirements that must be met before making a Food Standard, including matters that the Minister must take into account and also be satisfied about. These are set out in Section 11E 'Preconditions for issuing food standard'.

Food Act 1981, Section 11E—Preconditions for Issuing Food Standard

1. In issuing any food standard, the Minister shall take into account the following:
 - a. The need to protect public health,
 - b. The desirability of avoiding unnecessary restrictions on trade,
 - c. The desirability of maintaining consistency between New Zealand's food standards and those applying internationally,
 - d. New Zealand's obligations under any relevant international treaty, agreement, convention, or protocol, and, in particular, under the Australian-New Zealand Joint Food Standards Agreement,
 - e. Such other matters as the Minister considers appropriate.

2. The Minister shall not issue any food standard unless the Minister is satisfied that appropriate consultation has been carried out with respect to the food standard, including (without limitation)—
 - a. Adequate and appropriate notice of the intention to issue the food standard; and
 - b. A reasonable opportunity for interested persons to make submissions; and
 - c. Adequate and appropriate consideration of any such submissions.

Food (Importer-Listing) Standard

Condition 1a – Protect public health

NZFSA currently does not have a list of all food importers as only importers of prescribed foods have been required to obtain a NZFSA permit before imported foods can be released. While data can be obtained from the New Zealand Customs Service, it is a time-consuming task for Customs to extract this information and it is not in a form that NZFSA can easily use. In addition, the information only provides NZFSA with a 'snapshot in time' and so excludes any new importers or importers who are no longer operating.

The Food (Importer-Listing) Standard will allow NZFSA to maintain up-to-date contact details for all food importers, enabling contact with importers in a timely manner. This is particularly important when NZFSA receives information about emerging issues that may affect public health. In the event of a food recall, for example, NZFSA currently has to rely on other agencies to provide contact information for importers. Developing a readily available food-importers' list will allow NZFSA to quickly identify and contact the

relevant importers and so better protect public health by minimising the risk of unsafe imported foods being sold and consumed.

Condition 1b – Avoid trade restrictions, facilitate market access

The requirement for importers to be listed with NZFSA will be free of charge and will not involve an approval process. This will minimise trade restrictions to the extent possible and protect public health and safety. However, importers will be obliged to list within the required six-month period as those who do not will be committing an offence if they import food for sale.

Condition 1c – Consistent with international standards

Listing provides the minimum level of regulation to protect public health and safety and is consistent with international standards in terms of purpose and approach. Many markets already require this and expect trading partners to have these systems in place. International trading partners have indicated an interest to follow this model.

Condition 1d – New Zealand’s obligation under international agreements

New Zealand is obliged to take into account the desirability of reducing barriers to trade. This factor was a consideration in drafting this measure. This standard represents the lowest regulation invention possible to achieve the public health and safety objective. Listing of importers is consistent with New Zealand’s obligation under international agreements. The process of listing is designed to ensure NZFSA is able to identify all importers of food and communicate with the appropriate importers as required. This is necessary to protect public health and safety in the event of a food recall and to advise importers of emerging food safety issues that may be identified internationally.

Condition 1e – Such other matters as the Minister considers appropriate.

The proposed Standard is consistent with the recommendations made under the Imported Food Review.

Condition 2 – Carry out appropriate consultation

The proposed Standard was developed with the input of an importers’ focus group.

NZFSA will ensure an appropriate consultation period to enable all interested parties to adequately assess the proposed Standard and provide suitable feedback. Consultation will primarily involve distribution of this discussion document to all relevant stakeholders including importers, relevant government agencies and trading partners. The discussion document will also be made available on NZFSA’s website. The proposed Standards will be finalised once submissions have been received and analysed.

Food (Importer- General) Standard

Condition 1a – Protect public health

The intent of the General Standard is to ensure that importers have the required systems identified in the Standard (assurances, transport, storage and record keeping) to ensure that food imported into New Zealand is safe and suitable for public consumption. The systems and controls in the Standard are the minimum requirements that NZFSA would expect to see documented when investigating complaints or coordinating a recall. By ensuring that the importer has this information on hand when required, NZFSA will be able to quickly and efficiently confine affected products if required. The New Zealand public can also be confident that importers have sought appropriate information from their suppliers to ensure food safety is not compromised, and that products meet all relevant standards, including ensuring suitable measures have been put in place to prevent contamination during transport and storage to New Zealand.

Condition 1b – Avoid trade restrictions, facilitate market access

The standard identifies the steps that importers are expected to be doing now to ensure that the food is safe and suitable for public consumption. This amplifies the obligations set under the Food Act 1981. As many importers are already complying with the standards, trade restrictions are anticipated to be minimal.

Condition 1c – Consistent with international standards

This Standard is consistent with good hygiene practices detailed in Codex standards and with other countries' approaches to ensure imported food is safe and suitable.

Condition 1d – New Zealand's obligation under international agreements

The requirements contained in the Standard are only as necessary to protect public health and safety and ensure that imported food meets the same or equivalent safety standard as domestically produced food. Existing country-to-country equivalence arrangements will be recognised.

Condition 1e – Such other matters as the Minister considers appropriate.

The proposed Standard is consistent with the recommendations made under the Imported Food Review.

Condition 2 – Carry out appropriate consultation

The draft Standard was developed with the input of an importers' focus group.

NZFSA will ensure an appropriate consultation period to enable all interested parties to adequately assess the proposed Standard and provide suitable feedback within the required timeframe. Consultation will primarily involve distribution of this discussion document, together with the draft proposed Standard, to all relevant stakeholders including importers, relevant government agencies and trading partners. It will also be

made available on NZFSA's website. The proposals will be finalised once submissions have been received and analysed.