

IMPORT HEALTH STANDARD FOR THE IMPORTATION OF DAIRY PRODUCTS AND PRODUCTS CONTAINING DAIRY INGREDIENTS FROM AUSTRALIA

Issued pursuant to Section 22 of the Biosecurity Act 1993

Dated: 1 August 2006

USER GUIDE

The information in MAF animal product import health standards is presented in numerically ordered sections with descriptive titles. Sections are grouped into one of four parts, designated alphabetically.

Part A. GENERAL INFORMATION contains sections of general interest, including those relating to the legal basis for MAF import health standards and the general responsibilities of every importer of animals and animal products.

Part B. IMPORTATION PROCEDURE contains sections that outline the requirements to be met prior to and during importation. Whether a permit to import is required to be obtained prior to importation is noted, as are conditions of eligibility, transport and general conditions relating to documentation accompanying the consignment.

Part C. CLEARANCE PROCEDURE contains sections describing the requirements to be met at the New Zealand border prior to any consignment being given biosecurity clearance.

PART A. GENERAL INFORMATION

1 IMPORT HEALTH STANDARD

- 1.1 Pursuant to section 22 of the Biosecurity Act 1993, this document is the import health standard for the importation of dairy products and products containing dairy ingredients for human consumption into New Zealand from Australia.
- 1.2 Obtaining biosecurity clearance for each consignment of dairy products and products containing dairy ingredients for human consumption imported into New Zealand from Australia is dependent upon the consignment meeting the requirements of this import health standard.
- 1.3 This import health standard may be reviewed, amended or revoked if there are changes in New Zealand's import policy or the animal health status of the originating country, or for any other lawful reason, at the discretion of the Biosecurity Standards Group Manager.

2 IMPORTER'S RESPONSIBILITIES

- 2.1 The costs to MAF in performing functions relating to the importation of dairy products for human consumption shall be recovered in accordance with the Biosecurity Act and any regulations made under that Act.
- 2.2 All costs involved with documentation, transport, storage and obtaining a biosecurity direction and/or biosecurity clearance shall be borne by the importer or agent.
- 2.3 Commercial consignments of products imported into New Zealand for human consumption in New Zealand must comply with the Food Act 1981. These requirements are independent of the import health standard requirements and are managed by the New Zealand Food Safety Authority (NZFSA). Importers are advised to contact the NZFSA or consult the NZFSA website: www.nzfsa.govt.nz
- 2.4 It is the importer or agent's responsibility to ensure that they are compliant with the current version of the relevant import health standard at the time of importation into New Zealand. Current versions of import health standards are available online at <http://www.biosecurity.govt.nz/commercial-imports/import-health-standards/search>

3 DEFINITION OF TERMS

Biosecurity Clearance

A clearance under section 26 of the Biosecurity Act 1993 for the entry of goods into New Zealand

Biosecurity Standards Group Manager

The Biosecurity Standards Group Manager, Biosecurity New Zealand, Ministry of Agriculture and Forestry, or any person who for the time being may lawfully exercise and perform the power and functions of the Biosecurity Standards Group Manager

Dairy products

Dairy products are all products manufactured from the milk and cream of animals and intended for human consumption

MAF

The New Zealand Ministry of Agriculture and Forestry

New Zealand Inspector

A person who is appointed an inspector under section 103 of the Biosecurity Act 1993

Sealed Packaging

The packaging is impervious and sealed at the point of manufacture. The original packaging must be intact i.e. has not been opened. Providing that the packaging is

sealed, impervious, tamper-proof and shows no sign of having been opened, then any material is suitable for packing. Examples are screw-top glass or plastic containers with tamper-proof seals, sealed foil or plastic bags, vacuum packed and heat-sealed plastic containers, cans and sewn multi-wall bags

PART B. IMPORTATION PROCEDURE

4 PERMIT TO IMPORT

4.1 A permit to import is not required.

5 EQUIVALENCE

This import health standard is in accordance with agreements between the exporting country and New Zealand. Biosecurity clearance will not normally be given to a consignment that does not meet the requirements of this import health standard in every respect.

Occasionally it is found that due to circumstances beyond the control of the importer or exporter a consignment does not comply with the requirements of this import health standard. In such cases, an application for equivalence submitted prior to importation will be considered and may be given at the discretion of the Director Pre Clearance if the following information is provided by the exporting country's government veterinary authority:

- 5.1 the clause(s) of the import health standard that cannot be met and how this has occurred
- 5.2 the reason(s) why the consignment may be considered of equivalent health status to a consignment complying with this import health standard, and what proposal is made to achieve an equivalent health status
- 5.3 the reason(s) why the veterinary authority believes this proposal should be acceptable to MAF and their recommendation for its acceptance.

6 ELIGIBILITY

6.1 Dairy products and products containing dairy ingredients are eligible for biosecurity clearance provided they are:

Either

6.1.1 identifiable as manufactured in Australia (using Australian and/or imported dairy ingredients);

Or

- 6.1.2 if manufactured in a third country and imported into Australia are accompanied by a declaration from the Australian importer/exporter identifying the product, the country of origin and the date the product was given quarantine clearance into Australia;

AND

- 6.2 are in sealed packaging within the original unopened packaging.

7 DOCUMENTATION ACCOMPANYING THE CONSIGNMENT

- 7.1 The consignment must be accompanied by appropriately completed documentation which meets the requirements of PART B. ELIGIBILITY.

(Note: This import health standard only applies to the dairy component. If the product contains other ingredients of animal origin (eg: egg, meat, honey) additional import requirements may need to be met. Please refer to the MAF Biosecurity New Zealand website

<http://www.biosecurity.govt.nz/imports/ih-search.htm>

- 7.2 Documentation shall be in English, but may be bilingual (language of exporting country/English).
- 7.3 It is the importer's responsibility to ensure that any documentation presented in accordance with the requirements of this import health standard is original (unless otherwise specified) and clearly legible. Failure to do so may result in delays in obtaining biosecurity direction and/or clearance or rejection of consignment.

PART C. CLEARANCE PROCEDURE

8 BIOSECURITY CLEARANCE

- 8.1 Providing that the documentation meets all requirements of PART B: ELIGIBILITY, the consignment may, subject to sections 27 and 28 of the Biosecurity Act 1993, be given a biosecurity clearance pursuant to section 26 of the Biosecurity Act 1993.
- 8.2 Upon arrival in New Zealand the documentation accompanying the consignment shall be inspected by an Inspector at the port of arrival. The Inspector may also inspect the consignment, or a sample of the consignment.

PART D. ZOOSANITARY CERTIFICATION

None required.