Ministry for Primary Industries
Manatū Ahu Matua

New Zealand Dairy Regulation Overview

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www.mpi.govt.nz

Summary of Presentation

1. Dairy legislation overview
2. Regulatory framework
3. Risk Management Programmes
4. Third party auditing, verification and laboratories
5. Monitoring by the regulator

Regulation Overview

Dairy Legislation Overview

Primary Production	Primary Processing	Export	Domestic Sale

Animal Products Act 1999

Ag Compounds and Vet Medicines Act 1997

Food Act 2014

Biosecurity Act 1993

Animal Products Act 1999

Object of the Act

- Manage risks to human and animal health from animal material and products
- Ensure products are fit for the intended purpose
- Facilitate market access

Coverage

- Primary processing of animal products

Animal Products Act 1999

Risk Management System

- Risk management programmes
- Regulated control schemes
- Official assurance safeguards
- Recognised agencies and persons
- Duties.

Regulatory Structure

- **Animal Products Act**
  - Regulations
    - Standards, Specifications and Notices
      - Criteria
      - Codes of Practice
      - Templates (generic risk management plans)
      - Guidance

Animal Products Regulations and Specifications

Regulations

- Generic, outcome-oriented requirements that apply across industry

  eg Animal product standards, operating standards

Specifications

- Provide technical detail or give effect to standards
- Are made by Director General, subject to consultation

  eg contaminant limits, premises hygiene, sampling and testing

Animal Products Regulations and Specifications – Dairy Road Map

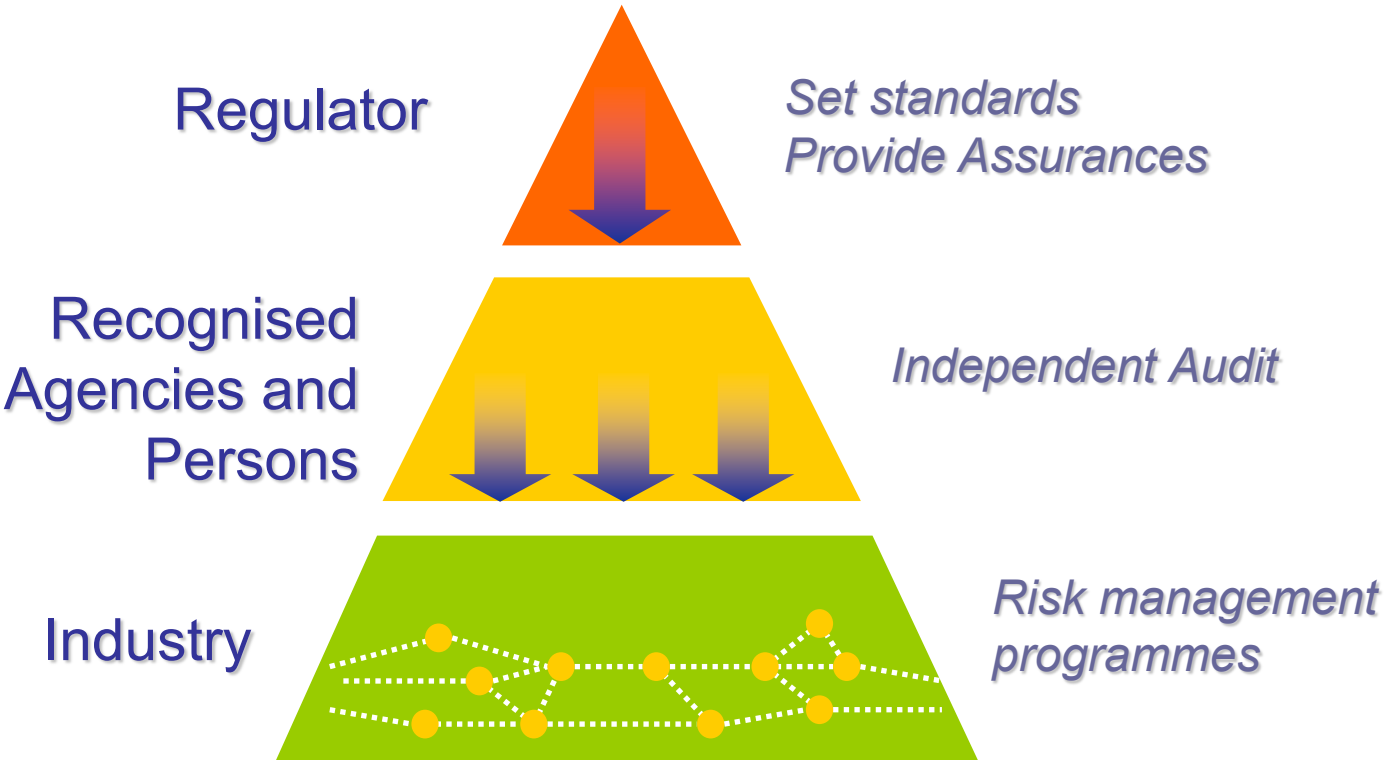
http://www.foodsafety.govt.nz/elibrary/industry/dairy-legislation-roadmap.pdf

Regulatory Framework

Roles and Responsibilities

- Ministry for Primary Industries (the Regulator)
- Third Party evaluators and verifiers of risk management programmes
- Farm dairy assessors
- Veterinarians
- Risk management programme operators
- Farm dairy operators (farmers)

Regulatory Model



Dairy Processing

When an RMP is needed

Dairy

- Farm dairies
- Dairy processors exporting

Risk Management Programmes

- Documented programme
  - developed by company
- Manage known biological, chemical and physical hazards
- Wholesomeness
- Truthful labelling
- Products ‘fit for intended purpose’.

RMP Responsibilities

What's In an RMP

- Scope
- Authorities and Responsibilities
- Product Description
- Fitness for intended purpose
- Process Description
- Identification of risk factors:
  - Hazards (human, animals)
  - Risks to wholesomeness,
  - Risks from false or misleading labeling
- Control of risk factors
- Provision for verification
- (Processor's - unique requirements)
- Documentation and records

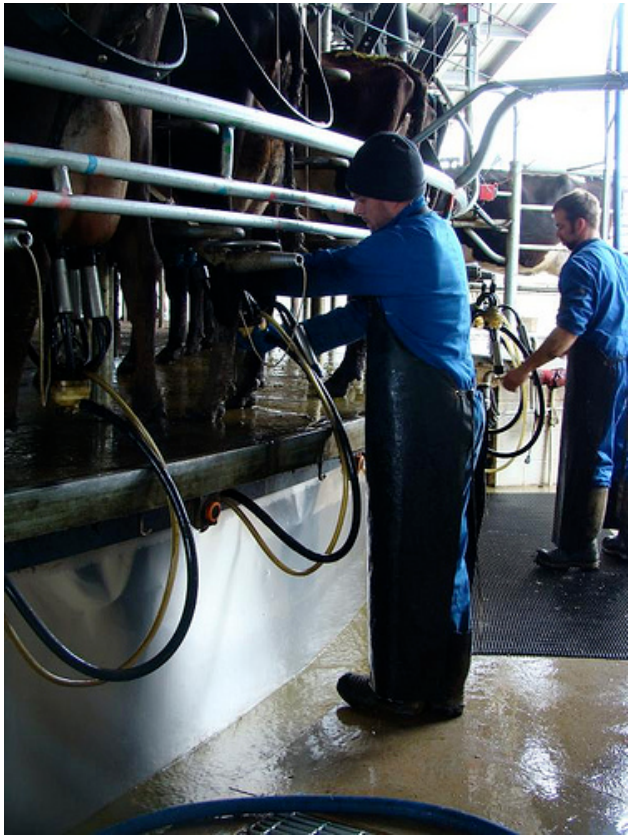
Farm Dairies

Risk management programmes for farm dairies must address:

- Siting, design and construction
- Equipment specifications
- Milk harvesting activities
- Animal health management
- Veterinary oversight
- Farm dairy water quality
- Milk cooling
- Control of chemicals
- Monitoring of milk quality

Monitoring Farm Dairy Operations

- Farm Dairies must be independently assessed (audited) at least once a year by a Farm Dairy Assessor
- Farm Dairy Assessor competence is confirmed by a Recognised Verifier
- Farm Dairy Verifier competence is confirmed by accreditation bodies and MPI Compliance



Raw Milk Acceptance

Raw milk acceptance requirements (applied at collection and delivery) include:

- Milk Cooling
- Sampling and testing
- Wholesomeness
- Microbiological parameters
- Residues and contaminants
- Animal health parameters

Manufacturing

MPI sets the minimum outcome requirements for:

- Microbiological parameters (pathogens and process hygiene indicators)
- Chemical Residues and Contaminants
- Nutritional standards for specified foods (e.g. infant formula)
- Country specific requirements

General Criteria

MPI sets minimum RMP requirements for:

- Reporting Requirements
- Dairy Product Safety Limits specified
- Residues of Agricultural Compounds & Veterinary Medicines
- HACCP Plans
- Personnel
- Management, Trace back, Sampling and Testing of non-conforming Dairy Product
- Requirements generally based on Codex Programme

Product Testing and Monitoring

- Operator sampling and testing programmes to confirm conformance are managed under the RMP
- Based on HACCP & stipulated product safety limits
- Market specific requirements are additional
- MPI administered monitoring programmes confirm integrity of the framework:

  - National Chemical Contaminants Programme (NCCP)
  - Independent Verification Programme (IVP)

Monitoring

Chemical Residue Monitoring

- Residue monitoring occurs under the National Chemical Contaminants Programme (NCCP) administered by MPI
- NCCP assesses raw milk at the farm and dairy products to:
  - confirm that Good Agricultural Practices are being followed
  - ensure the Regulatory framework is effective
  - ensure market requirements are being met, and
  - identify emerging hazards
- provides an assurance of at least 99% compliance with 95% confidence
- the programme consists of random monitoring, targeted surveillance & periodic surveys

Monitoring - NCCP

Compounds monitored include:

- Veterinary medicines & agricultural compounds (including pesticides)
- Contaminants – feeds, farm and process environment
- Adulterants
- Chemical elements & radionuclides
- Compounds of New Zealand or international interest

Monitoring - IVP

Independent Verification Programme:

- Official sampling of dairy products at packing under the scrutiny of the independent MPI recognised verifier
- Samples submitted to MPI nominated laboratories
- Samples tested for microbiological parameters, standard of identity parameters, or hygiene indicators as determined by MPI
- Strong focus on pathogens, and a bias to sample products for infants and young children
- Typically 300 samples collected each dairy season from premises manufacturing for export

Verification

The Contestable Verification Environment

- The APA structure makes provision for non-public sector agencies to be recognised by MPI to be to perform specific tasks under the risk management framework

- Using Recognised Agencies delivers the MPI objective to create a framework allowing industry purchasing of evaluation and verification services in a contestable environment, while maintaining government oversight

Agencies

Recognised Agencies

Must be accredited to ISO 17020 & recognised by MPI

Evaluate risk management programmes (RMPs)

Verify on-going compliance to RMPs & export requirements

Serve as the front line managers in situation of non-compliance and non-conforming product

Have right of access and certain powers provided to them through the RMP

Dairy Laboratories

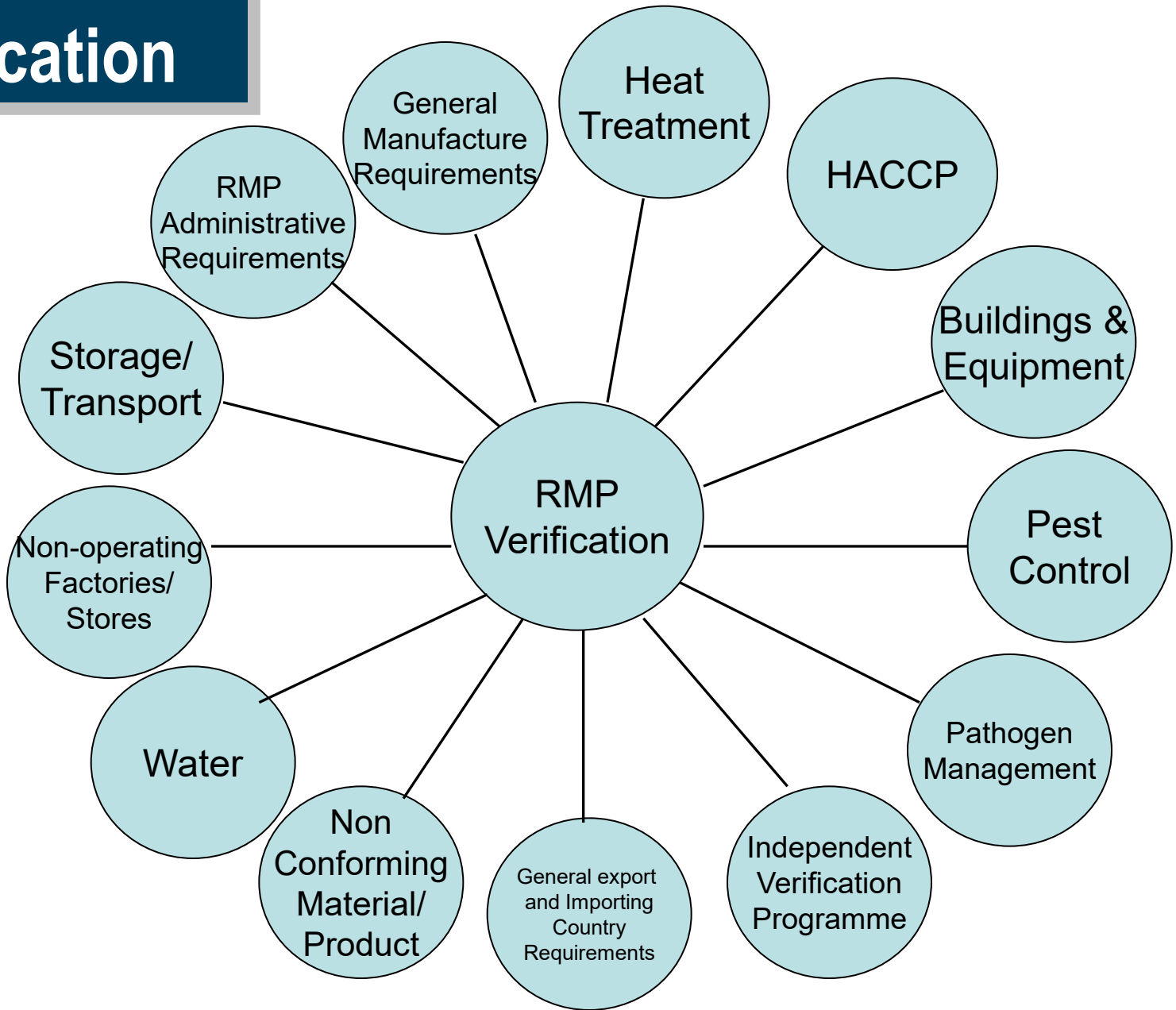
Accredited to ISO 17025 & recognised by MPI

Test Methods must be MPI Approved, though some Markets will specify the methods to be used

Recognised Agencies

- Third party agencies recognised to act as agents for government
- Verification and other functions eg evaluation of RMPs, verification of export requirements
- Have legal duties
- Cannot apply sanctions
- Must report to MPI – tool used by MPI to monitor industry and agency performance

RMP Verification



Non Conformance Management

Animal Products (Dairy) Regulations 2005

- Section 5 – Non-conforming dairy material or dairy product

- RMP operators must follow the procedures specified by the DG or obtain consent from the DG before disposing of any dairy material or dairy product that is non-conforming.

MPI Audit and Compliance

- The Systems Audit team within Standards audit elements of the regulatory system to assess compliance as well as assessing the suitability and effectiveness of regulatory measures.

- The MPI Compliance and Response Directorate are responsible for the investigation of suspected breaches under the relevant Acts and to initiate prosecutions where appropriate.

- The Animal Products Act 1999 provides statutory powers to enable Animal Products Officers the power of entry, inspection, sampling, analysis, seizure and forfeiture of products.

Thank you