Ministry for Primary Industries
Manatū Ahu Matua

Animal Products Notice

General Export Requirements for Bee Products.

[Subtitle]

10 April 2017

Issued under the Animal Products Act 1999

New Zealand Government

TITLE

Animal Products Notice: General Export Requirements for Bee Products.

COMMENCEMENT

This Animal Products Notice comes into force on 1 August 2017

REVOCATION

This Animal Products Notice revokes and replaces the Animal Products (Harvest Statement and Tutin Requirements for Export Bee Products) Notice 2010.

ISSUING AUTHORITY

This Animal Products Notice is issued under section 60 of the Animal Products Act 1999.

Dated at Wellington this ..... day of ..... 2017.

Allan Kinsella
Director, Systems Audit, Assurance & Monitoring
Ministry for Primary Industries
(acting under delegated authority of the Director-General)

Contact for further information
Ministry for Primary Industries (MPI)
Regulation & Assurance Branch
Systems Audit, Assurance & Monitoring Directorate
PO Box 2526
Wellington 6140
Email: food.assurance@mpi.govt.nz

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Introduction

This introduction is not part of the Animal Products Notice, but is intended to indicate its general effect.

Purpose

The purpose of this Notice is to facilitate market access and safeguard assurances provided by New Zealand by setting out general requirements that must be met in order for honey and other bee products to be eligible for export. In particular, this Notice specifies the following:

a) requirements for ensuring that bee products intended for export are fit for their intended purpose in relation to composition and representation;
b) requirements for ensuring traceability through the export chain;
c) definition for mono floral and multi floral mānuka honey and associated requirements.

Background

The Ministry for Primary Industries (MPI) continuously review New Zealand's export regulatory framework for the export of animal products, including bee products. This ensures that the framework meets market expectations and adequately address prevailing trade issues.

This Notice imposes requirements for:

a) ensuring traceability between all players in the export chain, including beekeepers, operators and exporters; and
b) bee products to be fit for intended purpose; and
c) beekeepers to be listed with MPI if they are not operating under a risk-based measure; and
d) processors of bee products to operate under a risk-based measure.

This Notice establishes a regulatory science-based definition for monofloral and multifloral mānuka honey. The definition would be the standard by which the authenticity of any mānuka honey label claim is ascertained. This provides consistency and certainty to industry, MPI and overseas competent authorities in terms of how mānuka honey label claims are used or verified.

This Notice also recognises the continuous application of the Australia New Zealand Food Standards Code and Food Standard: Tutin in Honey.

Who should read this Animal Products Notice?

This Notice should be read by persons identified in clause 1.1 of this Notice.

Why is this important?

This Animal Products Notice is important because any bee products that fail to comply with any requirements of this Notice may not be eligible for export, and may endanger human health.

Additionally, for the purposes of section 135(1)(c) of the Animal Products Act 1999, a failure to comply with this Notice, without reasonable excuse, is an offence.

Document History

Predecessors to this Notice, which have been revoked, include the following notices issued under section 60 of the Animal Products Act 1999.

a) Animal Products (Harvest Statement and Tutin Requirements for Export Bee Products) Notice 2010; and
b) Animal Products (Harvest Statement and Tutin Requirements for Export Bee Products) Notice 2009; and
c) General Requirements for Export (GREX) Notification 09/006: Harvest Statement for Export Bee Products.

Other information

Relationship between this Notice and other legislation

Animal Products Notices

For the avoidance of doubt, this Notice does not affect the application of the following Notices issued under the Act, and beekeepers, exporters, operators, recognised agencies, recognised persons, and recognised laboratories should be aware of their responsibilities under those Notices:

a) Animal Products Notice: Export Verification Requirements; and
b) Animal Products Notice: Honey and Honey Based Products – Food Standards Exemption; and
c) Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products; and
d) Animal Products Notice: Regulated Control Scheme – Monitoring of Specified Substances in Bee Products for Export; and
e) Animal Products Notice: Specifications for Laboratories and the appended Consolidated List of Tests for Animal Products: meat, poultry, honey, seafood, dairy, live animals and germplasm; and
f) Animal Products Notice: Specifications for Products Intended for Human Consumption; and
g) General Requirements for Export (GREX) Notification 08/035: Contaminant Requirements for Bee Products for Export; and
h) Any market-specific Overseas Market Access Requirements (OMARs) issued under section 60 of the Act.

Agricultural Compounds and Veterinary Medicines Act 1997

Beekeepers should ensure that any agricultural compounds they use on or in their hives are either registered for use under the Agricultural Compounds and Veterinary Medicines Act 1997, or exempt from registration under the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011.

Biosecurity Act 1993

Beekeepers, exporters and operators should comply with applicable provisions of the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998.

Food Notices

Beekeepers, exporters and operators have a responsibility to comply with applicable provisions of the:

a) Food Notice: Food Control Plans and National Programmes; and
b) Food Notice: Maximum Residue Levels for Agricultural Compounds.

Part 1: Requirements

1.1 Application

(1) This Notice applies to:

a) all bee products intended for export; and
b) all beekeepers supplying bee products for export; and
c) all operators who process bee products for export regardless of whether they operate under an RMP or a risk-based measure under the Food Act 2014; and
d) all exporters of bee products; and
e) all operators of recognised laboratories that carry out laboratory tests for the purposes of Parts 5 and 6 of this Notice.

(2) To avoid doubt:

a) this Notice covers all bee product exports regardless of whether the importing countries require official assurances or not; and
b) export includes selling bee products to overseas buyers using the internet platform; and
c) the term "mānuka" (i.e. with the macron) and "manuka" (i.e. without the macron) are the same term with the same meaning for the purposes of this Notice.

(3) This Notice does not apply to bee products carried overseas by a traveller for the purpose of personal consumption.

Guidance

The carrying offshore of bee products in a quantity that is more than which would be reasonably required for the purpose of personal consumption would, unless the contrary is proved, be treated as an exportation for the purposes of this Notice.

1.2 Definitions

(1) In this Notice, unless the context otherwise requires:

Act means the Animal Products Act 1999;

American Foulbrood (**AFB)** means disease caused by the organism *Paenibacillus larvae also known as Bacillus larvae;*

AFBPMP means the American Foulbrood Pest Management Plan as established under the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998;

AP E-cert means the Animal Products Electronic Certification System specified for the raising and issuing of eligibility declarations, eligibility documents and export certificates in respect of all animal material and animal products requiring official assurances;

authorised person means a person designated by the Director-General under section 65 of the Act as able to issue, withdraw or reissue official assurances;

authorised user means a person who has been both approved by MPI to access AP E-cert to raise a type of transfer document and/or to apply for export certificates, and is designated by an operator or an exporter to access AP E-cert on their behalf;

batch means a definite quantity of bee products processed or produced under conditions which are presumed uniform;

beekeeper for the purposes of this Notice, means a person (natural person or corporate sole) who keeps honey bees for the purposes of producing bee products for export and who is required to be registered as a beekeeper under the AFBPMP;

beekeeper listing ID means the unique listing identification assigned to a beekeeper under clause 3.3.4 of this Notice;

bee products means honey, honeydew honey, bee venom, bee pollen, bees wax, propolis, royal jelly, and any other product collected by, or derived from, honey bees intended for human or animal consumption;

box section comb honey means honey sold or packed for sale within the frame or other container in which it was produced;

comb honey means honey in wax honeycomb (which may be either cut comb honey or box section comb honey);

consignment means a quantity of bee products delivered at one time, which may consist of a portion of a batch or several batches;

cut comb honey means honey in wax honeycomb that is cut from the frames in which it was produced;

eligibility declaration means the document raised in AP E-cert by an authorised user declaring an identified consignment of animal material or animal products is eligible for export;

eligibility document means the document issued by an official assurance verifier confirming an identified consignment of animal material or animal products is eligible for export;

export means conveying bee products overseas for reward or for the purposes of trade;

harvest declaration means a declaration made by a beekeeper about bee products intended for export as specified under clause 4.2;

harvest season means any period when honey supers are present on beehives for the purposes of collecting honey;

homogenous batch means a batch of bee products that has been through the homogenisation process;

homogenisation process means the process of breaking up the characteristics in a batch of bee product so they are evenly distributed and therefore have the same probability of entering a sample;

honey super means a box placed on a beehive that contains the frames in which honey is collected;

label means any tag, brand, mark or statement in writing or any representation or design or descriptive matter that:

a) is attached to the packaging of bee products; or
b) accompanies and is provided to the purchaser with the bee products; or
c) is displayed in connection with the bee products when it is sold;

level 1 national programme means a level 1 national programme that is imposed under the Food Act 2014;

listed beekeeper means a beekeeper who is listed by the Director-General under this Notice or the *Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products*;

operator means the owner or other person in control of a bee product processing business operating under a risk-based measure;

premises of final control means the final premises where a consignment is physically located before it is transferred to a port of export;

recognised laboratory means a laboratory recognised under section 101 of the Act as a recognised agency and operating in accordance with the *Animal Products Notice: Specifications for Laboratories*;

representative sample is a sample which is taken from a batch and contains characteristics which accurately reflect the batch;

risk-based measure for the purposes of this Notice means an RMP, a level 1 national programme, or where an operator operates under a stricter risk-based measure (i.e. food control plan, level 2 or 3 national programme) that risk-based measure;

required validated laboratory test results means the laboratory test results provided by a recognised laboratory, which ascertain whether or not a representative sample of honey meets the definition of monofloral mānuka honey under clause 5.1 or the definition of multifloral mānuka honey under clause 5.2;

RMP means a risk management programme that is currently registered under Part 2 of the Act;

sample means the definite quantity of bee product that is required for the purpose of testing. A sample may only be split by a recognised laboratory to form multiple test items;

substance means:

a) any element, defined mixture of elements, compounds, or defined mixture of compounds, either naturally occurring or produced synthetically, and included any mixtures of those; and
b) any isotope, allotrope, isomer, congener, radical or ion of an element or compound which is a different substance from that element or compound; and
c) any mixtures of combinations of any of the above;

transfer document means:

a) an eligibility declaration or eligibility document raised in AP E-cert by an authorised user as specified in clause 4.3.2(1); or
b) a document of the type specified in clause 4.3.2(3), which is raised by a consignor who is not an authorised user;

tutin means the chemical compound (CAS No 2571-22-4) that causes toxicity in honey and results from bees gathering honeydew exudates from passion vine hoppers that have been feeding on the sap of tutu;

tutu means *Coriaria arborea* or *Coriaria sarmentosa*.

(2) Terms that are defined in the Act and used, but not defined, in this Notice have the definitions given in the Act (examples include **exporter**, **in writing**, and **product**).

Part 2: Responsibilities under this Notice

2.1 Outline of beekeepers' responsibilities under this Notice

(1) Beekeepers have a responsibility under this Notice to comply with:

a) the fitness for purpose requirements under clause 3.1; and
b) the listing requirements under clause 3.3, where applicable; and
c) pre-processing traceability requirements under clause 4.1; and
d) requirements relating to harvest declarations under clause 4.2; and
e) requirements relating to transfer documents under clause 4.3, where applicable.

2.2 Outline of exporters' responsibilities under this Notice

(1) Exporters have the following responsibilities under this Notice:

a) to comply with the requirements of sub clauses 5.3(3), (4) and (5) in relation to the labelling, marking and representation of monofloral or multifloral mānuka honey; and
b) to comply with the requirements of clause 5.4(2) in relation to information to be included in export certificate requests raised for monofloral or multifloral mānuka honey consignments.

2.3 Outline of operators' responsibilities under this Notice

(1) Operators have the following responsibilities under this Notice:

a) to ensure that honey is not adulterated after extraction as per clause 3.1(3); and
b) to process bee products in premises operating under a risk-based measure pursuant to clause 3.2(1); and
c) to process bee products intended for export with official assurances in premises operating under an RMP pursuant to clause 3.2(2); and
d) to source bee products intended for export from listed beekeepers pursuant to clause 3.3.2; and
e) to ensure that every delivery of bee products they receive for processing at their premises is associated with the relevant harvest declaration pursuant to clause 4.2; and
f) to comply with the requirements of clause 4.3 in relation to transfer documents; and
g) to comply with the requirements of clause 5.3 in relation to the labelling, marking and representation of monofloral or multifloral mānuka honey; and
h) to comply with the requirements of clause 5.4(1) in relation to information to be included in the final transfer document for monofloral or multifloral mānuka honey consignments; and
i) to comply with the requirements of Part 6 in relation laboratory tests; and
j) to comply with the record-keeping requirements of Part 7; and
k) to comply with the requirements of Part 8 in relation to the management of stock in trade.

2.4 Outline of responsibilities for recognised agencies and recognised persons under this Notice

(1) Recognised agencies and recognised persons have a responsibility under this Notice in relation to the verification of mānuka honey claim pursuant to clauses 5.5 and 5.6.

2.5 Relationship between this Notice and certain food standards issued under the Food Act 2014

(1) Beekeepers, exporters and operators have a responsibility to comply with applicable provisions of the:

a) Food Standard: Tutin in Honey; and
b) Australia New Zealand Food Standards Code.

For the purposes of sub clause (1)(b) (i.e. compliance with the Food Standards Code), guidance on key sections of the Code is set out below.

[Please note that the Food Standards Code is not under consultation.]

Guidance

(1) Compositional requirements for honey

- Exporters and operators should not sell a bee product as honey unless it conforms to the following standards in the Australia New Zealand Food Standards Code:

  a) the definition of honey in Section 1.1.2—3; and
  b) the compositional requirements for honey in Standard 2.8.2.

- Section 1.1.2-3 of the Code defines honey as follows:

  honey *means the natural sweet substance produced by honey bees from the nectar of blossoms or from secretions of living parts of plants or excretions of plant sucking insects on the living parts of plants, which honey bees collect, transform and combine with specific substances of their own, store and leave in the honey comb to ripen and mature.*

- Standard 2.8.2 of the Code sets out the composition of honey as follows:

  A food that is sold as 'honey' must:

  (a) be honey; and

  (b) contain:

  (i) no less than 60% reducing sugars; and

  (ii) *no more than 21 % moisture*.

(2) Inclusion of the word "honey" on labels

- Where honey conforms to the definition of honey in section 1.1.2—3 and compositional requirements for honey in Standard 2.8.2, the label should contain the word "honey" as required under Standard 1.2.2-2 of the Australia New Zealand Food Standards Code.

(3) Advisory statements on labels for pollen, propolis and food product containing pollen or propolis as an ingredient

- Exporters and operators who sell food as described in 1.2.1-4 should include the advisory statement, as set out under Standard 1.2.3 and Schedule 9 of the Australia New Zealand Food Standards Code, on the label for bee pollen, propolis, and food containing pollen or propolis:

  (a) for pollen or food product containing pollen as an ingredient, the advisory statement is a statement indicating that the product contains bee pollen which can cause severe allergic reactions; and

  (b) for propolis or food product containing propolis as an ingredient the advisory statement is a statement indicating that the product contains propolis which can cause severe allergic reactions.

(4) Warning statement on labels for royal jelly, or food product containing royal jelly as an ingredient

- Exporters and operators who sell food as described in 1.2.1-4 should ensure that the label for royal jelly or food product containing royal jelly includes a warning statement in the exact words prescribed under Standard 1.2.3 of the Australia New Zealand Food Standards Code and comply with the legibility requirements under section 1.2.1—25 of that Code.
- The exact wording of the mandatory statement for labelling royal jelly is as follows:
  (a) "This product contains royal jelly which has been reported to cause severe allergic reactions and in rare cases, fatalities, especially in asthma and allergy sufferers."
- Section 1.2.1—25 of the Australia New Zealand Food Standards Code requires the warning statement on the label to be written in a size of type of at least 1.5 mm for a small package or otherwise in a size of type of at least 3 mm.

(5) Labelling requirements where honey is mixed with pollen, royal jelly or propolis

- Where pollen, royal jelly or propolis are added to or mixed with honey, the label on the final product should comply with the above requirements relating to advisory and warning statements.

(6) Labelling requirements regarding therapeutic, health and nutritional claims

- In order to be eligible for export, labelling of bee products should comply with Standard 1.2.7 of the Australia New Zealand Food Standards Code in respect of nutrition, health, therapeutic and related claims.
- Standard 1.2.7 prohibits therapeutic claims on labels for food products. If businesses wish to make therapeutic claims, they must meet the requirements of the Medicines Act 1981 and not sell the bee product as a food. Medsafe is the responsible regulatory body for the Medicines Act.
- The use of grading systems should not be based on parameters which are therapeutic claims or health claims.

(7) Labelling requirements regarding date marking

- In order to be eligible for export retail ready bee products with a shelf life of less than two years should be date marked on labels as required under Standard 1.2.5 of the Australia New Zealand Food Standards Code.
- It should be noted that clause 2.1.2 of the Animal Products Notice: Honey and Honey Based Products – Food Standards Exemption (issued 2 March 2015) exempts products from Standard 1.2.5 if the products:
  (a) are for export to a country with different date marking (or equivalent) requirements from the Food Standards Code, specified in legislation; and
  (b) comply with the date marking (or equivalent) requirements of the country to which it is intended to be exported.

(8) Labelling requirements regarding nutrition information

- In order to be eligible for export, labelling of bee products should comply with Standard 1.2.8 of the Australia New Zealand Food Standards Code in respect of the inclusion of nutrition information.

- It should be noted that clause 2.1.1 of the Animal Products Notice: Honey and Honey Based Products – Food Standards Exemption (issued 2 March 2015) exempts products from Standard 1.2.8 if the products:

  (a) are for export to a country with different nutritional information panel (or equivalent) requirements from the Food Standards Code, specified in legislation; and

  (b) comply with the nutritional information panel (or equivalent) requirements of the country to which it is intended to be exported.

Part 3: Requirements relating to production, processing and preparation

3.1 Honey to be fit for purpose

(1) Beekeepers must ensure that:

a) bees are not fed with anything other than honey during the harvest season, unless any other feeding method is necessary for ensuring the survival of the bees; and
b) honey is not harvested from honeycomb previously part of a brood nest; and
c) at the time of harvest, the hives are free from the clinical signs of AFB.

(2) For the purposes of sub clause (1)(a), where a beekeeper feeds bees anything other than honey for ensuring the survival of the bees, the beekeeper must document the circumstances which necessitate such action.

(3) Operators must ensure that where bee product is intended to be sold as honey, nothing, other than honey, is added to the product after extraction.

Guidance

Any other feeding method referred to in clause 3.1(1)(a) should conform to industry best practice.

3.2 Bee products to be processed in premises operating under a risk-based measure

(1) All bee products intended for export must be processed at a premises operating under a risk-based measure.

(2) To avoid doubt, all bee products intended for export to countries for which official assurances are required must be processed in premises operating under an RMP.

3.3 Bee products to be sourced from listed beekeepers

3.3.1 Application

(1) Clause 3.3 applies to all beekeepers who do not operate under a risk-based measure.

(2) Clause 3.3 does not apply to beekeepers who:

a) operate under a risk-based measure; or
b) who have an exclusive supply contract with an RMP operator and whose activities are covered by the operator's RMP; or
c) do not supply bee products for export (i.e. only supply bee products for the domestic market).

(3) Beekeepers who have been listed by the Director-General pursuant to clause 7.4 of the Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products:

a) are deemed to be listed beekeepers for the purposes of this Notice; and
b) do not have to re-apply for listing under clause 3.3.3.

3.3.2 Sourcing of bee products

(1) Bee products are not eligible for export unless they are sourced from listed beekeepers, beekeepers who operate under a risk-based measure, or beekeepers who have an exclusive supply contract with an RMP operator and whose activities are covered by the operator's RMP.

(2) Operators must have a system which clearly identifies and distinguishes between bee products sourced in accordance with sub clause (1) and bee products sourced from unlisted beekeepers.

3.3.3 Application for listing of beekeepers

(1) A beekeeper may apply to the Director-General to be listed by:

a) applying in the manner and form approved by the Director-General; and
b) paying the applicable fee as prescribed by the Animal Products (Fees, Charges, and Levies) Regulations 2007.

(2) An application for listing must contain the following information, which must be current at the time of application:

a) the beekeeper's name and, if different, trading name; and
b) the beekeeper's address and, if different, his or her business address; and
c) the beekeeper's contact details, as specified by the Director-General.

3.3.4 Listing of beekeepers by the Director-General

(1) The Director-General must add a beekeeper to the list under clause 3.3.5, with a unique listing identification unless:

a) the beekeeper has been delisted in the past under this Notice or the Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products; and
b) the reason for the delisting under either Notice was such that, in the opinion of the Director-General, the person should not, at the time of application, be permitted to be listed.

(2) The listing of a beekeeper by the Director-General under this clause is valid for a term of 12 months.

3.3.5 Beekeeper list

(1) Information on the list must:

a) be available publicly on the MPI website; and
b) include all of the information in clause 3.3.3(2).

(2) Beekeepers must update their listing, in the manner and form required by the Director-General, whenever any of the information in sub clause 3.3.3 (2) changes.

(3) The beekeeper list may be maintained by the Director-General in whatever form the Director-General considers appropriate.

3.3.6 Renewal of listing

(1) Subject to sub clause (2), a beekeeper must apply for renewal of their listing in accordance with clause 3.3.3 prior to the expiry of the 12 months term.

(2) Where there is no change to the information provided by the beekeeper during the most recent listing or renewal, an application for renewal may include only a written confirmation that the required information is exactly the same as sighted by the Director-General during the most recent listing or renewal.

3.3.7 Removal of beekeepers from the beekeeper list

(1) The Director-General may remove a beekeeper from the beekeeper list in any of the following circumstances:

a) the Director-General believes on reasonable grounds that any of the information on the list is incorrect or no longer current; or
b) the beekeeper has failed to update the information on the list when asked to do so, or has at any time provided incorrect information; or
c) the beekeeper, or any person engaged by the beekeeper in an activity associated with the beekeeping business, has been convicted of an offence involving fraud or dishonesty in connection with beekeeping, hive management, or any business involving bee product; or
d) the Director-General believes on reasonable grounds that:
    i) the beekeeper, or any person engaged by the beekeeper in an activity associated with the beekeeping business, is or has been involved in illegal activity in connection with beekeeping, hive management, or any business involving bee product; or
    ii) the beekeeper knowingly provides false or misleading information in their harvest statements; or
e) the beekeeper is no longer involved in beekeeping business; or
f) the beekeeper asks to be delisted.

(2) Where the Director-General proposes to remove a beekeeper from the beekeeper list, the Director-General must:

a) notify the beekeeper in writing (unless the beekeeper cannot reasonably be found); and
b) give the beekeeper a reasonable opportunity to respond to the proposal to delist.

(3) Despite sub clauses (1) and (2), the Director-General may immediately remove a beekeeper from the beekeeper list without prior notification if the Director-General reasonably believes that the beekeeper has committed an act or omission in relation to beekeeping which threatens market access.

(4) A person who has been removed from the beekeeper list may apply for listing again at any time.

Part 4: Requirements relating to traceability

4.1 Pre-processing traceability requirements

(1) Beekeepers must:

a) indelibly mark each honey super with a unique form of identification that enables effective tracing of the movement of the box between apiary sites and to operators; and
ensure that the identifier referred to in paragraph (a) includes the beekeeper's allocated identification code under the AFBPMP; and

b) for each honey super used to collect honey, record every apiary site it has been on prior to harvesting; and

c) for each apiary site from which honey is harvested keep records of the following information:

i) the global positioning system (GPS) location of the apiary site (apiary sites are required to be notified under the AFBPMP); and
ii) the dates and volumes of honey harvested from supers (where the beekeeper carried out the extraction); and
iii) when, and how many, honey supers are put on or taken off each apiary site; and
iv) the honey supers (by individual identifier) at each apiary site at any time.

d) provide any of the information specified in paragraph (d) to any of the following officials, as applicable, within 24 hours of a request being made by any of them:

i) the Director-General;
ii) an animal product officer;
iii) recognised agency or recognised person; or
iv) an authorised person.

(2) Where honey supers are sold, any previous beekeeper identifier must be struck through such that it is still legible so it is clear as to the previous owners of the honey supers.

Guidance

- Beekeepers should be particularly aware of the requirements set out in clause 13.45 of the Animal Products Notice: Specifications for Products Intended for Human Consumption (issued 1 March 2016).
- That clause 13.45 requires apiarist and beekeepers to ensure that:
  - beehives are constructed of and maintained with materials that are not sources of hazard to the honey or other bee products; and
  - honey supers, both before and after extraction, are stored in a manner that will minimise contamination; and
  - honey supers are protected from contamination during transportation to minimise exposure to dusts, fumes and other contaminants.
- Beekeepers should be aware that all apiary sites used for honey production are required to be registered under the AFBPMP.

4.2 Traceability from beekeepers to operators - Harvest declarations

(1) A beekeeper must prepare a harvest declaration for every delivery of bee product that the beekeeper intends to supply to an operator for export and:

a) provide the declaration to the operator who first processes the bee product; or

b) if the beekeeper is also the operator, keep the harvest declaration as part of his or her records.

(2) A harvest declaration must be in the form notified by the Director-General on the relevant MPI website and must include the following information:

a) name and business address of the beekeeper;
b) RMP ID or beekeeper listing ID (whichever is applicable);
c) any registration number provided to the beekeeper under the AFBPMP;
d) name of the operator receiving the bee product;
e) bee product type;
f) unit and quantity of product;
g) date of harvest;
h) declaration of compliance with the ACVM Act 1997 where agricultural compounds were used on or in the hives;
i) if the bee products are honey, identify whether it needs to be tested for tutin and, if not, on what grounds;
j) declaration that hives were free from clinical signs of AFB as per the latest inspection carried out by an authorised person pursuant to the AFBPMP;
k) declaration that bees were not fed with feed other than honey during the harvest season, unless as allowed under clause 3.1(1)(a); and
l) declaration that the harvesting, storage, and delivery of the product minimised its exposure to contamination.

(3) A harvest declaration is not valid unless:

a) it is signed and dated by the beekeeper who submits it; and
b) the information it contains is complete, accurate and truthful.

(4) The purpose of the harvest declaration is to confirm matters within the knowledge of the beekeeper relating to the fitness for purpose of the product.

(5) The operator who first processes the bee product must not commence processing the bee product, and must not transfer it to a third party, unless:

a) the harvest declaration has been received; and
b) the operator has checked the harvest declaration to ensure it is complete and reasonably believes the harvest declaration to be accurate and truthful.

(6) For every harvest declaration received by an operator from a listed beekeeper, the operator must:

a) sign and date the harvest declaration; and
b) assign a unique reference number containing the beekeeper listing ID and unique digit(s) (for example; BK00095/01 where “BK00095” is the listing number and “01” are the digits unique to that harvest declaration); and
c) stamp or imprint the number referred to in paragraph (a) on to the harvest declaration.

(7) The operator must retain a copy of every harvest declaration supplied by a beekeeper.

4.3 Traceability between operators – Transfer documentation

4.3.1 Application

(1) This clause 4.3 applies to all bee products intended for export to countries for which official assurances are not required.

Guidance

- An operator is not required to comply with this clause 4.3 if he or she is exporting to a country that requires an official assurance.

- Bee products intended for export to countries for which official assurances are required are already subject to the traceability provisions in the Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products. Therefore, they are not required to be subject to the traceability provisions in this clause 4.3.

4.3.2 Transfer documentation accompanying bee products not requiring official assurances

(1) Where a consignment of bee products not requiring an official assurance is transferred from one premises to another, the operator of the sending premises (the consignor) must provide a transfer document to the operator of the receiving premises (the consignee).

(2) The transfer document:

a) must be in the form notified by the Director-General in a relevant MPI website; and
b) may be provided in paper or electronic form; and
c) must be signed (electronic signature is acceptable) and dated by the consignor;
d) must contain the following information:

i) name and ID of the consignor (i.e. RMP ID or Risk-based measure ID under the Food Act 2014, whichever is applicable);
ii) name and ID of the consignee (i.e. RMP ID, Risk-based measure ID under the Food Act 2014 or exporter registration ID, whichever is applicable);
iii) source transfer document;
iv) departure date;
v) product description;
vi) packing unit;
vii) quantity of unit;
viii) net weight;
ix) market eligibility list;
x) if the bee products are honey, identify whether it needs to be tested for tutin and, if not, on what grounds; and
xi) declaration of whether the product is fit for purpose.

(3) To avoid doubt, nothing in this clause 4.3.2 prevents an operator who is an authorised user from raising a transfer document (i.e. eligibility declaration or eligibility document) in AP E-cert for the purposes of this clause.

4.4 Reconciliation of traceability documents

(1) Operators must have processes and procedures to demonstrate traceability as follows:

a) the connection between a harvest declaration and a resulting outgoing transfer document (as required under clause 4.3.2) where bee product identified in the harvest declaration is transferred to another premises with that outgoing transfer document; and
b) the connection between an incoming transfer document and a resulting outgoing transfer document where bee product identified in the incoming transfer document is transferred to another premises with that outgoing transfer document.

(2) Transfer documents that are raised for the transfer of bee products identified in a harvest declaration must contain the unique reference number of that harvest declaration.

Part 5: Labelling of monofloral and multifloral mānuka honey

5.1 Definition of monofloral mānuka honey

(1) A batch of honey is monofloral mānuka honey if all of the following attributes are detected using laboratory tests carried out in accordance with Part 6:

a) ≥ 1 mg/kg 2'-methoxyacetophenone; and
b) ≥ 1 mg/kg 2-methoxybenzoic acid; and
c) ≥ 1 mg/kg 4-hydroxyphenyllactic acid; and
d) ≥ 400 mg/kg 3-phenyllactic acid; and
e) DNA from mānuka pollen (< Cq 36 which is approximately 3 fg/µL DNA).

5.2 Definition of multifloral mānuka honey

(1) A batch of honey is multifloral mānuka honey if all of the following attributes are detected using laboratory tests carried out in accordance with Part 6:

a) ≥ 1 mg/kg 2'-methoxyacetophenone; and
b) ≥ 1 mg/kg 2-methoxybenzoic acid; and
c) ≥ 1 mg/kg 4-hydroxyphenyllactic acid; and
d) ≥ 20 mg/kg but < 400 mg/kg 3-phenyllactic acid; and
e) DNA from mānuka pollen (< Cq 36 which is approximately 3 fg/µL DNA).

5.3 Restrictions in relation to labelling export honey as mānuka honey

(1) Operators who process honey for export and exporters of honey must not:

a) label honey as 'mānuka', 'monofloral mānuka', or any other term that implies that the honey only consists of mānuka honey, unless it meets the definition of monofloral mānuka honey under clause 5.1; or
b) label honey as 'multifloral mānuka', 'mānuka honey blend' or 'mānuka honey mixed with honey of other floral sources', or any other term that implies that the honey consists of a mānuka honey blend unless the honey meets the definition of multi-floral mānuka honey under clause 5.2.

(2) To avoid doubt, where monofloral mānuka honey or multifloral mānuka honey is blended with honey of other floral sources, the final blended product must not be labelled as mānuka honey unless that final blended product meets either the definition for monofloral or multifloral mānuka honey under clauses 5.1 and 5.2 and is labelled in accordance with subclause (1) of this clause.

(3) Where an operator or exporter has a registered trademark containing the word "mānuka" and intends to include that trademark on the labels of honey that does not meet either of the definitions in clause 5.1 or 5.2, he or she must:

a) ensure that the appearance of the trademark on the labels does not amount to a representation or an inference that the honey is mānuka honey; or
b) include information in the labels which sufficiently clarifies that the honey is not mānuka honey.

(4) Exporters must only export mānuka honey that is labelled in accordance with sub clause (1).

(5) Where honey is labelled as mānuka honey, operators, and exporters (where applicable), must have the required validated laboratory test results and must be able to provide these in accordance with clause 5.4 where applicable or to any of the following persons within 24 hours of a request being made:

a) Director-General; or
b) an animal product officer; or
c) a recognised agency or person; or
d) an authorised person; or
e) any other person authorised by the Director-General.

5.4 Export certification of mānuka honey for export to countries requiring official assurances

(1) Operators of premises of final control must ensure that all final eligibility documents they raise in AP E-cert in relation to consignments of honey that is labelled as monofloral or multifloral mānuka honey include:

a) the required validated laboratory test results proving that each batch of honey in a consignment is monofloral or multifloral mānuka honey; and
b) in the product description field, the exact monofloral or multifloral mānuka honey statement that is intended to be stated in any resulting export certificates.

(2) Exporters must ensure that all export certificate requests they raise in AP E-cert in relation to honey that is labelled as monofloral or multifloral mānuka honey include:

a) the required validated laboratory test results proving that each batch of honey in a consignment is monofloral or multifloral mānuka honey; and
b) in the product description field, the exact monofloral or multifloral mānuka honey statement that is intended to be stated in the export certificates.

5.5 Verification of mānuka honey claim during export certification

(1) If the recognised agency or recognised person has good reasons to doubt the integrity of test results provided in accordance with clause 5.4(1)(a) or clause 5.4(2)(a), the recognised agency or recognised person may arrange for a representative sample from that affected batch to be re-tested.

5.6 Verification of mānuka honey claim during performance-based verification for official assurance purposes

(1) During each verification visit of honey RMP premises as mandated under the *Animal Products Notice: Export Verification Requirements* (issued 24 February 2016), the responsible recognised agency or recognised person must check a collection of laboratory test results associated with a homogenous batch of honey that is labelled as monofloral or multifloral mānuka honey.

(2) If the recognised agency or recognised person has good reasons to doubt the integrity of test results associated with a homogenous batch of monofloral or multifloral mānuka honey, the recognised agency or recognised person may arrange for a representative sample from that batch to be re-tested.

Part 6: Laboratory tests for mānuka honey

6.1 Laboratory tests to be carried out by a recognised laboratory

(1) Laboratory tests to determine whether a batch of honey meets the definition of monofloral mānuka honey in clause 5.1 or multifloral mānuka honey in clause 5.2 must be carried out by a recognised laboratory that is recognised to perform the tests specified in clause 6.3.

6.2 Laboratory test for mānuka honey

(1) Where an operator intends to label a batch of honey as monofloral or multifloral mānuka honey, the operator must provide a representative sample from that batch to a recognised laboratory to be tested for compliance with the applicable definitions under clause 5.1 or clause 5.2.

(2) Where a recognised laboratory (principal laboratory) is only accredited to test for parts (but not all) of the attributes which make up either of the definitions of monofloral mānuka honey under clause 5.1 or multifloral mānuka honey under clause 5.2, the principal laboratory must arrange for testing for the other parts of the attributes with a recognised laboratory that is accredited for that purpose (secondary laboratory).

(3) For the purposes of sub clause (2), the principal laboratory must:

a) ensure homogeneity of the received sample prior to subsampling for testing at the secondary laboratory; and
b) send subsamples under the appropriate controlled conditions to ensure integrity of the sample and associated test results, and
c) compile the results of tests carried out by both laboratories into one report and provide the report to the operator.

6.3 Test Method

(1) Any laboratory test for ascertaining whether or not a sample of honey meets the definition of mono-floral mānuka honey under clause 5.1 or multi-floral mānuka honey under clause 5.2 must use the two test methods specified for that purpose in the Animal Products Notice: Specifications for Laboratories and the Consolidated List of Tests for Animal Products: meat, poultry, honey, seafood, dairy, live animals and germplasm.

6.4 Sampling requirements

6.4.1 General requirement

(1) The operator must ensure that any person taking a sample for a laboratory test on their behalf is adequately trained in the techniques of sample collection.

(2) Sampling for the purpose of laboratory tests must be conducted in a manner which will maintain the integrity of the sample associated with the batch.

(3) Operators must ensure that:

a) equipment, materials and apparatus which are used for sampling are appropriate for maintaining the condition of the sample; and
b) there is no potential for cross-contamination from such equipment, materials and apparatus.

6.4.2 Representative sampling and homogeneity of batches

(1) Any sample of honey that is taken for the purpose of laboratory tests must be a representative sample randomly taken from a homogenous batch.

Guidance

- A sample may be taken from a bulk tank or from several containers.
- Where the sample is taken from a bulk tank, one way of ensuring representativeness would be to carry out the following:
  - mix the honey thoroughly to ensure uniformity of characteristics immediately before sampling; and
  - immediately after mixing take the required quantity of honey sample with the help of an appropriate equipment (e.g. dipper, tube, etc).
- Where the sample is taken from several containers of the same batch, one way of ensuring representativeness would be to carry out the following:
  - mix the honey thoroughly; and
  - take proportionate quantity of honey in a separate vessel; and
  - repeat this procedure for all containers; and
  - mix the honey from separate vessels in one from which proportionate quantity of honey samples from different cans are taken; and
  - take final sample from vessel with the help of an appropriate equipment (e.g. dipper, tube, syringes).

6.4.3 Integrity of samples during transit

(1) Operators must ensure that containers containing laboratory samples are:

a) clean containers that will not contaminate the sample and will adequately protect the sample from external contamination and damage in transit; and
b) sealed in such a manner that enables detection of any unauthorised opening; and
c) sent to the recognised laboratory as soon as possible taking any necessary precautions against leakage or spoilage.

6.4.4 Internal system for documenting sampling information

(1) Operators involved in sampling must maintain an internal system documenting the following information:

a) identity of each sample and the homogenous batch from which it was drawn; and
b) reason for sampling; and
c) method for sample collection used; and
d) batch size; and
e) sample size; and
f) homogenisation process;
g) measures for ensuring that any sample taken is representative of the batch; and
h) date and place of sampling; and
i) date the sample is sent to the laboratory; and
j) date the laboratory test results are received by the operator; and
k) any action carried out by the operator in relation to the test results; and
l) name of the sampler.

6.5 Interpretation of test results

(1) Operators who arrange for laboratory tests:

a) are responsible for interpreting the laboratory test results; and
b) must keep records that demonstrate the connection between the test results, the sample that was tested, and the batch from which the sample was drawn.

Part 7: Record-keeping requirements

7.1 Records to be kept

(1) Operators must keep the following records in relation to bee products that are presented for export:

a) any harvest declarations held by the operator; and
b) any transfer documents received or sent by the operator; and
c) records specified in clauses 4.1, 5.3(5), 6.4.4 and 6.5(1)(b).

(2) Operators must ensure that the records referred to in sub clause (1), (whether the records are in hard copy or are held electronically):

a) are kept for at least 4 years from when the records were made and, if the records were made by an exporter, are kept until at least the expiry date of the bee products to which they relate; and
b) are complete and accurate; and
c) are readily accessible to be provided to any of the following persons within 24 hours of a request being made:

i) Director-General; or
ii) an animal product officer; or
iii) a recognised agency or person; or
iv) an authorised person; or
v) any other person authorised by the Director-General.

(3) For the purpose of working out how long records are kept:

a) records made by operators are deemed to be made on the day the bee products to which they relate are presented for processing; and
b) operator records about bee products are deemed to be made:

i) in the case of an operator who packs the product into an export package, the day the bee products are packed; and
ii) in any other case, the day the bee products leave the operator's control.

Part 8: Transitional provisions

8.1 Stock in trade

(1) Monofloral and multifloral mānuka honey that was already packed in retail packages, and was legally compliant immediately prior to the date of commencement of this Notice:

a) may be exported to any country that does not require an official assurance between the date of commencement of this Notice until the date that is 6 months after the date of commencement of this Notice; but
b) must not be exported to any country that requires an official assurance during the period stated in paragraph (a).

Guidance

Operators should keep records which demonstrate that the honey was packed into retail packages prior to the date of commencement of this Notice.

8.2 Validity of pre-commencement test results

(1) Where honey was tested before the commencement of this Notice, the test results may be used for the purposes of determining compliance with the definition of monofloral mānuka honey under clause 5.1 or multifloral mānuka honey under clause 5.2, provided that:

a) the testing comprised test [10.04 and 10.05] listed in the MPI Consolidated List of Tests for Animal Products: meat, poultry, honey, seafood, dairy, live animals and germplasm carried out in accordance with the test methods associated with those tests; and
b) the test was carried out by a laboratory recognised by the Director-General to carry out the tests in para (a) above; and
c) the test was carried out in a manner that meets the applicable requirements specified in Part 6 of this Notice, including sampling requirements.

(2) Except as provided for stock-in-trade as described in clause 8.1, where honey is labelled as monofloral mānuka honey or multifloral mānuka honey on the basis of test results referred to in sub clause (1):

a) such honey is eligible for export only if the labelling restrictions in clause 5.3 are complied with; and
b) such honey is eligible for an official assurance only if clause 5.4 is complied with; and
c) clauses 5.5 and 5.6 apply.

Guidance

- The laboratories recognised to carry out the tests are those laboratories that are listed in the Recognised Laboratory Programme register as being recognised to carry out tests [10.04 and 10.05.
- All other requirements of Part 6 (i.e. test to be carried out in a recognised laboratory, sampling requirements, ability to demonstrate the connection between the test results, the honey and the sample etc.) should also be complied with.
- The purpose of sub clause (2) above is to clarify that where an exporter/operator is relying on this validation clause, the labelling restrictions in cl 5.3 applies, E-cert process in cl 5.4 applies if he/she wants an official assurance, and the verification provisions of cl 5.5 and 5.6 apply as well.