

# IMPORT HEALTH STANDARD FOR HEAT TREATED MILK AND MILK PRODUCTS *NOT* FOR HUMAN CONSUMPTION FROM THE EUROPEAN UNION

Issued pursuant to Section 22 of the Biosecurity Act 1993

Dated: 28 June 2012

## Important information for importers and MPI Border

**5 April 2017**

Under CTO Direction **CTO 2017 022 [B]**, products sourced from non-EU countries no longer require the additional declarations included in the Eligibility section of this IHS to be on the zoosanitary certificate.

Copies of the original "import" certificate of the non-EU country are also no longer required.

## Important information for importers

**8 October 2014**

Pursuant to section 27(1)(d)(iii) of the Biosecurity Act 1993, CTO direction **CTO 2014 138 [B]**

The certificate validity statement – 'This certificate is valid for 4 months from the date of issue (unless revoked)' is no longer required.

## USER GUIDE

The information in MPI animal and 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 MPI 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 and, if necessary, in a transitional facility in New Zealand prior to any consignment being given biosecurity clearance.

Part D. ZOOSANITARY CERTIFICATION contains model health certification which must be completed by the appropriate personnel as indicated in the certification and accompany the consignment to New Zealand.

## 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 heat treated milk and milk products NOT for human consumption from the European Union.
- 1.2 Obtaining biosecurity clearance for each consignment of heat treated milk and milk products NOT for human consumption from the European Union is dependent on the consignment meeting the requirements of this import health standard.
- 1.3 If this standard needs to be amended or revoked urgently, or the Director General considers that an amendment is minor, the amendment or revocation may be carried out without prior consultation.

## **2. IMPORTER'S RESPONSIBILITIES**

- 2.1 The costs to MPI in performing functions relating to the importation of heat treated milk and milk products NOT for human consumption must 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 must be borne by the importer or agent.
- 2.3 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/ihs/search>

## **3. DEFINITION OF TERMS**

### **Council Directive 64/432/EEC**

Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-community trade in bovine animals and swine.

### **Council Decision 97/132/EC**

Council Decision 97/132/EC of 17 December 1996 on the conclusion of the Agreement between the European Union and New Zealand on sanitary measures applicable to trade in live animals and animal products.

### **Council Directive 92/46/EEC**

Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products.

### **Regulation (EC) No 853/2004**

Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin.

### **Regulation (EC) No 1069/2009**

Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation).

### **Biosecurity clearance**

A clearance under section 26 of the Biosecurity Act (1993) for the entry of goods into New Zealand. (Explanatory note: Goods given a Biosecurity Clearance by an Inspector are released to the importer without restriction).

### **Dairy products NOT for human consumption**

This refers to dairy products imported for any purpose other than for human consumption e.g. dairy products intended to be fed to animals may be imported under this import health standard.

### **Equivalence**

Acceptance by the Manager Import & Export Animals that the circumstances relating to the importation of a consignment are such that the health status of the consignment is equivalent to or greater than the health status of a consignment that complies with the requirements of the import health standard.

### **European Union**

Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, The Netherlands and United Kingdom.

### **Heat treatment**

As defined in Regulation (EC) No 92/46/EEC: any treatment involving heating that causes, immediately after it has been applied, a negative reaction to the phosphatase test.

Examples of heat treatments are high temperature short time (HTST) pasteurisation, ultra high temperature (UHT) treatment and sterilisation.

### **Inspector**

A person who is appointed an inspector under section 103 of the Biosecurity Act (1993). (Explanatory note: An Inspector is appointed to undertake administering and enforcing the provisions of the Biosecurity Act and controls imposed under the Hazardous Substances and New Organism Act 1996, and the Convention on the International Trade in Endangered Species).

### **Manager Import and Export Animals**

Manager Import and Export Animals, Ministry for Primary Industries New Zealand, or any person who for the time being may lawfully exercise and perform the power and functions of the Manager Import and Export Animals

### **MPI**

Ministry for Primary Industries, New Zealand.

### **Raw milk**

As defined in Regulation (EC) No 853/2004. This refers to milk produced by the secretion of the mammary gland of farmed animals that has not been heated to more than 40 °C or undergone any treatment that has an equivalent effect.

### **Official Veterinarian**

A veterinarian authorised by the Competent Authority of the country to perform certain designated official tasks associated with animal health and/or public health and inspections of commodities and, when appropriate, to certify in conformity with the provisions of the Section 5.2 of the OIE Terrestrial Code pertaining to principles of certification.

### **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.

#### **4. EQUIVALENCE**

- 4.1 It is expected that the animal product will meet the conditions of this import health standard in every respect. If the products do not comply with the requirements, an application for equivalence may be submitted to MPI for consideration. Detailed information supporting the application for equivalence must be forwarded to MPI for a decision. If an equivalence measure is approved, the Director-General will issue an import permit under section 22(2) of the Biosecurity Act.

### **PART B. IMPORTATION PROCEDURE**

#### **5. PERMIT TO IMPORT**

- 5.1 A permit to import is not required for consignments that meet the requirements of this import health standard.

#### **6. ELIGIBILITY**

- 6.1 Products not for human consumption eligible for entry under this import health standard include:

6.1.1 pasteurised, UHT or sterilised milk and milk products originating from cattle, sheep or goats

- 6.2 The products must be commercially packed and sealed within the original packaging on arrival.

- 6.3 For milk or dairy products that have been imported into the European Union from a third country and are subsequently destined for export to New Zealand, the following requirements must be met:

6.3.1 In each case, the product must originate from a third country eligible to export dairy products directly to New Zealand (refer to <http://www.biosecurity.govt.nz/ihs/search>)

6.3.2 The following additional declaration must be included on the model health certificate (see PART D. ZOOSANITARY CERTIFICATION):

“The product described herein was derived/partly derived from product which:

- i. was imported into the European Union from: \_\_\_\_\_ (country or countries of origin)
- ii. was further stored, handled, processed, wrapped, and/or packaged in an establishment which is eligible to process product for intra-community trade,
- iii. is the subject of an existing import health standard between New Zealand and the third country/countries where the product originated (see clause 5.3.1),
- iv. originated in a third country/countries and establishment(s) listed by the European Union and is eligible for export to the European Union.”

- 6.3.3 A copy of the original “import” certificate (i.e. certificate(s) used to import the product into the European Union) is to be attached to the model health certificate (see PART D. ZOOSANITARY CERTIFICATION). This copy is to be endorsed “certified copy of original” and be signed by the certifying officer.

## **7. DOCUMENTATION ACCOMPANYING THE CONSIGNMENT**

- 7.1 The consignment must be accompanied by appropriately completed health certification that meets the requirements of PART D. ZOOSANITARY CERTIFICATION.
- 7.2 Documentation must 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 consignments.

## **PART C. CLEARANCE PROCEDURE**

### **8. BIOSECURITY CLEARANCE**

- 8.1 Upon arrival in New Zealand the documentation accompanying the consignment must be inspected by an Inspector at the port of arrival.
- 8.2 Providing that the documentation meets all requirements noted under PART D: ZOOSANITARY CERTIFICATION and the consignment meets the conditions of ELIGIBILITY, the consignment may, as appropriate, be given a biosecurity clearance pursuant to section 26 of the Biosecurity Act 1993 or biosecurity direction pursuant to section 25 of the Biosecurity Act 1993.

## **PART D. ZOOSANITARY CERTIFICATION**

### **9. NEGOTIATED EXPORT CERTIFICATION**

- 9.1 The following Model Zoosanitary Certificate contains the information required by MPI to accompany imports of heat treated milk and milk products NOT for human consumption from the European Union.

**10. ANIMAL HEALTH MODEL CERTIFICATE FOR HEAT TREATED MILK PRODUCTS NOT FOR HUMAN CONSUMPTION - ANNEX A ASSIGNED NUMBER (AN) 13.1**

**AN Number and Name of Animal Product:**.....

**Certificate Number:** .....

**Exporting Member State:** .....

**Competent Ministry of Exporting Member State:** .....

**I. Identification of Product**

Number of packages: .....

Nature of packaging: .....

Nature of the goods: .....

Species product derived from: .....

Net weight in kilograms (kg): .....

Number of the container(s) and container seal number(s): .....

Production date(s): .....

**II. Origin of Product**

Name and official approval number(s) of establishment(s): .....

**III. Consignment Information**

Place of loading: .....

Name and address of consignor:.....

.....

Name and address of consignee:.....

.....

**Port of Disembarkation:** .....

**Country of Final Destination:**           NEW ZEALAND

**IV. Health Attestation**

I the undersigned hereby certify that:

The animal products herein described, comply with the relevant European Union animal health standards and requirements which have been recognised as equivalent to the New Zealand standards and requirements as prescribed in Council Decision 97/132/EC, as last amended, specifically, in accordance with:

Council Directive 64/432/EEC and Regulation (EC) No 1069/2009.

**V. Additional Declaration(s)/Guarantee(s)**

I the undersigned hereby certify that the animal product is eligible for intra- community trade without restriction.

**VI. This certificate is valid for 4 months from the date of issue (unless revoked)**

Done at: \_\_\_\_\_ on \_\_\_\_\_

Signature and Seal of Official Veterinarian: \_\_\_\_\_  
(Note: The signature and official seal must be in a colour different to that of the printing.)

