



Animal Products Notice

Official Assurance Requirements

20 September 2023

TITLE

Animal Products Notice: Official Assurance Requirements

COMMENCEMENT

This Animal Products Notice comes into force on 1 March 2024

REVOCATION

This Animal Products Notice revokes and replaces:

- (1) Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products issued on 29 March 2017, and
- (2) Animal Products Notice: Official Assurances Specifications for Dairy Material and Dairy Products issued on 29 March 2017.

ISSUING AUTHORITY

This Animal Products Notice is issued under sections 63(3), 77H, 167(1) for the purposes of section 158, and 167(2) of the Animal Products Act 1999, to supplement Parts 1, 5, and 9 of the Animal Products Regulations 2021

Dated at Wellington, 20 September 2023

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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 set out the requirements for issuing, controlling, and obtaining official assurances for animal material and products (excluding live animals not for human consumption and germplasm).

Background

The Animal Products Act 1999 (the Act) enables the Director General of MPI to set out requirements and procedures for the issue and control of official assurances for the export of animal material and products (products).

What is an official assurance?

An official assurance is an assurance provided by the New Zealand Government to an importing government. The Ministry for Primary Industries (MPI) issue official assurances for products intended to be exported under the Act. The purpose of an official assurance is to provide confidence to the importing countries that the products meet the importing country's requirements (as agreed with MPI and documented in OMAR) as well as New Zealand's domestic standards.

The New Zealand official assurances framework

It is important MPI upholds the integrity of the official assurances New Zealand provides. The robust systems which ensure the product is traced throughout the processing chain in New Zealand, as well as the verification of any claims made on official assurances are an important part maintaining this integrity.

This document considers two key parts of the official assurance framework:

- transfer documents, and
- official assurances.

Transfer documents

Operators who intend to export products need to raise a transfer document every time such material or product moves between premises. The purpose of the transfer document is to ensure traceability throughout the production chain and confirm the animal material is eligible to be exported to the specified country(s) i.e. product at that point in the processing chain meets:

- **New Zealand's requirements** (e.g. operate under a risk management programme), and
- the **importing country(s) requirements** (e.g. the requirements detailed in the overseas market access requirements).

Transfer documents are verified by either the official assurance verifier at the time of issue, or where permitted by the Director-General, the transfer document may be issued by an eligibility submitter and may be subjected to later verification.

Official Assurances

When the product is ready for export, exporters can apply for an official assurance. Official assurances are usually provided in the form of an export certificate. The necessary chain of evidence must be available in AP E-cert for MPI consideration prior to verification and issuance of an official assurance.

Entry of goods into overseas markets

An official assurance is not a guarantee of entry for those goods to the intended market as stated in section 61(3) of the Act.

An official assurance may be interpreted or implemented differently at different entry points of the intended market concerned or even by different officials at the same entry point. This is outside of MPI's control, though MPI may attempt to assist consignment clearance at its own discretion, where appropriate.

Exporters should note their duties as exporter as per [Section 51 of the Animal Products Act \(1999\)](#).

Who should read this Animal Products Notice?

This Animal Products Notice should be read by all persons listed in clause 1.1.

Why is this important?

Operating other than in accordance with this Notice will result in products not being eligible for export with an official assurance. MPI will not issue an export certificate for products that fail to comply with any provision of this Notice.

A breach of this notice may be an offence under 135(1)(c) of the Act.

Document History

Version Date	Section Changed	Change(s) Description
September 2023	Entire Notice	Amalgamation of the Animal Products Notices: <ul style="list-style-type: none">• Official Assurances Specifications for Animal Material and Animal Products• Official Assurances Specifications for Dairy Material and Dairy Products

Other information

This Notice does not contain a list of all the prerequisites needed for products to be eligible for export. It is the responsibility of operators and exporters to ensure familiarity with the Act, regulations and notices issued under the Act.

Further information on exporting animal products can be found on the MPI website: [How to start exporting](#).

If you require further questions about commercially exporting, contact MPI at exporterhelp@mpi.govt.nz.

Information contained in guidance boxes do not provide requirements under this Notice.

Operators must not use AP E-cert as a replacement for their own traceability/inventory control systems.

Part 1: Preliminary Provisions

1.1 Application

- (1) This Notice applies to:
 - a) operators of animal products businesses that process animal material or animal product for export with an official assurance (products), and
 - b) exporters of animal material or animal product for export with an official assurance (products), and
 - c) verifying agencies, and
 - d) official assurance verifiers (i.e. verifiers of the operators and exporters under this Notice), and
 - e) certifiers.
- (2) This Notice does not apply to operators of animal products businesses that process live animals and germplasm for export with an official assurance.

1.2 Market-specific requirements

- (1) If the requirements in this Notice differ from those detailed in an OMAR, the requirements of the OMAR take precedent.

1.3 Interpretation

- (1) Any term defined in the Act, Regulations, or Animal Products Notice: Production, Supply and Processing (PSP) and used but not defined in this Notice, has the meaning given in the Act, Regulations, or PSP Notice.

AP E-Cert means Animal Products Electronic Certification, which is the electronic system that the Director-General requires operators, exporters, and certifiers to use in connection with the issue of official assurances. This includes any system that replaces AP E-cert.

AP E-cert user means a natural person accessing AP E-cert on behalf of an operator

certifier means a person authorised by the Director-General under section 65 of the Act as an authorised person for the purpose of issuing official assurances and under section 64 of the Act for withdrawing and reissuing official assurances

commercial information means information that is relevant to an export consignment but does not include information about New Zealand's animal health, sanitary controls, animal welfare, any information required by or under the Act or an OMAR, or any verifiable product details.

eligible for export, in relation to products, means that the products are eligible for export with an official assurance because they meet:

- all applicable New Zealand requirements for production, supply, and processing, and
- any applicable New Zealand export requirements made under section 60 of the Act, and
- any OMAR of the importing country.

eligibility submitter means an AP E-cert user approved to confirm the eligibility for export of products

exhaust, in relation to a transfer document, means to record on the transfer document that specific product is no longer represented by that transfer document

export certificate means the form of official assurance issued for consignments of product through the use of AP E-cert, as determined by the Director-General under section 62 of the Act

first-hand knowledge means:

- current knowledge, obtained through observation, of the processing of product, and
- an understanding of the relevant documentation and records used to confirm export eligibility.

import certificate (also referred to as a **foreign ingredient certificate**) means a sanitary certificate relating to imported product that is issued by the competent authority of the government of the country of export

inventory control system is an operator data management system whereby the operator is able to satisfactorily demonstrate the identity, traceability, and eligibility of animal material and/or products through their records

New Zealand Standard Export Certificate means a standardised export certificate beginning with the prefix "NZ" available in AP E-cert and used for consignments of products exported to an importing country for which there are no specified OMARs

official assurance verifier means a verifier or verification agency recognised to verify compliance with official assurances; and, in connection with an operator, means the verifier of that operator

OMAR means an overseas market access export requirement made under s60 of the Act

operator means the operator of an animal product business that processes product, other than:

- animal material depots, and
- fishing vessels that do not operate under an RMP or a regulated control scheme, and
- transporters

premises of final control means the final premises where products are physically located before being consigned to an exporter or transferred to a port or airport for export

product means any animal material or animal product intended for export with an official assurance. This includes product imported into New Zealand or New Zealand product mixed with imported product. This may include inputs that are animal product depending on OMAR requirements.

Raise means in relation to AP E-cert transfer documents or applications for export certificates, completing and submitting for approval a transfer document or application for an export certificate in accordance with this Notice. **Raised** has a corresponding meaning.

RMP means a registered risk management programme

signatory seal means the uniquely identified official stamp issued to certifiers for performing specified assurance activities

supporting document means any document that is or may be attached or linked to a transfer document (such as an import certificate, or laboratory test results) to provide additional information necessary for the issuance of an official assurance.

transfer, in relation to products, means:

- for a transfer between operators, the physical transfer of the products, and
- for a transfer to or from an exporter, the transfer of legal control of the products.

transfer control statement means a statement made on a transfer document that sets out any conditions remaining to be met before market eligibility can be confirmed in respect of the products covered by the transfer document

transfer document means a document raised in AP E-cert relating to the eligibility for export of products, and includes but is not limited to description of the product, market eligibility, transfer control statements, and supporting documents attached to or linked by AP E-cert to the document

transit store means where a product may be held by the operator for a specified allowable time period

Part 2: Operator procedures and records

2.1 Application of this Part

- (1) This Part applies to all operators who process products.

2.2 Written procedures

- (1) For the purposes of regulation 103 of the Animal Products Regulations 2021, operators must have written procedures that set out at least the following:
- a) operational compliance with:
 - i) any export requirements, and
 - ii) any attestations to be provided in an official assurance.
 - b) the system for keeping products with different eligibilities identified and traced during:
 - i) receipt of consignments, and
 - ii) processing of consignments, and
 - iii) subsequent storage of consignments.
 - c) how incoming consignments of products are checked against the export requirements of the intended markets, including requirements relating to the following:
 - i) production,
 - ii) storage,
 - iii) transport conditions,
 - iv) product item marks,
 - v) labels or other identifying features.
 - d) the tracking system that records the movement of all products from arrival at the premises to further transfer.
- (2) The tracking system specified in clause 2.2(1)d) must:
- a) have sufficient security built in to restrict access to only persons who are authorised to access it, and
 - b) be capable of tracking any changes made to any information submitted through the system and identify persons who made them.

2.3 Operator records

- (1) The operator must make and keep, for not less than 4 years, records of the following:
- a) all inputs used in any products, and
 - b) all transfer control statements and the circumstances in which each was required, and
 - c) import certificates associated with any imported animal material or animal product used in products, and
 - d) all test results obtained during production and processing of product, and
 - e) any ingredients and processing aids used, and
 - f) as part of a business continuity plan, all incoming and outgoing transfer documents.
- (2) If transfer documents were not required in relation to product (see clause 4.3), the operator must maintain records to demonstrate that:
- a) the transferred products can be accurately and comprehensively identified through the operator's inventory control system, and
 - b) product eligibility for export has been maintained.

Part 3: AP E-cert and AP E-cert users

3.1 Application of this Part

- (1) This Part applies to operators and exporters who use AP E-cert.

3.2 Accessing AP E-cert

- (1) Operators and exporters must have access to AP E-cert.

Guidance

- Operators and exporters should refer to the guidance on the MPI Website: [Animal Products \(AP\) E-cert](#).

3.3 Responsibilities of AP E-cert users and eligibility submitters

- (1) Every operator must ensure that each AP E-cert user or eligibility submitter they have employed or engaged has an individual AP E-cert account.
- (2) Every operator needs to have procedures in place to prevent the AP E-cert account for each AP E-cert user or eligibility submitter they have employed or engaged being accessed by other individuals.

3.4 Becoming an eligibility submitter

- (1) Operators must ensure AP E-cert users applying to become eligibility submitters to raise transfer documents on their behalf have the following documented competencies:
 - a) has first-hand knowledge of the animal product business for which they are to be an eligibility submitter, and
 - b) has sufficient knowledge of the requirements of relevant export markets, and
 - c) has undergone procedural training provided by the operator they raise transfer documents for, and
 - d) is experienced in successfully raising transfer documents.
- (2) An AP E-cert user applying to become an eligibility submitter must provide a declaration from the operator they raise transfer documents for confirming that subclause (1) has been met.
- (3) The Director-General may approve an AP E-cert user becoming an eligibility submitter if satisfied that subclauses (1) and (2) have been met.
- (4) The Director-General may revoke an eligibility submitter's approval based on, but not limited to:
 - a) verifier recommendation,
 - b) voluntary withdrawal,
 - c) notification from the operator or eligibility submitter that the eligibility submitter has ceased employment,
 - d) failing to comply with the terms and conditions of AP E-cert use.
- (5) Transitional provision:
 - a) persons currently approved as "authorised users" under either the Animal Products Notice: Official Assurances Specifications for Animal Material and Animal Products, or Animal Products Notice: Official Assurances Specifications for Dairy Material and Dairy Products, are approved as eligibility submitters under this Notice.

3.5 When AP E-cert is not available

- (1) Every operator and exporter must have a business continuity plan in place to provide for what to do when AP E-cert is unavailable due a technical fault with the AP E-cert system.
- (2) As part of a business continuity plan, operators and exporters who use AP E-cert must have an alternative (or back up) submission system to ensure they can continue to raise transfer documents electronically in AP E-cert when their primary submission system becomes unavailable.
- (3) The business continuity plan must ensure that when product is transferred to an operator or exporter, the information that would be required to be included in a transfer document is conveyed to the consignee and the operator's official assurance verifier in an alternative form of transfer document:
 - a) operators and exporters must not use this aspect of a business continuity plan for cases where there is a fault in their submission system or loss of internet connection.
- (4) The alternate form of transfer document, and any alternate method of applying for an export certificate, must be in that form:
 - a) if the Director-General provides a form, or
 - b) if an OMAR specifies a form, in that form, or
 - c) in any other case, in a form identified in the business continuity plan.
- (5) The following information must be included, as appropriate to ensure export eligibility, in any alternative transfer document used by an operator when AP E-cert is not available:
 - a) Unique identifier information
 - b) Consignment information
 - c) Product information
- (6) Once access to AP E-cert is restored following a technical fault, operators and exporters must:
 - a) stop using the processes in their business continuity plan and return to using AP E-cert, and
 - b) operators and exporters must enter the data on alternate forms of transfer documents into AP E-cert as transfer documents within 5 working days and cancel the alternate forms of transfer documents, and
 - c) the alternate form of transfer document and the transfer document in AP E-cert must:
 - i) have the same unique identifier; and
 - ii) include "Previously raised on paper under BCP, on [date]" on the transfer document.

Part 4: General Transfer Document Requirements

4.1 Application of this Part

- (1) This Part applies to operators and exporters who raise transfer documents.

4.2 When transfer documents are required

- (1) An operator must raise a transfer document in AP E-cert when transferring product to:
- a) another premises, or
 - b) an exporter.
- (2) An exporter must raise a transfer document in AP E-cert when transferring product to:
- a) another exporter, or
 - b) an operator.

4.3 When a transfer document is not required

- (1) Despite clause 4.2, an operator or exporter need not raise a transfer document when the products:
- a) are moved to, from, or between transporters, or
 - b) are transferred direct to a transit store and clause 6.4 applies, or
 - c) are moved between premises:
 - i) with multiple RMPs or unique location identifiers, and
 - ii) owned or occupied by the same operator and situated within the same boundary fence, and
 - iii) with an inventory control system in place that provides for adequate traceability equivalent to that provided for by transfer documents, and
 - iv) neither the consignor nor the consignee premises are a mobile operation, and
 - v) where the transfer is under the direct control of the operator.
 - d) are moved between operators under the Act,
 - i) that are directly adjoining and managed by a common managerial structure (i.e. the same board), and
 - ii) with an inventory control system in place that provides for traceability equivalent to that provided for by transfer documents, and
 - iii) the transfer is under the direct control of the operator, and
 - iv) that are not mobile operations.
 - e) are moved to the exporter where the operator is preparing the official assurance, and the official assurance is being issued by a certifier who is also a verifier for that premises, with current first-hand knowledge of that premises, or
 - f) are being moved to or from an animal material depot (as that term is used in Regulation 127), or
 - g) are bee products, and the transfer is from the apiary to extracting premises operating under an RMP, or
 - h) are fish or fish products that:
 - i) are moved from a vessel into a land-based premises, or
 - ii) are unprocessed and are moved from a listed fish depot to a land-based premises, or
 - iii) are unprocessed fish that are chilled on ice and are moved between land-based premises operating under common management control.
 - i) are dairy product fluid streams intended for further processing (but not packaging) and transferred between RMP premises under common ownership.

Airline holding facility

- (2) An operator or exporter does not need to raise a transfer document for the transfer of a consignment from the premises of final control to port of export that is an airline holding facility and has all of the following characteristics:
 - a) no RMP, and
 - b) handles only consignments fully prepared and packaged for export, and
 - c) is situated within the security confines of the airport and adjacent to the tarmac.
- (3) Where a consignment of product is transferred from the premises of final control to an airline holding facility without a transfer document, the consignment:
 - a) must be clearly identifiable so that verification can be carried out before export, and
 - b) must not be held at the airline holding facility for more than 24 hours after receipt, and
 - c) must be loaded directly onto an aircraft.

4.4 Content of transfer documents

- (1) Every transfer document raised by the consignor operator or exporter must be in the appropriate form provided in AP E-cert and include the following:
 - a) a list of the countries that the products are eligible to be exported to, and
 - b) transfer control statements which specify any specific controls that each of the eligible markets requires in order for products to be eligible for export from New Zealand with an official assurance, and
 - c) any additional declarations or attestations required by New Zealand export requirements or relevant OMARs, and
 - d) detail on which processing options were applied to the product where an OMAR provides a range of processing options, and
 - e) any supporting documents required to confirm eligibility.

4.5 Control statements on transfer documents

- (1) The verifier of the consignor operator must approve all transfer control statements prior to their first use on transfer documents. Subsequent use of transfer control statements do not need to be approved by the verifier.
- (2) The verifier of the consignor operator may request evidence to confirm the conditions of the transfer control statement have been met before approving the transfer document.
- (3) If the type or condition of the product as declared in a transfer document differs from that indicated on the product packaging, the transfer document must include an explanation.
- (4) Subclause (3) does not apply to products stored at a lower temperature than that indicated on the product packaging

Guidance

- An example of subclause 4.5(3) is chilled product going to a coldstore for immediate freezing may use the frozen Harmonised System (HS) codes provided there is a transfer control statement.

4.6 Changing country eligibility on a transfer document

- (1) A consignor operator may add a country to the list of eligible countries on an outgoing transfer document to extend the product's export eligibility.

- (2) If a consignor operator extends the country eligibility on an outgoing transfer document, the operator must:
 - a) Identify any differences between the export requirements of the additional country and those of the countries already listed in the transfer document, and
 - b) keep auditable records demonstrating that the additional or different requirements have been met through examination of:
 - i) the products, and
 - ii) any processes or procedures that have been applied at the operator's premises, and
 - c) include the declaration "eligibility extended" on the outgoing transfer document, when extending the eligibility to a market with additional requirements to those countries listed in the incoming transfer document.

4.7 Amending transfer documents that have been issued

- (1) If a transfer document has been issued by a consignor operator and been received by a consignee operator or exporter, the consignor operator may amend the transfer document only in the following circumstances:
 - a) the consignee requests information, known to the consignor operator, that will enable the consignee to extend the country eligibility of the products received, or
 - b) where the consignor becomes aware that the information stated on a transfer document is no longer true or sufficient, they must amend the transfer document to correct it, or
 - c) where the consignee detects an error and requests a correction.
- (2) A consignor operator may amend a transfer document that has been issued if the products are delivered to the wrong premises and the operator of those premises requests an amendment (see clause 6.5).

4.8 When weight can be estimated

- (1) Only operators transferring product between premises may estimate the weight of a bulk consignment.
- (2) If it is not reasonable for an operator to weigh a bulk consignment load before dispatch, the outgoing transfer document:
 - a) may include the operator's best estimated weight for the material in the consignment, and
 - b) must state in the form of a transfer control statement that the weight is an estimated weight.
- (3) For the purpose of clause 4.8(2) a bulk consignment load includes:
 - a) bee products
 - b) tallow
 - c) materials used in rendering
 - d) green runners

4.9 Exporters raising transfer documents

- (1) An exporter may raise a transfer document for transfer of all or part of a consignment to another exporter if:
 - a) the transfer document has been sent to the exporter, and
 - b) the containerised consignment is ready for export at the port, or
- (2) An exporter may raise a transfer document for transferring shipping containers carrying product to an operator if:
 - a) one or more containers from the consignment are no longer required to be shipped.

Part 5: Confirming and checking transfer documents

5.1 Application

- (1) This Part applies to operators, official assurance verifiers, and eligibility submitters.

5.2 Who can confirm transfer documents?

- (1) An operator must ensure that transfer documents are confirmed either by:
- a) an official assurance verifier, on the basis of:
 - i) first-hand knowledge of the operations of the operator raising the transfer document, or
 - ii) information obtained from a database, maintained by the official assurance verifier or a verifying agency, that identifies the compliance history of the operator and records the processing of the product covered by the transfer document, or
 - b) an eligibility submitter, on the basis of first-hand knowledge of the operations of the operator raising the transfer document.

5.3 Confirming a transfer document

- (1) An official assurance verifier or eligibility submitter may confirm a transfer document only if they:
- a) are satisfied that all details in the transfer document are complete and accurate, and
 - b) ensure that any required transfer control statements are included in any required transfer document (see clause 4.4(1b)), and
 - c) are satisfied that any imported products or imported ingredients used in products intended for export and related transfer documents meet any country specific OMAR requirements of the importing country, and
 - d) have no concerns about the operator's premises or processes, and
 - e) there is no record of any non-compliance of eligibility conditions related to the specific product batches.
- (2) Where an incoming transfer document contains a transfer control statement, the official assurance verifier or eligibility submitter must:
- a) Confirm on the outgoing transfer document that the conditions of the transfer control statement on the incoming transfer document have been met, or
 - b) Retain the same transfer control statement on the outgoing transfer document if the conditions of the transfer control statement on the incoming transfer document have not been met.

Confirming transfer documents where the country eligibility has been changed

- (3) The official assurance verifier or eligibility submitter may confirm the transfer document with extended country eligibility where the operator has met the relevant requirements of clause 4.6, and the decision to issue is supported by:
- a) the operator identifying the difference between the country requirements for listed countries on the incoming and outgoing transfer documents by:
 - i) confirmation that no additional processing requirements are required for export eligibility to the extended country, or
 - ii) confirmation against production records of the receiving premises that any outstanding additional relevant processing requirements have been completed.

5.4 Confirmation of transfer documents previously confirmed by eligibility submitters

- (1) An official assurance verifier must confirm at least 5% of the transfer documents previously confirmed by eligibility submitters at a premises to ensure they have been raised correctly.
- (2) The 5% applies to all transfer documents at a premises that were confirmed by the eligibility submitter and must be randomly selected and be done on an ongoing basis spread evenly through the year.
- (3) The confirmation required by clause (1) must cover the following:
 - a) the accuracy of information included in the transfer document,
 - b) where required by an OMAR, the accuracy of the country listing for the intended markets,
 - c) the accuracy of transfer control statements,
 - d) that source transfer documents are linked to outgoing transfer documents where applicable,
 - e) that supporting documentation required by other regulatory requirements, or relevant OMAR has been included in the transfer documents,
 - f) that transfer documents have sufficient information to support an application for an export certificate.

Part 6: Transfer of product

6.1 Application

- (1) This Part applies to operators and exporters raising a transfer document.

6.2 Processing of product

- (1) For the purposes of Part 6:
- a) Operator A is a consignor transferring product to operator B,
 - b) Operator B is:
 - i) a consignee receiving product from operator A, or
 - ii) a consignor transferring product to operator C,
 - c) Operator C is a consignee receiving product from operator B.

Processing without a transfer document

- (2) If operator B receives product from operator A, operator B may only process the product before receiving a transfer document from operator A for the product if:
- a) the details of the processing of the product are recorded in the company's inventory control system and reflected in any outgoing transfer document, and
 - b) the link between the incoming and outgoing transfer documents is clearly established.
- (3) Subclause 6.2(2) does not prevent operator B from taking steps (such as refrigeration) to ensure that the product's fitness for intended purpose is maintained.

6.3 Transferring product

Transferring without a transfer document

- (1) If operator B receives product from operator A, operator B may only transfer product to operator C before receiving a transfer document from operator A for the product if all the following requirements are met:
- a) operator B has standard operating procedures approved by the official assurance verifier, and
 - b) the standard operating procedures from the above clause states the circumstances in which this exception will apply, and how it will apply and be recorded, and
 - c) the transfer is necessary for logistical reasons, and
 - d) operator B includes a transfer control statement on any subsequent transfer document specifying the steps required before the products are eligible for export, including:
 - i) a statement that further transfer is prohibited until eligibility for export is confirmed by amending the transfer document, and
 - e) operator C only stores the products and does not further process or transfer them, and
 - f) operators B and C identify and record the consignment in the company's inventory control system.

Guidance

- The purpose of this clause is to allow product to be transferred without a transfer document, and then processed at the receiving premises. However, this clause does not provide for further transfer or export of the product until all the necessary transfer documents are available.

6.4 Consignments transferred to transit store without transfer document

- (1) Operator A may transfer the products to operator B without a transfer document if:
 - a) operator A is the premises of final control where the products are packed for export, and
 - b) operator B operates a transit store where export on a flight is intended to occur within 12 hours of arrival at the transit store, and
 - c) operator A raises a transfer document direct to the exporter of the products (instead of operator B), and
 - d) the transfer document identifies operator B, using either their unique identifier or RMP number, and
 - e) operator B is able to view the transfer document.

Guidance

- This clause does not negate any requirement for country listing when the destination country OMAR requires listing for stores for the product being exported.

- (2) Operator B receiving products without a transfer document, as provided for in subclause (1), must:
 - a) record the unique reference number of the relevant transfer document, and
 - b) ensure the products are dispatched to export within 12 hours, and
 - c) if any consignment is found to be no longer fit for its intended purpose:
 - i) detain the consignment, and
 - ii) notify the official assurance verifier.
- (3) Where the product is not exported within 12 hours, operator B must notify operator A to raise the transfer document to consign it to the transiting store.

6.5 What happens when products are delivered to wrong premises

- (1) Operator B receiving products from operator A that was not intended to be delivered to their premises must:
 - a) identify the consignment, and
 - b) segregate it from other animal material and product at the premises, and
 - c) notify operator A of the unintended delivery as soon as possible, and
 - d) not further process or transfer the product until the associated incoming transfer document is either amended or replaced by operator A to identify operator B's premises.
- (2) If operator A is notified that a consignment covered by an outgoing transfer document has been delivered to an operator B premises not identified on the transfer document, operator A must:
 - a) amend or replace the transfer document within one working day of receiving notification from operator B of the unintended premises, and
 - b) ensure the amended or replacement transfer document is available to operator B of the premises to which the products were diverted.

6.6 Exhausting Transfer Documents

- (1) An operator must exhaust an incoming transfer document if all the product covered by it:
 - a) has been exported without an official assurance; or
 - b) is no longer available (for instance, because it has been further processed, sold on the local market or been destroyed).

Guidance

- Exhausting a transfer document prevents its use for the creation of further transfer documents.

Part 7: Load-in and load-out checks

7.1 Application of this Part

- (1) This Part applies to:
 - a) all operators who process products, and
 - b) official assurance verifiers and verification agencies.

7.2 Operator requirements

- (1) Clauses (2) and 7.3(1) do not apply to official assurance export operators that process hides, skins, game trophies, scientific/biotechnology material, and animal fibre not for human or animal consumption.
- (2) The operator must give the official assurance verifier sufficient notice to enable the official assurance verifier to carry out load-in and load-out verification required by clause 7.3.

7.3 Verifier requirements

- (1) A verifier or verification agency must ensure that verification includes a minimum of one load-in load-out check by an official assurance verifier per year.

Guidance

- The check required under clause 7.3(1) can occur during regular verification activities detailed in the [Animal products notice - Production, Supply and Processing](#).

Part 8: Re-establishing export eligibility

8.1 Application

- (1) This Part applies to operators and exporters.

8.2 Applying to re-establish eligibility for export with an official assurance

- (1) An operator or exporter may apply to the Director-General to re-establish eligibility for export with an official assurance for products where:
- a) an exporter or operator has failed to comply with any of the following requirements of this Notice:
 - i) clause 2.2(1)d): the tracking system that records the movement of all products from arrival at the premise to further transfer, or
 - ii) clause 4.4(1)b): Transfer control statements, or
 - iii) clause 6.2(2): further processing material or product without a transfer document being available, or
 - iv) clause 6.3(1): further transferring material or product without a transfer document being available, or
 - v) clause 6.5: what happens when products delivered to wrong premises.
 - b) the product would lose its eligibility for official assurance because of the non-compliance, and
 - c) the non-compliance was due to circumstances not reasonably foreseeable by the exporter or operator.
- (2) Where clause (1) applies, the export or operator must do the following:
- a) write the Director-General or an official assurance verifier outlining:
 - i) the nature and reason(s) for the non-compliance, and
 - ii) the corrective action(s) that would be carried out to minimise any chance of future non-compliance.
 - iii) how the product remains fit for purpose despite the non-compliance, and
 - iv) how the non-compliance does not breach any relevant overseas market access requirements.
 - b) pay the relevant fee if required.
- (3) The Director-General may re-establish eligibility for export with an official assurance for products where the requirements listed in clause (2) have been met.

Guidance

- To be satisfied about the fitness for intended purpose of product subject to a re-establishing export eligibility request, confirmation by the relevant official assurance verifier is likely to be required in most cases.
- Re-establishing export eligibility is highly unlikely where there are repeated non-compliances.

Part 9: General Official Assurance Requirements

9.1 Application of this Part

- (1) This Part applies to exporters raising export certificates for products.

9.2 Export certificate preparation

- (1) An exporter must apply for an export certificate for a consignment of products by:
- raising an export certificate request using the appropriate template in AP E-cert required for export to the importing country, and
 - completing the request in accordance with:
 - the information contained in the products transfer document or documents, and
 - OMAR requirements, or
 - if there is no OMAR, the New Zealand standard export certificate, and
 - attaching or linking to it any supporting documentation required by an OMAR to establish the product's eligibility for export to the importing country, and
 - attaching or linking to it any supporting documentation required to support export to a third country, and
 - for onward certification to a third country, applying any of the declarations referred to in clause 9.3, and
 - submitting the export certificate to a certifier for approval.
- (2) Where dates are attested to on an export certificate and the corresponding dates are coded (rather than written in date format) on labels (including bar coding); a full explanation of the code must be entered on the export certificate, in addition to the dates.

Raising New Zealand standard export certificate

- (3) An exporter may raise a New Zealand standard export certificate if a consignment is intended for export to a country for which there are:
- no OMARS in relation to the products in the consignment, or
 - no country specific certificates.
- (4) An exporter must, at the request of the certifier, provide sufficient evidence that the use of the New Zealand standard export certificate is necessary to facilitate entry into a market.

Guidance

- Exporters should ensure any specific requirements from the importing country notified under section 60 of the Act regarding imported products and its certification are complied with.
- Exporters should understand that when applying for a New Zealand standard export certificate, which is subsequently issued by a certifier, that this is done at commercial risk. The exporter must accept that:
 - the certificate is issued in good faith based on the exporter's assurances that all necessary enquiries have been made and there is no known impediment to entry of the product to the country concerned, and
 - MPI will not intervene if there is a refusal or failure of the relevant authority of an overseas market to admit product to that market, and
 - In accordance with section 61A of the Act, MPI shall not be liable, for any loss arising through the refusal or failure of the relevant authority of an overseas market to admit product to that market.

9.3 Export certificates for onward certification

- (1) Where an exporter requests in an export certificate application (see clause 9.2(2)e)), a certifier may include the following declarations on an export certificate to facilitate onward certification by the importing country's competent authority to third markets, unless the OMAR states specific certification requirements:
 - a) if a third country has a listing requirement, the following declaration on the appropriate export certificate:
 - i) "The [product] described on this certificate has been produced in premises listed for [insert name of country or countries] and at the time of export met the eligibility for export from New Zealand to [insert name of country or countries]"; or
 - b) if a third country has no listing requirement, the following declaration on the appropriate export certificate:
 - i) "The [product] at the time of export met the eligibility requirements for export from New Zealand to [insert name of country or countries]".
- (2) To support onward eligibility confirmation for additional third country, the final transfer document, must confirm eligibility to both of the specified countries.

Guidance

- MPI will notify relevant stakeholders by way of OMARs where the final importing country requires specific declarations to be included on MPI export certificates consigned to intermediate countries, and these declarations have been agreed to by MPI

Port of discharge is different from final destination

- (3) Where the port of discharge is in a different country from the final destination, the consignor operator must comply with any notified export requirements for transit from the country of discharge to the final country.

9.4 Official sealing of containers or cargo holds of the craft

- (1) Exporters must ensure that where export requirements stipulate the official sealing of containers or cargo holds of a craft carrying animal material or product, the exporter ensures that the sealing is completed before requesting the issue of an export certificate.

Guidance

- For more information on seals, refer to the [Animal Products Notice: Export Requirements for Official Devices](#).

9.5 Including other information in export certificates

- (1) The exporter must not include any information under the heading of "Unofficial Commercial Information" or "Unverified Commercial Data" on the export certificate that could be taken to be an attestation or assurance about the products supported by the certificate.
 - a) this includes, but is not limited to:
 - i) animal health
 - ii) sanitary controls
 - iii) animal welfare

- iv) any other information required by or under the Act, or (including any importing country requirement)
 - v) any verifiable product details
- (2) If practicable, commercial information must not be entered on an export certificate. If it is not practicable, commercial information must be placed under the heading 'Unofficial commercial information'. Commercial information is not officially verified.
 - a) commercial information includes:
 - i) contract numbers, and
 - ii) bank arrangements, and
- (3) Commercial inventory references, including product item numbers, are valid product identifications and are verifiable and may be included as part of the product description on an export certificate.
- (4) The exporter may enter additional declarations onto the export certificate template under the 'Official Information' box where authorised or instructed by the Director-General.

9.6 Issue of export certificate

- (1) An export certificate is treated as issued only when it is recorded in AP E-cert as approved.

Part 10: Issuing official assurance

10.1 Application

- (1) This Part applies to certifiers.

10.2 Criteria for issuing export certificate

- (1) An export certificate may only be issued if:
- a) the product listed on the certificate, including ingredients, meets the requirements of the relevant OMAR, and
 - b) the details on the certificate are fully supported by a transfer document to an exporter that was confirmed by an official assurance verifier or an eligibility submitter, and
 - c) in cases where eligibility submitters have confirmed transfer documents, the following information has been checked:
 - i) the compliance status of all premises where the products have been processed in New Zealand, and
 - ii) any product restrictions on the products, as recorded by a verifier or verifying agency, and
 - iii) whether there are any other grounds for concerns about whether the products are eligible for export.
- (2) Subclause (1)(b) is not required if:
- a) the certifier is also the official assurance verifier of the final premises of control and is recognised under section 104 of the Animal Products Act 1999, and
 - b) the official assurance verifier has the first-hand knowledge of the operation.

10.3 Refusing to issue export certificate

- (1) An export certificate for a consignment must not be issued if:
- a) the consignment is or has been transferred in contravention with any requirements of this Notice, or
 - b) the information provided by the exporter to support certification is:
 - i) incomplete, or
 - ii) inaccurate, or
 - iii) not in accordance with a regulatory requirement, or
 - c) the export certificate raised has been altered or modified in any way other than in accordance with approval given by the Director-General.

10.4 Issuing New Zealand standard export certificates

- (1) A New Zealand standard export certificate may be issued if:
- a) the consignment of product is to be exported to an importing country that has no OMAR, or
 - b) there are no country specific certificates, and
 - c) the export certificate raised by the exporter is not contrary to any export requirements, or
 - d) the OMAR of the importing country doesn't require a certificate.
- (2) New Zealand standard export certificates may be issued at the discretion of the certifier.

Guidance

- **Commercial risk:** Where an exporter applies for a New Zealand Standard Export Certificate, which is subsequently issued by a certifier, this is at the commercial risk of the exporter. The exporter is accepting that:
 - the certificate is issued in good faith based on the exporter's assurances that all necessary enquiries have been made and there is no known impediment to entry of the relevant product to the country concerned, and
 - MPI will not intervene if there is a refusal or failure of the relevant authority of an overseas market to admit relevant product to that market.
 - In accordance with section 61A of the Act, MPI shall not be liable, for any loss arising through the refusal or failure of the relevant authority of an overseas market to admit relevant product to that market.

10.5 Printed export certificates

- (1) If a printed export certificate is required by the OMAR, the certifier must print an export certificate for the product as follows:
 - a) the certificate must be printed on security paper (see clause 10.9); and
 - b) it must be signed by the certifier; and
 - c) it must be marked with the certifier's signatory seal (see clause 10.8), and
 - d) it must give the name and qualifications (where applicable), the date of issue and location of signing.
- (2) In relation to the above clause 10.5(1), the certifier must ensure their signature and signatory seal is in a colour different from that of the text of the export certificate.

Guidance

- Export certificates remain the property of the Director-General until received by a foreign government.

10.6 Providing copies of printed export certificates

- (1) An operator can apply for an official copy of a printed export certificate if:
 - a) required by an OMAR, or
 - b) the Director-General determines that it is necessary or desirable to safeguard assurances provided by New Zealand.
- (2) The official copy is:
 - a) a photocopy of the original printed copy, and
 - b) endorsed with the words:
 - i) "I certify that this document is a true and accurate copy of the original", and
 - c) be signed, dated, and sealed with a signatory seal, and
 - d) give the name of the person certifying the copy.

10.7 Exhausting transfer documents used on export certificate

- (1) A certifier must exhaust any transfer document, or part of as required, an exporter uses to support an export certificate at the time the export certificate is issued.

10.8 Signatory seals

- (1) Signatory seals are approved devices for the purpose of supporting requirements under official assurances under Section 158 of the Act.
- (2) A certifier will be issued with a signatory seal with a unique number.
- (3) A certifier may use only the signatory seal issued to them and must use it only as required or directed by the Director-General or in accordance with regulatory requirements.
- (4) When a person ceases to be a certifier, they must return their signatory seal to the Director-General.
- (5) A signatory seal will either be destroyed or not issued to another person for at least 2 years after the seal is last used.

10.9 Security paper

- (1) Printed export certificates must be printed on security paper.
- (2) Security paper meeting the requirements of subclause (3) is an approved device for the purposes of supporting requirements under official assurances under Section 158 of the Act.
- (3) Security paper is approved if it meets the following requirements:
 - a) the watermark, owned by the maker, is applied during manufacture, with a disruptive wavy background with the words 'New Zealand SPS Certificate' on the front side of each sheet of paper, and
 - b) each sheet must be numbered sequentially from a number instructed by the Director-General.
- (4) Only certifiers may be supplied with security paper by an approved manufacturer for the purposes of providing export certificates for product.
- (5) The security paper must be manufactured by the approved manufacturers listed under Schedule 1 of this Notice.

Part 11: Replacement Export Certificates

11.1 Application

- (1) This Part applies to exporters.

11.2 Applying for a replacement export certificate

- (1) The exporter may apply to the Director-General for a replacement export certificate to be raised in AP E-cert where:
- a) an error has been detected, or
 - b) details related to the consignment have changed after the certificate was issued, or
 - c) the paper certificate has been lost or damaged in transit to the importing country officials.
- (2) When subclause (1) applies, the exporter must provide the below information to the Director-General when applying for a replacement export certificate:
- a) full details of the consignment, and
 - b) their reasons for the replacement certificate, and
 - c) any requested correspondence and/or documents related to the request, and
 - d) the original paper document if applicable, and
 - e) the prescribed fee.
- (3) If the government of an importing country requires a replacement export certificate, the exporter must provide the following to the Director-General:
- a) any corrected documentation to support the issue of the replacement certificate, and
 - b) any prescribed fee; and
 - c) if requested, an explanation of how the error came about and the steps the exporter has taken to ensure there is no recurrence, and
 - d) in the case of paper certificates, one of the following:
 - i) the original issued export certificate, or
 - ii) evidence that the original issued export certificate is held by a New Zealand diplomatic or trade post or foreign government, or
 - iii) evidence that the original issued export certificate is held by the importing country officials.

Issuing a replacement export certificate

- (4) An export certificate will only be replaced if:
- a) any of the options outlined in clause 11.2(1) occur, and
 - b) the exporter has provided the relevant information as required in clause 11.2(2), and 11.2(3), and
 - c) any inconsistencies identified in clause 11.2(4)e) are verified by the official assurance verifier or eligibility submitter, and either
 - d) the details entered on the replacement export certificate are consistent with the supporting transfer document and other information supplied for the issue of the original issued export certificate, or
 - e) the details entered on the replacement export certificate are consistent with the corrected documentation provided to support the issue of the replacement certificate.

Replacement certificates for product to be cleared promptly

- (5) The Director-General may approve on a case-by-case basis other procedures for the issuance of replacement export certificates for product which may perish or be condemned if not cleared promptly.

Guidance

- Contact MPI verification services at VA-Replacement@mpi.govt.nz for any queries on replacement export certificates.
- Where a foreign government detects an error on the export certificate, the original issued certificate may be retained by that foreign government or be handed to a New Zealand diplomatic or trade post for destruction.

Part 12: Export or re-export of imported animal materials or products

12.1 Application

- (1) This Part applies to operators and exporters.

12.2 Transfer documentation for imported product

- (1) If product contains imported animal material or products, the transfer document relating to the product must:
- a) identify the country or country of origin (as determined by any relevant OMAR) of the material or products concerned, and
 - b) include a certified copy of the import certificate covering the imported animal material or product as a supporting document, and

Guidance

- For the purposes of clause 12.2(1)a), Identification of the country of origin may be via the association of an import certificate.

Import certificates for imported product

- (2) An import certificate may be in either of the following forms:
- a) the original documentation issued by the competent authority of the exporting country, or an official copy of it, or
 - b) a PDF generated by MPI representing the exporting country's electronic certificate, or
 - c) in an electronic form received via a MPI certification systems.
- (3) A copy of an import certificate may be certified only by:
- a) an animal product officer, or
 - b) a certifier or an inspector appointed under section 103 of the Biosecurity Act 1993, or
 - c) a certifier appointed under section 65 of the Animal Products Act 1999, or
 - d) an official assurance verifier, or
 - e) a Customs Officer as defined in section 2(1) the Customs and Excise Act 2018.

12.3 Collation of documentation to support export

- (1) The operator dispatching imported material intended for re-export with an official assurance must, at the request of their official assurance verifier, provide their official assurance verifier the following documents:
- a) the original documentation issued by the competent authority of the foreign government, as required by the Biosecurity Act 1993, or an official copy as set out by clause 12.2(2), and
 - b) evidence of compliance with any relevant New Zealand import requirements, and
 - c) all supporting information required for certification.

12.4 Processing of imported material or product

- (1) An operator's procedures must address how imported consignments of product received into premises are:
 - a) clearly identified at the premises, and
 - b) clearly identified by inventory records, and
 - c) kept separate from other products for traceability purposes.
- (2) An operator's inventory control system must identify any product that contains imported product.
- (3) When applying for an official assurance, if required, the operator must produce evidence that:
 - a) the source premises, in the originating country, complies with any special certification requirements of the intended importing country and
 - b) that the product itself would otherwise be eligible for direct export from the original source premises to the importing country.

12.5 Export certificates for imported product processed in New Zealand

- (1) Export certificates for imported products must be able to be traced sufficiently to support overseas market access and origin requirements.
- (2) If a consignment includes imported product, the exporter must ensure that a certified copy of the import certificate is attached to the transfer document to support the country eligibility stated on the transfer document and export certificate, including premises listings where relevant.

12.6 Export certificates for imported product not processed in New Zealand

- (1) An exporter may raise an export certificate request using the template NZ800 in AP E-cert if the imported product has been stored in New Zealand in accordance with regulatory requirements, but not otherwise processed in any way:
- (2) The exporter must include copies of all relevant import certificates with the export certificate submitted to the certifier.
- (3) The exporter must ensure a copy of all relevant import certificates are attached to the signed New Zealand export certificate where clause 12.6(1) applies.

Part 13: Record keeping requirements for recognised agencies

13.1 Application

- (1) This Part applies to a verifying agency or a verifier who is not employed, engaged or managed by a recognised agency

13.2 Records to be kept

- (1) A verifier or verifying agency must keep accurate and current records of the following in terms of the animal product business that the verifier or verifying agency provides verification services to:
- a) results of audits conducted by overseas authorities
 - b) results of MPI audit activities, other than verification activities
 - c) restrictions placed on products
 - d) information relevant to issuing transfer documents and official assurances
- (2) The records must be kept in a database that is able to be accessed for the purposes of clause 10.2(1)(c).

Guidance

- The database required by clause 13.2(2) is generally referred to as a compliance database

Schedule 1: Approved manufacturers of security paper

The manufacturer listed in the table below is an approved manufacturer of security paper.

Organisation	Postal address	Physical address	City
Sato New Zealand Limited	PO Box 305031 AUCKLAND 0757	30 Apollo Drive, Mairangi Bay	Auckland