



**Asia-Pacific  
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## **Current Status of Food Safety Modernization in New Zealand**

Submitted by: New Zealand



**First Expert Meeting on Trade Facilitation Through  
an APEC Framework on Food Safety  
Modernisation**

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# Current Status of Food Safety Modernisation in New Zealand

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Context

# Importance in facilitating international trade

- Most of New Zealand's primary production is exported to multiple countries with differing food safety systems
- Our challenges
  - Protect consumers – most of which are not in New Zealand
  - New Zealand exporters face increasing and overlapping food safety standards, production and processing requirements
  - Ultimately consumers bear the cost in wasted resources, restricted supply and choice and higher costs



# Supporting recognition of other systems and harmonisation

- Barriers to achieving equivalence New Zealand has found:
  - The lack of empowerment in importing economies food control systems to enable the recognition of other systems
  - The lack of guidance or experience
    - to support the evaluation and assessment of food control systems
    - To support economies to interpret their laws to enable them to accept foreign food safety controls as equivalent



# Supporting recognition of other systems and harmonisation

- The lack of uptake or acceptance of agreed international standards



# Food System - Key International Drivers

## SPS Agreement - Article 3 - Harmonization

- “Members shall base their sanitary or phytosanitary measures on international standards, guidelines or recommendations...”
- “Sanitary or phytosanitary measures which conform to international standards, guidelines or recommendations...”

# Food System - Key International Drivers

## SPS Agreement - Article 4 - Equivalence

- “Members shall accept the sanitary or phytosanitary measures of other Members as equivalent, even if these measures differ from their own or from those used by other Members trading in the same product, if the exporting Member objectively demonstrates to the importing Member that its measures achieve the importing Member's appropriate level of sanitary or phytosanitary protection...

# International Definitions

- Codex – “the capability of different inspection and certification systems to meet the same objectives”
- WTO SPS Agreement - “Members shall accept the sanitary or phytosanitary measures of other Members as equivalent, even if these measures differ from their own or from those used by other Members trading in the same product, if the exporting Member objectively demonstrates to the importing Member that its measures achieve the importing Member's appropriate level of sanitary or phytosanitary”



# International Definitions

- Key words are “**different inspection and certification systems**” and “**even if these measures differ from their own**”
- Control measures for managing food safety risks are expected to have differences and countries need to develop measures that best manage risks from their local situation
- Ultimately differing food safety systems achieve objective – safe food



# New Zealand's Response

# System drivers: Consumer safety & Trade objectives

## Consumers

- In New Zealand
- Overseas

Trusted source of  
Safe & suitable food

Food safety is not a  
competitive advantage

## Trade

- A Principle & rules based trader
- Do what we say we will
- Align with international standards
- Encourage others to do the same

# Need to be Internationally Competitive

- Food must be safe
- Seen to be safe by consumers and governments
- Needs to be affordable – price competitive



# Food System – Key Drivers

- Consistent adherence to rules-based trading under the World Trade Organisation
  - CODEX Principles, Standards and Guidelines
- Value of reputation
  - Robust regulatory and assurance systems
  - Consistent delivery of safe and suitable products
  - A credible trading partner
- Partnering with Industry
- Risk-based science based approach
- Food business operators take responsibility for producing safe food



# Importance in facilitating international trade

- Promote harmonised standards, equivalency in food control systems to facilitate efficient trade
- We put into practice the approaches we are promoting



# New Zealand's Response Use of International Standards

# Use of International Standards

- Harmonisation helps ensure a consistent approach to addressing risks
- Supports international best practice risk management
- Reference point of bilateral trade negotiations
- Supports equivalence arrangements
  - Removes unnecessary restrictions on trade
  - Frees up resources in importing and exporting countries to allocated to more pressing areas or risk
- Reduces costs when partners follow agreed standards



# New Zealand's National Food Control System

## Follows Codex Principles and Guidelines for National Food Control Systems CAC/GL 82-2013

- Protection of Consumers
- The Whole Food Chain Approach
- Transparency
- Roles and Responsibilities
- Consistency and Impartiality
- Risk based, Science Based and Evidence Based Decision Making
- Cooperation and Coordination between Multiple Competent Authorities
- Preventive Measures
- Self Assessment and Review Procedures
- Recognition of other systems (including Equivalence)
- Legal Foundation
- Harmonization
- Resources

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# Food Regulations 2015

## Setting maximum residue levels

### 140 Criteria for specifying maximum residue levels of agricultural compound

When specifying in a notice the maximum residue levels of an agricultural compound that may be present in food, the chief executive must—

- ensure that the food commodities considered in the establishment of residue levels are consistent, as far as practicable, with the current edition of the [Codex standard on the Classification of Foods and Animal Feeds \(CAC/MISC 4\)](#):
- ensure that the portion of the food commodity to which the maximum residue level applies is consistent, as far as practicable, with the current edition of the [Codex standard on the Analysis of Pesticide Residues: Portion of Commodities to which Codex MRLs Apply and which is Analyzed \(CAC/GL 41-1993\)](#).

# Food Regulations 2015

## Sale of food containing residues

### 144 Prohibition on sale of food containing residues of agricultural compound and exceptions

- A person must not sell food containing residues of an agricultural compound unless 1 of the following applies:
- the residue level of the agricultural compound present in the food does not exceed the maximum residue level, specified in a notice, of the agricultural compound that may be present in the food:.....[others removed]
- the food is imported food containing residues of an agricultural compound that do not exceed the maximum residue levels specified for that food in the current editions of the—
- **(i)** Maximum Residue Limits (MRLs) and Extraneous Maximum Residue Limits (EMRLs) for Pesticides (Codex Pesticides Residues in Food Online Database); or
- **(ii)** Maximum Residue Limits for Veterinary Drugs in Food (Codex Veterinary Drug Residue in Food Online Database).

New Zealand's Response  
Use of equivalence or systems recognition  
arrangements

# Food Standards Australia New Zealand

- Australia and New Zealand work closely together to develop joint food standards
- For many years, the New Zealand and Australian governments have worked together to align food safety requirements. This has resulted in agreements, structures and systems, including:
  - Food Standards Australia New Zealand (FSANZ) and the Australia New Zealand Food Standards Code (the Code)
  - Trans-Tasman Mutual Recognition Agreement (TTMRA)



# The Food Standards Treaty

- The Food Standards Treaty was signed in 1995
- It committed both countries to the development and implementation of a single set of food standards
- The Food Standards Treaty provides for an agency to undertake the development of food standards relevant to both countries.
- The underlying aims of the joint system consider the needs of both Australia and New Zealand to protect public health and reduce unnecessary barriers to trade



# The Food Standards Treaty

There were 2 main outcomes from Food Standards Treaty:

- the establishment of Food Standards Australia New Zealand (FSANZ), which has responsibility for developing, varying, and reviewing food standards for food available in Australia and New Zealand
- the development of the Australia New Zealand Food Standards Code (the Code), which set requirements, particularly for the labelling and composition of food and food-related products.



# Trans-Tasman Mutual Recognition Agreement (TTMRA)

- The TTMRA, an arrangement between the New Zealand government and the commonwealth, state and territory governments of Australia, came into effect in 1998
- In particular, it has implications for the sale of goods, including food
- Where food standards that cover both countries have not been agreed, under the TTMRA, they are mutually recognised



# Other Trading Agreements

- New Zealand has a number of other trading agreements which centre recognition of New Zealand's systems meeting importing country requirements
- Where these are in place we have found that such recognition decision allows for a more efficient and effective use of resources including reductions in:
  - the type and frequency of reviews audits of each other's regulatory systems,
  - the type and frequency of border checks when foods are offered for entry
  - level and type of verification activities expected by the Participant's importers and exporters of food
- Without any reduction in food safety outcomes

# Thank you



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