



# Review of Submissions

Draft Import Health Standard for Specified  
Foods for Human Consumption Containing  
Animal Products

EDIPROIC.GEN

**June 3, 2014**

**Ministry for Primary Industries**

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**Regulation and Assurance Branch**

**REVIEW OF SUBMISSIONS**

**Specified Foods for Human Consumption Containing Animal Products**

May 30, 2014

Approved for general release

**Howard Pharo**

Manager Import and Export Animals

Ministry for Primary Industries

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# 1 Introduction

The draft Import Health Standard for the Importation into New Zealand of Specified Foods for Human Consumption Containing Animal Products was notified for consultation on the 24<sup>th</sup> of March, 2014 (referred to as 'the 2014 IHS'). The IHS currently in use by this name (referred to as 'the 2010 IHS') was written in 2010.

The Ministry for Primary Industries (MPI) received public submissions from the following:

Beef and Lamb New Zealand	May 2, 2014
DairyNZ	May 2, 2014
Deer Industry New Zealand	May 2, 2014
Fonterra Cooperative Group Ltd	May 2, 2014
New Zealand Pork	May 2, 2014
Federated Farmers of New Zealand	May 2, 2014
Foreign Agricultural Service, U.S. Department of Agriculture	June 3, 2014

This document summarises the issues raised in the submissions, and presents the MPI response to each.

## 1.1 Acronyms Used in the Document

MPI	Ministry for Primary Industries	FMD	Foot and Mouth Disease
IRA	Import Risk Analysis	IHS	Import Health Standard
RMP	Risk Management Proposal		

## 2 Summary of Amendments

Most submissions on the draft Import Health Standard for Specified Foods for Human Consumption Containing Animal Products (EDIPROIC.ALL) focussed on Clause 2.5, pertaining to dried cured meat.

The submissions were considered, and the following amendment was made to address their concerns.

The wording in clause 2.5 has been amended from:

(1) Private consignments of dried cured meat may be imported from any country provided all of the following requirements are met:

- a) The product is shelf-stable.
- b) The product is commercially prepared and packaged.
- c) The product is in its original sealed packaging on arrival.
- d) The total weight of the consignment is 1 kilogram or less.

To

(1) Private consignments of dried cured meat manufactured in FMD-free countries in accordance with the MPI List of FMD-Free Countries and Zones may be imported provided all of the following requirements are met:

- a) The product is shelf-stable.
- b) The product is commercially prepared and packaged.
- c) The product is in its original sealed packaging on arrival.
- d) The product is manufactured in an FMD-free country as stated on the package label.
- e) The total weight of the consignment is 1 kilogram or less.

Copies of all external stakeholder submissions in their entirety are presented in Appendix 1.

## 3 Review of Submissions

### 3.1 DairyNZ, Beef and Lamb New Zealand and Deer Industry New Zealand

#### 3.1.1 Uncertainty about the reliability and security of commercial packaging

"The requirements for the product to be commercially prepared and packaged would be difficult to distinguish from the product which is not commercially prepared and packaged, but fraudulently prepared to appear so. Sealed packaging is also easy to replicate. There is also no requirement to label the product in English or to have the documentation accompany the product in English."

##### **MPI Response**

"Commercially Prepared and Packaged" is defined in the import health standard as: A product that has been manufactured in a commercial manner by a commercial enterprise and is packaged in tamper-proof packaging.

Border staff are familiar with common commercial packaging, and look for the 'Made in X country' statement. Many of the products that are inspected are also available for sale in New Zealand.

In-supermarket packaging is not accepted.

#### 3.1.2 Country of origin may not be an FMD-free country

"One of the reasons given for the proposed change relates to the difficulty of confirming the origin of dried cured meat that is presented at the border. If it is so difficult to do this, then perhaps all private imports of such product should be banned."

##### **MPI Response**

The 2014 IHS is being amended to specify that dried cured meat can only be imported if it is manufactured in an FMD-free country as specified on the package.

Package labelling can establish the country of manufacture, if not the country of origin of the meat ingredients. FMD-free countries have strict import regulations, like those in New Zealand, to maintain their FMD-free status. Any meat sourced in that country will also be FMD-free.

#### 3.1.3 The feeding of imported dried cured meat to stock animals

"The other reason given for the proposed changes is that the risk of such product being discarded as waste is low due to its high perceived value to the consumers of such product. Perception of value is very subjective and will vary greatly, especially across different ethnicities, hence value seems to be a very unreliable determinant of what people may choose to do with product."

##### **MPI Response**

The 2014 IHS has been changed to allow importation from FMD-free countries only.

### 3.2 New Zealand Pork

#### 3.2.1 Uncertainty regarding country of origin from package label

##### **MPI Response**

The 2014 IHS has been amended to state that only meat jerky manufactured in FMD-free countries is covered by this clause. Dried, cured meat in packaging that does not clearly indicate country of manufacture is not eligible for entry under this clause. Also see response 3.1.2

### **3.2.2 The feeding of imported dried cured meat to stock animals**

"Our other concern pertains to the assessment of a 'negligible' likelihood of environmental exposure. The most likely pathway of infection of FMD into New Zealand is recognised as via feeding to pigs. We do not believe the limitations on consignment size, if the meat is potentially infected with FMD, is managing the risk"

#### **MPI Response**

See response given above in 3.1.2

### **3.2.3 What other exotic agents has the rapid risk assessment considered?**

#### **MPI Response**

The risk assessment was based on the small amount of meat allowed in a private consignment and the negligible likelihood of exposure, not on individual risk hazards. Note that the commodity has now been restricted to FMD-free countries.

## **3.3 Fonterra**

### **3.3.1 Country of origin:**

"This proposal raises serious concerns for Fonterra as we believe this would increase the risk of FMD virus entering New Zealand and subsequent exposure to pigs and possibly other susceptible species through consumption of scraps of waste. If it is currently impossible to determine the origin of meat within such consignments, we question why relaxing the rules will help remedy this situation?"

#### **MPI Response**

See response given above in 3.1.2

### **3.3.2 Uncertainty about the reliability and security of commercial packaging**

"...vacuum packing and labelling machines can be purchased readily and cheaply for small scale use, and product can therefore be presented at the border looking professionally prepared."

#### **MPI Response**

See response given in 3.1.1

### **3.3.3 Feeding of dried cured meat to stock animals**

"While actual volumes of product may be low, the practice of hobby pig keeping is prevalent and it only takes a small quantity of product containing an infective dose of FMD virus to be consumed by one pig to seed a catastrophic outbreak"

#### **MPI Response**

See response given in 3.1.2

## **3.4 Federated Farmers**

### **3.4.1 Possible importation of Foot and Mouth Disease:**

"The Federation is concerned that, as it stands, the draft standard may not be adequate to prevent the introduction of the (economically devastating) Foot and Mouth Disease virus."

#### **MPI Response**

See responses 3.1.1 and 3.1.2

**3.4.2 Uncertainty about the ability of border staff to assess compliant product:**

"It will be unrealistic to expect border control officials to effectively evaluate whether or not the conditions are met."

**MPI Response**

See response given above in 3.1.1.

**3.4.3 Imported meat should be cooked or cured using approved processes:**

"The Federation recommends that the wording of Section 2.5 of the draft IHS is amended to include a requirement that the products be cooked or cured using an approved process."

**MPI Response**

The IHS has been amended to state that only cured dried meat manufactured in FMD-free countries is covered by this clause.

**3.5 United States Foreign Agriculture Service, US Department of Agriculture**

**3.5.1 Cooking times and temperatures for poultry and other meat products:**

"Do the temperatures in Schedule 2 apply to poultry or other meat products? Currently, poultry products cooked to an internal temperature of at least 110° C for 20 minutes in sealed cans are eligible for import to New Zealand?"

**MPI Response**

Schedule 2 temperatures apply to all meat as defined in the standard: "Skeletal muscle with naturally included or adherent tissue or bone. This definition excludes animal by-products and fish." MPI does not have an import health standard specifically for chicken that allows time and temperature combinations different from those listed in Schedule 2.

**3.5.2 Eligibility of beef products into New Zealand**

"Beef and beef products currently require an eligibility assessment on a case-by-case basis. Will an eligibility assessment still be required for retorted beef products that meet the temperature requirements in schedule 2?"

**MPI Response**

The clause for beef products in the 2010 IHS for Specified Foods for Human Consumption Containing Animal Products has not been changed during this review. There is no eligibility assessment required for beef products that meet the retorted meat clause in the IHS (a manufacturer's declaration stating that the product has met F03 heat treatment requirement or a government-endorsed manufacturer's declaration stating that the product has been subjected to a heating process equivalent to F03 or greater).

Beef and beef products are also eligible for import into New Zealand using the import health standards for Importing Bovine Meat and Meat Products from Canada and the USA (<http://www.biosecurity.govt.nz/imports/animals/standards/meabeeic.nam.htm>), and Importing Spray Dried Bovine Blood Products for Further Processing from the USA (<http://www.biosecurity.govt.nz/imports/animals/standards/fodbloic.usa.htm>).

**3.5.3 Documentation of an approved heating process:**

"Will New Zealand continue to accept a certificate issued by the Competent Authority, which states that the product has been subject to an approved heating process, in lieu of a government endorsed



manufacturer's declaration? Does this requirement apply to all meat products imported into New Zealand?"

**MPI Response**

New Zealand accepts a certificate issued by the Competent Authority as the same as a government-endorsed manufacturer's declaration.

**3.5.4 Scientific justification for shelf-stable:**

"What is the scientific justification for these products having to be shelf-stable?"

**MPI Response**

There were no changes made to this clause of the IHS. Therefore, there was no scientific assessment of this clause in this review.

## 4 Appendix 1: Copies of Submissions

### 4.1 Submission by Fonterra Cooperative Group Ltd

Chris Morley ([chris.morley@fonterra.com](mailto:chris.morley@fonterra.com))

May 2, 2014

Submission for Draft IHS - Specified Foods for Human Consumption Containing Animal Products

Contact at Fonterra for submission:

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Lindsay Burton: email: [Lindsay.Burton@fonterra.com](mailto:Lindsay.Burton@fonterra.com) Phone: 021 627 371

On behalf of Fonterra Cooperative Group Ltd, I am writing in response to the public consultation on the *Draft Import Health Standard for Specified Foods for Human Consumption Containing Animal Products*.

Fonterra is a dairy co-operative formed in 2001 and owned by around 10,500 New Zealand-based dairy farmers. Fonterra produces more than two million metric tonnes of dairy ingredients, specialty ingredients and consumer products each year, and 95 percent of these are exported around the world. We operate more than 30 manufacturing sites across the country and process about 17 billion litres of our farmers shareholders' milk each year.

Our comments focus on the proposed change to allow dried cured meat (the 'commodity') into New Zealand from countries where foot and mouth disease (FMD) is endemic. We are concerned that this presents unacceptable risks to the dairy industry in New Zealand, our business and the New Zealand economy stemming from the likely impact of any outbreak of this disease.

According to the *Risk Management Proposal provided by MPI*, relaxing the country of origin requirements is justified on the basis that i) It is impossible to determine the actual origin of the meat within such consignments *"Many meat jerky products use meat from other countries, making it impossible to determine the origin of the imported meat from the package label. This makes it difficult for border staff to adequately assess biosecurity risks associated with this commodity."*

ii) this commodity is unlikely to lead to risk establishment.

This proposal raises serious concerns for Fonterra as we believe this would increase the risk of FMD virus entering New Zealand and subsequent exposure to pigs and possibly other susceptible species through consumption of scraps of waste. If it is currently impossible to determine the origin of meat within such consignments, we question why relaxing the rules will help remedy this situation? Of additional concern is that it is not straight forward to confirm the true nature of dried meat product at the border. Furthermore, vacuum packing and labelling machines can be purchased readily and cheaply for small scale use, and product can therefore be presented at the border looking professionally prepared. For the above reasons we are therefore concerned border staff may inadvertently allow product processed in a manner that does not inactivate FMD virus into New Zealand

While actual volumes of product may be low, the practice of hobby pig keeping is prevalent and it only takes a small quantity of product containing an infective dose of FMD virus to be consumed by one pig to seed a catastrophic outbreak. The 2001 UK FMD outbreak was concluded to have been started by feeding imported meat waste to pigs. This event only has to happen once here to devastate all our livestock industries.

**We are strongly opposed to the proposed changes to the LHS as it pertains to dried cured meat.**

We would be happy to meet with MPI to discuss this matter further, if required. To help with this discussion prior access to an updated risk analysis would be very valuable including data indicating current amounts and origin of product being imported into New Zealand and slippage figures for this product type.

Thank you for the opportunity to comment on the proposed changes.

Yours sincerely,

Chris Morley  
Veterinary Technical Advisor  
Fonterra Cooperative Group

## 4.2 Submission by Federated Farmers of New Zealand

To Animal & Animal Products Directorate Standards Branch Ministry for Primary Industries Wellington New Zealand

On the: Draft IHS on Specified Foods for Human Consumption Containing Animal Products

Date: 2 May 2014

Contact: **DAVID BURT**

INDUSTRY ADVISOR, PRIMARY SECTOR

Federated Farmers of New Zealand

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### SUBMISSION TO THE MINISTRY FOR PRIMARY INDUSTRIES ON THE DRAFT IMPORT HEALTH STANDARD ON SPECIFIED FOODS FOR HUMAN CONSUMPTION CONTAINING ANIMAL PRODUCTS

#### 1. EXECUTIVE SUMMARY

- 1.1 Federated Farmers of New Zealand welcomes the opportunity to comment on the Draft IHS on Specified Foods for Human Consumption Containing Animal Products.
- 1.2 The Federation is concerned that - in respect of private consignments of dried cured meat - the draft standard may not be adequate to prevent the introduction of the (economically devastating) Food and Mouth Disease virus. The Federation believes that, in the circumstances, this risk requires additional mitigation and therefore recommends that the wording of Part 2.5 of the draft IHS is amended to include a requirement that the products be cooked or cured using an approved process. This issue is discussed further below.
- 1.3 We would be pleased to discuss the matter with you in more detail should you believe this is necessary. Please contact David Burt, Industry Advisor, Primary Sector [E-Mail [dburt@fedfarm.org.nz](mailto:dburt@fedfarm.org.nz)] in the first instance.

#### 2. BACKGROUND

- 2.1 Our submission is in accordance with the call for submissions, in March 2014, by the Ministry for Primary Industries, on the "Draft Import Health Standard on Specified Foods for Human Consumption Containing Animal Products" [EDIPROIC.GEN] document.

#### 3. SPECIFIC COMMENTS

- 3.1 Part 2.5: Private consignments of dried cured meat (pages 7- 8)
  - 3.1.1 The draft standard proposes that  
"Private consignments of dried cured meat may be imported from any country provided all of the following requirements are met:
    - a) The product is shelf-stable.
    - b) The product is commercially prepared and packaged.
    - c) The product is in its original sealed packaging on arrival.
    - d) The total weight of the consignment is 1 kilogram or less"
  - 3.1.2 The Federation is concerned that, as it stands, the draft standard may not be adequate to prevent the introduction of the (economically devastating) Food and Mouth Disease virus.
  - 3.1.3 The reason for this concern is that the standard, as written, places the onus on individuals who wish to import such products to "do the right thing" and abide by the conditions of the standard as, in practice, it will be unrealistic to expect border control officials to effectively evaluate whether or not the conditions are met.

- 3.1.4 The Federation notes that, in the 2002 publication by H Pharo<sup>1</sup>, when discussing the FMD risk posed by meat and meat products, it is stated (pages 50 -51) that ;

1 H J Pharo, "Foot-and-mouth disease: an assessment of the risks facing New Zealand" New Zealand Veterinary Journal 50(2), 46-55, (2002)

"Processing of meat to inactivate FMD virus is either by cooking to an internal core temperature of 70°C for 30 min, or by curing at low pH. For example, the low pH of lactic-cured sausages, such as salamis, ensures that FMD virus is inactivated in a week, even if such products are made with meat of viraemic animals"

However, Pharo goes on to state (page 51, my emphasis) *"However, the level of protection that is considered appropriate for New Zealand with respect to FMD virus is apparent from the position this country takes not to import meat or meat products from countries not free from FMD unless the meat is cooked or cured using approved processes,"*

- 3.1.5 The Federation believes that, in the circumstances, this conditions remains valid and therefore **Recommends**  
That the wording of Section 2.5 of the draft IHS is amended to include a requirement that the products be cooked or cured using an approved process.
- 3.1.6 Alternatively, the Federation would be pleased to learn of the scientific basis on which the Ministry determined that this risk mitigation measure is no longer required – the accompanying Risk Management Proposal<sup>2</sup> is silent on this issue.

#### 4. ABOUT FEDERATED FARMERS OF NEW ZEALAND

- 4.1 Federated Farmers of New Zealand is a member-based organisation representing farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers.
- 4.2 The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
- Our members may operate their business in a fair and flexible commercial environment;
  - Our members' families and their staff have access to services essential to the needs of the rural community; and
  - Our members adopt responsible management and environmental practices.

## 4.3 Submission by DairyNZ, Beef and Lamb New Zealand and Deer Industry New Zealand

### Draft Import Health Standard – Specified Foods for Human Consumption Containing Animal Products

#### Submission by DairyNZ, Beef and Lamb New Zealand and Deer Industry New Zealand

2 May 2014

#### 1 Introduction

- 1.1 DairyNZ, Beef and Lamb New Zealand, and Deer Industry New Zealand welcome the opportunity to provide comments on the draft Import Health Standard, Specified Foods for Human Consumption Containing Animal Products, EDIPRIC.GEN. We are particularly grateful to the Ministry for Primary Industries (MPI) for agreeing to extend the period for comment.

##### *Our interest in the Import Health Standard*

- 1.2 DairyNZ, Beef and Lamb New Zealand and Deer Industry New Zealand are industry good organisations representing New Zealand's farmers and funded by levies under the Commodity Levies Act 1990.
- 1.3 All three organisations work to support the profitability and sustainability of their farming industries, and biosecurity and product integrity are central to the foundations of these industries. Robust biosecurity is required to maintain New Zealand's excellent animal health status, and product integrity is fundamental for consumer confidence in our domestic and export markets.
- 1.4 Industry good organisations have participated in the development of government standards in a number of areas and we have an active interest in engaging with the Crown on the changes it is proposing to this Import Health Standard.
- 1.5 Our interest in the draft Import Health Standard - Specified Foods for Human Consumption Containing Animal Products relates to section 2.5 of the draft IHS, and the accompanying risk assessment presented in section 4.1 of the draft Risk Management Proposal.

#### 2 Position on the proposed changes

- 2.1 DairyNZ, Beef and Lamb New Zealand and Deer Industry New Zealand do not support the proposal to relax the requirements relating to the private importation of dried cured meat from any country.
- 2.2 Meat and meat products can carry Foot and Mouth Disease virus and feeding of waste imported meat products to pigs is regarded as the source of the devastating outbreak of Foot and Mouth Disease in the United Kingdom in 2001.
- 2.3 The requirements for the product to be commercially prepared and packaged would be difficult to distinguish from product which is not commercially prepared and packaged, but fraudulently prepared to appear so. Sealed packaging is also easy to replicate. There is also no requirement to label the product in English, or have documentation accompanying the product in English. The opportunity for risk product to be imported, either innocently or intentionally is high.
- 2.4 One of the reasons given for the proposed change relates to the difficulty of confirming the origin of dried cured meat that is presented at the border. If it is so difficult to do this, then perhaps all private imports of

such product should be banned. Why place New Zealand's excellent animal health status and its valuable export trade at risk for a small amount of privately imported dried cured meat?

- 2.5 The other reason given for the proposed changes is that the risk of such product being discarded as waste is low due to its high perceived value to the consumers of such product. Perception of value is very subjective and will vary greatly, especially across different ethnicities, hence value seems to be a very unreliable determinant of what people may choose to do with product. There is no further control over the product once released into New Zealand, and even small amounts being fed, especially to pigs, even inadvertently, represent considerable risk to the other livestock industries.

The contacts for this submission are:

Dr Chris Houston, Senior Advisor- Technical Policy, Beef + Lamb New Zealand  
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Nita Harding, Technical Policy Advisor (Veterinary), DairyNZ  
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[nita.harding@dairynz.co.nz](mailto:nita.harding@dairynz.co.nz)

## 4.4 Submission by NZ Pork





- Other exotic agents

What other exotic agents has the rapid risk assessment considered?

- Draft Risk Management Proposal

We are most concerned that justification for the relaxed standard is ease of assessment at the border: *Many meat jerky products use meat from other countries making it impossible to determine the origin of the imported meat from the package label.* This is a most inappropriate basis for setting a risk management proposal.

Our other concern pertains to the assessment of a 'negligible' likelihood of environmental exposure. The most likely pathway of infection of FMD into New Zealand is recognised as via feeding to pigs. While there are New Zealand regulations that do not permit feeding meat to pigs without treatment (set at a level to inactivate the FMD virus) these regulations are acknowledged by MAF (now MPI) not to deter the practice nor to provide a basis for effective enforcement (MAF Enforcement Group, Review of the Biosecurity (Meat and Food Waste for Pigs) Regulations 2005, February 2008).

MPI is well aware of NZPork's grave and ongoing concern about this situation due to the risk posed to the commercial pork industry by a number of currently exotic diseases through the illegal but unenforced feeding practices of the largely unknown non-commercial pig owning sector.

Given our concerns with the ability of the draft standard to be accurately assessed we do not believe that the limitation on consignment size, if it is potential infectious FMD, is managing the risk.

We also point out that MAF Biosecurity's review of submissions on its November 2001 Discussion Paper (Feeding of Food Waste to Pigs MAF Discussion Paper No. 01/26) recommended a package of control measures for FMD, including regulations and penalties, but lead by:

- *Maintenance of high levels of border security, and enhancement of these measures when opportunities for improvement are identified.*

Our concern is the cumulative effect of all these factors. Our view is that this approach sets a concerning precedent for New Zealand's risk management for FMD, at a time when the livestock industries are investing along with MPI to enhance New Zealand's FMD preparedness.

We are aware that a number of our livestock colleagues share our concern with the draft standard. We would appreciate the opportunity to meet collectively to discuss our concerns.

Yours sincerely



Frances Clement  
Policy and Issues Manager

## **4.5 Submission by Foreign Agricultural Service, U.S. Department of Agriculture**

### **BEGIN COMMENTS:**

The United States appreciates the opportunity to comment on New Zealand's proposed amendments to "Minor changes to Import Health Standard and accompanying Risk Management Proposal for miscellaneous, edible, animal product imports into New Zealand," notified to WTO as G/SPS/N/NZL/502.

**Section 2.1** – Do the temperatures in Schedule 2 apply to poultry or other meat products? Currently, poultry products cooked to an internal temperature of at least 110° C for 20 minutes in sealed cans are eligible for import to New Zealand.

**Section 2.1(2)** - Beef and beef products currently require an eligibility assessment on a case-by-case basis. Will an eligibility assessment still be required for retorted beef products that meet the temperature requirements in schedule 2?

**Section 2.2(2)(ii)** – Will New Zealand continue to accept a certificate issued by the Competent Authority, which states that the product has been subject to an approved heating process, in lieu of a government endorsed manufacturer's declaration? Does this requirement apply to all meat products imported into New Zealand?

**Section 2.22(a)** – What is the scientific justification for these products having to be shelf stable?

The United States would like to thank New Zealand for their time and consideration in reviewing these comments for WTO notification G/SPS/N/NZL/502.

### **END U.S. COMMENTS**