



Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2010

Pursuant to sections 60(1)(a) and 167(1)(ja) of the Animal Products Act 1999, I, Tony Zohrab, Director (Market Access) issue the following notice for the purpose of meeting the access requirements of certain overseas markets (being those markets specified in Annex 1 of the notice) with respect to halal animal products.

Signed at Wellington this 3rd day of February 2010

Tony Zohrab
Director (Market Access)
New Zealand Food Safety Authority
(Acting under delegated authority)

Certified in order for signature

Solicitor
Legal Services

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Annex 1

Halal markets

Notice

1 Title

This notice is the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2010.

2 Commencement

This notice comes into force on 15 March 2010.

**Part 1
Preliminary provisions**

3 Application

- (1) This notice applies to all halal animal products intended for export to any one or more of the markets specified in Annex 1.
- (2) The following persons who deal with halal animal material or halal animal products or undertake processes associated with halal production or processing have specified obligations and duties under this notice:
 - (a) primary and secondary processors of halal animal material and halal animal products:
 - (b) animal products businesses that store halal animal products:
 - (c) exporters of halal animal products:
 - (d) Approved Halal Organisations (including, without limitation, in relation to assessing approved halal programmes and halal premises and issuing halal export certificates):
 - (e) persons performing halal slaughter at approved halal premises.

- (3) Subclause (2) is not an exhaustive list of persons who have obligations and duties under this notice.
- (4) Nothing in this notice limits the ability of an Approved Halal Organisation to issue a halal declaration (or other halal documentation) required for non-regulatory purposes for use by a commercial entity in an importing market.
- (5) For the avoidance of doubt, nothing in this notice authorises an Approved Halal Organisation to issue a halal official assurance or provide a halal attestation on an official assurance. Nor does it authorise the use of halal export certificates for any purposes other than regulatory purposes.
- (6) Clause 6(9) clarifies that exporters exporting animal products other than halal animal products (as defined in this notice) to the markets specified in Annex 1 must comply with whatever requirements apply to the export of those animal products.

4 Purpose

- (1) The primary purpose of this notice is to meet the access requirements of certain overseas markets (being those markets specified in Annex 1) with respect to halal animal products.
- (2) The primary purpose is met by requiring a control programme (being the requirements specified in this notice) to be in place in New Zealand in relation to halal animal products for export to the markets specified in Annex 1.

5 Interpretation

- (1) In this notice, unless the context otherwise requires,-

accreditation means, when used in reference to an Approved Halal Organisation, the accreditation provided to that organisation by an accreditation body in accordance with—

- (a) ISO 17020; or
- (b) a standard approved by the Director-General

accreditation body means International Accreditation New Zealand (IANZ) or Joint Accreditation System of Australia and New Zealand (JAS-ANZ) both of which are independent organisations of international recognition that accredit agencies to ISO standards

Act means the Animal Products Act 1999

Approved Halal Organisation (AHO) means an Islamic organisation listed by the Director-General under clauses 10(4)–(6) as approved by the Director-General for the purposes of managing or supplying services associated with assessing and approving halal programmes and halal premises

approved halal premises means the premises of an animal product business listed by the Director-General under clause 10(2) as approved to produce or process one or more classes of halal animal material and halal animal products for one or more of the markets specified in Annex 1. *[Note: A prerequisite for listing under clause 10(2) is a recommendation from an AHO for the animal product business to produce or process halal products for export from New Zealand to one or more of the markets specified in Annex 1]*

approved halal programme means the documented procedures—

- (a) implemented by an animal product business to which this notice applies; and
- (b) approved, in accordance with the requirements of this notice, by an AHO

carrion means meat and offals that have been derived from animals that have not undergone ante mortem and post mortem examination

competent halal slaughter person means a Muslim person who has been assessed as competent to NZQA 25926 and 25927 standards for the purposes of performing halal slaughter at approved halal premises in accordance with this notice. Halal checker has the same meaning

consignment means the animal products described on a single halal export certificate or halal official assurance

Director-General means the Director-General of NZFSA or any position that replaces the Director-General, or NZFSA official acting under delegated authority

halal animal material means any live animal of halal species, and any material or tissue derived from any halal species that has been halal slaughtered

halal animal products means meat and meat products derived from halal species that have been halal slaughtered and positively identified as halal by animal product businesses or exporters for the purposes of processing or export to any one or more of the markets specified in Annex 1

halal assessment and approval personnel means a person who meets all the competencies under clause 15 and who is employed by an AHO for the purposes of assessing and approving halal premises and halal programmes

halal export certificate means a certificate issued by an issuing officer on behalf of an AHO including, without limitation, for the purpose of enabling the Director-General to issue a halal official assurance to a market specified in Annex 1

halal mark means, unless otherwise specified by the Director-General, an official device pursuant to the Animal Products (Export Requirements for Branding, Marking and Security Devices) Notice 2006 and is composed of square brackets no less than 1 cm in height containing the letter H, no less than 0.7 cm in height

halal official assurance means an official assurance with a halal attestation issued by the Director-General (the issuing of which replaces the need for a halal export certificate to be given directly to the market specified in Annex 1)

halal species includes bovine, ovine, caprine, cervine, and horses but specifically excludes porcine and canine species, and donkeys.

Halal Standards Advisory Council means an advisory body established by the Director-General under Part 8 of this notice

ISO means International Organisation for Standardisation and is an international developer and publisher of international standards

issuing officer means an employee of an AHO who has met all applicable competency criteria and been approved by the Director-General under clause 12 to issue halal export certificates in accordance with this notice and any other notice

non-halal means any animal, animal material, animal products, foods, beverages, - human discharges that are listed in clause 7(3) and any halal animal products that are designated "non-halal" under clauses 7(4) or 7(6)

other notices means notices issued by the Director-General that specify any additional halal requirements for the markets listed in Annex 1

regulatory purposes means purposes such as meeting market access requirements for markets specified in Annex 1, and includes official border clearance procedures in those markets

NZFSA means the New Zealand Food Safety Authority

NZQA means the New Zealand Qualifications Authority

official assurance verifier means a person who is recognised under the Act to undertake the function of issuing export certificates and official assurances (including halal official assurances).

- (2) Any term used but not defined in this notice that is defined in the Act has the same meaning as in the Act.

Part 2

General requirements and restrictions relating to halal

6 Halal requirements and restrictions

General

- (1) Halal animal products must not be exported to the markets specified in Annex 1 unless all the applicable requirements of this notice have been met.
- (2) The requirements in this notice are in addition to any other applicable requirements issued under section 60 of the Act.
- (3) Any operator seeking an official assurance for animal products intended for export must also comply with all the requirements of the Animal Products (Export Verification Requirements) Notice 2009 or any notice that replaces that notice.
- (4) An issuing officer may only issue a halal export certificate for any halal animal product to which this notice applies if the product complies with this notice.

Producing and processing

- (5) Animal product businesses producing or processing (including, without limitation, slaughtering or storing) halal animal products to which this notice applies must comply with all applicable animal welfare requirements prescribed by New Zealand law.
- (6) Animal product businesses producing or processing (including, without limitation, slaughtering or storing) halal animal products to which this notice applies must do so in approved halal premises.
- (7) An animal product business intending to produce or process halal animal products for export to one or more of the markets specified in Annex 1 must—
 - (a) have an approved halal programme which describes how the business will meet the requirements of this notice; and
 - (b) check the halal animal products against the export requirements for the intended market (including, without limitation, transport conditions, halal marks, labels and any other identifying features); and
 - (c) comply with requirements of this notice, and any additional market access requirements relating to the clear segregation, separation, and identification of halal and non-halal animal material and animal product lines during receipt, processing, and storage; and
 - (d) keep records of the matters listed in subclauses (a) to (c) to ensure the usage and movements of halal and non-halal animal material and animal products may be traced.

Exporting

- (8) An exporter of halal animal products to which this notice applies must ensure that—
 - (a) the product is eligible for a halal export certificate or a halal official assurance for the intended market before export to that market commences; and
 - (b) a halal export certificate or a halal official assurance has been issued for the consignment.

- (9) An exporter of any animal product other than a halal animal product (as defined in this notice) to a market specified in Annex 1 must ensure that whatever halal export certificate is required is obtained from an AHO, and any official assurance required is obtained from an official assurance verifier.

7 Absolute restriction on mixing halal and non-halal animal products

- (1) Any person producing or processing (including, without limitation, slaughtering or storing) halal animal products to which this notice applies must ensure the halal animal products are kept physically separate from items listed in subclauses (3)(a) to (e) at all times.
- (2) Any person producing or processing (including, without limitation, slaughtering or storing) halal animal material or halal animal products to which this notice applies must not produce, process or store animal material or animal products from animals that are not halal species using the same equipment, in the same room, or using the same personnel.
- (3) The following are not permitted to come into contact with halal animal material or halal animal products, after slaughter:
- (a) animal material or animal product derived from species that are non-halal;
 - (b) animal material or animal product derived from carrion;
 - (c) dogs and pigs;
 - (d) liquids or matter discharged from orifices of humans or animals;
 - (e) alcoholic beverages and food containing alcohol.
- (4) Any halal animal products that have come into direct or indirect contact with, or have been contaminated by, any of the items listed in subclauses 3(a) to (e) are designated “non-halal”, regardless of the stage of processing at which the contact or contamination has occurred.
- (5) Following slaughter, animal material or animal products from halal species, that have not been slaughtered in accordance with this notice (including, animals that have been emergency slaughtered by captive bolt, shooting, or other methods) are not permitted to come into direct contact with halal animal material or halal animal products.
- (6) Any halal animal products that have come into direct contact with animal material or animal product derived from halal species not slaughtered in accordance with this notice, are designated “non-halal” regardless of the stage of processing at which the contact occurred.

8 Animal products business product traceability requirements for halal

- (1) Animal product businesses to which this notice applies that are transferring halal animal products intended for export to a market specified in Annex 1 to an exporter must raise an eligibility document electronically on E-cert in accordance with the Animal Products (Official Assurances Specifications) Notice 2005.
- (2) The inclusion of a market specified in Annex 1 on an eligibility document will be taken to be a declaration by the animal product business that the requirements of this notice have been met for the products identified in that eligibility document.

Part 3

Director-General functions and duties

9 Explanatory note: NZFSA sanitary controls and notification

- (1) This clause contains information that is by way of explanation only.
- (2) NZFSA is responsible for administering New Zealand laws specifying the sanitary requirements for the production and processing of animal products in New Zealand.
- (3) Compliance with those sanitary requirements is verified by officially recognised agencies and persons who are authorised to carry out these functions under the Act.
- (4) NZFSA maintains a list of recognised agencies and official assurance verifiers who may carry out verification in accordance with policies and standards set by NZFSA.
- (5) NZFSA is responsible for notifying or making available export requirements to registered exporters.

10 Listing by Director-General required

Approved halal premises

- (1) An animal product business that wishes to be an approved halal premises must be listed with the Director-General under subclause (2).
- (2) The Director-General may only list an animal product business as an approved halal premises under this clause if the business—
 - (a) complies with all the applicable requirements of this notice; and
 - (b) complies with all applicable standards and specifications issued under the Act; and
 - (c) has an approved halal programme under Part 4; and
 - (d) has been assessed under Part 4.
- (3) An approved halal premises may be listed for the export of specified halal animal products to a market specified in Annex 1 or a group of markets specified in Annex 1.

AHOs

- (4) An Islamic organisation that wishes to be an AHO must be listed with the Director-General in accordance with subclauses (5) and (6).
- (5) An Islamic organisation may be listed as an AHO for—
 - (a) a market specified in Annex 1; or
 - (b) a group of markets specified in Annex 1.
- (6) The Director-General will only list an Islamic organisation as an AHO if—
 - (a) the organisation has accreditation from an accreditation body; and
 - (b) the organisation complies with the applicable requirements of this notice including any secondary criteria for approval; and
 - (c) the organisation is accepted as a halal organisation by the Halal Standards Advisory Council established under Part 8; and
 - (d) the organisation is accepted as a halal organisation by the relevant national Islamic authority of the importing country where this is a requirement of that importing country; and
 - (e) the organisation can demonstrate affiliation with a New Zealand mosque; and
 - (f) the person applying on behalf of the organisation for the organisation to be listed, and any director or manager of the organisation, is a fit and proper

- person having regard to any conviction, whether in New Zealand or overseas for any offence relating to fraud or dishonesty; and
- (g) the organisation's assessment and approval personnel and issuing officers have met any relevant competency criteria specified by the Director-General under clause 12(1)(b) and (c).
- (7) If the Director-General determines to refuse an application for approval, or delists any approved halal premises, the operator may seek a review of the decision following the process described in section 162 of the Act.

Listing by Director-General

- (8) A current list of approved halal premises and AHOs will be made available on the NZFSA website. Halal premises and AHO lists will include markets to which the listing applies.

11 Revocation of listing

- (1) The Director-General may revoke the listing of an approved halal premises or AHO if he or she has reasonable grounds to believe that the premises or organisation is in substantive non-compliance with any of the applicable listing requirements specified in this notice.
- (2) The Director-General must immediately suspend the listing of an AHO as it applies to any importing markets to which this notice applies, if acceptance by the relevant Islamic authority of the importing country as a halal organisation (as required by clause 10(6)(d), is rescinded or revoked.
- (3) The Director-General must immediately revoke the listing of an AHO for all importing markets to which this notice applies if the organisation's assessment and designation practices are reasonably believed to be fraudulent or negligent or otherwise lack integrity.

12 Director-General controls on approved halal organisations, halal assessment and approval personnel and issuing officers

- (1) The Director-General will –
- (a) determine quality standard(s) and secondary criteria, if any, required for approval of AHOs
 - (b) arrange for auditing of AHOs; and
 - (c) determine the applicable competency criteria for the selection of persons appointed by AHOs as halal assessment and approval personnel and;
 - (d) determine the applicable competency criteria for the selection of persons appointed by AHOs as issuing officers; and
 - (e) approve issuing officers who may issue halal export certificates.
- (2) A list of issuing officers approved by the Director-General, and competent assessment and approval personnel will be made available on the NZFSA website.

13 Halal official assurances

- (1) The Director-General may, at the Director-General's discretion, issue a halal official assurance or a halal attestation on a sanitary official assurance for product to be exported to any one or more of the markets specified in Annex 1.
- (2) The Director-General may only issue a halal official assurance or a halal attestation on a sanitary official assurance on the basis of having received confirmation in writing from an AHO that the products:

- (a) were derived from approved halal premises operating under an approved halal programme in accordance with this notice; and
 - (b) display the Halal mark; and
 - (c) comply with the applicable requirements of this notice.
- (3) If the Director-General issues a halal official assurance or a halal attestation on an official sanitary assurance for product to be exported to any one or more of the markets specified in Annex 1, a halal export certificate must not be provided by the AHO to any of the markets listed in Annex 1.

Part 4

Approval required for certain animal product businesses processing halal animal products for export

14 Requirement for approval of halal programme and halal premises

- (1) An animal product business that is a slaughter premises, wishing to export halal meat and meat products derived from halal species to one or more market specified in Annex 1 must apply to an AHO –
- (a) for approval of their halal programme under subclause 3 and clause 17(2); and
 - (b) for approval as an approved halal premises under clause 17(2).
- (2) An animal product business to whom subclause (1) applies must apply to an AHO for approval before being able to be listed by the Director-General under clause 10(2).

Halal programme submitted for assessment and approval

- (3) Animal product businesses seeking halal programme approval from an AHO under clause 14(1)(a) must submit a documented halal programme to the AHO for assessment and approval.
- (4) The documented halal programme must include—
- (a) a description of the animal product business to which the halal programme relates; and
 - (b) a list of all personnel positions that are included in the premises Halal Management Committee responsible for ensuring the effectiveness of the implementation of the halal programme; and
 - (c) a register recording the names of halal slaughter persons employed by the business; and
 - (d) the species and product categories to which the programme relates; and
 - (e) the slaughter method; and
 - (f) the AHO undertaking halal assessment and approval services of the business; and
 - (g) the scope of the halal activity (for example, slaughter, offal collection, boning/cutting, further processing, or storage to be undertaken under the programme); and
 - (h) for slaughter premises, a prohibition on pigs or pigmeat products to which the programme relates being processed or stored in the same processing or storage facilities as halal species; and
 - (i) a prohibition on dogs entering the processing areas of the premises to which the programme relates and a restriction so they are confined to lairages during processing; and
 - (j) evidence that any ingredients used in the further processing of the halal animal products to which the programme relates are halal; and
 - (k) details of the controls to ensure the integrity of halal products at any time and place at the premises to which the programmes relates (in accordance

with clauses 6 and 7 and Part 7 and with religious requirements notified by the AHO). These controls must encompass animals, halal slaughter, product, identification and segregation of halal from non-halal, personnel, rooms and equipment; and

- (l) a comprehensive identification and segregation system that clearly demonstrates effective separation between halal and non-halal products to which the programme relates, in accordance with the requirements of clauses 6 and 7; and
- (m) security and procedures for application of the halal mark; and
- (n) list the markets in Annex 1 that the animal product business intends to export to.

Amendment and record keeping requirements of approved halal programmes

- (5) If an animal product business intends to significantly modify an approved halal programme the business must resubmit the programme to an AHO prior to any changes being made.
- (6) For the purposes of subclause (5) significant modifications include but are not limited to the following:
 - (a) major alterations to processing facilities or equipment; and
 - (b) relocating business or operation; and
 - (c) new animal material or animal product; and
 - (d) new process or process modifications, for production of halal animal products; and
 - (e) merging or splitting existing approved halal programmes.
- (7) An approved halal programme will be valid for assessing by any AHO that is listed for the export markets designated in the programme, and must be re-approved every 2 years.
- (8) An amendment to a standard notified under section 60 of the Act (other than this notice) will not, unless otherwise specified, require an amendment to an approved halal programme.
- (9) The animal product business must—
 - (a) provide sufficient resources to enable implementation of the approved halal programme; and
 - (b) regularly consider and assess the continued effectiveness of the approved halal programme; and
 - (c) keep records of the effective operation of the approved halal programme for a period of four years and make those records available for assessment by the AHO or the Director-General as required.

Applicability and content of halal programmes

- (10) An approved halal programme will be applicable to all of the markets specified in Annex 1 which are listed in the approved halal programme. Any requirements specified in other notices must be addressed in accordance with the directions specified in those notices.
- (11) An approved halal programme must not contain requirements that exceed those required by this notice or any other notice promulgated by the Director-General.

Part 5

Requirements and restrictions on approved halal organisations, halal assessment and approval personnel and issuing officers.

15 Competency requirements for halal assessment and approval personnel and issuing officers.

- (1) Halal assessment and approval personnel must be employed by an AHO for that specific purpose; and must have attained the NZQA National Certificate in Meat Processing (Halal) including the Halal Certification modules. Competency must have been attained in NZQA standards 25924, 25926, 25927 and 26025.
- (2) Issuing officers who issue halal export certificates must be employed by an AHO for that specific purpose; and must have attained the NZQA National Certificate in Meat Processing (Halal) including the Halal Certification modules. Competency must have been attained in NZQA standards 25924, 25926, 25927 and 26025 standards.
- (3) The Director-General shall maintain a list recording the names of halal assessment and approval personnel and issuing officers.

16 Requirements for approved halal organisations

- (1) An AHO must—
 - (a) have a documented training programme for training all halal assessment and approval personnel and issuing officers; and
 - (b) ensure the scope of the documented training programme includes any competencies specified by the Director-General; and
 - (c) ensure halal assessment and approval personnel assess the suitability of halal slaughter persons during routine assessment and approval activities; and
 - (d) ensure it meets the requirements in subclause 15 (2) and Part 6 in relation to its issuing officers (including, without limitation, undertaking related checks and controls associated with issuing officers); and
 - (e) notify the Director-General of any critical event affecting the approved status of any approved halal premises, halal animal product to which this notice applies, or competency of any halal slaughter persons.
 - (f) notify the Director-General of any additional halal requirements that may be required by an importing country authority .
 - (g) not require an animal product business to comply with matters that are not contained within this notice or any other notice promulgated by the Director-General
 - (h) submit the names of assessment and approval personnel and issuing officers to the Director-General, together with evidence of these personnel having attained the competency standards required in clauses 15(1) and (2).

17 AHO approval and ongoing assessment of halal programmes and halal premises

- (1) Clause 14(2) applies if an AHO receives a request from an animal product business to: —
 - (a) have its premises assessed and approved as an approved halal premises; and
 - (b) have its documented halal programme approved.
- (2) If clause 14(2) applies the AHO must assess the programme under subclause (3), and the premises under subclause (5) for compliance with the requirements of this

notice and any other related notices issued by the Director-General, within 1 month of receipt of the request.

Initial assessment and approval of halal programme

- (3) An AHO may approve an animal product business's documented halal programme(s) prior to assessing the halal premises in accordance with subclause (5).
- (4) An AHO may only approve a halal programme that meets all the applicable requirements of this notice, including clauses 6, 7, and 14(3) – (11), and Part 7.

Approval procedures for premises and halal programmes and ongoing assessment

- (5) An AHO must assess the halal premises and implementation of the halal programme at the halal premises in accordance with ISO 19011:2002, against all applicable requirements of this notice.
- (6) An AHO must provide an assessment report, including any corrective action requests, to the animal product business within 5 working days after completion of the initial assessment of the halal premises.
- (7) An AHO must assess the implementation of the approved halal programme(s) at the approved halal premises –
 - (a) in the case of slaughterhouses, at least once every three months; and
 - (b) in any other case, at least once every 6 months; and
 - (c) if clause 14(5) applies, within one month of application of an amended halal programme.
- (8) An AHO must provide assessment reports, including any corrective action requests, to the animal products business within 5 working days after the completion of an ongoing assessment of the implementation of an approved halal programme.

AHO notification of approvals to the Director-General

- (9) An AHO must provide the Director-General, in a timely manner, with written notification of all assessments carried out on halal programme(s) and halal premises including—
 - (a) the outcome of the assessment including approval or non-approval ; and
 - (b) the revocation or cessation of an approved halal programme.
- (10) An AHO must provide a copy of the approved halal programme to the Director-General within 21 working days of its initial approval and/or any subsequent amendment approval.
- (11) An AHO which no longer provides assessment and halal export certification services to an approved halal premises for which the AHO has undertaken assessment and certification, must notify the Director-General within 3 working days of termination of the contract.

18 Record and information requirements

- (1) An AHO must:
 - (a) make a copy of every halal export certificate, or other form of notification under clause 13(2), issued by an issuing officer on behalf of the AHO. Copies of every halal export certificate, or other form of notification under clause 13(2), must be retained by the AHO for four years; and
 - (b) keep records of every assessment carried out at a halal premises by halal assessment and approval personnel on behalf of the AHO. These records must be retained by the AHO for four years; and

- (c) respond, in a timely manner, to requests from the Director-General to participate in audits carried out by or on behalf of the Director-General or importing market regulatory authorities.

Part 6

Halal export certificates

19 Halal export certificates

- (1) An issuing officer may only issue a halal export certificate for halal animal products on behalf of an AHO if the AHO is satisfied that—
 - (a) the issuing officer has a satisfactory knowledge of this and any other notices issued by the Director-General (including, without limitation, the nature and extent of enquiries, tests, or examinations that need to be undertaken); and
 - (b) the issuing officer is fully informed of the rules to be followed when issuing halal export certificates; and
 - (c) the issuing officer has a status that ensures impartiality; and
 - (d) neither the AHO nor the issuing officer has any commercial interest in the products being certified; and
 - (e) the issuing officer is fully aware of the significance of the contents of each certificate issued by the officer; and
 - (f) the issuing officer only attests to information that is truthful.
- (2) An issuing officer must only issue a halal export certificate on behalf of an AHO in the form that has been expressly approved by the Director-General. .
- (3) An issuing officer may not issue a halal export certificate that contains information, marks or endorsements that are additional to or do not comply with the requirements of this notice.
- (4) An AHO must have documented procedures for its issuing officers relating to the following matters:
 - (a) checks and controls that prevent false or misleading certification by issuing officers; and
 - (b) checks and controls that prevent the fraudulent production or use of halal export certificate; and
 - (c) checks and controls that ensure halal export certificates, or other form of notification under clause 13(2) are not issued for any purpose other than the ones specified under this notice; and
 - (d) remedial actions for any instances of issuing false or misleading halal export certificate.
- (5) The issue or use of a halal export certificate for any purpose other than the regulatory purposes specified under this notice is prohibited. However, as specified in clauses 3 and 4, nothing in this notice prohibits the issuing of a halal declaration or other halal documentation required for non-regulatory reasons by commercial entities in importing markets.

20 Restrictions and requirements of issuing officers

- (1) An issuing officer must not sign a halal export certificate for a product that the issuing officer has not assessed, or which has passed out of the officer's control.
- (2) An issuing officer must not certify information about which they have no personal knowledge or which can not be ascertained by the officer.

- (3) An issuing officer may issue a halal export certificate on the basis of another certificate or attestation or operator or exporter declaration that is in their possession at the time of issuing.
- (4) An issuing officer may not sign a halal export certificate that contains information, marks or endorsements that are additional to or do not comply with the requirements of this notice.

Part 7

Operational requirements for approved halal premises slaughtering, processing, packing and storing meat and meat products for export

21 Competence and identification of competent halal slaughter persons

- (1) An approved halal premises that is a slaughter premises may only use competent halal slaughter persons to perform halal slaughter for the purposes of producing halal animal products for export to the markets specified in Annex 1.
- (2) Competent halal slaughter persons must be Muslim persons who have been assessed as competent to NZQA 25926 and 25927 standards or any other standards stipulated by the Director-General for the purpose of performing halal slaughter at approved halal premises in accordance with this notice.
- (3) The Director-General shall maintain a list of competent halal slaughter persons.
- (4) Competent Halal slaughter persons must undergo periodic assessment of competency by an AHO.
- (5) An animal products business operating an approved halal premises must not permit a halal slaughter person to carry out halal slaughter for the purpose of export to a market specified in Annex 1 if the person's name has been removed from the NZFSA list of competent halal slaughter persons.
- (6) An animal products business operating an approved halal premises that is a slaughter premises must—
 - (a) appoint a Halal Management Committee responsible for oversight of halal compliance management at the premises. The Halal Management Committee membership must include at least one competent halal slaughter person;
 - (b) keep records of all competent halal slaughter persons slaughtering at their premises; and
 - (c) ensure that documentary evidence of competency of halal slaughter persons are available for assessment; and
 - (d) submit the names of competent halal slaughter persons employed or engaged by the business for the purposes of performing halal slaughter to the Director-General together with evidence of the named persons having attained the competency standards required by clause 21(2).
 - (e) provide training to halal slaughter persons in accordance with the operator's Risk Management Programme, health and safety, animal welfare, and other relevant requirements; and
 - (f) provide induction and familiarisation training to employees (other than competent halal slaughter persons) to ensure awareness of the approved halal programme; and
 - (g) notify the Director-General, as soon as possible, of any event which affects the continued eligibility of animal products displaying the halal mark; and
 - (h) provide suitable facilities, and allow sufficient time, for competent halal slaughter persons to conduct their daily religious activities.

22 Requirements for halal slaughter at approved halal premises

- (1) For halal animal products to be exported to a market specified in Annex 1 the animal must be stunned prior to slaughter in accordance with New Zealand animal welfare requirements.
- (2) Stunning must be by a method that is scientifically validated as being reversible, in accordance with competency standards stipulated in clause 21(2) for competent halal slaughter persons.

23 Additional requirements for handling, processing, storage, and transporting

- (1) The requirements in this clause apply to any person producing or processing (including, storing and transporting where these activities are included within the scope of the slaughter premises documented halal programme) any meat products for export to a market specified in Annex 1.
- (2) Where processing rooms are used for both halal and non halal materials or products, equipment must be cleaned in accordance with sanitary procedures specified in any notices issued under the Act by the Director-General.
- (3) Animal products transferring from approved halal premises will, unless the halal mark is applied prior to load out, be ineligible for export to a market specified in Annex 1.
- (4) Animal products that do not comply with clause 22(1) or (2) must be identified as non-halal and the halal mark defaced and any other halal identification removed.
- (5) Pork products, including products containing ingredients derived from pigs, are not permitted to be conveyed in the same transport vehicle or shipping container at the same time as halal animal products are being conveyed.

24 Identification of halal animal products at approved halal premises

- (1) If halal animal products are intended for export to one or more of the markets specified in Annex 1, the identification requirements in this clause must be complied with.
- (2) A halal checker must, at the time of slaughter, identify halal and non-halal carcasses in accordance with the premises approved halal programme.
- (3) A responsible supervisor within the animal product business must ensure that only carcasses confirmed as halal by the competent halal slaughter person are stamped or otherwise identified as halal.
- (4) Halal animal products must be identified with the halal mark before the products leave the approved halal premises.
- (5) In the case of carcasses, parts of carcasses or cuts that are in their final packaging for export, the halal mark may be applied directly to final packaging material labels.
- (6) In the case of cartoned meat and/or meat products, the halal mark must be applied to carton labels and may also be applied to individual cuts and/or labels on inner packaging.
- (7) The halal mark must not be applied to non-halal animal products.
- (8) The halal mark must be defaced or removed by the animal product business if halal eligibility is lost for any reason.
- (9) The halal mark [H] is composed of square brackets no less than 1 cm in height containing the letter H no less than 7 mm in height.

- (10) The halal mark is an official device pursuant to the Animal Products (Export Requirements for Branding, Marking and Security Devices) Notice 2006.
- (11) The halal mark must be controlled and if applied by stamp or brand, must be securely locked away when not in use.

Part 8

Establishment of a Halal Standards Advisory Council

25 Establishment of a Halal Standards Advisory Council

- (1) The Director-General will appoint a chair and other members of a Halal Standards Advisory Council for the purposes of -
 - (a) advising the Director-General on matters relating to the production and processing of halal animal products; and
 - (b) recommending, for approval by the Director-General under clause 10(6)(c), such Islamic organisations as are, in the opinion of the Council, suitable for approval as AHOs.
- (2) For the avoidance of doubt, the Halal Standards Advisory Council will not be a separate legal entity with capacity to contract, enter into legal obligations, or exercise any legal powers in its own name or on behalf of the Director-General.
- (3) The Director-General, in making appointments to the Halal Standards Advisory Council, must have regard for the need for the Council to have expertise and experience in the following areas:
 - (a) Islamic knowledge;
 - (b) food safety and;
 - (c) quality systems management and audit.
- (4) The members of the Halal Standards Advisory Council when they act as members:
 - (a) must act with honesty, integrity and in good faith;
 - (b) must not pursue their own interests or the interests of any commercial organisation or business in New Zealand or overseas;
 - (c) must not disclose any confidential or commercially sensitive information they receive to any person, or make use of or act on that information for any purpose other than providing advice or recommendations to the Director-General.
- (5) While consensus will be the goal, at times the members of the Halal Standards Advisory Council may hold multiple views, and all views of the Council will be conveyed as input to the Director-General's consideration of the relevant issues.

Part 9

Transitional provisions

26 Transitional approval of halal organisations and halal assessment and approval personnel

- (1) Any Islamic organisation managing or supplying halal assessment and certification services including any persons carrying out halal assessment or certification services on behalf of those organisations on the date of issue of this notice are deemed (providing they can provide written confirmation of their acceptability to one or more of the markets specified in Annex I) to be an AHO, halal assessment and approval personnel and issuing officers for the purposes of this notice, from 15 March 2010 until 1 October 2010.

- (2) Any Islamic organisation referred to in subclause (1) that wishes to be listed as an AHO by the Director-General must apply to the Director-General to be listed under clause 10(4) – (6) by 1 May 2010.
- (3) Any Islamic organisation which is not an organisation referred to in subclause (1) and which wishes to be listed by the Director-General as an AHO must apply to the Director-General to be listed under clause 10(4) – (6).
- (4) Animal products businesses to which this notice applies must by 20 June 2010:
 - (a) have a documented halal programme in place which substantially meets the requirements of an approved halal programme under this notice;
 - (b) substantially comply with the requirements for approval of its premises as approved halal premises.
- (5) A documented halal programme will only substantially meet the requirements of an approved halal programme if arrangements are in place for the halal slaughter persons employed by the animal products business to meet the standards required for competent halal slaughter persons by 30 November 2010, and if the halal slaughter persons are competent halal slaughter persons from that date.
- (6) Any animal products business which meets the requirements of subclauses (4) and (5) will be deemed to have an approved halal programme and to be operating from approved halal premises until either:
 - (a) the animal products business is awarded the status of having a formally approved halal programme and operating from formally approved halal premises following an assessment by an AHO which has been listed by the Director-General under clause 10(4); or
 - (b) an Islamic organisation deemed to be an AHO under subclause (1) or an AHO which has been listed by the Director-General under clause 10(4) determines that the animal products business is not meeting the requirements in subclause (4) or (5); or
 - (c) 31 August 2010.
- (7) Issuing officers may issue halal export certificates on behalf of their AHOs according to any deemed approved halal programme for so long as the deemed approved halal programme is in place.
- (8) Halal animal products to which this notice applies, and that have been assessed by deemed AHOs as meeting the requirements for halal export certification in accordance with existing assessment systems up to 1 October 2010, are deemed to have been issued with halal export certificates under clause 6(4).

Explanatory Notes:

- 1) *This notice establishes regulatory oversight of Islamic organisations providing halal export certification for animal products exported to the markets specified in Annex I. As such this notice sets out standards and requirements which underpin the issuance of halal export certificates by AHOs. The notice establishes AHOs and their approval and assessment officers as the primary verifiers (for the purposes of the notice) for animal product businesses producing halal animal products under the notice. The requirements of this notice are additional and separate to other requirements notified by the Director-General as either New Zealand standards or overseas market access requirements, for which NZFSA official assurances are issued.*
- 2) *The quality standard noted in clause 12(1)(a) is ISO 17020.*
- 3) *In addition to the requirements of clause 24 the term “halal” in Arabic may be applied to animal product labels and packaging materials.*
- 4) *The transitional provisions of this notice are intended to allow existing AHOs to continue to issue halal export certificates for halal animal products included in the scope of this notice, during the stated transitional period while AHOs and animal product business operators are implementing the full requirements of the notice.*

Annex 1

Halal markets

Algeria

Bahrain

Egypt

Indonesia

Iran

Jordan

Kuwait

Malaysia

Oman

Qatar

Saudi Arabia

UAE

Issued under section 167 of the Animal Products Act 1999.

Date of notification in Gazette: []

This notice is administered in the New Zealand Food Safety Authority.
