

Implementation Plan for the Report on New Zealand's Dairy Food Safety Regulatory System

No.	Inquiry recommendations (verbatim)	Implementation	Timeframe	Who involved (including lead)	Lead Minister
The wider view					
1	The Ministry, in consultation with the industry and other relevant government agencies, should focus on emerging risks and prepare a high-level risk register identifying such risks to dairy food safety and supply.	Form working group to develop process for identifying and sharing emerging risks, and develop common high-level risk register.	Establish risk register by 1 April 2014	MPI (lead) MFAT NZTE Dairy industry	Food Safety
2	The Ministry should convene a working group to develop a strategic plan to build up sector-wide dairy processing and regulatory capability.	Delivery date for strategic plan will be determined by working group. [Note: this could be collaboratively funded with industry.]	Establish working group by 1 May 2014 Strategic plan delivered 12 months later	MPI (lead) Universities Dairy industry	Primary Industries
3	A centre of food safety science and research, which could be a virtual centre, should be established to ensure New Zealand remains a leader in the food safety field.	A food safety science and research centre will be established. Timing will depend on Ministers decisions on how the centre will operate. [Note: this could be collaboratively funded with industry.]	Implementation over 12 - 18 months	MPI (lead)	Food Safety
4	In collaboration with other government agencies, the Ministry should step up its role and resources, both here and abroad, to allow more effective interaction with New Zealand's most important, and emerging, export markets, particularly China.	New capability agreed. Planning underway including finalising locations.	Implementation over 12 - 36 months.	MPI (lead)	Primary Industries
5	All organisations in the sector should endeavour to increase collaboration, whether among regulators, the Ministry and the industry, or within the wider dairy industry.	Existing forums and work programmes utilised to increase collaboration with other regulators and with the dairy industry. New possible work includes: more MPI verifier workshops; reviewing the MPI/industry stakeholder groups to ensure collaboration is occurring at a strategic level, not just a technical.	Can begin immediately – ongoing.	(all lead) MPI Recognised agencies Dairy industry	Food Safety Primary Industries
Regulatory design					
6	The Ministry should accelerate the standards integration programme, using specialist drafters, technical industry experts and recognised agencies from the start of the process. In particular: <ul style="list-style-type: none"> o Risk management programme requirements should be elevated to regulations, along with the requirements for the notification and reporting of food safety events. o There should be a new requirement that risk management programmes be limited to food safety and related regulatory matters. o The Ministry, verifiers, laboratories and industry should jointly work on drafting and publishing escalation guidelines for food safety incidents. 	Increase priority of standards integration programme (SIP) within MPI and refresh scope to ensure includes review of regulations. Escalation guidelines for food safety incidents falls outside SIP and will be implemented by operational groups within MPI.	Implementation over 12 months.	MPI (lead) PCO (drafting of regulations) Verifiers and laboratories (escalation guidelines)	Food Safety
7	Following the rewrite of the requirements for risk management programmes, the Ministry should receive and maintain records of full and up-to-date programmes.	Industry will need to review and re-write RMPs to reflect new requirements. Requirement for MPI to hold RMPs change to Animal Products Act and consequential changes to other food legislation (via an omnibus Bill).	Legislative change 9 - 18 months Industry re-write 12 months	MPI (lead) Industry Recognised agencies	Food Safety

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8	It is important that risk management programmes be periodically re-evaluated.	Policy work will need to be undertaken on the scope and period of re-evaluation. Full re-evaluation of RMPs will require changes to the Animal Products Act and/or regulations (via an Omnibus Bill). Need to align other food legislation.	Policy 9 - 12 months Implementation, including legislative change 9 - 18 months	MPI (lead) Industry Recognised agencies	Food Safety
Role of the regulator					
9	A Food Safety and Assurance Advisory Council should be established to provide the Ministry with high-level independent strategic advice and risk analysis and report annually to the Director-General on the performance of the system.	Assuming the Council does not need to be a statutory body, it could be established relatively quickly. Exact terms of reference and reporting determined by Minister for Food Safety.	Terms of reference and how it will operate by May 2014.	MPI (lead)	Food Safety
10	The Ministry should consider the following aspects of its operations: <ul style="list-style-type: none"> o Structure: ensure a more integrated focus on the dairy sector and food safety generally. o Roles: ensure greater clarification of multiple, and sometimes conflicting, roles. o Capacity and capability: ensure additional skilled staff in food safety generally and specifically in the dairy sector. o Visibility: ensure greater prominence of the Ministry's food safety role. o Risk communication: ensure greater resourcing of, and priority for, this role. o Engagement: hold regular workshops and participate fully in overseas forums. 	Work is already underway in a number of areas, including governance groups and leadership of food safety system within MPI; increasing dairy capability; and risk communication.	Underway	MPI (lead)	Primary Industries and Food Safety
11	Additional funding should be allocated to Vote Primary Industries and Vote Food Safety, targeted at food safety and dairy-related capability; China and new markets capability; the redrafting of regulations; and the Food Safety and Assurance Advisory Council.	Covered in relevant points above.	12 months - ongoing	MPI (lead)	Food Safety Primary Industries
Role of verifiers					
12	The independent verification system should be strengthened in the following ways: <ul style="list-style-type: none"> o Provider greater clarity of the verifier's role as agent of the Ministry to make clear the true client is the regulator, not the industry. o Subject dairy processing operators using template risk management programmes to more rigorous scrutiny. o Encourage verifiers and the industry (with Ministry approval) to consider how the regular auditing process can provide more evaluation without straying into consultancy, o Involve verifiers in product dispositions featuring novel or improvised re-working. o Provide verifiers' accreditation reports directly to the Ministry to ensure full and transparent reporting. 	Some recommendations will require policy work e.g. scope of additional scrutiny for dairy process operators using templates. Some changes can be implemented without legislative change. Some may require legislative change via an Omnibus Bill e.g. providing greater clarity as to the role of the verifier and requiring verifiers to provide accreditation reports to MPI may require legislative change.	Policy 12 months Non-legislative changes 12 months Legislative changes 9 – 18 months	MPI (lead) Recognised agencies Industry PCO	Food Safety
13	The Ministry should carry out more analysis of audit information to identify areas of particular concern, emerging issues or risks and compliance trends.	This work is currently underway.	Underway	MPI (lead)	Food Safety
14	Accreditors and verifiers should endeavour to consult and collaborate as appropriate to ensure continued improvements to the accreditation and verification systems.	This work is currently underway.	Underway	MPI Recognised agencies Accreditation bodies (lead)	Food Safety
Testing: quality and integrity					

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15	Sulphite Reducing Clostridia (SRC) testing should not be mandatory for all dairy products.	Agree with the recommendation, work is underway to continuously improve.	Immediate	MPI (lead)	Food Safety
16	The Ministry should compile and maintain a list of accredited laboratories for non-standard or novel tests.	This work is currently underway and is nearing completion.	3 - 6 months	MPI (lead)	Food Safety
17	The Ministry should give priority and resources to better analysis of existing data to identify trends, including extending its surveillance programmes where appropriate.	Some improvements are underway. Will need to scope how to make further improvements	Scoping 6 months	MPI (lead)	Food Safety
Implementation of food safety standards					
18	The Ministry, recognised agencies and industry should work to foster a positive food safety culture, and identify mechanisms to evaluate the food safety culture within companies.	MPI has some work underway, including review of governance groups. Discussions with industry to determine mechanisms.	12 months and ongoing.	(all lead) MPI Recognised agencies Industry	Food Safety
19	The Ministry should promptly inform industry of new overseas market access requirements and where practicable consult industry about such requirements.	This work is currently underway, further discussions with industry to improve how it occurs.	Consultation undertaken within 6 months.	MPI (lead)	Food Safety
20	The compliance and enforcement tools in the Animal Products Act 1999 should be aligned with those in the Food Bill, which is currently before Parliament, and should include a full range of tools.	We have undertaken a comparison; a final decision needs to be taken on what the alignment will be. Will require legislative change via an Omnibus Bill.	Legislative changes 9 – 18 months	MPI (lead)	Food Safety
21	The Ministry should prioritise analysis of food safety compliance data.	This work has started.	3 - 6 months to fully scope work needed	MPI (lead)	Food Safety
Traceability, recall and contingency planning					
22	The Ministry should convene a working group to consider first, the most appropriate regulatory provisions for traceability of dairy products, and secondly, a code of practice or similar to guide industry in implementing such provisions.	Form new working group to consider traceability issues and regulatory provisions. Code of practice would follow on from the completion of this work.	Establishment, including terms of reference and membership 6 months	MPI (lead) NZTE Industry	Food Safety
23	Recall provisions should be revised, in particular: <ul style="list-style-type: none"> ○ Mandatory recall provisions in food legislation should be aligned. ○ Voluntary recall obligations should be set out in regulations rather than in risk management programmes. ○ Regulations should require industry to simulate recalls, audited by verifiers. ○ Circumstances in which privileged statements can be made should be clarified. 	Some changes in the Food Bill, other changes in an Omnibus Bill.	Overall legislative changes 9 – 18 months	MPI (lead)	Food Safety
24	The Ministry should be given statutory responsibility for food safety contingency planning. Industry and regulators should simulate tracing, recall and general food safety incidents from time to time as part of such contingency planning.	Likely to require legislative change. Will require legislative change via an Omnibus Bill.	Legislative changes 9 – 18 months	MPI (lead)	Food Safety
Infant formula					

No.	Inquiry recommendations (verbatim)	Implementation	Timeframe	Who involved (including lead)	Lead Minister
25	The Ministry should prioritise its infant formula work programme, and complete the revision of food safety-related regulatory requirements for the manufacture of infant formula (and, if appropriate, ingredients for infant formula) within six months.	Will require legislative change via an Omnibus Bill.	6 months	MPI (lead)	Food Safety
26	The Ministry, with input from the relevant working groups, should resolve whether infant formula and other high-risk products should routinely undergo Sulphite Reducing Clostridia (SRC) testing, based on scientific, risk-based and cost-benefit analysis.	Can be incorporated into MPI's existing work programme for infant formula	6 months	MPI (lead)	Food Safety
27	The Ministry should strengthen requirements for exporters of infant formula to ensure traceability.	Will require legislative change via an Omnibus Bill.	9 - 18 months	MPI (lead)	Food Safety
28	Regulatory requirements under both the Animal Products Act 1999 and the Food Act 1981 should be aligned.	We have undertaken a comparison; a final decision needs to be taken on what the alignment will be. Will require legislative change via an Omnibus Bill.	Legislative changes 9 – 18 months.	MPI (lead)	Food Safety
29	The Ministry, in consultation with the industry, should develop options to provide foreign markets with the assurance of authenticity of New Zealand-manufactured infant formula products.	Can be incorporated into MPI's existing work programme for infant formula.	6 – 12 months	MPI (lead)	Food Safety