

Version
as at 1 July 2022



Animal Products (Exemptions and Inclusions) Order 2000

(SR 2000/209)

Animal Products (Exemptions and Inclusions) Order 2000: revoked, on 1 July 2022, by regulation 267(b) of the Animal Products Regulations 2021 (SL 2021/400).

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 16th day of October 2000

Present:

His Excellency the Governor-General in Council

Pursuant to sections 9, 15, and 49 of the Animal Products Act 1999, His Excellency the Governor-General, on the recommendation of the Minister of Agriculture made in accordance with those sections, and acting on the advice and with the consent of the Executive Council, makes the following order.

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The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the Ministry for Primary Industries.

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Order

1 Title

This order is the Animal Products (Exemptions and Inclusions) Order 2000.

2 Commencement

This order comes into force on 20 November 2000.

3 Interpretation

In this order, **the Act** means the Animal Products Act 1999.

alcoholic beverage means an alcoholic beverage that contains dairy product or alcohol derived from dairy material or product

formulated caffeinated beverage means a non-alcoholic water-based flavoured beverage that contains caffeine and dairy material or product, and that may contain carbohydrates, amino acids, vitamins and other substances, including other foods, for the purpose of enhancing mental performance

ice cream means a sweet frozen food, generally aerated, made from dairy material and other foods

petfood means any material prepared and traded as food for cats or dogs, and includes any such product intended for cats or dogs but fed to other pets or captive animals.

Clause 3 **alcoholic beverage**: added, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 3 **formulated caffeinated beverage**: added, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 3 **ice cream**: added, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 3 **petfood**: added, on 30 June 2008, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order 2008 (SR 2008/63).

Part 1 Exemptions

Total exemption from Act

4 **Certain fish taken in exclusive economic zone exempt from Act**

- (1) Fish taken in the exclusive economic zone (as defined by section 9 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977), and any animal product derived from such fish, are exempt from the requirements of the Act if—
 - (a) *[Revoked]*
 - (b) the fish, or animal product derived from the fish, are not landed in New Zealand; and
 - (c) the fish, or animal product derived from the fish, are not claimed to be New Zealand fish or product.
- (2) For the purposes of subclause (1)(b), fish or animal product derived from the fish will not be treated as having been landed in New Zealand if—
 - (a) it has been brought on shore in New Zealand for the sole purpose of being transferred to another vessel for dispatch to another country, and has not been processed on-shore; or
 - (b) its landing in New Zealand has been necessitated by vessel breakdown, weather or sea conditions, or other unavoidable circumstances, and it has not been processed on-shore (except to the extent necessary for its preservation or maintenance in good condition); or
 - (c) it has been landed in New Zealand for the sole purpose of complying with any provision of, or regulation or requirement made under, the Fisheries Act 1983 or the Fisheries Act 1996 that requires the fish to be landed, and is then either—

- (i) returned to the vessel from which it was landed immediately after the relevant Fisheries Act procedures are complete, without being processed on-shore (except to the extent necessary for its preservation or maintenance in good condition); or
- (ii) transferred to another vessel for dispatch to another country, without being processed on-shore (except to the extent necessary for its preservation or maintenance in good condition).

Clause 4(1)(a): revoked, on 10 May 2001, by clause 3 of the Animal Products (Exemptions and Inclusions) Amendment Order 2001 (SR 2001/63).

Exemptions from Parts 2 to 4 of Act

5 Medicines and related products covered by Medicines Act 1981

- (1) Parts 2 to 4 of the Act do not apply to the secondary processing of animal products or the processing of dairy material, being products or material that are, or are being processed to become or form part of, a medicine or related product that is subject to the Medicines Act 1981.
- (2) The exemption under subclause (1) includes—
 - (a) the secondary processing of animal products or the processing of dairy material, for the purpose or in the course of manufacturing, packing or labelling, or selling or supplying any medicine that consists of or contains those animal products or that dairy material, by—
 - (i) a person licensed under Part 3 of the Medicines Act 1981 to manufacture, pack or label, or sell by wholesale any medicine; or
 - (ii) a person permitted by regulations under that Act to manufacture, pack or label, or sell by wholesale any medicine otherwise than in accordance with a licence issued under Part 3 of that Act; or
 - (iii) a person subject to an exemption under any of sections 25 to 34 of that Act:
 - (b) the secondary processing of animal products or the processing of dairy material for the purpose of manufacturing, packing or labelling, or selling or supplying any cosmetic or dentifrice or food that is a related product within the meaning of section 94 of the Medicines Act 1981.
- (3) The exemption in this clause does not obviate the need for compliance with provisions of Parts 2 to 4 of the Act if the medicine or related product is intended for export in circumstances that would require an official assurance to be issued, and the official assurance may only be issued on the basis of compliance with those provisions.

Clause 5(1): amended, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 5(2)(a): amended, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 5(2)(b): amended, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

6 Animal remedies covered by Animal Remedies Act 1967

[Revoked]

Clause 6: revoked, on 19 May 2005, by clause 3 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

7 Agricultural compounds and veterinary medicines covered by Agricultural Compounds and Veterinary Medicines Act 1997

- (1) Parts 2 to 4 of the Act do not apply to the secondary processing of animal products or the processing of dairy material if the products or material are, or are being processed to become or form part of, an agricultural compound or veterinary medicine that is subject to the Agricultural Compounds and Veterinary Medicines Act 1997, except as provided in subclauses (3) to (5).
- (2) The exemption in this clause includes the secondary processing of animal products or the processing of dairy material if the products or material are, or are intended to become or form part of,—
 - (a) a substance or compound that, under regulations made under section 75(1)(a) of the Agricultural Compounds and Veterinary Medicines Act 1997, may be imported, manufactured, sold, or used as an agricultural compound without registration under that Act; or
 - (b) a substance or compound that, under regulations made under section 75(1)(b) of that Act must be notified to the Director-General before importation, manufacture, sale, or use as an agricultural compound.
- (3) The exemption in this clause does not obviate the need for compliance with any applicable requirements of Parts 2 to 4 of the Act if the agricultural compound or veterinary medicine (including any petfood within this description) is intended for export in circumstances that would require an official assurance to be issued, and the official assurance may only be issued on the basis of compliance with those requirements.
- (4) The exemption in this clause does not obviate the need for a risk management programme in respect of rendering operations or blood-drying operations that require a risk management programme under clause 20.
- (5) The exemption in this clause does not obviate the need to comply with any applicable requirements of Parts 2 to 4 of the Act in relation to petfood that is raw meat or other animal material or animal product that results from the death of the source animal unless—
 - (a) the raw meat or animal material or animal product has been rendered; or
 - (b) the raw meat or animal material or animal product—
 - (i) is acquired in a ready-for-sale state; and

- (ii) has been subject to primary processing in accordance with a registered risk management programme by an earlier processor.

Clause 7: substituted, on 30 June 2008, by clause 5 of the Animal Products (Exemptions and Inclusions) Amendment Order 2008 (SR 2008/63).

7A Processing of certain dairy products consumed on premises

- (1) Parts 2 to 4 of the Act do not apply to the processing of dairy products for human consumption if—
 - (aa) the processing is carried out under a risk-based measure under the Food Act 2014; and
 - (a) the processing is carried out at the premises where all the resulting product is consumed; and
 - (b) no dairy product is exported from those premises; and
 - (c) the dairy product is sold only by way of retail sale.
- (2) However, the exemption in subclause (1) does not apply to raw milk to which the regulated control scheme imposed by regulation 7 of the Raw Milk for Sale to Consumers Regulations 2015 applies.

Clause 7A: inserted, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 7A(1)(aa): inserted, on 1 July 2017, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order 2017 (LI 2017/100).

Clause 7A(2): inserted, on 1 March 2016, by regulation 96(2) of the Raw Milk for Sale to Consumers Regulations 2015 (LI 2015/309).

7B Processing of certain dairy products that are food

- (1) Parts 2 to 4 of the Act do not apply to the processing of the following dairy material or products (being material or products that consist of or contain dairy material or products) if the processing is carried out under a risk-based measure under the Food Act 2014:
 - (a) multi-ingredient foods and other prepared foods that, despite containing 1 or more ingredients that are dairy material or products, do not consist principally of dairy material or products (for example, biscuits, cakes, bread, soups, sauces, snack goods, pastries, confectionery, and also prepared meals that do not consist principally of dairy product);
 - (b) formulated caffeinated beverages and alcoholic beverages.
- (2) The exemption in this clause does not apply to the processing of ice cream.
- (3) The exemption in this clause does not obviate the need for compliance with any applicable provisions of Parts 2 to 4 of the Act if the product or material to which this clause applies is intended for export in circumstances that would require an official assurance to be issued, and the official assurance may be issued only on the basis of compliance with those provisions.

Clause 7B: inserted, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 7B(1): amended, on 1 July 2017, by clause 5 of the Animal Products (Exemptions and Inclusions) Amendment Order 2017 (LI 2017/100).

Clause 7B(3): added, on 30 June 2008, by clause 6 of the Animal Products (Exemptions and Inclusions) Amendment Order 2008 (SR 2008/63).

Exemptions from requirement for risk management programme

8 Primary processing of animal material for purposes other than human or animal consumption — skinning, shearing, etc

- (1) A risk management programme is not required for the primary processing of animal material if—
 - (a) the resulting product is not intended for human or animal consumption; and
 - (b) the processing occurs at a place or premises where no other operations requiring a risk management programme take place.
- (2) Without limiting the generality of subclause (1) in any way, the following activities are an illustration of various kinds of processing operations that do not require a risk management programme if they meet the requirements of subclause (1):
 - (a) the skinning of slinks, possums, or rabbits in the field, or at a place where such activities are carried out exclusively;
 - (b) the shearing of sheep, goats, and alpacas;
 - (c) feather and fibre removal;
 - (d) the collection or extraction of reproductive material.
- (3) The exemption in subclause (1) does not obviate the need for a risk management programme if the processed product is intended for export in circumstances that would require an official assurance to be issued, and the official assurance may only be issued on the basis of compliance with the requirements of a risk management programme.

8A Dairy processors

- (1) A risk management programme is not required for dairy processors who—
 - (a) are not farm dairy operators; and
 - (b) process dairy material for the domestic market or Australia only; and
 - (c) process the dairy material in accordance with a risk-based measure under the Food Act 2014.
- (2) The exemption under subclause (1) does not obviate the need for a risk management programme if the processed product is intended to be exported other than to Australia (whether or not the export would require an official assurance).

- (3) A risk management programme is not required for dairy processors in relation to the transporting of dairy material or dairy product for export without official assurances or for the domestic market.
- (4) In subclause (3), **transporting**—
- (a) means transporting by vehicle or any other mode of transport; and
 - (b) includes transferring dairy material or dairy product between vehicles or any other mode of transport used.

Clause 8A: inserted, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 8A heading: amended, on 31 March 2010, by clause 4(1) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

Clause 8A(1)(c): amended, on 1 March 2016, by section 447 of the Food Act 2014 (2014 No 32).

Clause 8A(2): amended, on 31 March 2010, by clause 4(2) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

Clause 8A(3): added, on 31 March 2010, by clause 4(3) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

Clause 8A(4): added, on 31 March 2010, by clause 4(3) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

8B Processing of dairy material or dairy product for animal consumption

- (1) A risk management programme is not required for the processing of dairy material for animal consumption if the processing occurs at a place or premises where no other operations requiring a risk management programme take place.
- (2) The exemption in subclause (1) does not obviate the need for a risk management programme if the processed product is intended for export (whether or not the export would require an official assurance).
- (3) A risk management programme is not required for the transporting of dairy material or dairy product for animal consumption for export without official assurances or for the domestic market.
- (4) In subclause (3), **transporting**—
- (a) means transporting by vehicle or any other mode of transport; and
 - (b) includes transferring dairy material or dairy product between vehicles or any other mode of transport used.

Clause 8B: inserted, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Clause 8B heading: amended, on 31 March 2010, by clause 5(1) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

Clause 8B(2): amended, on 31 March 2010, by clause 5(2) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

Clause 8B(3): added, on 31 March 2010, by clause 5(3) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

Clause 8B(4): added, on 31 March 2010, by clause 5(3) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

8BA Raw milk produced and processed under regulated control scheme

- (1) A farm dairy operator who produces and processes RCS raw milk is not required to carry out those activities under a risk management programme.
- (2) A depot operator who stores RCS raw milk on behalf of farm dairy operators is not required to store that milk under a risk management programme.
- (3) A transport operator who transports RCS raw milk on behalf of farm dairy operators is not required to transport that milk under a risk management programme.
- (4) In this clause, **depot operator**, **RCS raw milk**, and **transport operator** have the meanings given to each of them by regulation 4(1) of the Raw Milk for Sale to Consumers Regulations 2015.

Clause 8BA: inserted, on 1 July 2017, by clause 6 of the Animal Products (Exemptions and Inclusions) Amendment Order 2017 (LI 2017/100).

8C Transporting of certain animal products for export

[Revoked]

Clause 8C: revoked, on 2 November 2009, by clause 7(1) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

8D Storage of certain animal products for export

[Revoked]

Clause 8D: revoked, on 2 November 2009, by clause 7(1) of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

9 Animal food processed in accordance with Food Act regime

- (1) A risk management programme is not required for the secondary processing of animal product for animal consumption if—
 - (a) the processing is carried out in accordance with the Food Act regime for human consumption; and
 - (b) the resulting product that is fit for human consumption is voluntarily made available for animal consumption.
- (2) The exemption under subclause (1) does not apply in circumstances where the resulting product is downgraded under the Food Act regime as unfit for human consumption.

9A Transporting of animal material or animal product for animal consumption

- (1) A risk management programme is not required for the transporting of animal material or animal product (other than dairy material or dairy product) for animal consumption for export without official assurances or for the domestic market.
- (2) In subclause (1), **transporting**—

- (a) means transporting by vehicle or any other mode of transport; and
- (b) includes transferring animal material or animal product between vehicles or any other mode of transport used.

Clause 9A: inserted, on 2 November 2009, by clause 6 of the Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293).

10 Exemption from requirement to have risk management programme for fish on retail premises

- (1) A person who, from any premises, sells fish by way of retail sale only is exempt from the requirement to have a risk management programme for fish at those premises if—
 - (a) no fish from those premises are exported; and
 - (b) the fish are sold from those premises under a risk-based measure under the Food Act 2014.
- (2) A person who, from any premises, sells fish by way of both retail and wholesale sale is exempt from the requirement to have a risk management programme in respect of all fish at those premises if—
 - (a) no fish from those premises are exported; and
 - (b) the fish are sold from those premises under a risk-based measure under the Food Act 2014.

Clause 10(1): replaced, on 1 July 2017, by clause 7(1) of the Animal Products (Exemptions and Inclusions) Amendment Order 2017 (LI 2017/100).

Clause 10(2)(b): replaced, on 1 July 2017, by clause 7(2) of the Animal Products (Exemptions and Inclusions) Amendment Order 2017 (LI 2017/100).

11 Fish—temporary holding and storage places

- (1) No risk management programme is required for operations occurring at any place used only for the temporary holding, storage, or transport of fish pending their transport or delivery to the premises of a primary processor of fish, whether or not the primary processor is exempt from the requirements of Part 2 of the Act.
- (2) The following activities are the main examples of what constitutes the temporary holding, storage, or transport of fish:
 - (a) keeping live fish in containers in the sea, or in the freshwater environment, where the fish were taken:
 - (b) keeping whole fish (whether or not chilled or refrigerated) on or in a fishing vessel, or in a land-based means of transport that transports the fish to a holding or storage depot or facility or to a primary processor:
 - (c) keeping whole fish (whether or not chilled or refrigerated) on or in a holding or storage depot or other facility until removed for transport to a further storage depot or facility or to a primary processor.

11A Fish processed on registered limited processing fishing vessels

A risk management programme is not required for the processing of fish on a fishing vessel that is registered as a limited processing fishing vessel under Part 3 of the Animal Products (Regulated Control Scheme—Limited Processing Fishing Vessels) Regulations 2001.

Clause 11A: inserted, on 20 November 2001, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order (No 2) 2001 (SR 2001/336).

11B Processors of fish bait, fish berley, chum, or ground bait

No risk management programme is required in respect of processing operations that involve only fish bait, fish berley, chum, or ground bait.

Clause 11B: inserted, on 19 May 2005, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

11C Certain tourist or charter fishing vessel operators and fishing guides exempt

- (1) No risk management programme is required in respect of the fishing and catch support activities of a person who—
 - (a) provides a fishing vessel or fishing guidance services; and
 - (b) provides any services for sailing or operating the vessel, guidance in respect of fishing, or catch support activities (such as storage, gutting, filleting, and any other preparation activity for the catch by the fishing party); and
 - (c) at no stage owns the fish or is involved in the sale of the fish.
- (2) The persons referred to in subclause (1) are also exempt under clause 19A from the requirement to be listed as a homekill or recreational catch service provider.

Clause 11C: inserted, on 19 May 2005, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

11D Whitebait

- (1) No risk management programme is required in respect of their whitebait-related activities by persons who—
 - (a) catch or harvest whitebait from the natural environment; and
 - (b) provide limited processing, such as chilling, washing, and storage, to maintain the whitebait in a condition fit for human consumption; and
 - (c) sell whitebait for consumption or processing.
- (2) In this clause, **whitebait** means—
 - (a) the young or fry of the following *Galaxias* species:
 - (i) *Galaxias maculatus* (inanga):
 - (ii) *Galaxias brevipinnis* (koaro):
 - (iii) *Galaxias argenteus* (giant kokopu):

- (iv) *Galaxias postvectis* (short jawed kokopu):
- (v) *Galaxias fasciatus* (banded kokopu):
- (b) the young or fry of the fish (commonly known as smelt) whose scientific name is *Retropinna retropinna*.

Clause 11D: inserted, on 19 May 2005, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

11E Muttonbird primary processors

- (1) No risk management programme is required in respect of the primary processing (including harvesting and preparation for human or animal consumption) of muttonbirds.
- (2) In this clause, **muttonbird** means a member of the species *Puffinus griseus* (sooty shearwater), *Puffinus tenuirostris* (short-tailed shearwater), or *Pterodroma macroptera* (grey-faced petrel).

Clause 11E: inserted, on 19 May 2005, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

11F Certain primary processors of eggs exempt

No risk management programme is required for the production, processing, or sale of eggs by a primary processor of eggs who—

- (a) produces eggs for sale for human or animal consumption from 100 female birds or fewer (all species included); and
- (b) sells all eggs that are intended for human or animal consumption direct to the consumer or end user; and
- (c) does not sell any of the eggs to any person for further sale.

Clause 11F: inserted, on 19 May 2005, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

11G Airline holding facilities operators

No risk management programme is required by an operator of facilities for the temporary holding of goods for export by air during aircraft loading and unloading procedures if the facilities are within the confines of the airport and adjacent to the tarmac.

Clause 11G: inserted, on 19 May 2005, by clause 4 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

12 Deer velvet

- (1) A person who harvests, collects, stores, grades, or transports raw deer velvet is exempt from the requirement to develop and operate under a risk management programme in respect of that velvet if the only operations the person carries out in relation to raw deer velvet are its harvesting, collection, storage, grading, or transport.

- (2) The exemption under subclause (1) does not apply if the person also dries the velvet, slices it, grinds it, preserves it, or otherwise processes it to the point that it may be used as an ingredient in further processing or packaged for retail sale.

13 Apiarists

A person who harvests animal material or products produced by bees is exempt from the requirement to have a risk management programme for their harvesting operations (including any associated storage or transport operations).

14 Taxidermy operations

A person who performs taxidermy operations is exempt from the requirement to have a risk management programme for those operations, and also from the requirements of Part 6 of the Act (which relates to homekill and recreational catch), if—

- (a) the person does not trade any part of the animals to which the operations relate for human or animal consumption, or any such trade is only to a person carrying out rendering operations under a risk management programme; and
- (b) the person does not provide any other type of homekill or recreational catch services on the same premises.

Exemptions in relation to exports

15 Exemption for owners of live animals exported for non-commercial purposes

An owner of an animal who exports that animal live for non-commercial purposes is, in respect of the export of that animal, exempt from—

- (a) the requirement to register as an exporter under Part 5 of the Act; and
- (b) the obligations set out in section 51(c)(i) and (d) of the Act.

Clause 15: substituted, on 19 May 2005, by clause 5 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

16 Exemption for persons exporting samples for scientific analysis

- (1) A person who exports a sample of animal material or animal product for scientific or analytical purposes is, in respect of that export, exempt from—

- (a) the requirement to register as an exporter under Part 5 of the Act; and
- (b) the obligations set out in section 51(c)(i), (c)(iii), and (d) of the Act.

- (2) The exemption under subclause (1) applies only to persons who are not primarily in the business of sending samples for examination overseas for the purposes of trade or reward.

Clause 16: substituted, on 19 May 2005, by clause 5 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

17 Exemption from export requirements for certain foods

- (1) Consignments of the following material or products (being material or products that consist of or contain animal material or animal products) are exempt from the requirements of Part 5 of the Act:
- (a) multi-ingredient foods and other prepared foods which, despite containing 1 or more ingredients that are animal material or products, do not consist principally of animal material or products (for example, biscuits, cakes, bread, soups, sauces, snack goods, pastries, confectionary, and also prepared meals that do not consist principally of meat):
 - (aa) formulated caffeinated beverages and alcoholic beverages:
 - (b) food for the consumption on any vessel or aircraft of passengers, crew, and animals during transit by sea or air from New Zealand, being meals in a ready-to-eat state or other food for human or animal consumption (for example, airline meals, ships' stores, and feed for animals being transported).
- (2) Nothing in subclause (1) operates to exempt from the requirements of Part 5 any consignment or class of consignments for which an official assurance is required.

Clause 17(1)(aa): inserted, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Exemptions in relation to homekill and recreational catch

18 Transporters of homekill or recreational catch need not be registered

A person who for trade or reward transports homekill or recreational catch is exempt from the requirement to be listed as a homekill or recreational catch service provider under Part 6 of the Act, if that is the only service the person provides in relation to homekill or recreational catch.

19 Taxidermists

Taxidermists are exempt from the requirements of Part 6 of the Act to the extent specified in clause 14.

19A Tourist and charter fishing vessel operators and fishing guides who are also exempt from requirement to have risk management programme

A person who is exempt under clause 11C from the requirement to have a risk management programme in respect of fishing and catch support activities is also exempt from the requirement to be listed as a homekill or recreational catch service provider in respect of those activities under Part 6 of the Act.

Clause 19A: inserted, on 19 May 2005, by clause 6 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

Part 2

Inclusions within ambit of Act

Persons or operations requiring risk management programmes

20 Rendering and blood-drying operations for mammals and birds

- (1) A risk management programme must be developed and operated under for the following operations if carried out for trade purposes in relation to mammal or bird material or product, and whether or not the product concerned is intended for human or animal consumption:
 - (a) rendering operations:
 - (b) blood-drying operations.
- (2) In this regulation, **rendering** means the breaking down of animal tissues into constituent fat and protein elements, whether by the application of heat and pressure or otherwise.

20A Technical grade dairy product processed at same place as dairy product for human or animal consumption

- (1) The processing of technical grade dairy product must be carried out under a risk management programme if—
 - (a) that processing is carried out at the same place as the processing of dairy material for sale or export for human or animal consumption and that latter processing is required by or under the Act to be carried out in accordance with a risk management programme; or
 - (b) the product is for export, and an official assurance is required by the authorities of the importing country.
- (2) In this clause, **technical grade dairy product** means dairy product for sale or export that is not intended for human or animal consumption.

Clause 20A: inserted, on 1 June 2005, by section 11(1)(b) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Exporter registration

21 Exporters of glands, bile, blood, or deer velvet to be registered, whether or not material or product intended for human or animal consumption

Exporters of the following animal material or products must be registered as exporters under Part 5 of the Act, whether or not the material or products are intended for human or animal consumption:

- (a) the glands or bile of any animal:
- (b) animal blood or blood products:
- (c) deer velvet or deer velvet products.

21A Exporters of live animals, embryos, semen, and ova

Exporters of live animals, embryos, semen, and ova must be registered as exporters under Part 5 of the Act if the export is for the purposes of trade or reward.

Clause 21A: inserted, on 19 May 2005, by clause 7 of the Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103).

**Part 3
Miscellaneous provisions**

22 Revocations

The following orders are revoked:

- (a) Animal Products (Additional Products for which Exporter Registration Required) Order 1999 (SR 1999/346):
- (b) Animal Products (Exemptions) Order 1999 (SR 1999/347).

Martin Bell,
for Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 19 October 2000.

Notes

1 *General*

This is a consolidation of the Animal Products (Exemptions and Inclusions) Order 2000 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Animal Products Regulations 2021 (SL 2021/400): regulation 267(b)

Animal Products (Exemptions and Inclusions) Amendment Order 2017 (LI 2017/100)

Raw Milk for Sale to Consumers Regulations 2015 (LI 2015/309): regulation 96

Food Act 2014 (2014 No 32): section 447

Animal Products (Exemptions and Inclusions) Amendment Order 2009 (SR 2009/293)

Animal Products (Exemptions and Inclusions) Amendment Order 2008 (SR 2008/63)

Animal Products (Exemptions and Inclusions) Amendment Order 2005 (SR 2005/103)

Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27): section 11(1)(b)

Animal Products (Exemptions and Inclusions) Amendment Order (No 2) 2001 (SR 2001/336)

Animal Products (Exemptions and Inclusions) Amendment Order 2001 (SR 2001/63)