



Food (Prescribed Foods) Standard 2007

Pursuant to sections 11C and 11D of the Food Act 1981, I, Annette King, Minister for Food Safety, issues the Food (Prescribed Foods) Standard 2007.

Issued at Wellington this 30th day of July 2007

[signed]

Hon Annette King
Minister of Food Safety

Certified in order for signature

[signed]

Solicitor

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Amendment

1 Title

These standards are the Food (Prescribed Foods) Standard 2007.

2 Commencement

This amendment comes into force 28 days after notification in the *New Zealand Gazette*.

3 Revocation

Under section 11L of the Food Act 1981, the following standards are revoked:

- (a) The New Zealand (Prescribed Foods) Food Standards 2002 issued by the Minister for Food Safety on 18 November 2002;
- (b) The New Zealand (Prescribed Foods) Food Standards 2002, Amendment No.1 issued by the Minister for Food Safety on 4 May 2004;
- (c) The New Zealand (Prescribed Foods) Food Standards 2002, Amendment No.2 issued by the Minister for Food Safety on 4 April 2005.

4 Interpretation

In these standards, unless the context otherwise requires, -

- (a) References to “the table”, are references to the table to these standards;
- (b) The term “Food Standards Code” has the same meaning as in the New Zealand (Australia New Zealand Food Standards Code) Food Standard 2002;
- (c) The terms “maximum level” and “metal contaminant” have the same meaning as in Standard 1.4.1 of the Food Standards Code; and
- (d) Terms defined in the Food Act 1981 have the same meaning as in that Act.

Part 1 Prohibited Activities

5 Prohibited activities

No person may import, manufacture, store, transport, prepare for sale, or sell, any food described in the first column of the table, if the sale, or the preparation for sale, of that food would constitute an offence under section 9(4) of the Food Act 1981 because of the presence of any condition described, in relation to that food, in the second column of the table.

Part 2 Prescribed Food

6 Prescribed food

For the purposes of section 11P of the Food Act 1981, each food described in the first column of the table, when imported, manufactured, stored, transported, prepared for sale, or sold, is a prescribed food for the purpose of monitoring any condition described, in relation to that food, in the second column of the table.

TABLE

Food	Conditions
Any meat or other food product of a bovine animal, and any food product derived from or containing the meat or products of a bovine animal	The presence of bovine spongiform encephalopathy (BSE)
Bivalve molluscan shellfish (cooked and raw) including clams, cockles, mussels, oysters and scallops	The presence of metal contaminants that exceed the maximum level. The presence of biotoxins. The presence of pathogenic bacteria. The presence of pathogenic viruses
Canned mushrooms	The presence of pathogenic bacteria. Can integrity
Canned tomatoes and tomato products	The presence of lead in cans manufactured with lead soldered seams that exceeds the maximum level. Can integrity
Crustaceans (cooked and raw) including shrimps and prawns	The presence of metal contaminants that exceeds the maximum level. The presence of pathogenic bacteria
Dates	The presence of extraneous matter
Desiccated coconut	The presence of pathogenic bacteria
Escolar	The presence of strongly purgative oil
Finfish in waters from the tropics world-wide, the extreme south eastern US (including south Florida), and the Bahamian region.	The presence of ciguatoxin contamination

Barracuda, amber jack, horseeye jack, black jack, other large species of jack, king mackerel, large groupers and snappers and mackerel and barracuda in waters from mid to north eastern Australia	
Hijiki (Mehijiki, Hiziki, Hijaki) Seaweed (<i>Hizikia fusiforme</i>)	The presence of inorganic arsenic that exceeds maximum levels
Ice cream and iced confectionery	The presence of pathogenic bacteria
Manufactured and minced fish (surimi and marinara mix)	The presence of pathogenic bacteria
Meat paste, pate and fermented meat products	The presence of pathogenic bacteria
Nutmeg	The presence of mycotoxins. The presence of pathogenic bacteria
Paprika, pepper and cinnamon spices	The presence of pathogenic bacteria
Peanuts and pistachio nuts	The presence of mycotoxin contamination that exceeds the maximum level
Peanut butter	The presence of mycotoxin contamination that exceeds the maximum level. The presence of pathogenic bacteria
Puffer fish and fugu	The presence of tetrodotoxin
Raw milk cheese (cheese that has not been pasteurised or undergone cheese treatment according to the Food (Milk and Milk Products Processing) Standard 2007)	The presence of pathogenic organisms
Shark and dog fish	The presence of spoiled product
Smoked or smoke flavoured vacuum packed fish	The presence of pathogenic bacteria
Soft cheese and grated cheese	The presence of pathogenic bacteria on, or in, cheeses or conditions that can sustain or promote their growth.
Soy sauce, flavoured soy sauce, and sauce mixtures with a soy sauce base	The presence of chloropropanols
Sword fish, marlin and shark species	The presence of mercury that exceeds the maximum level
Tahini or crushed sesame seeds or any food containing these foods (including sesame seed paste, sesame paste, sesame seed butter, sesamum seed, hamas tahini, tahineh, tahina, tahine, halva dessert mix, hummus (halawa), halva, helva and babaganoush)	The presence of pathogenic bacteria

Tuna, mahi mahi, blue fish, sardines, amberjack, mackerel and herrings	The presence of spoiled product (histamines)
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Explanatory Note

This note is not part of the amendment and has been included to explain its general effect.

Milk and milk products are subject to the standards in the Australia New Zealand Food Standards Code ("the Food Standards Code"). For New Zealand purposes, under the Food Standards Code, the processing requirements for milk and milk products are provided in these standards.

Food standards subject to Regulations (Disallowance) Act 1989

Food standards, including this amendment, are subject to the Regulations (Disallowance) Act 1989. Any person has the right to make a complaint about a food standard to the Regulations Review Committee.

Availability of food Law

An outline of New Zealand food law, and further advisory information on this amendment, can be viewed on the New Zealand Food Safety Authority (NZFSA) web site: <http://www.nzfsa.govt.nz> or can be obtained from the NZFSA, Policy Group, PO Box 2835, Wellington.

Copies of all New Zealand food law, including food standards, can be viewed free of charge at NZFSA, 86 Jervois Quay, Wellington, or purchased from:

- (a) Bennetts, Commerce House, 360 Queen Street, Auckland, Ph (09) 377 3496, Fax (09) 377 3497
- (b) Whitcoulls, Shop 42 Centre Place, PO Box 928, Hamilton, Ph (07) 839 6305, Fax (07) 834 3520
- (c) Bennetts on Broadway, PO Box 138, Palmerston North, Ph (06) 358 3009, Fax (06) 358 2836
- (d) Bennetts Government Bookshop, PO Box 5334, Wellington, Ph (04) 499 3433, Fax (04) 499 3375
- (e) Whitcoulls Cashel Street, Private Bag, Christchurch, Ph (03) 379 7142, Fax (03) 377 2529
- (f) Whitcoulls George St, PO Box 1104, Dunedin, Ph (03) 477 8294, Fax (03) 477 7869.

The Food Standards Code can be viewed on the Food Standards Australia New Zealand website: <http://www.foodstandards.govt.nz> or can be viewed free of charge at NZFSA, 86 Jervois Quay, Wellington. Copies of the Code, or Amendments to the Code, can be purchased by subscription from: ANSTAT, PO Box 447, South Melbourne, VIC 3205, Australia, <http://www.anstat.com.au>, e-mail foodcode@anstat.com.au, or Phone +61 3 9278 1144.