

Animal Products (Definition of Primary Processor) Notice 2000
(SR 2000/213)

Note

This notice is administered in the Ministry of Agriculture and Forestry.

Pursuant to section 4 of the Animal Products Act 1999, the Minister of Agriculture, after consultation in accordance with section 163 of that Act and after having regard to the matters specified in paragraph (d) of the definition of **primary processor** in section 4(1) of that Act, gives the following notice.

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1 Title

- This notice is the Animal Products (Definition of Primary Processor) Notice 2000.

2 Commencement

- This notice comes into force on 20 November 2000.

3 Interpretation

- In this notice, **Act** means the Animal Products Act 1999.

4 Operations that categorise a person as a primary processor

- For the purposes of the definition of **primary processor** in section 4(1) of the Act, a person who, for purposes of trade or for reward (otherwise than as an employee), carries out the operations or processes described in this notice as primary processing operations or processes in relation to a specified animal product or material is to be treated for the purposes of the Act as a primary processor of that product or material.

5 Avian eggs

- (1) This clause applies in relation to any bird that is—
 - (a) a layer hen (*Gallus domesticus*); or
 - (b) a member of any other bird species, including quail, geese, ducks, ostriches, and emus.
- (2) Where eggs produced by any bird to which this clause applies are intended for human or animal consumption, the candling of those eggs, in addition to their harvesting, constitutes primary processing.
- (3) In this clause, **candling** means the testing of eggs for freshness, fertility, or defects by use of light, electronic means, or any other commercially accepted means.

6 Deer velvet

- In addition to the matters specified in the definition of **primary processor** in section 4(1) of the Act, the following operations or processes in relation to deer velvet constitute primary processing of the velvet:
 - (a) drying the velvet:
 - (b) slicing it:
 - (c) grinding it:
 - (d) preserving it.

7 Fish—on-shore processing

- (1) The primary processing of fish on-shore occurs at the place where—
 - (a) the first methodical assessment of the suitability of the fish for processing is made; and
 - (b) the fish are processed.
- (2) Without limiting the generality of subclause (1), the following operations carried out on-shore also constitute primary processing of the relevant type of fish (whether or not coupled with a methodical assessment of suitability for processing):
 - (a) the deheading, gutting, or filleting of finfish:
 - (b) the tubing of squid:
 - (c) the wet-storage, depuration, or shucking of shellfish:
 - (d) the removing of roe from kina:
 - (e) the holding of crustaceans live (otherwise than in a marine farming operation), or their tailing:
 - (f) in relation to fish to be sold whole or after processing at sea, any steps (including washing, chilling, freezing, or packing) taken to ensure their delivery to a buyer in good condition.
- (3) For the purposes of subclause (1)(a), **assessment** may include a visual check to ensure that the fish are in a satisfactory condition for processing to a product fit for human or animal consumption, or any other check provided for under the Act.

8 Fish-processing at sea

- (1) The following operations carried out at sea constitute primary processing of fish:
 - (a) the filleting of finfish (but not their mere deheading, gutting, or scaling):
 - (b) in respect of fish of any species processed at sea for the purposes of export that are not to be delivered to an onshore primary processor, any other process normally applied to fish, including—
 - (i) washing, chilling, freezing, and preserving:
 - (ii) deheading, gutting, scaling, and tubing:
 - (iii) packing, transport, and storage.
- (2) Subclause (1)(a) does not include the filleting of finfish that are to be consumed by the crew of, or workers on, the vessel concerned.

Dated at Wellington this 16th day of October 2000.

Jim Sutton,
Minister of Agriculture.

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