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Secretariat
Primary Production Committee
Select Committee Services
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WELLINGTON 6160

Submission on the Food Bill Supplementary Order Paper

This submission is from:

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Summary of Submission: Agcarm supports the Supplementary Order Paper (SOP) of the Food Bill as it will speed up the setting and changing of Maximum Residue Limits (MRLS).

Submission: Agcarm supports the passage of the Food Bill, which updates the outdated Food Act 1981.

Agcarm members have a narrow interest in the Bill, which is mostly about the manufacture and sale of prepared foods. But a particular area of interest is the part which proscribes setting of maximum residue limits (MRLs).

Currently MRLs of agricultural compounds are set in standards made under 11C of the Food Act 1981. The Minister for Food Safety is responsible for issuing food standards. Before doing this the Minister needs to take certain factors into consideration and ensure there has been adequate notification and consultation.

The requirement for MRLs to be 'signed off' by a Minister is an unnecessary call on the Minister's time.

MRL setting is of a technical nature that can be delegated to the Ministry for Primary Industry's (MPI) chief executive and relevant officials. The SOP proposes a legislative solution to speed up the setting of MRLs through the Food Bill.

Under the Food Bill, it will be possible for MRLs to be set in two ways – by regulation and/or by notice.

Clause 367A (21) is a new clause inserted by the SOP which allows the chief executive of MPI to issue notices setting specifications or requirements for MRLs. MPI could use this to set and amend the levels for MRLs, which often need to be updated a number of times a year. This is an improvement on the current MRL-setting process as it should allow MRLs to be set more quickly and simply without involving ministers or the parliamentary process.

Agcarm members have experienced frustration at the time taken for MRLs to be promulgated. We would expect the delegation provisions of clause 367A to speed up promulgation as it removes the necessity for ministerial sign off.

Clause 346 of the Bill gives the Government the power to make regulations setting MRL standards. MPI will likely use this to include the principles and purposes for setting of MRLs, but not the limits themselves. The process for setting these regulations would be more complex than the current process for issuing standards, as the regulations would need to be drafted by parliamentary drafters and be agreed by Cabinet. This extra time required is of concern to Agcarm members; however we note that these general principles and purposes should not need to be changed very often.

In both cases under the Food Bill, consultation is mandatory before the MRLs can be set, which is acceptable to Agcarm members.

Conclusion: Agcarm supports the SOP for the Food Bill – in particular 346 and 367A.

Appendix: About Agcarm

Agcarm is the industry association for manufacturers and suppliers of crop protection and animal health products. For further information and a full list of members, see www.agcarm.co.nz.

These products protect public health, improve animal welfare and help environmental management. They:

- Play a pivotal role in growing high yield, sustainable food and fibre products;
- Help supply healthy, nutritional and affordable food;
- Keep New Zealand's agriculture, horticulture and forestry sectors internationally competitive.
- Our members are committed to safety, innovation and product stewardship.



Graeme Peters
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