



THE ANTHRAX PREVENTION REGULATIONS 1987

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 10th day of November 1987

Present:

THE RIGHT HON. DAVID LANGE PRESIDING IN COUNCIL

PURSUANT to Part VI of the Health Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

1. **Title and commencement**—(1) These regulations may be cited as the Anthrax Prevention Regulations 1987.

(2) These regulations shall come into force on the 1st day of January 1988.

**2. Interpretation**—(1) In these regulations, unless the context otherwise requires,—

“Animal” includes any bird, reptile, amphibian, or insect:

“Customs airport” has the meaning given to it by section 2 of the Customs Act 1966:

“Port of entry” has the meaning given to it by section 2 of the Customs Act 1966.

(2) For the purposes of these regulations, any reference to a person who imports any goods into New Zealand means any person by or for whom any goods are imported, and “importer” has a corresponding meaning.

**3. Prohibition on importation of certain brushes without prior written approval**—(1) No person shall, without the prior written approval of the Medical Officer of Health, import into New Zealand any brush designed for use in contact with the human body and made wholly or partly from hair or bristle obtained from any animal.

(2) Nothing in subclause (1) of this regulation shall apply to any brush that forms part of the personal baggage belonging to and accompanying any passenger in any ship or aircraft entering New Zealand.

**4. Import controls on certain goods**—(1) No person shall import into New Zealand—

(a) Any hair or bristle obtained from any animal; or

(b) Any article made wholly or partly from any hair or bristle obtained from any animal—

unless it is cleared at a port of entry or a Customs airport by an Inspector of Health.

(2) Nothing in subclause (1) of this regulation shall apply to any brush if the prior written approval of the Medical Officer of Health has been obtained in respect of the importation of that brush pursuant to regulation 3 of these regulations.

**5. Power of Minister of Health to prohibit importation of certain goods**—If the Minister of Health has reasonable cause to believe that anthrax is likely to be conveyed by—

(a) Any wool, hair, bristle, skin, or fur obtained from any animal; or

(b) Any article made wholly or partly from any wool, hair, bristle, skin, or fur obtained from any animal; or

(c) Any skin bearing wool, hair, bristle, or fur,—

the Minister of Health may, by notice in the *Gazette*, prohibit the importation of those goods.

**6. Powers of Inspectors of Health in respect of goods believed to have been imported in contravention of regulations**—Every Inspector of Health may, in respect of any goods that the Inspector of Health has reasonable cause to believe have been imported into New Zealand in contravention of regulation 3 or regulation 4 of these regulations or in contravention of a notice published under regulation 5 of these regulations,—

(a) Inspect and take samples of the goods:

(b) Seize and detain the goods:

(c) Direct the return of the goods, at the expense and risk of the importer, to any person outside New Zealand to whom the

Inspector of Health considers it appropriate that the goods should be returned:

- (d) Direct the disinfection of the goods, at the expense and risk of the importer, in accordance with regulation 8 of these regulations:
- (e) If the Inspector considers that the goods are of such a nature that they cannot be effectively disinfected, direct the destruction of the goods.

**7. Power of disinfection where goods likely to convey anthrax**—(1) If any Inspector of Health has reasonable cause to believe that—

- (a) Any wool, hair, bristle, skin, or fur obtained from any animal; or
- (b) Any article made wholly or partly from any wool, hair, bristle, skin, or fur obtained from any animal; or
- (c) Any skin bearing wool, hair, bristle, or fur—

imported into New Zealand is likely to convey anthrax, the Inspector of Health may, at any time, require those goods to be disinfected, at the expense and risk of the importer, to the satisfaction of the Inspector of Health in accordance with regulation 8 of these regulations.

(2) Nothing in subclause (1) of this regulation shall limit the powers of an Inspector of Health, pursuant to regulation 6 (d) of these regulations, to direct the disinfection of goods that the Inspector of Health believes to have been imported into New Zealand in contravention of regulation 3 or regulation 4 of these regulations or in contravention of a notice published under regulation 5 of these regulations.

**8. Methods of disinfection**—(1) Subject to subclauses (3) and (4) of this regulation, the disinfection of all goods pursuant to a direction under regulation 6 (d) of these regulations or a requirement under regulation 7 of these regulations shall be carried out by one of the methods set out in the First Schedule to these regulations, or in such manner as the Inspector of Health may require.

(2) Every disinfection shall be carried out only on premises approved for the purpose by an Inspector of Health and all goods requiring disinfection shall be transported to such premises in accordance with any direction given by an Inspector of Health.

(3) All packaging and wrapping of any goods to which this regulation applies shall be disinfected or burnt in accordance with the requirements, if any, of an Inspector of Health.

(4) The Director-General of Health may, by notice in the *Gazette*, for the purposes of this regulation, prescribe any other methods by which goods may be disinfected.

**9. Notice of actions of Inspector of Health**—Where an Inspector of Health exercises any of the powers referred to in regulation 6 or regulation 7 of these regulations, the Inspector of Health shall notify the importer, or any other person in possession of the goods, in writing of the action taken and of the authority for such action.

**10. Certificates of disinfection**—(1) An Inspector of Health may, if the Inspector of Health thinks fit, accept a certificate of disinfection issued in respect of any goods by any authority or person in a country other than New Zealand.

(2) Where an Inspector of Health accepts such a certificate of disinfection,—

- (a) Any person may, notwithstanding any provision of regulation 3 or regulation 4 of these regulations or any notice published under regulation 5 of these regulations, import any goods in respect of which the certificate is issued into New Zealand; and
- (b) That certificate shall, for the purposes of regulation 7 of these regulations, be evidence that the goods in respect of which the certificate is issued are unlikely to convey anthrax.

**11. Appeals**—(1) Where any importer of goods or any other person interested in the goods is aggrieved by any decision of a Medical Officer of Health or an Inspector of Health made under these regulations in relation to those goods, that importer or person interested in the goods may appeal against that decision to the District Court within 14 days of being notified of such decision.

(2) Every appeal under this regulation shall be made by way of originating application, and shall be filed in the District Court nearest to the place of business of the appellant or, where the appellant has no place of business in New Zealand, in the District Court nearest to the port of entry or Customs airport at which the goods were or were to have been imported into New Zealand.

(3) On hearing an appeal under this regulation the District Court may confirm, reverse, or modify any decision made by the Medical Officer of Health or the Inspector of Health, as the case may be, and the decision of the District Court shall be final.

(4) Pending the determination of any appeal under this regulation, any goods which are the subject of the appeal shall be kept at such premises and under such conditions as the Medical Officer of Health or the Inspector of Health thinks fit.

**12. Offences**—Every person commits an offence against these regulations who—

- (a) Contravenes regulation 3 or regulation 4 of these regulations; or
- (b) Imports goods into New Zealand in contravention of a notice published under regulation 5 of these regulations; or
- (c) Fails to comply with any direction given under regulation 6 of these regulations; or
- (d) Fails to comply with any requirement made under regulation 7 of these regulations.

**13. Revocations**—The regulations set out in the Second Schedule to these regulations are hereby revoked.

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## SCHEDULES

Reg. 8 (1)

## FIRST SCHEDULE

## METHODS OF DISINFECTION FOR ALL GOODS

1. The wool, fur, hair, or bristle, or any article made wholly or partly from any wool, fur, hair, or bristle, shall be thoroughly washed with soap and warm water containing 2 percent of sodium carbonate and then left for half an hour in a 5 percent solution of warm sodium carbonate. The wool, fur, hair, or bristle shall then be placed in a solution of formaldehyde consisting of one part of 40 percent formalin and 16 parts of water for half an hour, and at a temperature between 39°C and 41°C, and shall then be left to dry.
2. The wool, fur, hair, or bristle, or any article made wholly or partly from any wool, fur, hair, or bristle, shall have sufficient wrapping removed from the bundle to permit effective disinfection. The bundle shall then be placed in a sealed chamber and the pressure in the sealed chamber shall be reduced to 50 kilopascals below atmospheric pressure. Steam shall then be admitted to the chamber until a pressure of 35 kilopascals above atmospheric pressure is created in the chamber. The pressure shall thereafter be maintained at 35 kilopascals above atmospheric pressure for at least 40 minutes.
3. The wool, fur, hair, or bristle, or any article made wholly or partly from any wool, fur, hair, or bristle, shall have sufficient wrapping removed from the bundle to permit effective disinfection. The bundle shall then be placed in an autoclave to which steam is admitted or in which water is brought to boiling point. Steam shall be permitted to escape through the outlet valve until a strong and even current of steam has been flowing for at least 5 minutes. The outlet valve shall then be closed, and saturated steam at a pressure of 35 kilopascals above atmospheric pressure shall be maintained in the autoclave for at least 40 minutes.
4. The wool, fur, hair, or bristle, or article made wholly or partly from any wool, fur, hair, or bristle, shall be boiled in water for at least 2 hours.
5. The wool, fur, hair, or bristle, or article made wholly or partly from any wool, fur, hair, or bristle, shall be packaged, and irradiated with ionising radiation, to the satisfaction of an Inspector of Health.
6. The wool, fur, hair, or bristle, or any article made wholly or partly from any wool, fur, hair, or bristle, shall be sterilised in accordance with the New Zealand Department of Health Code of Practice for Ethylene Oxide Sterilisation published in 1979.

## METHODS OF DISINFECTION FOR ANIMAL SKINS OR HIDES ONLY

7. The skin or hide of any animal, or the skin or hide of any animal bearing wool, fur, hair, or bristle, shall be completely immersed in a 1/10 000 solution of sodium bisulphate for a period of not less than 5 hours.
8. The skin or hide of any animal, or the skin or hide of any animal bearing wool, fur, hair, or bristle, shall be completely immersed in a solution of free chlorine to a level of 200 parts per million for a period of not less than 2 hours.

SECOND SCHEDULE  
REGULATIONS REVOKED

Reg. 13

Title	Statutory Regulations Serial Number
The Anthrax Prevention Regulations 1951	1951/259
The Anthrax Prevention Regulations 1951, Amendment No. 1 . . . . .	1963/183
The Anthrax Prevention Regulations 1951, Amendment No. 2 . . . . .	1966/44
The Anthrax Prevention Regulations 1951, Amendment No. 3 . . . . .	1969/161

MARIE SHROFF,  
Clerk of the Executive Council.

EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 January 1988, replace the Anthrax Prevention Regulations 1951.

*Regulation 3* prohibits the importation of brushes designed for use in contact with the human body and that are made from animal hair or bristle unless the prior written approval of the Medical Officer of Health is obtained. This regulation does not apply to brushes forming part of the personal baggage of passengers in any ship or aircraft entering New Zealand.

*Regulation 4* provides that hair and bristle, and articles made from hair or bristle, of any animal cannot be imported into New Zealand unless they are cleared at the port of entry or the Customs airport by an Inspector of Health. This regulation does not apply to brushes if the prior written approval of the Medical Officer of Health has been obtained in respect of the importation of those brushes pursuant to regulation 3 of these regulations.

*Regulation 5* provides that the Minister of Health may prohibit the importation of any wool, hair, bristle, skin, or fur of any animal, or articles made therefrom, or any skin bearing wool, hair, bristle, or fur, if the Minister has reasonable cause to believe that anthrax is likely to be conveyed by those goods.

*Regulation 6* empowers every Inspector of Health, in respect of any goods believed to have been imported in contravention of the regulations, to—

- (a) Inspect and take samples of the goods:
- (b) Seize and detain the goods:
- (c) Direct the return of the goods to a person outside New Zealand:
- (d) Direct the disinfection of the goods:
- (e) If the goods cannot be effectively disinfected, direct the destruction of the goods.

*Regulation 7* provides that, if any Inspector of Health has reasonable cause to believe that certain goods imported into New Zealand are likely to convey anthrax, the Inspector may require those goods to be disinfected.

*Regulation 8* provides that, where any goods are required to be disinfected, the disinfection shall be carried out by one of the methods set out in the First Schedule to the regulations. These methods have been revised to bring the regulations into line with current practice. The Director-General of Health is also authorised to prescribe, by notice in the *Gazette*, any other method by which goods may be disinfected.

*Regulation 9* requires an Inspector of Health to notify the importer of the goods, or any other person having possession of the goods, of any action taken pursuant to regulation 6 or regulation 7.

*Regulation 10* provides that an Inspector of Health may accept a certificate of disinfection from any person or authority outside New Zealand, and that where such a certificate has been accepted,—

- (a) A person may, notwithstanding regulations 3 to 5, import the goods in respect of which the certificate is issued into New Zealand; and
- (b) The certificate will, for the purposes of regulation 7, be evidence that the goods are unlikely to convey anthrax.

*Regulation 11* enables an importer of goods or any other person interested in the goods to appeal against any decision of a Medical Officer of Health or Inspector of Health to the District Court within a prescribed time limit, and provides for certain matters connected with the appeal.

*Regulation 12* prescribes offences against the regulations. The maximum fine that may be imposed for any such offence is increased from \$100 to \$500.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 November 1987.

These regulations are administered in the Department of Health.