



## THE DAIRY INDUSTRY (FEES) REGULATIONS 1986

PAUL REEVES, Governor-General

### ORDER IN COUNCIL

At Wellington this 4th day of August 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Dairy Industry Act 1952, 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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| <ul style="list-style-type: none"> <li>1. Title and commencement</li> <li>2. Interpretation</li> <li>3. Application of regulations to town milk industry</li> </ul> |  | <ul style="list-style-type: none"> <li>4. Fees</li> <li>5. Recovery of fees</li> <li>6. Consequential revocation Schedules</li> </ul> |
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#### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Dairy Industry (Fees) Regulations 1986.

(2) Subject to regulation 6 (2) of these regulations, these regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

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

“The Act” means the Dairy Industry Act 1952:

“Approved” means approved by the Director:

“Depot” means a place or conveyance for the storage of milk, milk derivatives, and other products to which the Milk Stations Regulations 1979 apply; and includes any premises remote from a milk station that are used—

(a) For the storage of milk, milk derivatives, or other such products pending sale (not being retail sale); or

(b) For receiving and bulking milk before delivery to a milk station for processing:

“Grading station” means any premises or any part of any premises approved by the Director for the grading of dairy produce before its export:

“Laboratory” means any premises used for quality control, or any part or aspect of quality control, or for the testing of milk or cream supplied to or to be supplied to a dairy factory or milk station—

(a) For milkfat in accordance with section 21 of the Act; or

(b) For constituents of milk other than milkfat by tests approved pursuant to regulations made under the Act:

“Occupier”, in relation to any premises, includes every person for the time being having the management or control of them:

“Quality control”, in relation to any dairy produce, means—

(a) The testing of the produce through all stages of manufacture (including the produce in its finished form); and

(b) The recording of the results of the testing; and

(c) The assessment, on the basis of the results, of the quality of the produce in its finished form; and

(d) The formulation, from the results and assessment, of any modifications or control of the process by which the produce was manufactured necessary to ensure that in future dairy produce manufactured by the process complies, or complies more closely, with the appropriate approved standard:

“Store” means any enclosed area used or intended for use for the storage of manufactured dairy produce that has been approved for the purpose.

### **3. Application of regulations to town milk industry—**

Notwithstanding anything in these regulations, no fee shall be payable under these regulations for or in respect of anything done before the 1st day of September 1986 in or in relation to any depot, grading station, or laboratory, used exclusively for purposes related to the town milk industry (that is to say the collection, treatment, distribution, and sale, of cream and liquid milk, for human consumption in New Zealand).

**4. Fees—**(1) There shall be paid by the occupier of a dairy factory, depot, grading station, laboratory, milk station, or store, in respect of its inspection or examination, or the inspection or examination of any dairy produce there, or the taking there of samples for the purposes of inspection or analysis, under section 5 of the Act, a fee equal to two-thirds of an amount calculated in accordance with the First Schedule to these regulations.

(2) There shall be paid by the occupier of a dairy factory, depot, grading station, laboratory, milk station, or store in respect of any test specified in the first column of the Second Schedule to these regulations that is carried out as part of or pursuant to any inspection or examination under section 5 of the Act of the dairy factory, depot, grading station, laboratory, milk station, or store, two-thirds of the fee specified in the second column of the Second Schedule opposite the reference to the test.

(3) Any person intending to construct, reconstruct, alter, or make addition to any dairy factory or milk station pursuant to any regulations made under the Act, shall pay a fee of two-thirds of the greater of \$200 and 0.05 percent of the capital value of the project. The capital value shall be assessed to include buildings, plant, machinery, and all other appliances and services necessary to comply with the requirements of registration under the regulations concerned but shall not include the value of staff amenities, professional items, interest charges, or other items of expenditure that are incidental to meeting the requirements. One-quarter of the fee shall be payable upon application for approval and the balance shall be paid on completion of the project or when processing of milk commences (or, as the case may be, recommences) in the premises.

(4) The owner of any premises shall pay on application a fee of \$333 for their approval as a store.

(5) Any person who wishes to obtain approval under any regulations issued under the Act for surfaces that may come into contact with any dairy produce shall pay on application a fee of \$400 and on the expiration of every 5 years after the granting of the approval a fee of \$33 if the person wishes to retain the approval; but if the applicant supplies evidence that the surfaces have been approved by a government agency in the United States of America or elsewhere to a standard that is considered by the Director equivalent to that in New Zealand, the fee payable on application shall be \$33 and a further \$33 on the expiration of each period of 5 years from the granting of the approval if the person wishes to retain the approval.

(6) Any person who wishes to obtain approval under any regulations issued under the Act for any boiler water chemical shall pay on application a fee of \$133 per sample and on the expiration of every 5 years after the granting of the approval a fee of \$33 if the person wishes to retain the approval.

(7) For the purposes of these regulations, inspection, examination, or taking of samples, includes preparation and reporting.

**5. Recovery of fees**—Any fees that have not been paid after 90 days may be recovered as a debt due to the Crown in any competent jurisdiction.

**6. Consequential revocation**—(1) The Milk Stations Regulations 1979, Amendment No. 1\* are hereby consequentially revoked.

(2) Subclause (1) of this regulation shall come into force on the 1st day of September 1986.

SCHEDULES

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Reg. 4 (1)

FIRST SCHEDULE

FEES FOR INSPECTION, EXAMINATION, OR TAKING OF SAMPLES

Rates per Hour Spent at Premises Concerned or in Preparation for or  
Reporting Results of Inspection, Examination, or Taking of Samples

Per Inspector who is

	\$
a Dairy Officer	45.00
an Engineer	44.00
a Scientist or Technician	33.00

Travel rates per kilometre from Inspector's headquarters to and from site  
of inspection, examination, or taking of samples.

	cents
Per Vehicle	36
Per Inspector who is	
a Dairy Officer	56
an Engineer	55
a Scientist or Technician	42

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Reg. 4 (2)

SECOND SCHEDULE

TEST FEES

	FEE \$
<b>CHEMICAL</b>	
Acidity Titratable	7.40
Acidity Free	8.90
Acidity Total	8.10
Alkali Requirement	23.60
Alkalinity	10.40
Arsenic (Colormetric)	32.80
Ash	16.40
Borax Soluble Protein	48.70
Calcium (AAS)	23.30
Calcium-Compleximetric	9.40
Carotene	10.50
Casein Protein	28.60
Chloride	9.10
Copper/Iron-AMF	59.10
Copper (AAS)	23.30
Trace Metals (AAS)-Water	15.70
Diacetyl	34.20
Fat-Babcock	10.60
Fat-Babcock-Cheese	19.10
Fat-Gerber	11.10
Fat-Gerber-Cheese	15.10
Fat-Gerber-MP	8.50

SECOND SCHEDULE—*continued*

	FEE \$
Fat-IR	6.80
Fat-Modified Babcock	7.40
Fat-Roese Gottlieb	20.30
Fat-Werner Schmidt	26.80
Formaldehyde	73.20
Free Ammonia	17.90
Free Fat	21.00
Free Fatty Acids	9.00
Freezing Point	7.60
Glucose Galactose Lactose	56.10
Glyceryl Mono-Oleate	82.20
Heavy Metals as Lead	30.00
Hydrogen Peroxide	17.90
Iodine	63.10
Iodine Value	19.80
Iron (AAS)	23.30
Lactic Acid and Lactates-AA	18.00
Lactic Acid and Lactates-Colimetric	18.80
Lactose-Chloramine T	17.90
Lactose-IR	6.80
Lactose-Phenol Sulphuric	21.10
Lactose-Polarimetric	44.40
Lactose/Sucrose-Polarimetric	44.40
Lead (AAS)	29.80
Lecithin	48.30
Linoleic Acid	35.60
Magnesium (AAS)	23.30
Magnesium-Compleximetric	9.40
Manganese (AAS)	37.30
Moisture-Cheese	6.20
Moisture-Fat Products-IDF	10.10
Moisture-Fat Products-Kohmann	9.40
Moisture-IR	6.80
Moisture-Karl Fischer	8.00
Moisture-Dried Products-Grav	6.80
Moisture-Toluene-Milk Powder	17.80
Nitrate and Nitrite	11.80
Non Protein Nitrogen	28.10
Peroxide-Milk Powder	12.20
Peroxide Value	11.10
Pesticides Low Fat (Standard)	70.40
Pesticides High Fat	97.50
Pesticides MP Spec20 638	111.50
pH-Cheese	7.00
pH-Dried Products	10.20
pH-Fat Products	16.80
Phosphatase	6.70
Phosphorus	31.90
Potassium (FE)	23.30
Protein-IR	6.80

SECOND SCHEDULE—*continued*

	FEE \$
Protein-Kjel Foss	14.50
Protein-Kjeldahl	26.60
RLA Protein Denaturation	9.40
Salt-Autotitrator	10.40
Salt-Cheese-DCF	9.30
Salt-Chloride Meter	10.20
Salt-Fat Products-Manual	8.00
Salt-Volhard	14.20
Sodium Glycero Phosphate	83.60
Sodium (FE)	23.30
Softening Point	12.70
Solids Not Fat	9.00
Solids Total	8.10
Sucrose	55.20
TBA Value	44.00
Thiamine HCL (Vitamin B1)	17.50
Vegetable Oil	32.60
Vitamin A-HPLC	36.70
Vitamin A-Individual Isomers	46.50
Vitamin A-Spectrophotometric	18.20
Vitamin B2	66.00
Vitamin B3	66.00
Vitamin B6	74.50
Vitamin C	21.40
Vitamin D-Wholemilk Powder	330.20
Vitamin D-Infant Formula	439.30
Vitamin E (HPLC)	36.00
WPNI	18.00
Zinc (AAS)	23.30

**PHYSICAL TESTS**

Bulk Density	6.20
Centrifugation	6.40
Clarity	4.90
Colour	3.80
Copper Test	12.20
Curd	24.50
Fat Separation	12.30
Flavour/Odour	9.40
Foreign Matter etc.-Cheese	10.00
Foreign Matter etc.-M.P.	8.70
Foreign Matter etc.-Roller B.M.P.	16.60
Foreign Matter etc.-Milk and Fat	6.80
Foreign Matter etc.-Parmesan	68.40
Foreign Matter etc.-Protein	10.00
Foreign Matter etc.-Rennet Casein	16.60
Foreign Matter etc.-SM. Cheese	10.20
Heat Colour	9.40
Insoluble Matter	9.20
Particle Size	12.70

SECOND SCHEDULE—*continued*

	FEE \$
Rate of Solution	9.50
Solubility Index	16.40
Solubility Mead Johnson	62.20
Viscosity (Brookfield)/Protein Products	47.10
Viscosity	17.70
Wet Heat Colour	16.20
<b>MICROBIOLOGICAL TESTS</b>	
Bacillus Cereus	18.90
Clostridium Perfringens	27.90
Coag. Pos. Staphylococci	13.30
Coliforms-Plate	11.30
Coliforms-Tube/MPM	13.90
Coliforms-Membrane Filtration	12.20
E. Coli	19.90
Enterobacteriaceae	14.50
Flat Sours	17.80
Inhibitory Substances-Milk/Star etc	11.00
Inhibitory Substances-Large Plate/FDA	14.90
Mesophilic Spores	15.20
Mesophilic Anaerobic Spores	18.50
NSLAB	12.50
Salmonella	37.50
Shigella	32.80
Standard Plate Count	10.70
Streptococci	12.70
Thermodurics	15.20
Thermophiles	11.40
Thermophilic Spore Count	15.70
Yeast and Moulds	10.20

P. G. MILLEN,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*  
These regulations set fees for dairy product inspection services.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 7 August 1986.  
These regulations are administered in the Ministry of Agriculture and Fisheries.