



## THE HONEY EXPORT CERTIFICATION REGULATIONS 1980

DAVID BEATTIE, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 22nd day of December 1980

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 46 of the Apiaries Act 1969, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

#### ANALYSIS

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Title, commencement, and application</li> <li>2. Interpretation</li> <li>3. Export certificate</li> <li>4. Content of export certificate</li> <li>5. Standards for export honey</li> <li>6. Container requirements</li> </ol> | <ol style="list-style-type: none"> <li>7. Examination and analysis of honey</li> <li>8. Re-examination and re-certification of honey</li> <li>9. Certifying Officer's decision to be final</li> <li>10. Exporter to give assistance</li> <li>11. Offences and penalties</li> <li>12. Revocations</li> </ol> |
|---|---|

#### REGULATIONS

**1. Title, commencement, and application**—(1) These regulations may be cited as the Honey Export Certification Regulations 1980.

(2) These regulations shall come into force on the 1st day of January 1981.

(3) These regulations shall apply only in respect of honey intended for export for which an exporter has applied for an export certificate under these regulations.

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

“Act” means the Apiaries Act 1969:

“Approved” means approved by the Director:

“Blossom honey” means honey produced wholly or mainly from the nectar of blossoms:

- “Brood” means any immature stage of a bee including the egg, larva, or pupa, or any bee which has not emerged from its cell in a comb:
- “Bulk honey” means honey intended to be further processed and packed after export:
- “Certifying Officer” means a person appointed under the Act for the purposes of examining, sampling, analysing, or certifying honey:
- “Chunk honey” means honey which contains one or more pieces of comb honey immersed in extracted honey:
- “Comb honey” means honey stored by bees in the cells of freshly built broodless combs which is intended for export in sealed whole combs or in parts of such combs:
- “Director” means the Director of the Advisory Services Division of the Ministry of Agriculture and Fisheries:
- “Export certificate” means a certificate issued under these regulations by a Certifying Officer in respect of a specific lot of honey intended for export:
- “Exporter” means any person or his agent who intends to export honey:
- “Extracted honey” means honey obtained by centrifuging uncapped broodless honeycombs:
- “Honeydew honey” means honey produced wholly or mainly from secretions of, or found on, living parts of plants other than blossoms:
- “Pressed honey” means any honey obtained by pressing and draining broodless honeycombs, whether with or without the application of moderate heat:
- “Retail honey” means honey intended to be retailed after export without further processing and packing.

**3. Export certificate**—(1) Any exporter wishing to have an export certificate issued in respect of any honey intended for export shall make application to a Certifying Officer on an approved form.

(2) No Certifying Officer shall issue an export certificate unless he is satisfied the provisions of these regulations have been met.

**4. Content of export certificate**—(1) Every export certificate shall be in an approved form, and shall be signed by a Certifying Officer.

(2) Every export certificate shall contain—

- (a) A statement that the honey to which it relates is the natural product of the bee:
- (b) A description of the honey—
- (i) By origin, that is to say, whether it is blossom honey or honeydew honey (if easily ascertainable); and
  - (ii) By mode of presentation, that is to say, whether it is extracted honey, comb honey, chunk honey, or pressed honey, and also whether it is retail honey or bulk honey; and
  - (iii) By state, that is to say, whether it is liquid honey or crystallised honey (if easily ascertainable):
- (c) A statement that the honey complies with any relevant standards set under regulation 5 (1) of these regulations.

**5. Standards for export honey**—(1) The Director-General may set, by notice in the *Gazette*, standards for export honey having regard to the need to comply with—

- (a) Any relevant international standards or specifications; and
- (b) Any laws or requirements of the country to which the honey is to be exported.

(2) In addition to complying with any relevant standards which may have been set under subclause (1) of this regulation, the honey—

- (a) As far as practicable, shall be free from mould, insects, insect debris, pupal cases, brood, or any organic or inorganic substance foreign to the composition of honey:
- (b) Does not have any foreign tastes or odours:
- (c) Has not begun to ferment or effervesce:
- (d) Has not been heated or stored to such an extent that its natural enzymes are destroyed or made inactive:
- (e) Does not have an artificially changed acidity:
- (f) Does not have a moisture content in excess of 19 percent; but ling heather honey (which is described as such) shall not have a moisture content in excess of 20 percent:
- (g) Does not contain any natural toxic substance in such quantity as to endanger human health.

**6. Container requirements**—(1) Every container for export honey shall be of an approved material, construction, and condition so as to protect the quality of the honey.

(2) The lid or bung of a bulk honey container shall be wide enough to allow the honey to be examined and a sample to be taken.

(3) Any written or pictorial matter appearing on a label, or any inscription marked on or attached to a container for export honey shall not be presented in such a way as to misrepresent or distort the nature, substance, or quality of the honey.

(4) Every container of bulk honey, and every outer container of retail honey, shall have the words "Honey" and "New Zealand" marked indelibly in a prominent position on at least one side of that container.

**7. Examination and analysis of honey**—(1) The Director may from time to time, either generally or specifically,—

- (a) Specify or approve premises where the examination of honey intended for export can be carried out:
- (b) Designate the days and times during which a Certifying Officer may undertake the examination of honey intended for export:
- (c) Approve or prescribe methods for sampling, examining, or analysing honey intended for export.

(2) Every exporter who has applied for an export certificate under regulation 3 (1) of those regulations shall, at a time and place advised to him by a Certifying Officer, present the honey for examination in clearly identifiable lots, each lot complying, as far as practicable, with the standards and specifications for honey set out in regulation 5 of these regulations.

(3) A Certifying Officer, in the exercise of his functions under these regulations, may,—

- (a) At all reasonable times with the permission of the occupier, enter and examine any premises used, or proposed to be used, for the processing, packing, storage, or examination of honey intended for export, and may also inspect or examine any appliance or utensil used, or any operation or activity carried out therein, or any conveyance used for the carriage of honey:
- (b) Examine the honey intended for export and take away samples without payment for further examination or analysis.

**8. Re-examination and re-certification of honey**—(1) Honey that has had an export certificate issued in respect of it may be re-examined—

- (a) At the request in writing of the exporter of the honey made to the Director within one month after the export certificate was issued;
  - (b) If the Certifying Officer has reason to believe that the quality of the honey may have changed since the export certificate was issued or if the Certifying Officer thinks a re-examination is necessary for other reasons.
- (2) If upon examination or analysis of the honey it is considered that an export certificate issued now would not be in accord with any previous export certificate, then the previous certificate shall be recalled, altered, cancelled, or substituted, as the case may require.

**9. Certifying Officer's decision to be final**—The decision of any Certifying Officer relating to the examination and certification of any honey in respect of its standard, quality, or description shall be conclusive; and no action or other proceedings shall lie against any Certifying Officer, or any other officer of the Crown, or the Crown, in respect of any decision of a Certifying Officer as to the standard, quality or description of any honey made in good faith in pursuance of his functions as a Certifying Officer.

**10. Exporter to give assistance**—(1) It shall be the responsibility of an exporter who has made an application for an export certificate to facilitate any examination by a Certifying Officer and to supply such facilities and assistance as may reasonably be requested by the officer.

(2) Every exporter who has made an application for an export certificate shall pay, on demand in writing, such amount as the Director may determine as being reasonable to defray the costs of examining, re-examining, sampling, analysing, or certifying any honey for the purposes of the export certificate.

**11. Offences and penalties**—Every person commits an offence and shall be liable on summary conviction to a fine not exceeding \$2,000 who—

- (a) Makes a false or wilfully misleading statement in any application or declaration made pursuant to these regulations:
- (b) Without lawful excuse, removes, alters, or interferes with any inscription, label, or mark on a container of honey intended for export after it has been examined or certified:
- (c) Without lawful excuse, empties, exchanges, unduly heats, or otherwise interferes with the contents of any container of honey intended for export that has been examined or certified:

- (d) With intent to deceive, alters, obliterates, substitutes, or otherwise interferes with any export certificate or other document issued under these regulations.

**12. Revocations**—The following regulations are hereby revoked—

- (a) The Honey Export Regulations 1950\*:
- (b) The Honey Export Regulations, Amendment No. 1†:
- (c) The Honey Export Regulations, Amendment No. 2‡.

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

\*S.R. 1950/142  
†S.R. 1962/32  
‡S.R. 1978/259

---

#### EXPLANATORY NOTE

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

These regulations replace, in a shortened and simplified form, the Honey Export Regulations 1950 and its amendments. The regulations now only apply in respect of honey intended for export for which the exporter has applied for an export certificate.

In the main, the regulations authorise Certifying Officers to issue export certificates if they are satisfied that certain standards have been met and the requirements of the regulations have been complied with.

---

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 December 1980.

These regulations are administered in the Ministry of Agriculture and Fisheries.