1996/199

THE MEAT (RESIDUES) REGULATIONS 1996

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of July 1996

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Meat Act 1981, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Meat (Residues) Regulations 1996.

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

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

"Act" means the Meat Act 1981:

"Animal remedy"—

(a) Means any drug, medicine, remedy, or therapeutic preparation, or any biochemical substance, that is manufactured, imported, or advertised for sale or is sold for any of the following purposes:

(i) Curing, diagnosing, treating, controlling, or preventing any disease in animals; or

(ii) Testing any animals in relation to any disease; or

(iii) Destroying or preventing parasites on or in animals; or

(iv) Maintaining or improving the health, condition, or productivity of any animal; or

(v) Capturing or immobilising any animal; but

(b) Does not include any preparation, substance, or product that is used primarily as a food for animals:

"Biological product" includes hormones, hyper-immune sera, toxoids, and vaccines:

"Bobby calf"—

(a) Means a calf that is intended to be slaughtered for the production of bobby veal; and

(b) Includes any other calf that has a live weight of less than 45 kilograms:

"Label" means a label for the time being approved under section 36 of the Animal Remedies Act 1967:

"Licensed animal remedy" or "remedy" means an animal remedy in respect of which a licence issued under the Animal Remedies Act 1967 is in force:

"Licensed premises" means an abattoir, an export slaughterhouse, or a rural slaughterhouse, and all appurtenances thereto, in respect of which a licence granted under the Act is in force:

"Pesticide" has the same meaning as it has in section 2 (1) of the Pesticides Act 1979:

"Recommended withholding period" means a period recommended in the label of any licensed animal remedy as the period within which any stock or farmed deer to which that remedy has been administered should not be presented for slaughter:

"Stock or farmed deer" includes bobby calves:

"Tissue or excretory product" means tissue or excretory product of a kind approved by the Director-General for testing to ascertain whether or not a substance to which regulation 4 of these regulations applies is present:

"Veterinarian" means a person registered as a veterinarian under the Veterinarians Act 1994.

(2) For the purposes of regulation 4 of these regulations, a substance to which that regulation applies shall be deemed to be present in stock or farmed deer at a level greater than is permitted by that regulation to be

present if the substance is present at such a level in a sample of tissue or excretory product taken from the stock or farmed deer while they are alive.

(3) For the purposes of subclause (1) of regulation 8 of these regulations, a substance to which that subclause applies shall be deemed to be present in stock or farmed deer at a level greater than is permitted by that subclause to be present if the substance is present at such a level in a sample of tissue or excretory product taken from the stock or farmed deer while they are alive or after they have been slaughtered.

(4) In these regulations, unless the context otherwise requires, terms defined in section 2 (1) of the Act have the meanings there defined.

3. Meaning of "approved by the Director-General"—(1) For the purposes of these regulations, the Director-General may from time to time—

(a) Promulgate, amend, or revoke circulars setting out general criteria for the provision of any thing; or

(b) Issue, amend, or revoke specific approvals in relation to the provision of any thing.

(2) Where, in the following provisions of these regulations:

(a) Regulation 2 (1), in the definition of the term "tissue or excretory product":

(b) Regulation 6 (1):

(c) Regulation 6 (2) (a):

(d) Regulation 6 (2) (b):

(e) Regulation 8 (3) (a):

(f) Regulation 8 (3) (b):

(g) Regulation 8 (4),—

any thing is required or permitted to be approved by the Director-General, that thing shall be deemed to have been so approved if it is in conformity with—

(h) General criteria relating to it set out in any circular promulgated pursuant to subclause (1) (a) of this regulation and for the time being in force; or

(i) A specific approval issued pursuant to subclause (1) (b) of this regulation and for the time being in force.

(3) The following provisions shall apply in relation to a specific approval issued pursuant to subclause (1) (b) of this regulation:

(a) The approval shall be in writing:

(b) The approval may be issued to any person or class of persons:

(c) The approval may be unconditional or subject to such conditions as the Director-General thinks necessary.

4. Maximum permissible levels of substances in stock or farmed deer—(1) The stock to which subclauses (2) and (3) and (6) to (11) of this regulation apply are—

(a) Cattle and sheep:

(b) Goats, horses, and pigs which are being herded, mustered, or handled in the manner of farm animals or are kept within an effective fence or enclosure for farming purposes or, in the case of goats, used for the control of noxious plants:

(c) Alpacas, asses, bison, hinnies, llamas, mules, and water-buffaloes.

(2) For the purposes of section 7A of the Act, the maximum permissible level at which a substance named in the first column of the schedule to these regulations may be present in—

(a) Any stock to which this subclause applies or farmed deer; or

(b) Any bobby calves—

is the level specified opposite the name of that substance in the second column of that schedule.

(3) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any stock to which this subclause applies or farmed deer, being a substance—

(a) That is not a substance to which subclause (2) of this regulation applies; and

(b) That is named in the first column of the First Table to regulation 257 of the Food Regulations 1984; and

(c) In relation to which any of the following sets of words appears in the second column of that table:

(i) "Any food":

(ii) "Any food other than shellfish":

(iii) "Any other food":

(iv) "Any other food except animal offal and tea":

(v) "Any other food except feral pigmeat":

(vi) "Any other food except tea",—

is the level specified in the third column of that table opposite the name of that substance and opposite the relevant set of words from the list in paragraph (c) of this subclause.

(4) Subject to subclause (5) of this regulation, for the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any particular kind of stock or farmed deer or in any particular type of tissue of stock or farmed deer, being a substance—

(a) That is not a substance to which either of subclauses (2) or (3) of this regulation applies; and

(b) That is named in the first column of the Second Table to regulation 257 of the Food Regulations 1984; and

(c) In relation to which any of the following sets of words appears in the second column of that table—

(i) "Cattle fat" :

(ii) "Cattle, fat":

(iii) "Cattle, liver":

(iv) "Fat of cattle, horses, pigs, sheep":

(v) "Fat of cattle, pigs, horses":

(vi) "Fat of other mammals":

(vii) "Liver":

(viii) "Mammalian fats":

(ix) "Meat":

(x) "Meat and edible offal":

(xi) "Meat and edible offal other than liver":

(xii) "Meat and edible offal other than liver, and fat":

(xiii) "Meat fat, in any food":

(xiv) "Meat or poultry":

(xv) "Meat other than fat":

(xvi) "Meat other than fat or liver":

(xvii) "Meat other than liver":

(xviii) "Other, liver":

(xix) "Other, mammalian fats (except milk fats)":
(xx) "Other, meat":
(xxi) "Pig, liver":
(xxii) "Pig meat other than liver":
(xxiii) "Sheep, edible offal of":
(xxiv) "Sheep fat":
(xxv) "Sheep meat":
(xxvi) "Sheep offal",—

is the level specified in the third column of that table opposite the name of that substance and opposite the set of words that describes that kind of stock or farmed deer or, as the case may require, that type of tissue of stock or farmed deer.

(5) Where, in relation to a substance named in the first column of the Second Table to regulation 257 of the Food Regulations 1984, any set of words referred to in paragraph (c) of subclause (4) of this regulation and the words "Any other food" appear in the second column of that table, the maximum permissible level for any stock or farmed deer of a kind not referred to in paragraph (c) of subclause (4) of this regulation or a type of tissue of stock or farmed deer not referred to in that paragraph is the level in the third column of that table opposite the name of that substance and opposite the words "Any other food."

(6) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any stock to which this subclause applies or farmed deer, being a substance—

(a) That is not a substance to which any of subclauses (2) to (5) of this regulation applies; and

(b) That is named in the first column of the Second Table to regulation 257 of the Food Regulations 1984; and

(c) In relation to which words referring to a kind of food, other than a kind of stock or farmed deer or type of tissue of stock or farmed deer, and the words "Any other food" appear in the second column of that table—

is the level specified in the third column of that table opposite the name of that substance and opposite the words "Any other food".

(7) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any stock to which this subclause applies or farmed deer, being a substance—

(a) That is not a substance to which any of subclauses (2) to (6) of this regulation applies; and

(b) That is named in the first column of the Second Table to regulation 257 of the Food Regulations 1984; and

(c) In relation to which the words "Any food" appear in the second column of that table,—

is the level specified in the third column of that table opposite the name of that substance and opposite the words "Any food".

(8) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any stock to which this subclause applies or farmed deer, being a substance—

(a) That is not a substance to which any of subclauses (2) to (7) or (9) to (13) of this regulation applies; and

(b) That is, or is contained in, a licensed animal remedy sold under a label that states in the directions for use that the remedy is for use in animals other than stock or farmed deer; and

(c) That is present in any stock to which this subclause applies or farmed deer,—

is 0.01 parts per million.

(9) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any stock to which this subclause applies or farmed deer, being a substance—

(a) That is not a substance to which any of subclauses (2) to (8) or (10) to (13) of this regulation applies; and

(b) That is, or is contained in, an animal remedy that is not a licensed animal remedy,—

is 0.001 parts per million.

(10) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any stock to which this subclause applies or farmed deer, being a substance—

(a) That is not a substance to which any of subclauses (2) to (9) or (11) to (13) of this regulation applies; and

(b) That is, or is contained in, a pesticide registered under the Pesticides Act 1979,—

is 0.01 parts per million.

(11) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any stock to which this subclause applies or farmed deer, being a substance—

(a) That is not a substance to which any of subclauses (2) to (10), (12), or (13) of this regulation applies; and

(b) That is, or is contained in, a pesticide not registered under the Pesticides Act 1979,—

is 0.001 parts per million.

(12) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any particular kind of stock or farmed deer, being a substance—

(a) That is not a substance to which any of subclauses (2) to (11) or (13) of this regulation applies; and

(b) That is, or is contained in, a licensed animal remedy sold under a label that states in the directions for use that the remedy is for use in stock or farmed deer of a particular kind or of particular kinds; and

(c) That is present in stock or farmed deer of a kind specified in the label—

is 0.1 parts per million.

(13) For the purposes of section 7A of the Act, the maximum permissible level at which a substance may be present in any particular kind of stock or farmed deer, being a substance—

(a) That is not a substance to which any of subclauses (2) to (12) of this regulation applies; and

(b) That is, or is contained in, a licensed animal remedy sold under a label that states in the directions for use that the remedy is—

(i) For use in stock or farmed deer of a particular kind or of particular kinds; or

(ii) For use in animals other than stock or farmed deer; and

(c) That is present in stock or farmed deer of a kind different from any specified in the label,—

is 0.01 parts per million.

5. Alteration of regulation 4 pursuant to section 42 (2) of Food Act 1981—Any reference in regulation 4 of these regulations to a table to regulation 257 of the Food Regulations 1984, or to a substance, words, or level in any column of any table to regulation 257 of those regulations, shall be read as a reference to that table or that substance, words, or level as amended by a notice in force pursuant to section 42 (2) of the Food Act 1981.

6. Requirements in relation to approved animal remedies—(1) Any animal remedy may be approved by the Director-General for the purposes of this regulation.

(2) Every person in charge of any stock or farmed deer to which any animal remedy approved under subclause (1) of this regulation has been administered shall ensure—

(a) That the stock or farmed deer are identified, in a manner approved by the Director-General, at all times while the person is in charge of them; and

(b) That, in circumstances approved by the Director-General, a person to whom the charge of the stock or farmed deer passes is notified that the animal remedy has been administered to them.

(3) No person in charge of any stock or farmed deer shall identify them in the manner approved under subclause (2) of this regulation for stock or farmed deer to which any animal remedy approved under subclause (1) of this regulation has been administered, unless that animal remedy has been administered to them.

7. Requirements in relation to growth promotants—Every person in charge of any stock or farmed deer shall ensure that no animal remedy is administered to them for the purpose of promoting their growth unless the animal remedy is, or is contained in, a licensed animal remedy sold under a label that states in the directions for use that the remedy is for use in stock or farmed deer of the kind of which the person is in charge for the purpose of promoting their growth or for purposes including that purpose.

8. Requirements in relation to stock or farmed deer presented for slaughter—(1) Subject to subclause (4) of this regulation, no person in charge of any stock or farmed deer shall present them for slaughter at a time when any substance to which regulation 4 of these regulations applies is present in that stock or farmed deer at a level greater than the level permitted under regulation 4 of these regulations.

(2) Subject to subclause (4) of this regulation, no person in charge of any stock or farmed deer to which a licensed animal remedy whose label contains a recommended withholding period was administered while the person was in charge of them shall present them for slaughter within that period.

(3) Subject to subclause (4) of this regulation, no person in charge of any stock or farmed deer to which an animal remedy that is not a licensed animal remedy was administered while the person was in charge of them shall present them for slaughter, unless—

(a) The presentation for slaughter of that stock or farmed deer has been approved by the Director-General; or

(b) The presentation for slaughter of stock or farmed deer of that kind has been approved by the Director-General.

(4) Exemptions to this regulation may be approved by the Director-General.

9. Requirements in relation to presentation of newly acquired stock or farmed deer for slaughter—(1) Where a person—

(a) Acquires any stock or farmed deer; and

(b) Forms the intention, either at the time of acquisition or subsequently, of presenting them for slaughter within any recommended withholding period for any licensed animal remedy that is reasonably likely to have been administered to them before the person acquired them,—

that person shall make all reasonable enquiries as to whether or not any licensed animal remedy was administered to them before the person acquired them.

(2) No person who acquires any stock or farmed deer shall present them for slaughter unless—

(a) Every recommended withholding period for every licensed animal remedy that is reasonably likely to have been administered to them before the person acquired them has expired; or

(b) There are reasonable grounds for believing that—

(i) A specific licensed animal remedy has been administered to them before the person acquired them, or specific licensed animal remedies have been administered to them before the person acquired them; and

(ii) The recommended withholding period for that licensed animal remedy has expired, or the recommended withholding periods for those licensed animal remedies have expired; or

(c) There are reasonable grounds for believing that no licensed animal remedy was administered to them before the person acquired them.

10. Requirements in relation to animals exposed to substances—(1) This regulation applies to any animal that has been used in the production or testing of any biological product or any substance to which regulation 4 of these regulations applies.

(2) Every person in charge of any animal to which this regulation applies shall, at least 24 hours before presenting it at any licensed premises for slaughter for human consumption, notify the Inspector in charge of or responsible for the inspection services at the licensed premises that such an animal is to be so presented and provide the Inspector with a certificate from a veterinarian—

(a) Stating that the animal is suitable for slaughter for human consumption; and

(b) Identifying the biological product or substance and the procedure used in the production or testing; and

(c) Stating, in respect of any defect that may have resulted from the production or testing, the site and nature of the defect; and

(d) If the animal is of a type of stock or a farmed deer, stating that the person in charge of the animal has stated to the veterinarian that the person is not presenting the animal for slaughter contrary to subclauses (1) to (3) of regulation 8 or subclause (2) of regulation 9, as the case may require, of these regulations.

(3) Every person in charge of any animal to which this regulation applies shall take all practicable steps to ensure that the animal is not slaughtered for human consumption without the consent of an Inspector who has been

notified, and provided with a certificate, in accordance with subclause (2) of this regulation.

11. Consequential amendment—Regulation 68 of the Poultry Processing Regulations 1978* is hereby consequentially amended—

(a) By omitting from subclause (2) the words "Stock (Insecticides and Oestrogens) Regulations 1961", and substituting the words "Meat (Residues) Regulations 1996":

(b) By omitting from the proviso to subclause (3) the words "Food and Drug Act 1969", and substituting the words "Food Act 1981".

12. Revocation—Regulation 104 of the Meat Regulations 1969† is hereby consequentially revoked.

*S.R. 1978/40
†S.R. 1969/192

Regs. 4 (2), 8 (1)

SCHEDULE

MAXIMUM PERMISSIBLE LEVELS OF SUBSTANCES

Substance	Permissible Levels (Parts per Million)
A: ANY STOCK OR FARMED DEER	
Antibacterials	
Chloramphenicol	0.005
Beta Agonists	
Cimaterol	0.0001
Clenbuterol	0.0001
Salbutamol	0.0001
Dioxins	
Tri-, Tetra-, Penta-, or Hexa-chlorodibenzo-para-dioxin (stated in 2, 3, 7, 8-tetrachlorodibenzo-para-dioxin equivalents)	0.0001
Poisons	
Cyanide	0.001
Flocoumafen	0.001
Stilbenes	
Dienoestrol	0.0001
Diethylstilboestrol	0.0001
Hexoestrol	0.0001
Thyreostatics	
Phenyl, propyl, and methyl thiouracils ...	0.0001
Thioruracil	0.0001
B: BOBBY CALVES	
Amoxicillin	0.01
Ampicillin	0.01
Bacitracin	0.01
Baquiloprim	0.01
Cefacetrile	0.01
Cefoperazone	0.01
Cefuroxime	0.01
Cephalexin	0.01
Cephalonium	0.01

SCHEDULE—*continued*

MAXIMUM PERMISSIBLE LEVELS OF SUBSTANCES—*continued*

Substance	Permissible Levels (Parts per Million)
Chlortetracycline	0.01
Cloxicillin	0.01
Dihydrostreptomycin	0.01
Doxycycline	0.01
Enrofloxacin	0.01
Erythromycin	0.01
Gentamycin	0.01
Lincomycin	0.01
Neomycin	0.01
Oleandomycin	0.01
Oxytetracycline	0.01
Penicillin	0.01
Spectinomycin	0.01
Streptomycin	0.01
Sulphadiazine	0.01
Sulphadimethyl pyrimidine	0.01
Sulphadoxine	0.01
Sulphaguanidine	0.01
Sulphamerazine	0.01
Sulphamethazine	0.01
Sulphamethoxazole	0.01
Sulphamethoxypridazine	0.01
Sulphamethoxypyrimidine	0.01
Sulphanilamide	0.01
Sulphaphenazole	0.01
Sulphapyridine	0.01
Sulphaquinoxaline	0.01
Sulphathiazole	0.01
Sulphisoxazole	0.01
Tetracycline	0.01
Trimethoprim	0.01
Tylosin	0.01

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 come into force on the 28th day after the date of their notification in the *Gazette*.

Regulation 4 prescribes maximum levels at which various substances may be present in stock or farmed deer. If the maximum levels are exceeded, movement control notices may be given under section 7A of the Meat Act 1981.

Regulations 6 to *9* set out requirements on persons in charge of stock or farmed deer in relation to the administration to the stock or farmed deer of animal remedies or substances specified in the schedule or substances specified in the tables to regulation 257 of the Food Regulations 1984.

Regulation 10 sets out requirements on persons in charge of any animal that has been used in the production or testing of any biological product or substance specified in the schedule.

It is an offence under section 47 of the Act to act in contravention of these requirements or to fail to comply with them.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette:* 18 July 1996.
These regulations are administered in the Ministry of Agriculture.